



Mobile Identities: Migration and Integration in Transnational Communitiesⁱ UK Final Report 2015

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1. Introduction

In an increasingly globalized labour market, people are becoming highly mobile. This mobility is encouraged not only by social and economic inequalities between countries but also other factors such as global competition for skills and talent, ageing populations, and the decrease of working age population in the destination countries¹ of migration.

Temporary migration programmes have been attractive to developed countries in Europe as a solution to much debated political as well as economic issues of migration². Temporary migration programmes are thought to provide a 'triple win'; beneficial to the migrant's country of origin, the host country and to migrants themselves. These programmes offer a much needed labour force to a host country and do not cause an integration challenge. They allow individual migrants to earn money in the short term to support their family and gain work experience. The sending country receives remittances from migrants that support domestic consumption and eventually the migrants come back with more internationally recognised skills and experience³.

The way temporary migration is managed, however, varies from country to country. This project is part of a comparative study that looks at similarities and differences of temporary migration programmes within 5 European countries (Germany, Italy, the Netherlands, Spain, and the UK).

Our key questions are: how is temporary migration realised in practice? Do temporary migration programmes really benefit all interest groups involved?

According to the Office for National Statistics, the UK recognises 641,000 individuals coming in to the UK in 2014 which is higher than the EU average immigration per capita figure (Figure 1, 3). In the UK, 45% are identified as Non-EEA migrants⁴ (Figure 2). However, in comparison with other popular destination countries within the EU, the UK level of immigration is modest⁵ (Figure 3). Nearly half of the migrant population work and live in London⁶. This figure, however, includes not only non-British migrant workers but also non-workers such as students, and family reunification subjects, and British nationals

¹Castels S. and Miller, M.J. (2009)

²European Commission (2011)

³Remittances have a significant impact on developing countries and increases annually. In 2014, the World Bank announced there is USD 435 billion worth remittances produced globally (The World Bank Migration and Remittances Team, Development Prospects Group (2014))

⁴Office for National Statistics (2015) *Long-term International Migration Frequently Asked Questions and Background Notes 2015*, available at (<http://www.ons.gov.uk>).

⁵Eurostat (2015)

⁶Rienzo C. and Vargas-Silva (2013).

who are moving from abroad⁷. Amongst these, students take up around one third of the immigrant population (Figure 4). In 2014, net migration recorded 260,000. The figure dropped due to the recent recession and tougher immigration rules, however, it was still above the government target of ‘tens of thousands’ by the 2015.

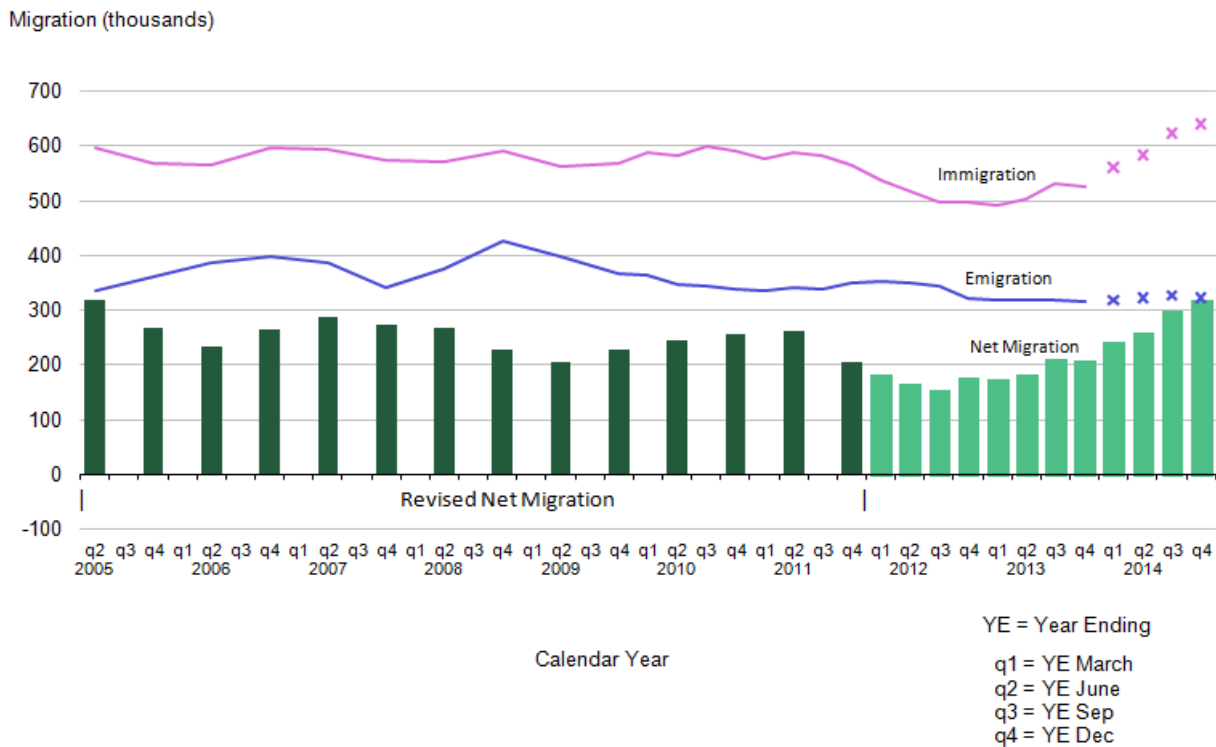


Figure 1. Long-Term International Migration, 2004 to 2014 (year ending September 2014). Office for National Statistics: 2015.

⁷ The definition of migrants in the UK contains a number of issues and ambiguities (Anderson, B. and Blinder, S. (2015)).

Immigration (thousands)

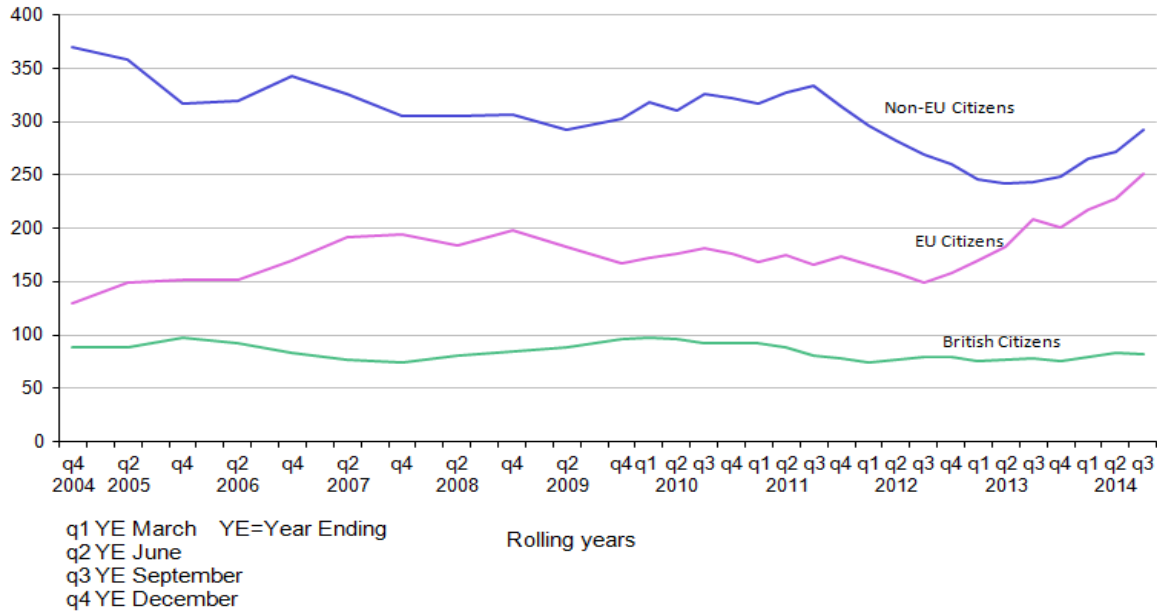


Figure 2. Immigration to the UK by citizenship, 2004 to 2014 (year ending September 2014)
 Office for National Statistics: Long-term International Migration Frequently Asked Questions and Background Notes 2015

Immigration

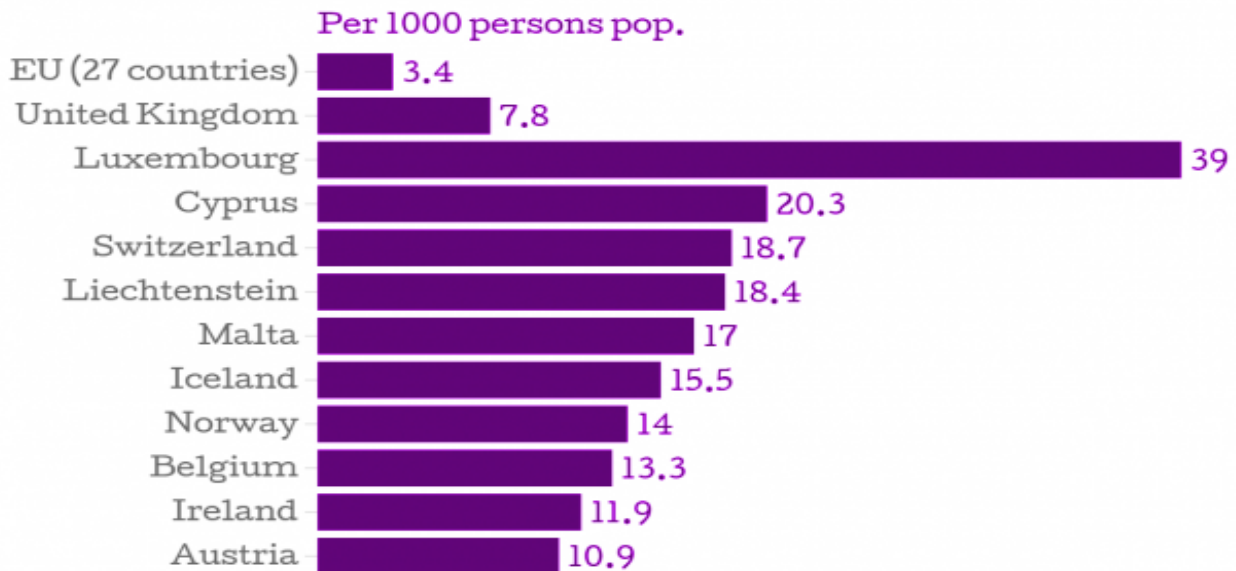


Figure 3. Eurostat comparison - 2012 Immigration per capita. Ehrenberg B. and Hall J. (2014)

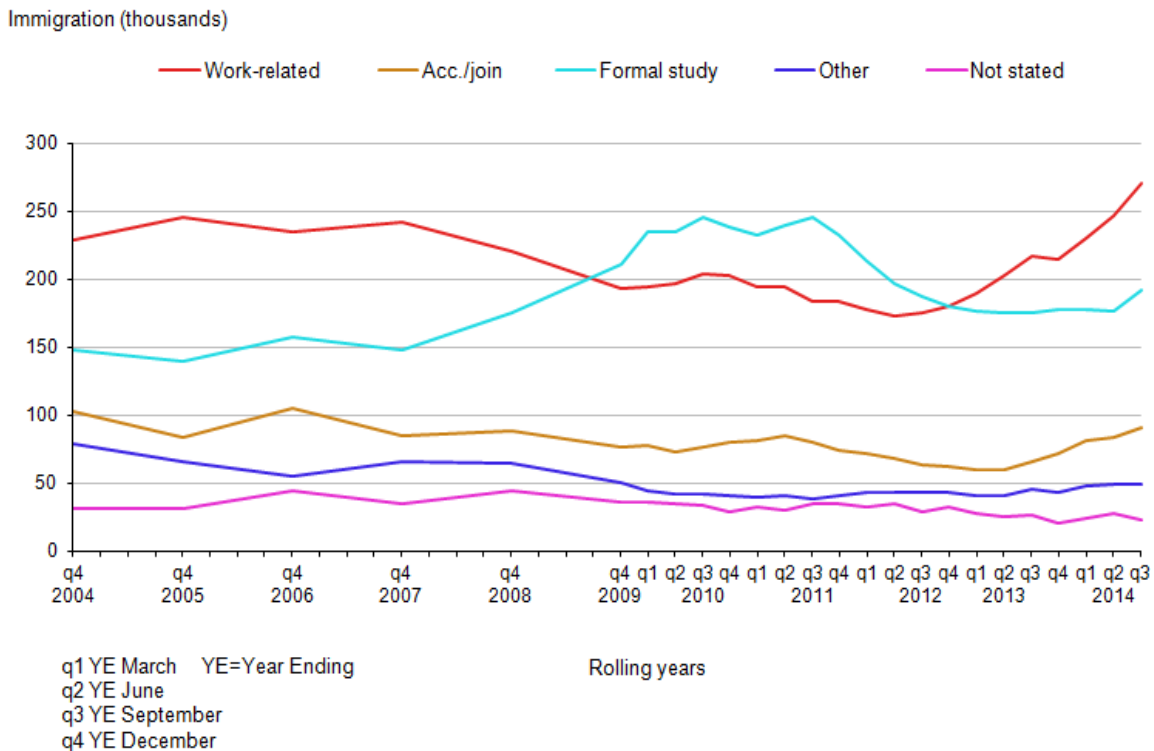


Figure 4. Long-Term International Migration estimates of immigration to the UK, by main reason for migration, 2004 to 2014 (year ending September 2014). Office for National Statistics: Migration statistics quarterly report Feb 2015.

In this study, we have looked at Non-EEA migrants who have come to the UK as ‘non-permanent’ which coincides with the Home Office’s definition of temporary migrants who are subject to immigration control and do not have indefinite leave to remain⁸. In order to look at the wider context of ‘temporariness’ in migration, we involved migrants who have settled in the UK: either holding residency or British citizenship. Curiously, the majority of these migrants still considered themselves as ‘temporary’. We have looked at their migration history, their living and working experiences, and their future plans. For those who had been in the UK for longer than 5 years, we asked how their stay became more long-term.

Our objectives are:

⁸ See, The Home Office (2014) *Migrant Journey – fourth report 2014*



- To understand the existing immigration rules and strategies applied to manage temporary migration
- To assess the impact of the current system on migrants and their well-being.

In the next section, we will describe our data and the main findings of our study, followed by our policy recommendations for future migration programmes.

2. Our Data

Following 3 months' desk research on existing temporary migration programmes in the UK, we conducted 26 in-depth interviews between July 2014 and June 2015 with various stakeholders including employers, embassy officers, local authority officers, academics, support organisations for migrants and migrants themselves⁹. The individuals in this study do not constitute a full range of migrants or a representative sample of migrant populations in the UK. However, to say that they do not represent a wider population is only to say that they should not be made the basis for statistical statements of any kind. It does not mean that they are atypical or out of the ordinary. It is important that the inferences we draw here are qualitative, not quantitative (although neither illogical nor untrue for that), and that they demonstrate common aspects of the temporary migration experience.

Our target migrant group is Filipino healthcare workers and domestic workers.

After careful consideration, we chose Filipinos for three reasons: 1) a bilateral agreement between the UK and the Philippines in healthcare co-operation¹⁰ which encouraged the UK's recruitment of Filipino healthcare professionals, 2) the Philippines is a country whose economy has largely benefited from labour exportation. Remittances of migrants cover about 10% of GDP¹¹ which contributes to domestic consumption, 3) the number of Filipino workers who applied for a UK visa increased dramatically during the 1990s and decreased rapidly after 2004. Such changes seem to indicate a significant influence of the changes in immigration rules. According to the Philippines embassy, there are 200,000 Filipinos registered in the UK, and approximately 80% of them have been granted settlement. Filipinos who are typically healthcare workers or domestic workers quickly disappeared from the list of top 20 nationals of new National Insurance registration¹² after 2004/5 due to major changes in immigration rules, including the removal of lower level nurses (Band 5 and 6) from the Shortage Occupation List¹³ and increasing difficulty with settlement.

Non-migrant stakeholder interviewees were contacted through email and arranged an interview either by means of telephone conversation or a face-to-face meeting.

⁹ See Appendix a.

¹⁰ Bilateral agreements are one of the effective ways to promote temporary migration, and the presence of a bilateral agreement was one of the essential criteria for a focus group of this comparative study.

¹¹ Approximately 23 billion USD. See the World Bank (2015)

¹² National Insurance is a system of contribution towards part of state benefits. Individuals pay in if: an individual is either 16 or over, an employee earning above £155 a week, or self-employed and making a profit of £5,965 or more a year. See Home Office (2014)

¹³ Salt, J. (2014). For more information on migrant workers in health care, see Bach, S. (2012).

Migrant interviewees were recruited through community and support group organisations. However, reflecting current anti-migration policies and the political climate, migrants were suspicious of authorities and of any research project on migrants. Over 60% (32 out of 58) of individuals who initially showed much interest either refused to proceed or stopped communicating with us after we presented a consent form which explained the purpose of our research, guaranteed informants' anonymity and indicated how the data will be used to present policy recommendations. This reaction was common amongst migrant workers regardless of their skills' level and visa status. At one fieldwork-site which we approached through a volunteer worker, it took a further 2 months before we gained the trust of migrant workers and started interviews. Even so, most of them refused audio and visual recording. Migrant interviewees participated anonymously, and we have given a different identity to their quotes in this report. 16 interviewees out of 26 were migrants, comprised of 8 nurses and 8 domestic workers. All migrants except one were female and over 80% of them had a higher education degree regardless of the perceived skill level of their current profession. The figures below illustrate their profile, based on 16 individual migrants (i.e. n=16 throughout).

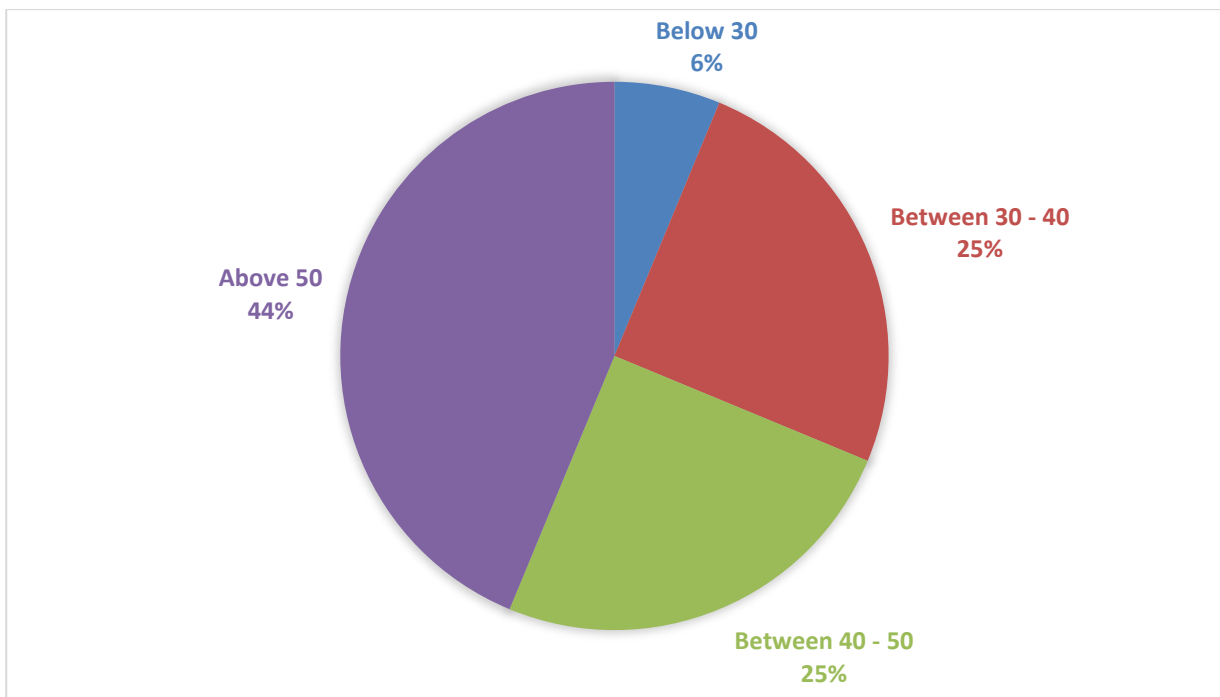


Figure 5. Migrant Interviewees - Age group

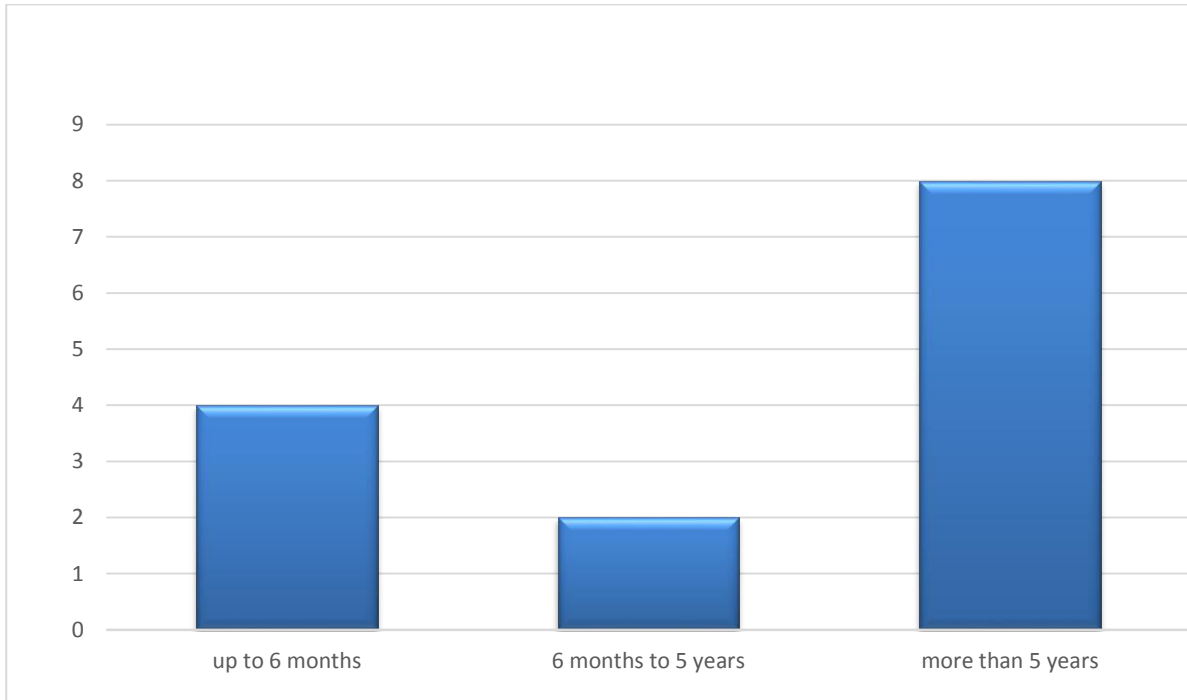


Figure 6. Migrant Interviewees - Length of Stay

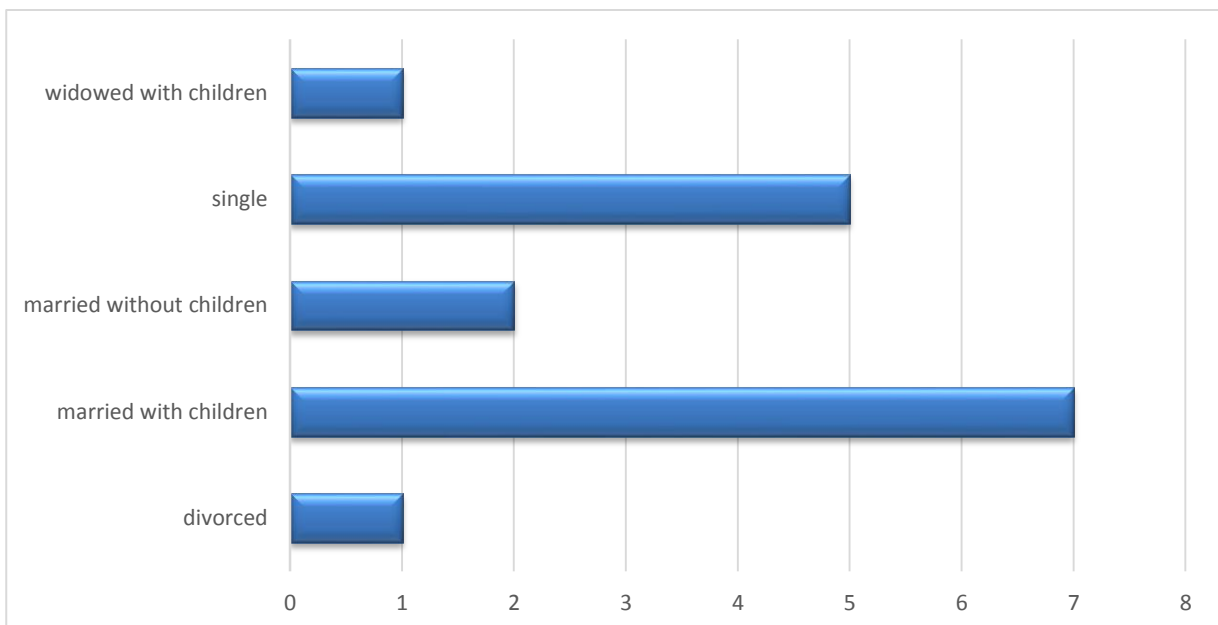


Figure 7. Migrant Interviewees – Marital Status

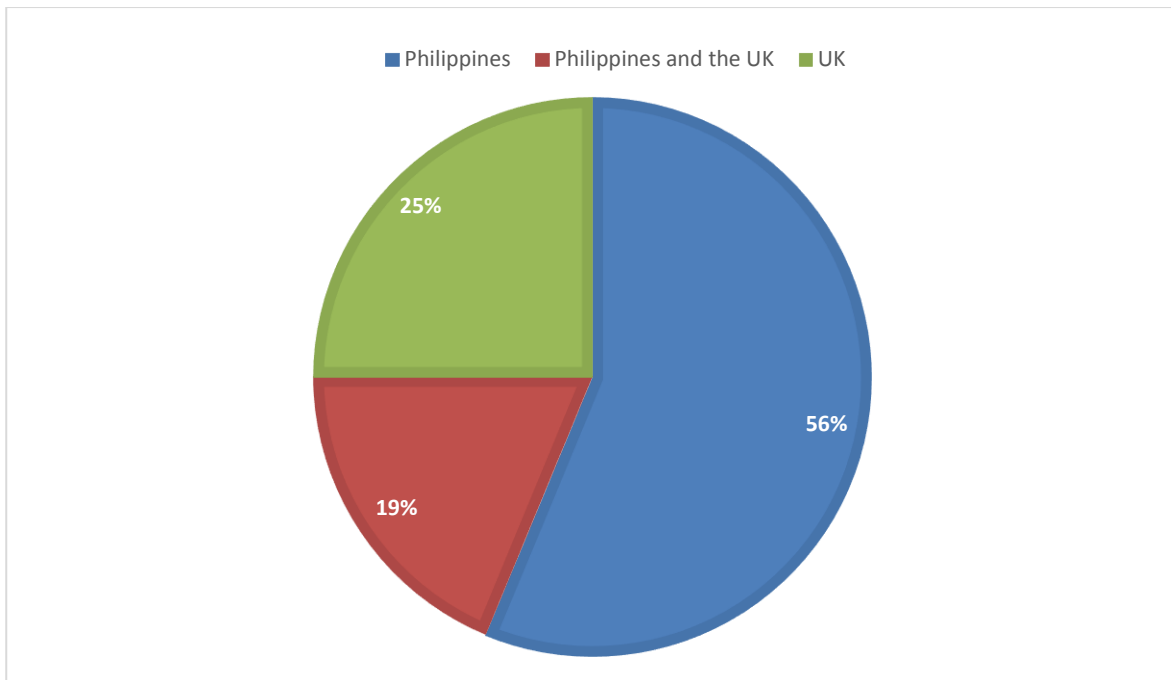


Figure 8. Country of Residence – Family Members

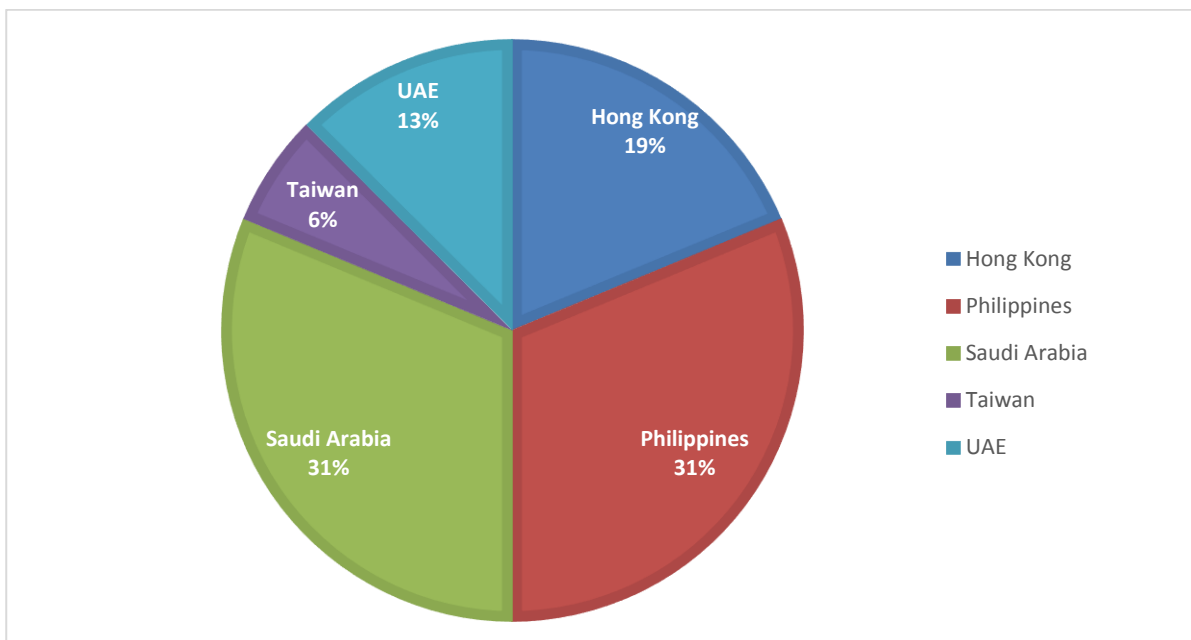


Figure 9. Country of Previous Residence

3. Findings:

Findings are presented in five sections: 1) UK immigration policies, 2) the concept of temporariness in temporary migration, 3) the impact of immigration rules on migrants, 4) issues of integration, and 5) return migration.

3.1. UK immigration policies – how to maintain migration ‘temporary’

UK immigration rules are characterised by a Points-Based-System (PBS)¹⁴, and have seen a number of changes in recent years due to the expansion of the European Economic Area and the economic recession in the UK and EU.

The major changes aim at; a) reducing overall net migration, b) attracting more investors and highly skilled migrants, and c) decreasing numbers of low skilled migrants. The immigration rules are arranged to cherry-pick ‘the best and the brightest’¹⁵ with an emphasis on the migrants’ income level, education, and age. These features portray a most desirable migrant being young, unmarried, highly skilled, and with a high income.

The UK government has been also trying to discourage migrants from permanently settling in the UK by frequently changing application criteria, restricting family reunification, increasing fees¹⁶, and raising the income threshold for an application for settlement¹⁷. Lately, the UK government has introduced new rules to share more responsibilities with stakeholders such as employers, private landlords, and banks as a way of controlling illegal migrants, and it imposed a new National Health Service charge in April 2015.

Low skilled workers’ programmes were mostly abolished by December 2013¹⁸. The rationale behind this is an assumption that the need for low skilled labour can be met satisfactorily with EEA migrants whose influx cannot be controlled due to the Free Movement regulations. This lack of control on the

¹⁴The PBS was introduced in 2008 to systematically assess individual applications against the needs of the labour market. See Appendix b.

¹⁵ Migration Advisory Committee (2009)

¹⁶ Sometimes, such changes can be dramatic. In April 2014, an application fees rose by 4% for the main applicant whereas an application for dependents increased by 38%.

¹⁷In 2016, the minimum income level threshold for skilled workers’ settlement will become £35,000 per annum which is planned to increase until 2018. This is above the UK average income £26,500 (2011).

¹⁸ Low skilled workers programmes have been abolished as the labour shortage was believed to be filled with EEA migrants. The last programme of this kind is Seasonal Agricultural Workers Scheme which was abolished as Bulgaria and Romania became part of EEA.



movement of the EEA migrants and British nationals made the Home Office introduce stricter regulations over the non-EEA, the only category over which control is possible.

Some structural changes also happened during this time. The Border Force was separated from the UK Border Agency in 2012 and returned to the Home Office, and the UKBA was split into the UK Visa and Immigration and Immigration Enforcement in 2013 and also returned to the Home Office, now directly accountable to government ministers. The two advisory groups set up to assess the overall impact of migration, namely, the Migration Advisory Committee and the Migration Impacts Forum (2007- 2010), have been reduced to the former that focuses on labour market needs. Since then, there has been no official body which looks at non-economic impacts of migration on society.

Attention must be paid to a conflict of interest and confusion amongst policy makers, the general public, and the labour market. While migration policies are focused on labour market needs and the economic impact of migration, public debates are concerned with the impact of migration on the National Health Service, Social Housing, schooling, and the cultural impact of migrants on British society, which may or may not be directly related to migration¹⁹. As the table below shows, anti-immigration sentiment in the UK appears to be significantly higher than other popular destination countries in the world (Figure 10).

¹⁹For potential impacts of migration, See the Institute for Public Policy Research (2014)

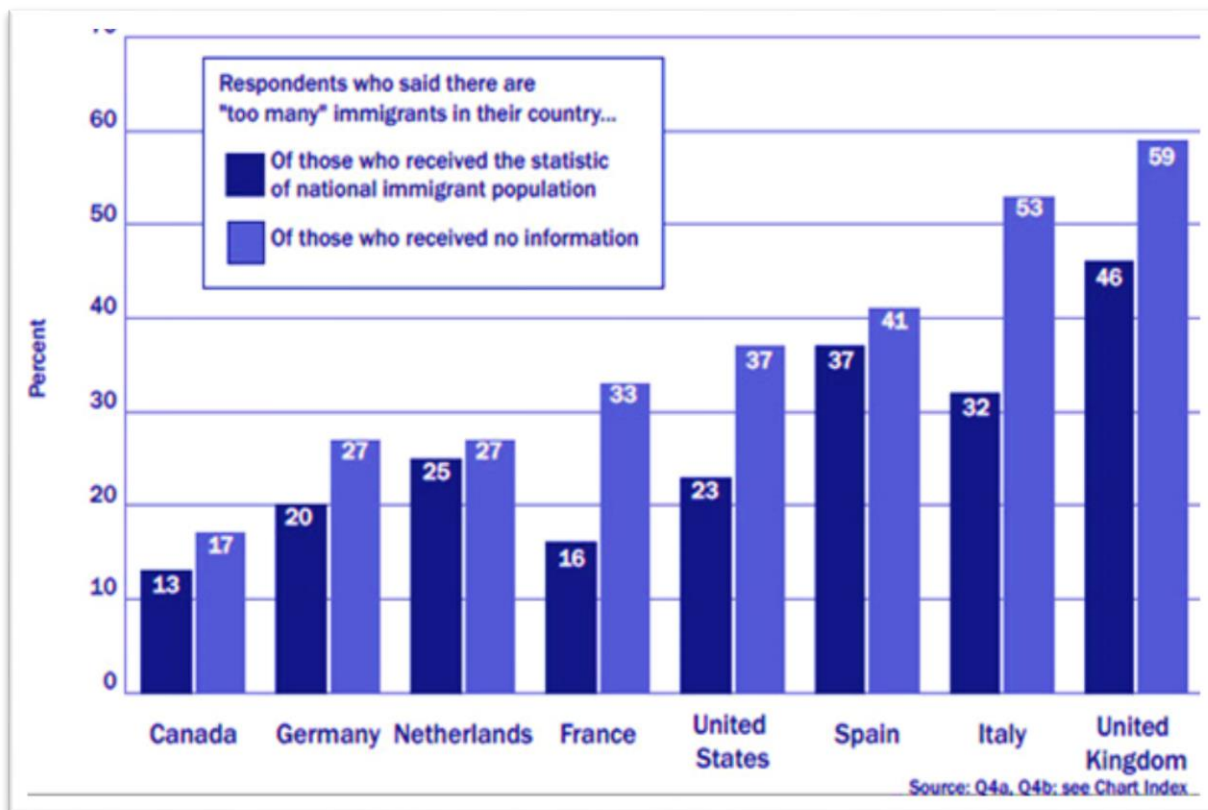


Figure 10. 'Too many Immigrants?' Knowledge of Immigrant Population Changes Perception. Easton, M. (2011)

The data also show that more informed individuals are less hostile to migration. A recent UK study on media coverage of migration²⁰ adds an interesting insight. The word most commonly associated with 'immigrants' is 'illegal'; and migration is associated with large numbers such as 'millions' and 'thousands' across different types of newspapers. Tabloids use more words related to jobs and benefits and terrorism to describe issues related to migration. While there is no proven evidence to suggest the actual impact of these reports on public opinion, the study results coincide with what is perceived as public opinion on migration in the UK.

Another equally important yet overlooked issue is that migrants are regularly discussed as a homogenous population. Salt and Dobson (2013) describe how the focus on numbers prevents the policy makers from looking at the complex and diverse nature of migration. By focusing on numbers,

²⁰ McNeil, R. (2013)

the net migration targeted policies neither reflect real market needs nor the government's long-term agenda.

There is no such thing as a migrant. There are different sorts of people who move. You have to break down the migration streams into the various routes of entry: labour, students, family, asylum etc. Then further breakdown may be appropriate: for example, labour can be broken down into certain occupational types which are of variable importance...The routes of entry approach involves deciding what is wanted from each of them and then a sensible overall policy can be developed.

...The focus on numbers is a purely ideological and political decision. There was a general feeling that net immigration had become too large, and there remains a popular demand for reducing immigration. The government decided that the overriding immigration policy should be to cut numbers entering. Quite bizarrely, they started with the labour market which was already the most controlled because of the PBS. They chopped Tier 1 including the Post Study Work route, bringing about some reduction in the numbers. However, both gross and net immigration went up again because the majority of inflows, of British and other EEA citizens, were out of control...

There is no short term fix. Migration policy is for the long haul. There is a tendency among both politicians and media to confuse migration with what is really a housing or an education policy issue. So that what is really a housing problem is turned into a migration problem rather than the other way around. In other words, migration is used as a proxy for debate on other things.

Professor John Salt – University College London

The perception of migration is not unanimous across the country or across sectors. There is a regional or sector related gap regarding market needs which have been brought into discussion²¹. A better informed discussion is urgently needed to identify actual issues of migration and acknowledge different understandings and needs.

²¹The Institute of Directors and a think tank British Future made a joint statement to claim that radical policies to limit migration negatively affect the overall economy (BBC news (2015) UK targets to cut immigration 'punish businesses'. The Scottish parliament considers reintroducing Post Study Work Visa (See the Scottish Government 2015). Royal College of Nursing claims the need of recognising the on-going shortage of nurses (RCN (2014).

The latest UK report to OECD identifies 4 sectors that need migrant workers²²: Information and Communication, Professional/Scientific/Technical, Financial/Insurance, and Health/Social Work. With regard to the entry route for migrants, the most popular programmes are: Entrepreneurs and Investors (Tier 1), Sponsored with a job (Tier2): Intra-Company-Transfer and General Skilled Work, and Youth Mobility (Tier 5)²³ (Figure 11). Reflecting the recent changes in immigration policies, there has been a significant decline in Post Study Work (abolished in 2012) and healthcare professionals on Tier 2. Increasing complexity and fees of visa application mean that only companies with substantial resources can host migrant workers.

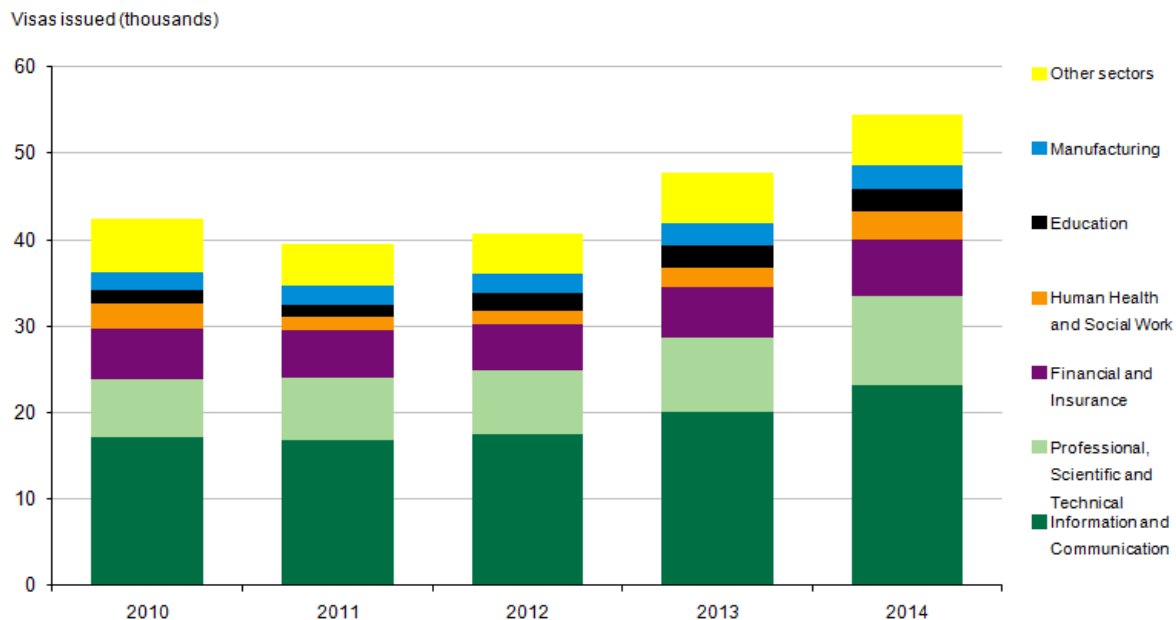


Figure 11. Skilled work visa applications by industry sector, 2010 to 2014. Office for National Statistics: Migration statistics quarterly report Feb 2015.

Filipinos who are typically engaged in healthcare sector (Tier 2) and domestic work (Tier 5 and Non-PBS), have seen a sharp decline in numbers after 2004/2005 and further decline is anticipated. The Philippines Embassy understands this is a reflection of policy changes that make it harder for migrants to enter the UK and continue to stay.

²²Salt, J. (2014)

²³ See also the ONS chart below.

However, the situations of healthcare workers and domestic workers are different²⁴. For nurses, the main impact stems from: a) a sharp increase of EEA nurses since the recession in 2008. The majority of NHS recruitment has shifted its focus from Non-EEA nurses to EEA nurses²⁵; b) a decline of policy led active international recruitment (e.g. bilateral agreements²⁶); and c) tightened immigration policies: the increased cost and time required for recruitment and entry clearance make these migrant nurses less feasible for NHS trusts due to general funding cuts and the urgency of staff requirements²⁷. Tier 2 is also subjected to an annual and monthly cap on numbers since 2011²⁸

For domestic workers, the main impact of the changes introduced in 2012 is the lack of protection for those who are abused or exploited by their employers. Under the current arrangement, the migrant's visa is tied to the employer registered at the point of entry. Migrants are therefore bound to stay with the same employer regardless of their living and working conditions. We will discuss this issue more in detail in a later section.

3.2. 'Temporariness' in temporary migration

The question of how long is temporary turned out to have no definite answer. The concept of 'temporariness' is interpreted differently by different stakeholders. For policy makers, 'temporary' refers to 6 months up to 5 years as after this point, a migrant may be eligible for permanent settlement. For employers, it is similarly up to 5 years: the initial employment is usually for 2 years and most migrants do not earn enough per annum to be eligible for settlement after this period²⁹. Given the increasing cost of hiring a migrant worker, there is no guarantee that employers will be able to continue hiring a migrant worker for more than 6 years. Given the efforts and resources employers invest in their workers, it is more desirable to have workers who would stay for a longer period of time. Yet, long-term employment seems decreasingly regarded as a norm.

²⁴For a more detailed description of the programmes for each group, see Appendix c.

²⁵ Buchan, J. and Seccombe, I. (2012), *The NHS employers* (2014)

²⁶ According to the Philippines Embassy, Memorandum of Understanding between the Philippines and the UK and Northern Ireland regarding Healthcare Cooperation was signed in 2002. This agreement was meant to last for 3 years. However, it was terminated in 2003 following a request from the Philippines government. The responsibility of recruitment process was then handed over to a private sector.

²⁷See Bach, S. (2010), Cangiano A. And K. Walsh (2013), *Roya College of Nursing* (2013)

²⁸In 2011, the government introduced an annual limit of 20,700 on Tier 2 Visas, which is split into monthly limits. The cap applies to only those who need a Tier 2 Restricted Certificate of Sponsorship. Exceptions apply to Intra-Company Transfer, high income earners with over £150,000 per annum, those who wish to extend or switch their existing visa, and those who are with Sports person and Ministers of Religion visas.

²⁹ As noted before, in 2016, the minimum income level threshold for skilled workers' settlement will become £35,000 per annum which is planned to increase until 2018. This is above the UK average income £26,500 (2011).



Under the current economic and political circumstances, non-EEA migrant workers are not the only choice for many UK employers to tackle the skills shortage. Economic inequality within EEA countries made many EEA workers migrate to the UK for a job opportunity. According to the NHS Employers, there are more EEA healthcare professionals looking for work than ever before due to high unemployment and lower payment in Southern and Eastern countries within the EEA³⁰. The figure 12 below shows how the international recruitment of healthcare workers has shifted its focus from Non-EEA to EEA workers. By employing EEA migrants, employers do not need to go through a complex process that is inherent in hiring Non-EEA migrants³¹ and can acquire a much needed work force in a shorter period of time.

Hiring EEA migrants, however, does not guarantee long - term employees either. EEA migrants typically plan to stay in the UK for 3 years and then return home. One view is that workers are increasingly mobile regardless of their country of origin, and mobility is now intrinsic to work³². Consequently, some employers are now required to deal with uncertainty and 'adjust' to the market.

³⁰The NHS Employers (2014)

³¹For example, employers who wish to hire Non-EEA migrants typically need to satisfy a Resident Labour Market test and acquire a certificate of sponsorship. Sponsorship involves various responsibilities. Some programmes also have minimum salary thresholds which vary from £20,800 to £155,300.

³²While the UK recruits nurses from abroad, there are equally large number of nurses leaving the UK. See RCN labour market review (2013).

Number of admissions

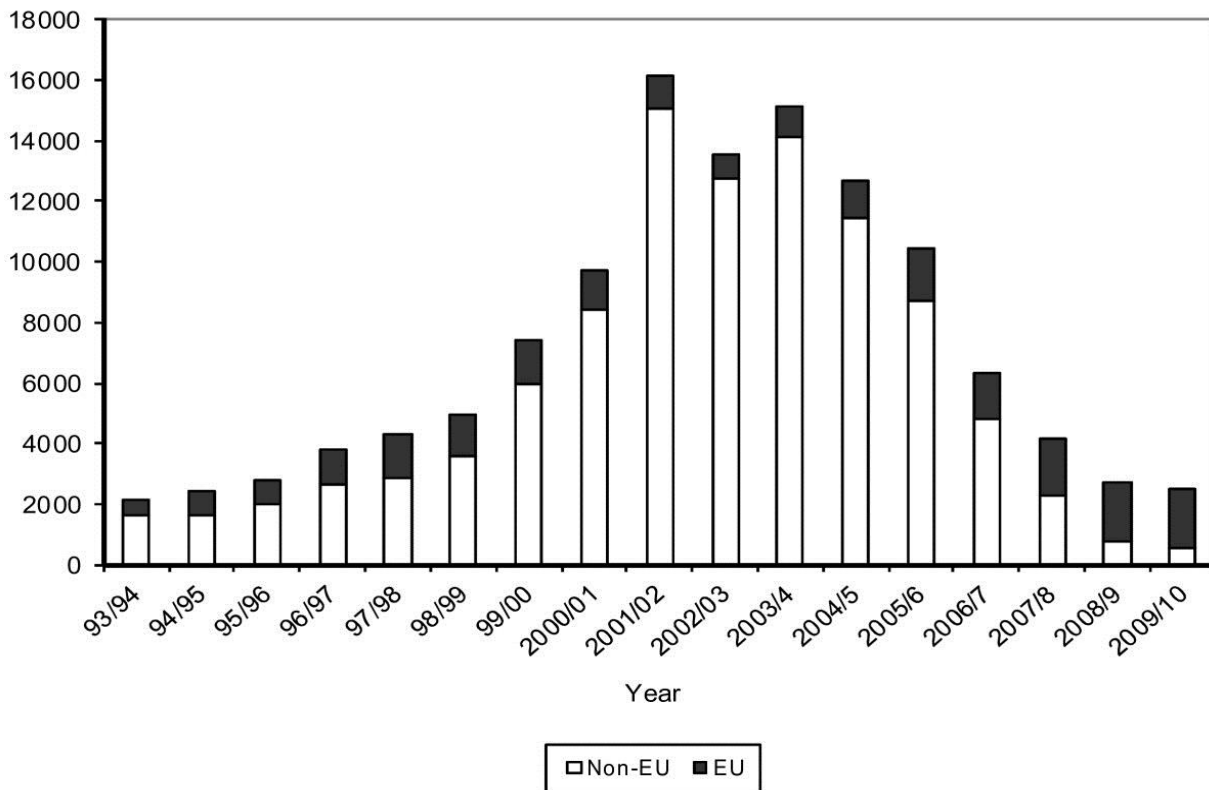


Figure 12. International workers admitted to the United Kingdom NMC register from EU countries and other (non EU) countries 1993/1994 to 2009/2010. Buchan, J. and Secombe I. (2012).

There is a gap (in the market) and we need migrants to come and help, and they're highly valued. The Home Office don't issue a permanent visa to people who first enter the country. It's time-limited. Unless something happens over a period of time – to increase supply or the demand changes - you may need to replace them with other people. It's sometimes hard to tell where we're going to be in 5 or 10 years as the landscape is always changing...If an employer finds they have a gap and they need to fill the gap, then overseas recruitment may be option. We've recruited people from Spain and Portugal, they may or may not stay for a long period of time which is a risk. Employers have found that colleagues from India or the Philippines have come and settled in the UK. When it comes to supply, it's about understanding your workforce and the planning for the changes that you know are going to happen. It's also important to build in flexibility to manage the unplanned and unknown activities. It's often very difficult for employers to flex and respond to changing need instantly as our planning and training system requires a several year lead in time – when these situations occur it's more important to ensure



we have a migration system which can enable employers to recruit skilled staff and retain the ones they have already employed.

Caroline Waterfield - NHS Employers

In spite of chronic staff shortages in the health sector, employers are also concerned with staff over-supply. It has happened in the past that those who were trained in a shortage occupation with the help of a government fund, did not find work after years of training. The difficulty for the employers is that their need for skills and labour changes over time, whereas recruitment and employment are long-term processes. Hiring 'temporary' workers who are already trained, in this regard, is a convenient alternative as they offer a quick solution to labour shortage without the cost and time of training, and there is less concern for over-supply which is more problematic with local workers. Yet, the 'temporariness' of migration can create an obstacle to both migrants and their colleagues when it is out of their control.

Many nurses are recruited by an agent who is not aware of the immigration rules. Newly recruited nurses may come into the UK under the understanding that they will be able to settle in the UK. However under the new Immigration rules, unless they nurses is employed at mid band 7, earning a salary of over £35,000³³, the Rules do not allow for the nurse to remain in the UK permanently. The government undertook an assessment in 2012 about the income threshold. They found 48% of the applicants for 'indefinite leave to remain' with Tier 2 visas were nurses, there was an awareness that those nurses could not satisfy the income threshold. However, the changes to the Rules were still introduced. So it's very clear that nurses are not going to be able to satisfy that income threshold. This is likely to have a huge impact on internationally recruited nurses. The nurse may have lived here in the UK for 6 years and may have children who have spent a large part of their childhood in the UK, however they will have to leave...The second issue, I think is discontent in the workforce. Bringing in non-UK nurses to work within our workforce, requires a lot of trust, and requires a lot of work. It's expensive to induct these nurses and teach them UK practices. Then suddenly the British staff will be left with colleagues they trust and have developed a relationship with leaving the UK. Simply because they don't earn enough money. I think this is going to cause aggravation. It takes a

³³ From October 2015, nurses are added to the Shortage Occupation List and are therefore exempt from this requirement. Non-EEA nurses' entry clearance applications are also prioritised as a consequence.

long time to develop a relationship with work colleagues and to produce a very highly skilled group of nurses. But after 6 years, they are expected to leave the country. Its' going to cause a difficulty. I think ultimately, it's going to make the UK less attractive to work.

Julie Mektadir - Royal College of Nursing

Migrant workers we spoke to, however, did not share a clear understanding of 'temporariness'. Migrants considered themselves as 'temporary' regardless of the length of their stay or their visa status. Their stay depended on the availability of work, their responsibility for remittances, whether they could extend their visa, and what options they have elsewhere. Migrants also expressed a wish to apply for settlement regardless of their will to stay permanently. The main determinant of this decision was to keep their options open. The formal right to settle enables migrants to decide whether to stay or leave when they want.

3.3. The impact of temporary migration programmes on migrants

Some of the impacts of temporary migration come directly from the programmes. Others are concerned with wider issues of temporary migration. One of the characteristics of the migrant population in London is its diversity and increasing social inequality: London attracts some of the wealthiest as well as the most deprived migrant populations³⁴. It remains as being a major destination for high skilled migrants whose recorded skill levels are higher than in other cities. This is considered to boost the economic prosperity of London. Lower skilled migrants are also much needed in sectors such as hospitality, private healthcare, construction, and contract cleaning. At the time of recession when employers are reluctant to increase wages, more migrant workers from a country of weaker economy are attracted to low skilled jobs as they recognise more value in their wages than local workers do³⁵. Sometimes, employers also consider migrant workers more desirable than native workers as they are more willing to work in low-paid jobs, more resilient to hard working environments. Moreover, employers feel less morally responsible for those defined as the 'other' in society³⁶. Therefore, in spite of the continuous demand in the labour market, their working environment is not readily improved easily. On the contrary, Wills et al (2009)'s study suggests an income decrease in lower-skilled business sectors. Amongst

³⁴ Gidley, B. (2011)

³⁵ Dustman, C. and Görlach, J.S (2015) on relevant issues of temporary migration and migrants' perception of their wage.

³⁶ Waldinger, M. and Lichter, M.I. (2003), and Anderson, B. (2007).

these sectors, domestic work is particularly vulnerable as the workers often live and work in a private household which is not well regulated by existing rules³⁷.

Highly skilled workers are not benefiting from the current immigration programmes either. Despite the government's aim of attracting 'the best and the brightest', the number of high skilled Non-EEA workers decreased by over 30% between 2007 and 2013³⁸.

Fast changing immigration rules and subsequent job insecurity restrict migrants' career development. Frequent changes in the application criteria mean that an applicant who is eligible at one time may not be eligible for the same visa within a few years and/or the fee becomes unaffordable³⁹. Consequently, there is a growing sense of uncertainty in how long they can stay in the UK and most importantly, continue working.

While nurses recruited by the NHS receive some level of support regarding the cost of entry clearance and travel arrangement, nurses still have to pay the Nurses and Midwifery Council registration and even more if they work in a private care sector which is less regulated, often associated with exploitative working conditions.

In spite of an Equal Opportunities Policy and having their qualification recognised by the NMC, nurses regularly face de-skilling and given less responsibility. Migrant workers regularly take on more undesirable work – night shifts and longer working hours for the fear of losing a job and the responsibility for remittances. A nurse who worked in a care home was given a day-time shift pay for her night shifts.

I work nightshifts but I'm not paid any higher rate. It is a minimum wage. Is it because I'm not British? When I was in Taiwan, it was different (night shifts were paid a higher rate). In the UK, I am paid a higher rate only when I work on a Bank Holiday.

Rita – a care home nurse

As the NHS continue to face financial cuts, nurses experience the consequence of the staff shortage at first hand.

³⁷ For recent reports on the vulnerability of domestic workers in the UK, See Anderson, B. (2007), Clark, N. and L. Kumarappan (2011), Leghtas, I. (2014), and Mantouvalou, V. (2013).

³⁸ Vargas-Silva, C. and Rienzo C. (2014)

³⁹ See Pollack, L. (2014) for a portrayal of visa application process.

I work too much here without a good pay. In a theatre, there supposed to be three people, but we're two. We have been working like that for years. We complained, and where I work is a good hospital. But there is a severe shortage of staff. Safety is compromised.

Ana- a theatre nurse

The perceived responsibility for family assistance as a sole breadwinner also restricts migrants' personal development. All migrants we interviewed had little or no savings due to remittances. Many migrants have a debt when they leave their home country⁴⁰, and they support their children, parents and often extended family members back home.

The biggest thing for them is knowing that they can continue to work. That is the most important right for a domestic worker. Being able to continue to work...some people are prepared to take a lot as long as they're being paid. If they have enough to send home to their family.

Catherine Kenny - Kalayaan

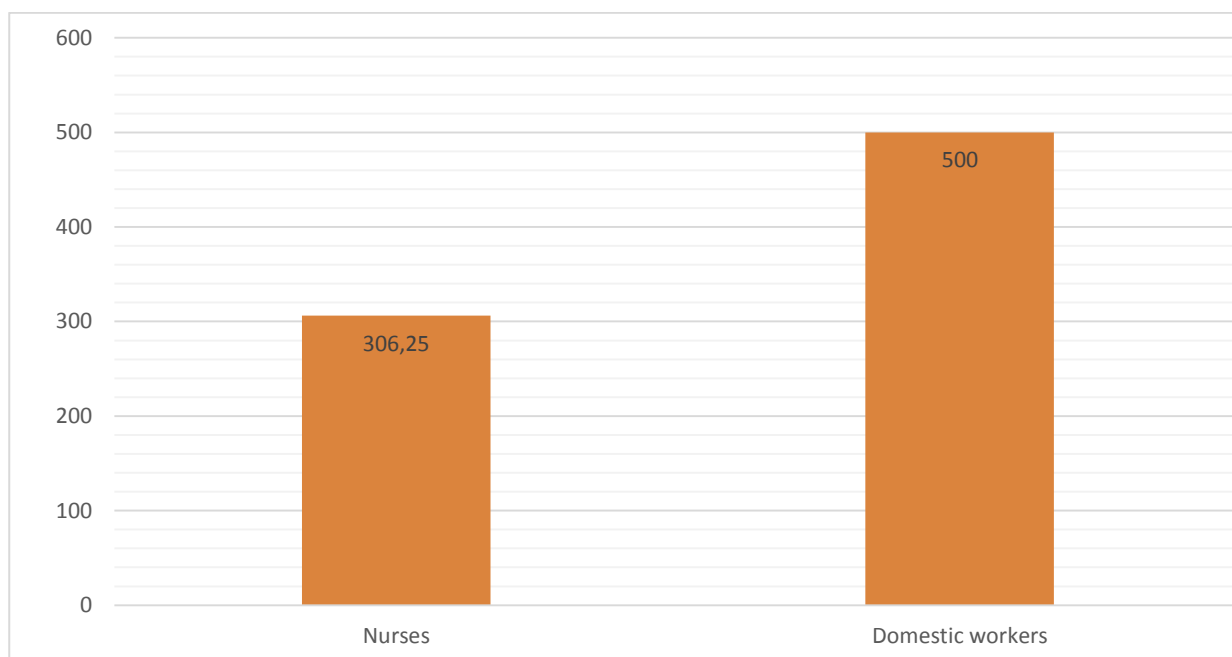


Figure 13. Migrant Interviewees - Average Remittances per month

⁴⁰Apart from personal debt prior to migration, Filipino migrant workers pay a recruitment agent fee that is typically an equivalent of one-month earnings in the destination country.

I used to support 10 children including mine. I sent remittances every week. It was around £1200 every month. Now I send £400 a month to support my nephews and nieces. And sometimes more for emergency. You need to try hard to make this money. I walked everywhere I could instead of using a bus. Without it, I couldn't send the money. Your employer provides you food, you send everything. I have no savings. In my bank account, I have £27.

Bing – a migrant domestic worker

Their children in the Philippines are usually looked after by the mother's mother or sister at home. How their hard-earned money is spent is a difficult issue for many migrant workers who live away from the family. Migrant workers tend to trust female members of the family who directly take care of their family members. Keeping a reliable partnership becomes more difficult as they live apart for long periods of time. Consequently, the bond between female family members are more likely to be the foundation of their family life. Migrants apply various strategies to control the way the money is spent: sending it by small instalments, sending directly to where it's spent, and giving a detailed instruction to the person who received it.

I used to send the money to my husband but he didn't follow my instructions. He just spent the money for the needs he saw. So now I send it to my daughter. He was very upset because he is a man and he still wants to be in charge, and my daughter was feeling bad. I said "it's hard to earn that money. You must spend your money wisely". If I send the money to my husband, by the end of the 1st week, it's gone. My husband doesn't know how much I have to work to make this money. Now, I don't care what people think of me anymore.

Ellie – a migrant domestic worker

The expectation of money or assumption that a migrant worker is a high earner sometimes affects not only their immediate family but also their extended family members and neighbours. Migrant workers have to regularly handle such expectations as it can be 'out of control' otherwise.

I suppose a lot of it is also about the mentality of people that, "once you're out of the country, you're able to send us money". So there is that assumption and expectation. And I think it's up

to people (to decide whether to give money). I have always been against that. Just giving money. If you're abroad, you give money. When you go home, your relatives would tell you, you have to give money to so and so. And if you just say yes to all that, that's how your life would be.

Rosa – a migrant nurse

They're also converting the currency. And they go "oh, she's earning that much. But they don't obviously look at how your life here is like. How expensive our life is.

Jane – a migrant nurse

Relative lack of knowledge of life in the UK and the UK immigration and employment rules also causes a challenge. This applies both to migrants and employers. Despite the fact that the Philippines as a country has been active in the global labour market, the regulation of recruitment agents is yet to be established. There is not sufficient state support to efficiently regulate the recruitment process. All migrants we spoke to either witnessed or experienced cases of fraud such as being given wrong information about the earnings, or an agent disappeared after taking a fee.

Migrants are commonly asked to sign on a blank sheet of paper as a contract.

I had to sign a blank contract without an employer or wage. I had to sign it because that's how it's done. They promised me 7000 pesos per month. But of course, they never pay you what they say. They paid me half, but it was too late. I was already there.

Ellen - a migrant domestic worker

A lot of people (migrant workers) would say they were never interviewed for the visa. A clear majority. If they were interviewed at all, they had a very small interview. It's just a matter of formality... in a lot of countries. It's no longer embassies that do this work. It's a visa processing centre in the country that they're living in. Sometimes their employers are very powerful and the domestic worker believes in their employer... They would bring the domestic worker to the visa processing centre. The domestic worker would be asked to give finger prints and whatever other biometrics. And it would be the employer that is speaking to the staff. If it's not the employer, they would be often a person that domestic workers refer to as the 'manager'.

Catherine Kenny - Kalayaan

The lack of knowledge in life in the UK is also an issue. Very few nurses had received a proper induction before or after their arrival. Migrants normally know their expected earnings in the UK but often know nothing about the living cost in the UK. This creates a false expectation of their financial capacity during migration.

There was no information provided by the employer or the agency about life in the UK. They didn't tell us anything about the basics. How much food would cost, or coffee or tea would cost, transportation, etc. So we had no idea how much we would need to live in the UK. The agency just did the paper work and the NHS gave us £150. But we were not paid for the first 6 weeks. We had this £150 for everything for 6 weeks. We were better off because we had some money with us. But others, especially those who were from rural areas, had no money with them. They were literally living on the noodles they brought in their luggage. It was not meant to be the food they live on. They brought it like a treat in case they miss home. But that's all they had.

June - a migrant nurse

The lack of knowledge about life in the UK can extend to knowledge of their rights and duties attached to their legal status. Their lack of knowledge associated with fear of authorities could aggravate their situation when facing abuse and exploitation.

I don't think there are many nurses who are aware of the actual immigration aspect of their move and the possibility of settling in the UK or extending their visa. And these are the areas which agencies are often not qualified to talk about. Anybody giving immigration advice in the UK needs to be accredited. So if you're not a solicitor, you need to have an accreditation from the OISC (the Office of the Immigration Services Commissioner). Many agencies are not accredited in this way and therefore they don't give any immigration advice. Many people coming into the UK actually are not aware of their immigration status: what may happen when their visa expires, what rights they have. This naivety often leads to difficulties. In some cases, that naivety leads to exploitation. Exploitation often takes place when people are not aware of their rights.

Julie Moktadir – Royal College of Nursing

People are afraid. They are afraid of their employers, police officers, and strangers on the street. They know that migrants are not welcomed here. They are afraid of losing their job and being deported even if they have a valid visa... once when they're offered a voucher as a form of gratitude for taking part of a project, a migrant worker asked us "would I be arrested if I use this?" That's the level of fear we're talking about...we want them to know that they don't have to be always submissive to UK authorities and they have rights.

Sheila - a support organisation volunteer

While workers' unions are traditionally helpful in providing relevant information and supporting migrant workers' rights, migrant workers are often discouraged to join unions.

Many migrant workers are told not to join a union before coming (to the UK). There is negative publicity and reputation of labour unions in the Philippines and recruitment agents often discourage workers and tell them not to join. They scare people off. It's not easy for us to persuade people to join a union.

Sandy – a union officer

In the case of domestic workers, the current arrangement since 2012 which ties a migrant worker to his/her employer has created a number of issues⁴¹. As lower-skilled workers' programmes are abolished, this programme is to allow employers to bring their own service persons during their stay in the UK. Therefore, in contrast to the pre-2012 arrangement which allowed migrant workers to change employer and remain in the UK as long as they had work, the current arrangement is somehow similar to a family reunification programme, except here, the migrants' legal status is entirely dependent on the employer rather than on a kinsman. The main impact of the changes introduced in 2012 is the lack of protection for those who are abused and/or exploited by their employers. Domestic workers are bound to stay with the same employer regardless of their living and working circumstances. It also restricts support organisations from helping those who are in abusive or exploitative situations⁴². Migrants' support organisations and human rights organisations have been working persistently to amend the law

⁴¹ See Appendix for more information on Domestic workers' visa.

⁴² Unlike pre-2012 arrangement, domestic workers' visa only lasts for 6 months and non-extendable. This limitation in time restricts support organisations' practical help to migrants in abusive situations as any legal procedure takes a period of preparation. There is little support organisations can offer to help the situation once migrants become illegal by running away from their employer. The only exception is the cases of human trafficking in which case the worker can be subjected to a degree of protection.

and reverse the changes. However, after a lengthy campaign, both the House of Commons and the House the Lords eventually rejected the proposed amendment in March 2015. Additionally, the UK does not recognise the ILO convention⁴³ that protects domestic workers' basic rights, which further limits the level of support available to them.

The UK government claims that the amendment does not tally with its aim of prioritising entry for the 'brightest and best' skilled migrants and restricting eligibility for permanent residence. The Home Office argues that the cases of abuse and exploitation represent an insignificant proportion of the migrant population, and that existing UK laws are sufficient to protect the human rights of migrant domestic workers. It also claims that sufficient effort is made to ensure that migrant domestic workers are informed about their rights and immigration rules, and border officers are trained to recognise potential victims of abuse (Gower 2015). However, several reports suggest that there is not yet sufficient regulatory system to protect migrants from abuse and exploitation happening in the UK (Clark and Kumarappan 2011, Kalayaan 2015). Working in a private household also implies a difficulty with regulation regarding working hours and payment. Clark and Kumarappan (2011) describes how migrant domestic workers can endure underpayment below the Minimum Wage, and long working hours that go beyond the Working Time Regulations.

3.4. Integration

The UK does not have a national level policy framework on migrants' integration⁴⁴. Existing policies are concerned with either ethnic minority and faith communities or refugees, or with tackling extremism. Policy implementation is achieved through various funding schemes and much of the work is done by the voluntary sector. Although the importance of integration is recognised, there have been fewer initiatives and funds available⁴⁵. For instance, despite the increasing cost of translation and interpreting services⁴⁶, English for speakers of other languages (ESOL) has become less accessible to migrants due to successive funding cuts, and migrants rely on voluntary sectors' support.

⁴³The convention helps to protect domestic workers' basic rights. By recognising domestic work as work, it can be subjected to various work related regulations such as health and safety regulation, working-time regulations and the minimum wage.

⁴⁴Within the Home Office, there are different departments working on issues of integration: UKVI (Refugee integration, settlement and citizenship policy), the Department for Communities (community cohesion), the Government Equality Office (equality and discrimination).

⁴⁵For instance, Department of Community and Local Government (DCLG) has reported and continue to report issues of integration being a primary concern for local governments (cf. DCLG 2012 *Creating the Conditions for Integration* February 2012). However, DCLG offers fewer funds since 2012 and major funds such as Migration Impact Fund was abolished in 2010.

⁴⁶ London spends half of the £100 million public services cost on interpreting and translation (Easton 2006).

With regards to integration, it appears that temporary migration programmes are designed to avoid settlement and therefore the integration issue. Temporary migration policies are more focused on controlling the inflow of migration than on the situation during migration. Nevertheless, migrants themselves do not make any clear distinction between ‘temporary’ and ‘permanent’ life. The transition from ‘temporary’ to ‘permanent’ is a process with no clear boundary. As a result, migrants who have been in the UK for a number of years have a network and communication patterns that are still largely focused on fellow nationals. Our case studies have revealed that even those who hold permanent residency do not necessarily consider themselves as ‘permanent’. Permanent residency is more of a safeguard from changing immigration rules and uncertainties caused by them: it is a means to have ‘peace of mind’ and ‘choice’ for the future.

Migrants experience different degrees of integration at work. Some nurses felt they were welcomed as a colleague and others felt that they were discriminated for their difference in race and culture⁴⁷.

Domestic workers, many of who worked as a nanny, typically developed an intimate relationship with those whom they cared for but did not consider themselves as part of the employer’s family. There is a constant reminder to set a ‘boundary’ with their employer, and migrants, especially those who were live-in workers, felt ‘24hours on-call’ and ‘under surveillance’. The lack of privacy was regarded as part of the nature of their work.

Both nurses and domestic workers had very few or no friends who were not Filipino except some of those who had a non-Filipino partner. Having long working hours and little money to spend for socialising also aggravates the situation. Living away from their family, especially from their children is particularly difficult for many migrants⁴⁸.

I tell my children to stay in the Philippines as long as they can find work. “If you’re happy with your income, don’t come” I say. Living abroad is hard. You have to adapt. Family separation is also a big problem. We’re all victims of separation, not just mothers but also for children. If problem occurs...teenagers becoming pregnant or dropping out from a school, it’s much better to stay together. You can guide them and stay with them. You go abroad only if you have no other choice. It’s only for money.

Bing – a domestic worker

⁴⁷ See Alexis, O., Vydellingum V. and Robbins I. (2007), Allan H., Larsen J.A., Bryan K, and Smith P.A. (2004).

⁴⁸ See also Figure 7, Figure 8.

Moreover, there is an increasing fear amongst migrants of anti-immigration movements in the UK. Migrants are sceptical of any strangers on the street, and fearful of being prosecuted by an undercover officer. It is in these contexts migrants become more isolated and invisible in society.

As for welfare support, non-EEA migrants are entitled to limited access to welfare. All Non-EEA migrants have a condition called, 'No Recourse to Public Funds' which restricts their access to most benefits, tax credits and housing assistance. The restriction, however, does not apply to the National Health Service, schooling and several other public services that are based on National Insurance contributions⁴⁹. Different restrictions apply to EEA and Non-EEA migrants. The Immigration Act 2014, makes an obligatory annual fee of £200 (£150 for students) payable for access to the NHS.

In some cases, the local authority has a duty to support residents with No Recourse to Public Funds (NRPF). There is however, no national guideline or fund provided by the government to support this service. Consequently, the way individual cases are handled depends on the capacity of each local authority, and not all local authorities have a dedicated team to handle such cases. This makes for a lack of consistency in support provision.

One of very few initiatives is the NRPF network established in 2006 that offers a platform to share information, to identify issues and build guidelines, and to work with relevant statutory bodies and voluntary and support organisations in order to improve the efficiency of resolving local cases⁵⁰. The difficulties remain however, as the cases they receive change their nature over time, immigration rules regularly change, and less funding is available to develop a better working system. Moreover, there are regional differences regarding recognised issues. Even within London, the migrant populations of separate boroughs differ by size, ethnic profile, income, education, and family arrangement⁵¹.

3.5. Return Migration

When migrants are asked about their future plans for returning home, most said they wish to return to their home country but didn't know when. The main reason was the lack of jobs and low wages in the home country labour market.

⁴⁹Public Funds excludes benefits that are based on National Insurance contributions. National Insurance is paid in the same way as income tax and is based on earnings. See the Home Office (2014) Public Funds.

⁵⁰While identifying these cases is a complex task, three groups are regarded as being eligible for support: destitute families, single adults with care needs, and young people leaving care.

⁵¹ See Gidley and Jayaweera (2010)

Who would want to stay away from home? I want to go home but there is no job. After looking after my family, I still need to eat. I have to save money for my retirement. When I retire, I probably go back home. I want to stay with my family.

Ana – a domestic worker

Without having a future job prospect, migrants find it difficult to plan their return journey.

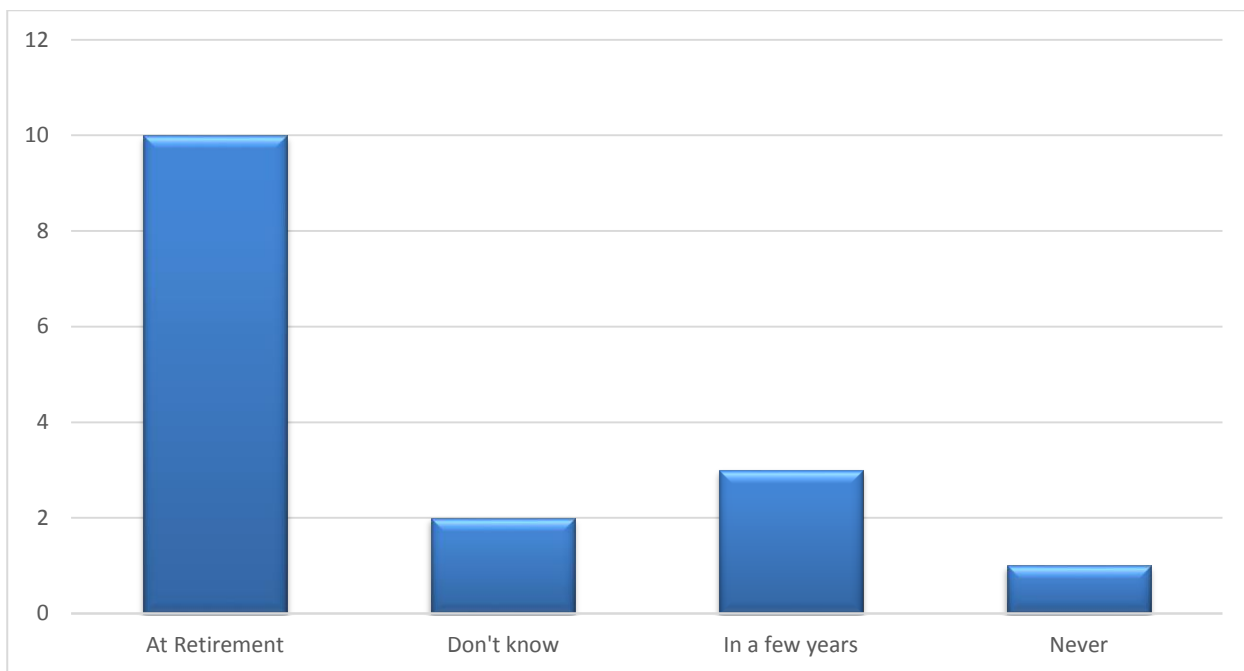


Figure 14. Migrant Interviewees – Plans for Return Migration

For skilled migrants such as nurses who are highly in demand in the global labour market, the UK is becoming more of a stepping stone rather than a final destination. Without seeing any prospect for the future in the UK, nurses look for alternative choices rather than staying loyal to their work place. They believe that their work experience in the UK would help them find a better job in another country. Their transnational network through social media is a crucial source of information to learn about other work opportunities abroad. Migrants assess which country offers a better living and working environment, family reunification package, and education for children. As the UK immigration rules become more inflexible and unreliable, migrants become more mobile and consider the UK as a short term investment.



Unlike nurses, domestic workers do not find moving into another country easy. Despite the needs of domestic work in the labour market, programmes for domestic workers are much more restricted in many destination countries. Domestic workers who work in a private household rarely have a pension or life insurance. Their financial situations are more driven by a sense of survival on a day-to-day basis rather than a long-term career and personal development.

For the sole breadwinner of the family, it is crucial to be able to continue working.

When they were asked whether they would recommend their friends to migrate, significantly more domestic workers than nurses said they would not. This contrast seems to reflect domestic workers' vulnerability as a migrant worker abroad. Migrant domestic workers emphasise the hardship of living abroad. 'When you're away from home and in a foreign country, you never know what happens to you' was a typical line.

4. Policy Recommendations: future of temporary migration

The implications of the research for better temporary migration programme are the following.

1. Information

Recruitment agencies, embassies, consulates and the UK government can help migrants as well as employers to be better informed about fast changing immigration rules and employment laws. Migrants also need to be better informed of life in the UK, their rights and duties, and importantly, the basic costs of living, to avoid false expectations. There needs to be a system where the important information is properly communicated before and during migration.

There is also a need for encouraging better informed discussion amongst both policy makers and the public on the impact of migration. Policies' implementation should be based on a good understanding of migration rather than speculation driven by fear.

2. Application/policy implementation

In order to avoid cases of exploitation, abuse, and human trafficking, there needs to be an efficient system of regulation. Many cases of human trafficking and fraud happen as a result of the failure of regulation. This may also require a collaboration between sending and receiving countries.

3. Issues of Integration and the well-being of migrants

Isolation is a significant issue for temporary migrants. Due to the nature of their work and responsibility for remittances, migrants have little time and money for networking. Many migrants have little or no contact with local UK residents in their private life. The issue of isolation should be taken into account not as a matter that applies only to permanent settlers. While unions, local authorities and the voluntary sector have been working to provide support to migrants in need, there is still lack of a system to safeguard their basic needs and fairer working and living conditions.

4. More than net migration

While UK immigration policies are focused on the quantitative aspect of migration inflows and their potential value in the labour market, social, cultural and political issues need to be better recognised. Migrants are also not a homogenous but diverse group. There must be more balanced approach to migration in order to look at its overall impact.



5. Global view of labour market

Finally, in order for temporary migration to work successfully, migrants requires a prospect of work for after leaving the UK. This is an issue driven by the global labour market. The lack of attention to the global market and migrants' expectations within it can only lead to an increase in the number of undocumented migrant workers.

5. Conclusion

Our research has revealed that there are degrees of success and failure in temporary migration programmes. Temporary migration addresses much needed skills shortages, and allows employers to have workers without having to spend time and money for training. It also gives migrants an opportunity to work. However, different interest groups have different needs, expectations, approaches, and different perspectives on the potential benefits of these programmes. Migrants are also not a homogenous group: they have different skill sets, purposes, capacities and aspirations. Immigration policies and programmes are influential to all interest groups but the way they affect the stakeholders is different between groups and their response also varies. High mobility may be becoming more intrinsic to work, and employers may need to adjust to this new way of working life. Temporary migration in this respect seems to offer a new way of life to a globalised labour market. However the overemphasis on reducing net migration can be harmful if these policies prevent long term employment when employers and employees are both willing to continue to work together. If one of the purposes of temporary migration is to cut the cost of training, long- term employment is certainly a more cost-effective option.

We have also looked at different strategies migrants apply to handle the situations. Their response to changing circumstances are sometimes passive but may be creative at times. Rather than trying to find a way to settle, skilled migrants' future perspective becomes more global. They see the UK as a stepping stone to another possibly better destination country.

Lower skilled workers are more likely to feel 'stuck' in a dead end of the hosting country without having a clear sense of future perspective. What differentiates the two groups is not their skill level but their financial capabilities, living and working conditions, and the rights and limitations attached to their legal status. While voluntary organisations, support groups and labour unions make strenuous efforts to help migrant workers who experience abuse and exploitation, an efficient regulatory system must be the most effective means of protecting all migrant workers.



Temporary migrants become more permanent when they do not see an easy possibility of coming back to a destination country, and when returning home does not offer any future.

The current policies which focus on labour market might be missing an equally important aspect of migration: that migrants are not just labour force but they are also people who have their needs and aspirations. Similarly, the impact of migration is social and cultural as well as economic.

In order for temporary migration programmes to facilitate better practice for all parties, we must develop a perspective which is practical as well as achievable, specific as well as holistic.

We recognise that since this research was initiated, the global migration scene has erupted into political and economic crisis. These circumstances make reasoned discourse over population movement and the rights of temporary migrants and of host communities all the more urgent.

The experience of Filipino nurses and domestic workers in London is no longer of only local concern.

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Appendices

Appendix a. Questionnaire outline (for migrants)

Phase two, part A: crisp questions, 30 minutes only. Part B more open conversation.

QUESTIONS FOR EVERYONE IN EACH SAMPLE OF 20 MIGRANTS

1. Name [or anon] Age now
2. Place of origin [note rural/ urban]
3. Education level [Primary/secondary school/university]
4. What languages do you speak [fluently, slightly, learning]
5. Roughly, how long have you been here? [less than 12 mths/a few years/forever]
6. How long do you plan to remain [less than 12 mths/a few years/forever]
7. What does it depend on [visa/ family/ work available/ open choice]
8. Going where? [home, new migration, not planning to leave].
9. Where did you come from?
10. How did you travel [route, means of transport].
11. Did you know someone here before you arrived [if yes, who?]
12. Who helped organize this migration? [agent, govt, individual]
13. Family status [spouse, children, parents]. Where are they?
14. How do you keep in touch with home? [phone, letter, internet]
15. How often are you in touch? [daily, weekly, monthly, rarely]
16. Who do you spend time with at work [co-ethnics, hosts, both]
17. And who in social life, [co-ethnics/ hosts/both]
18. When did you last have time off? [this week, last week, never]
19. What did you do? [church, meal out, gather with friends]
20. Are you able to send money home? If yes, by what means?
21. If yes, how often? [regularly/occasionally]
22. If yes, roughly how much? [varies, proportion of earnings, cant say].



Phase two, part B

20 ADDITIONAL QUESTIONS FOR CASE STUDY SAMPLE [5-10 migrants]

CASE STUDIES ALSO TO INCLUDE NETWORK MAPS [to be demonstrated]

DETAILED ACCOUNT OF 1ST MIGRATION [OR CURRENT MIGRATION tba]

Departure

1. Where did you go first time out of home?
2. Why that place? How did you hear of it?
3. Who helped organize the move [individual, govt program, agent]
4. How did you travel?
5. Who travelled with you?

Lodging

6. Where did you stay first?
7. How did you find that lodging?
8. What connections did you have there?
9. How was it? [conditions, distance], Who lived there? [co-ethnics, hosts, both]

Work

10. How soon did you find work [delay/immediate: job prearranged, program?]
11. 1st job: what work?
12. How was it? [conditions, contract, seasonal, other workers]
13. How long were you in that job? [maybe still there...]

If they're in their 1st job, break here

14. Why did you leave [seasonal, contract, visa, choice, laid off – why?]
15. What else was happening at that time? [polit/family crisis, quarrel, recession]
16. Where did you go [new job – delayed, immediate, home, new migration]
17. How did you find the next job [who helped, sources of information]
18. What was the next job?
19. How was it [conditions, contract, seasonal, other workers]
20. Where was the next job [same town – same lodging/changed lodging same country, new town; new country, new migration].

REPEAT SEQUENCE OF PART B FOR NEXT MIGRATION

Appendix b. UK Point Based System

Points Based System is a rationalisation of 80 immigration control processes for those who are working and studying in the UK. It was introduced in February 2008 and is constructed with 5 'tiers'.

Point Based System was launched initially for selecting highly skilled migrants. However, it has been expanded to cover wider skill levels and jobs and represent the majority of the UK programmes with a work permit for Non-British and Non-EEA nationals.

The following summarises the current schemes in operation in 2014⁵². This is however, not an exhaustive list.

Tier 1

: For highly skilled individuals who can contribute to growth and productivity- investors, entrepreneurs, and exceptionally talented individuals.

Subcategories of Tier 1 are:

- Entrepreneur visa (those who want to set up or run a business and have more than £50,000 investment funds available)
- Exceptional talent visa (exceptionally talented individuals attached to a designated institution in sciences and arts field).
- General visa (an option for those who want to extend or switch an already granted visa of Tier 1, writer/composer/artist visa, self-employed lawyer, or Highly Skilled Migrant Programme (abolished 2008)
- Graduate Entrepreneur visa (graduates who have been officially endorsed for a business idea)
- Investor visa (those who want to invest £1,000,000 or more in the UK)

Tier 2⁵³

: For skilled workers from outside the EEA with a job offer (sponsorship) to fill in the gap in the UK labour market.

Subcategories of Tier 2 are:

- General visa (those who are offered a skilled job)

⁵² Home Office "Control of Immigration Statistics – Glossary of Terms" February 2011 available at <https://www.gov.uk/government/publications/glossary-of-terms-control-of-immigration-statistical-publications>

⁵³ Tier 2 distinguishes itself from the previous work permit system by giving more responsibility to the employer. The employer needs to register with the Home Office and issue a certificate of sponsorship.

- Intra-company visa (those who are offered a role in a UK branch by an overseas employer)
- Minister of religion visa (those who are offered a job within a faith community)
- Sportsperson visa (elite sportspersons or coaches with sponsorship)

Tier 3

: For limited numbers of low skilled workers needed to fill specific temporary labour shortages (suspended – never used).

Tier 4

Students: non-EEA nationals travelling to the UK primarily or solely for the purpose of study⁵⁴.

The Student visitor: for those who wish to come to the UK as a visitor and undertake a short period of study which will be completed within the period of their leave (maximum 6months). Short term students (i.e. those studying on courses of six months duration or less) who do not intend to take part-time employment or undertake a paid or unpaid work placement as part of their course can also apply within this category.

Tier 5

: Youth mobility⁵⁵ and temporary workers: those who are allowed to work in the UK for a limited period of time to satisfy primarily non-economic objectives.

Subcategories:

- Charity Worker visa (individuals who come to do unpaid charity work)
- Creative and Sporting visa (those who are sports persons or creative workers)
- Government Authorised Exchange visa (work experience and training, research)
- International Agreement visa (contracted work under international law including working in diplomatic households)
- Religious Worker visa
- Youth Mobility Scheme visa (with nationals of 8 countries)

⁵⁴ Those who hold Tier 4 Student visa are allowed to work a limited number of hours per week; 20hrs during term time, full time during the vacation period.

⁵⁵ Youth Mobility Visa is for those who are aged 18 – 30 and from participating countries (Australia, Canada, Japan, Monaco, New Zealand, Hong Kong, Republic of Korea, Taiwan), but also apply to British overseas citizens, British overseas territories citizens, and British nationals (overseas).

Other categories (outside the Point Based System) which allow paid employment include:

- Domestic Workers in a Private Household visa
- Representative of an Overseas Business visa
- Turkish Businessperson visa
- Turkish Worker visa
- UK ancestry visa
- Working in the UK as a Croatian national visa

Recently abolished schemes⁵⁶

- Sector Based Scheme Work Permits (SBS) - introduced in May 2003 initially covered the hospitality and food processing sectors. It offered an opportunity for non-EU migrants to work up to 12 months to fill in various skills shortages in Food Manufacturing Industry, namely, Fish Processing, Meat Processing, and Mushroom Processing. In 2004, the quotas were reduced from 10,000 to 9,000 for the hospitality sector and 6,000 for the food processing sector. In July 2005, the hospitality sector was terminated and the quota for the food processing sector was reduced to 3,500 places. This was due to an understanding that the labour needs could be met without the scheme and also the scheme was facilitating illegal migration. The scheme was phased out by December 2006, but reintroduced in 2007 as Seasonal Agricultural Workers Scheme (below).
- Seasonal Agricultural Workers Scheme (SAWS) - This scheme only applied to Bulgarians and Romanians. It allowed migrants (annual quota of 21,250) to work in a specific unskilled or low-skilled jobs in fish, meat or mushroom processing. The scheme was abolished in December 2013 as Bulgaria and Romania became part of the EU and migrants were allowed free movement.
- The Worker Registration Scheme (WRS) – a temporary measure to control inflow migration of workers from 8 member state EU countries (A8). It operated during the period from 2004 until 2011. A8 countries include; Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia.

⁵⁶ Migrant Seasonal Workers: The impact on the horticulture and food processing sectors of closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme, Migration Advisory Committee May 2013

- Tier 1 Post Study Work visa – for those who have completed a degree at a recognised UK institution. It was introduced in June 2008 as a replacement of the 12 months International Graduate Scheme (IGS) and 24months Fresh Talent Working in Scotland Scheme (FTWiSS). This scheme was closed in April 2012.

Recently largely revised schemes:

- Tier 1 Exceptional Talent: In March 2014, it is announced that this visa would be amended to allow much needed IT professionals. This will be capped at 200 people annually. For this purpose, a fifth DCB: Tech City is introduced to endorse up to 200 individuals. Overall, exceptional talent visa has turned out to be too restrictive and not fit for the purpose of providing much needed skilled workers. A person is allowed to switch into this visa.
- Tier 2 Indefinite Leave to Remain: the income threshold of £35,000 will be introduced in 2016.
- Tier 5 Youth Mobility scheme: This is a revised version of previous Holiday Maker Scheme. Youth Mobility permits longer stay but is more restricted in the sense that it doesn't allow settlement or extension. It is introduced as an alternative to other phased out schemes (in 2008) such as; working holiday maker, au pairs, the British Universities North America Club, Japan Youth Exchange, gap year entrants, the Member of Parliament's research assistant concession. This is a cultural exchange programme with 'low risk' countries. The applicant cannot switch into this scheme within the UK and can only apply for entry clearance from abroad. The cap on number is not stated on the UKVI website (in March 2014) but some visa advice offices (eg: workpermit.com) mention this restriction.
- Non-PBS Domestic workers scheme: The scheme has changed in April 2012. Different rules apply to those who apply before this period. The visa of the previous scheme can be extended every 12 months and could eventually allow settlement. The current scheme (after 2012) binds the visa holder to the employer which has caused a concern over potential risk of labour exploitation.

Across all entry routes:

Those who stay in the UK for more than 6 months are required to pay a healthcare sub-charge

- £150 per year as a student, or £200 per year for all other visa and immigration applications

New schemes to tackle illegal migrants:



- Landlords are required to conduct document checks to confirm that a potential tenant has the legal right to reside in the UK before they grant a tenancy. Landlords are also required to keep appropriate records during the tenancy and for at least twelve months after the tenancy has ended (the Immigration Bill 2014)
- Banks and Building Societies are prohibited from opening an account for individuals who unlawfully stay in the UK (the Immigration Bill 2014). This will further develop into a scheme that requires banks and building societies to regularly check on the immigration status of current account holders (the Immigration Bill 2015/2016).
- A scheme which prohibits illegal migrants from obtaining a driving licence (the Immigration Bill 2015/2016)



Appendix c. Nurses and domestic workers:

Nurses:

Migrant nurses and domestic workers are different in many ways. Under the current immigration rules, nurses typically apply for Tier 2. This is part of a Points-Based-System and Tier 2 is a skilled worker's visa which requires a sponsorship. Compared to other routes to hire skilled workers, hiring healthcare workers is said to be largely affected by the Shortage Occupation List (Bach 2012).

A potential employer needs a sponsorship licence in order to apply for a Certificate of Sponsorship (CoS) which can be restricted (for entry clearance for a new applicant) or unrestricted (for extension of an acquired visa or switching to another visa). The licence lasts for 4 years. There is a cap on the number of restricted CoSs issued in each year. Recruiting a Non-EEA migrant also requires an employer to prove that there is no suitable worker within the local labour market. This has to satisfy a resident labour market test (RLMT). In case the occupation is on the Shortage Occupation List, there is no need to conduct RLMT.

All nurses and midwives who have trained outside EEA need to register with the Nursing and Midwifery Council. A new registration process was introduced in October 2014.

In the first stage, a new applicant needs to pass a computer based examination which is accessible online from their home countries. After arriving the UK, an applicant further goes through a practical observed clinical examination (OSCE: objective structured clinical examination).

The application fee to register with NMC and complete both examinations is £1415 (April 2015).

In the UK, nursing and midwifery have several distinct specialised fields and each requires three years of education, practice and registration. All registered nurses are supposed to be competent in all areas. A candidate who does not have a job offer can come with a business visitor visa which allows the person to enter the UK and to have an OSCE examination. The candidate then needs to go back to the home country, secure a certificate of sponsorship, then apply for a Tier 2 visa before returning to the UK to take up work.

In addition, Non-EEA migrants are also required to present evidence of completing the International English language Testing System (IELTS) test with a score at least 7.0, which is higher than the average UK university entry requirement of 5.5.



Domestic workers:

There are two routes of entry for domestic workers. In both cases, overseas domestic workers are allowed to 'accompany' their employers to the UK. These programmes are primarily for foreign employers to be able to bring their own service persons with them during their temporary stay. Therefore, a domestic workers' visa requires sponsorship, is conditional on an already established relationship between a worker and an employer, and does not lead to permanent settlement.

Domestic workers in a Private Household (Non-PBS)

The visa is only valid for maximum of 6 months and not extendable. An applicant should be between 18 and 65 years old, and is not allowed to bring family members.

It requires a worker to have an established relationship with his or her employer for at least a year prior to entry clearance.

The current arrangement was introduced in April 2012. The migrants lost the right to change employer and to extend their stay. No domestic worker who has come under this programme can settle permanently.

Overseas domestic workers in diplomatic households

This visa is part of the Points Based System, Tier 5 Temporary Workers - International Agreement. A worker is permitted to serve in a diplomatic household.

This programme has seen similar changes in 2012. Prior to the change, domestic workers in diplomatic households were allowed to switch employers within the same mission. This current visa lasts for 2 years and can be extended to maximum of 5 years but only on condition of working for the same employer during the whole period. We may note that diplomatic households are given immunity from the jurisdiction of British courts.

In addition to these changes, there are other conditions which are commonly applied to Non-EEA migrants such as not having access to public funds (No Recourse to Public Funds).

According to Kalayaan, a London-based charity helping domestic workers, since 2010, there have been approximately 17,000 migrant domestic workers entering the UK every year. 80% of migrant domestic workers in Britain come from the Philippines. Of the total, 85% of all domestic workers are women.



Endnotes:

ⁱ'Mobile Identities: Migration and Integration in Transnational Communities' is funded by European Commission: HOME/2012/EIFX/CA/CFP/4201.

ⁱⁱDepartment of Anthropology, University College London, 14 Taviton Street WC1H 0BW.

<http://www.ucl.ac.uk/anthropology/research/mobile-identities/>

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Dissemination:

- Forthcoming journal article presented by Prof Sandra Wallman and Dr. Tomoko Hayakawa, 'The Capability of Context: activism and resignation among Filipino domestic workers in London' in Journal Slovensky Narodopis/ Slovak Ethnology Scientific Journal.
- Paper presented by Dr. Tomoko Hayakawa on 6th October 2015, University of Tampere: Temporary Migration to Europe - What do we know?: 'Temporary Migration: UK case study'.
- Paper presented by Dr Tomoko Hayakawa on 15-16th May 2015 Oxford Migration Studies Society, Migration on the Margins: Exploring constructions of the "illegitimate migrant", paper title: 'Invisible workers: Migrant Domestic Workers in the UK' , available at: http://www.ucl.ac.uk/anthropology/research/mobile-identities/OMSS- T.HAYAKAWA- Invisible_workers.pdf
- Paper presented by Dr Tomoko Hayakawa on 24th February 2015, the London Migration Research Group, 'The paradox of Temporary Migration', available at: http://www.ucl.ac.uk/anthropology/research/mobileidentities/The_paradox_of_temporary_migration.pdf.
- Paper presented by Prof Sandra Wallman to Social Anthropology Seminar, University of Stockholm, 29 September 2014. 'Reflections on Temporariness', available at; http://www.ucl.ac.uk/anthropology/research/mobile-identities/abstract_rev.docx.
- Podcast interview 30th January 2015 by the Global Lab: the UCL Centre for Advanced Spatial Analysis (UCL-CASA): <http://soundcloud.com/the-global-lab/the-global-lab-crossing-borders>