



Royal College of Nursing
Shaping nursing since 1916

Westminster Hall debate on e-petition 118060 relating to the income threshold for non-EU citizens settling in the UK

With a membership of more than 430,000 registered nurses, midwives, health visitors, nursing students, health care assistants and nurse cadets, the Royal College of Nursing (RCN) is the voice of nursing across the UK and the largest professional union of nursing staff in the world. RCN members work in a variety of hospital and community settings in the NHS and the independent sector. The RCN promotes patient and nursing interests on a wide range of issues by working closely with the Government, the UK parliaments and other national and European political institutions, trade unions, professional bodies and voluntary organisations.

Key summary

- Changes to the income threshold for indefinite leave to remain for non-European Economic Area (non-EEA) citizens would have a detrimental impact on nurses from outside Europe. It is essential that the Migration Advisory Committee (MAC) keep nursing on Shortage Occupation List (SOL) until a long term solution is found.
- We recognise that maintaining nursing on the SOL is only a short term solution, a long term plan where the UK becomes self-sufficient in terms of producing the right number of graduate nurses and retaining experienced staff, is absolutely necessary.
- Before the Home Office decision to put nursing on the SOL, the RCN calculated that up to 3,365 nurses in the UK would have potentially been affected by the £35,000 requirement at an estimated cost of £20.19 million to the NHS.
- RCN research has revealed a significant increase in the number of non-EEA nurses coming to work in the UK in the last two years. In the first ten months of 2015, there were over 1,268 new non-EEA admissions¹ – a 300 per cent increase on the previous twelve months. This clearly demonstrates the critical and necessary contribution nurses from outside of Europe make to the health care workforce.
- There is already a severe shortage of nurses in the NHS and elsewhere. Failing to retain non-EEA nurses will further add to the current shortages in the nursing workforce and potentially compromise the quality of care for patients.
- To earn £35,000 a year, a nurse would have to be in the middle to upper band 7 on the Agenda for Change pay scale. The vast majority of nurses who are recruited from outside Europe by NHS providers, the independent sector and agencies are band 5 nurses. It is highly unlikely that a band 5 nurse will be in a position to earn this higher level salary within the five years when they would need to apply for indefinite leave to remain.

¹ Nursing and Midwifery Council, Freedom of Information request, November 2015

Background

Nursing staff recruited from overseas make a valuable contribution to providing good quality care to patients, and make up a significant proportion of the nursing workforce. Following changes to the income threshold for non-EEA professionals in 2012, the RCN raised significant concern that these changes would have a disproportionate impact on nurses from outside Europe.

In February 2015, the MAC – the body which advises the Home Office on migration – rejected calls from the RCN to add nursing to the SOL. This was in spite of the RCN providing comprehensive evidence that nursing in the UK is facing a systemic shortage². When a profession is added to the SOL, it is exempted from the £35,000 minimum threshold for indefinite leave to remain.

In the months that followed, the RCN campaigned for a reversal of this decision. We collected evidence that up to 3,365 nurses working in the UK would potentially have to leave the country with a recruitment cost implication for the NHS of £20.19million. In evidence to the MAC, the RCN demonstrated that in order to earn £35,000 a year, a nurse would have to be in the middle to upper band 7 on the Agenda for Change pay scale. We revealed that the vast majority of nurses who are being recruited from outside of Europe by NHS providers, the independent sector and agencies are band 5 nurses. It is highly unlikely that a band 5 nurse will be in a position to earn the £35,000 salary within the five years when they would need to apply for indefinite leave to remain.

Following the campaign by the RCN, with support from NHS Employers, the Home Office included nurses on the SOL on an interim basis in October 2015. The MAC opened a new consultation as to whether nursing should remain on the SOL beyond February 2016. The RCN responded to the review consultation with up-to-date evidence of a systemic nursing shortage, highlighting the critical role of non-EEA nurses in supporting the UK health system. While we recognise that maintaining nursing on the SOL should only be a short term measure, we do not believe that nursing should be taken off the SOL until a long term workforce plan has been clearly articulated and put in place. We believe that such a plan should aim for the UK to be either at, or near self-sufficiency, in terms of producing enough graduate nurses and retaining enough experienced staff.

The RCN is warning that if the Government fails to act swiftly and implement a long term plan to protect existing, and future overseas nurses, coming to work in the NHS, that it will have severe consequences for the future workforce capacity. Failure to retain nurses from outside Europe poses a significant challenge for the NHS, which is already grappling with an unprecedented nursing shortage, and potentially compromises the quality of patient care. If nursing is removed from the SOL, and nurses know that it is unlikely they will reach the income threshold, the RCN is concerned that some may be discouraged from coming to work in the UK altogether.

A shortage in the nursing workforce

At this vital time for the NHS, it is essential that we have enough nurses with the right skills, in the right places, and at the right time, in order to deliver high quality patient care. There is a severe shortage of registered nurses in England and demand for nursing care is projected to outgrow workforce supply³.

² Response by the Royal College of Nursing to Migration Advisory Committee's Call for Evidence on Partial Review of the Shortage Occupations List for Nurses, December 2015: <https://www.rcn.org.uk/-/media/royal-college-of-nursing/documents/policies-and-briefings/consultation-responses/2016/january/conr-6915.pdf>

³ Royal College of Nursing, *Frontline First: The fragile frontline*, 2015

Nursing staff recruited from overseas, both from the EEA and non-EEA, make up a significant proportion of the nursing workforce. Research conducted by the RCN found that there was a steep percentage rise in non-EEA admissions to the Nursing and Midwifery Council (NMC) register in 2015. In the first ten months of 2015, there were more than 1,268 new non-EEA admissions⁴ – a 300 per cent increase on the previous twelve months. This suggests that providers are increasingly looking to fill the vacancy gap with non-EEA recruited nurses.

Impact of the income threshold

Any non-EEA nurse who enters the UK workforce while the profession is on the SOL or is already sponsored to work in the UK at that time, is exempt from the income threshold. Were the MAC to decide to remove nursing from the SOL, we would return to a situation of potentially thousands of nurses being at risk of having to vacate the UK health system and leave the UK after five years when they inevitably cannot meet the minimum salary requirements. As a consequence, potentially large numbers of experienced, and established non-EEA nurses would have to start leaving the UK by 2021. This is storing up significant challenges for the future.

The cost implications of the threshold

Before the Home Office decision to put nursing on the SOL, the RCN calculated that up to 3,365 nurses in the UK would have potentially been affected by the £35,000 threshold at an estimated cost to the NHS of £20.19million⁵ in recruitment costs.

If nursing is removed from the SOL, the figures for future years are potentially even more worrying, particularly if overseas recruitment continues to rise as a result of a shortage of home-grown nurses and a crackdown on agency nurse spending.

March 2016

For more information, please contact:

John Considine
RCN Parliamentary Officer
020 7647 3731
John.Considine@rcn.org.uk

⁴ Nursing and Midwifery Council, Freedom of Information request, November 2015

⁵ Royal College of Nursing, International Recruitment, 2015:
https://www2.rcn.org.uk/_data/assets/pdf_file/0008/629846/RCN_Int_recruitment_PS_WEB.pdf