

Annex A

South West Regional Development Agency

Migrant Workers Regional Scrutiny and Review

Response to South West Regional Assembly Panel 2009 Recommendations



Regional Strategic Review: Migrant Workers in the South West

The South West Regional Development Agency's response

May 2009

Introduction

This paper sets out the South West RDA's response to the recommendations of the South West Regional Assembly Regional Scrutiny and Strategic Review Panel (March 2009).

We recognise that migration is a strategic issue that has an impact on the economy, business productivity, communities (social cohesion) and individual migrant workers, and therefore have welcomed the review on this topic and the panel's final report. Overall we endorse the report's focus on employment, skills and training, responsive public services and regional working and welcome the recommendations that apply to the South West RDA, the Regional Employment and Skills Partnership (RESP) and other partners.

The report shows our response to the recommendations targeted at the South West RDA and the RESP and where we endorse those targeted at other agencies. The actions will primarily be taken forward by the Skills and Employment Team in the South West RDA, with some limited support from other Agency teams. It should also be noted that we are represented on the Forum for Migrant Workers and responsible for contract managing the Equality South West (ESW) project and will therefore play a key role in taking forward the actions that are relevant to the forum and the project. Our response sets out what we can realistically achieve given the background of an increasingly tight funding environment and declining staff resource.

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Recommendation 1

Working with relevant partners at regional and sub regional level, (particularly the Forum for Migrant Workers and Local Intelligence Networks), the South West RDA should support the South West Observatory to coordinate a region-wide approach to capture, analyse and share data and intelligence on migrant workers.

Recommendation agreed.

The South West RDA and other partners recognise the importance of having accurate data and evidence on migrant workers and migration patterns to inform policy development and decision making at all levels of government. We explored the national, regional and local deficiencies during the review process and identified key gaps that need to be addressed. (The panel should note that the RDA is the contract manager for the Regional Observatory).

South West RDA actions:

- We will ask the Regional Observatory to investigate ways in which they can improve local and regional data collection and analysis on migrant workers.
- Lobby the Office for National Statistics (ONS) and others for improvements in data collection and analysis at local, regional and national levels. This will include lobbying the regional ONS statistician on how the £12m national funding to improve local data will be spent in the region.
- Support the bid from ESW and partners to the BIG lottery Research Fund for a research project to improve data on migrant workers.

Recommendation 2

The South West RDA and its partners should lobby government to extend the remit and resources of the Gangmasters Licensing Agency (GLA), particularly in migrant dense sectors like construction and care.

Recommendation Agreed.

The GLA is an enforcement body that has a limited funding and a tight sector remit associated with agriculture, food and drink, shellfish processing and packaging and distribution. Anecdotal evidence collected through the Forum for Migrant Workers (FMW) and the review suggested that many rogue gangmasters and employment agencies have deliberately moved from agriculture and food processing to sectors outside the GLA's remit, such as construction and care.

South West RDA actions:

- We will ask the ESW project to collate some case study examples of bad practice and lobby central government to extend the GLA remit and funding.
- Through the regional action plan we will encourage Local Authority partners to replicate the good cross-Agency working on enforcement that is taking place in Cornwall.

Recommendation 3
<p>South West Councils' Forum for Migrant Workers should promote and fully embed responsible employment practices across the South West.</p> <ul style="list-style-type: none"> - The South West RDA and the Regional Employment and Skills Partnership should work through their own networks, the sector skills councils and business intermediaries, to promote 'sign up' to voluntary codes of practice and 'responsible employers' schemes such as the Business in the Community Voluntary Code of Practice. - All members of the Forum for Migrant workers, the Regional Employment and Skills Partnership and South West RDA Board should be encouraged to 'lead by example' by signing up to a voluntary code of practice in relation to the employment of migrant workers.

Recommendation agreed.

Evidence shows that one of the primary needs of employers is for information and guidance on issues such as immigration regulations, recruitment, the conversion of qualifications and inducting overseas workers. Business Link already provides information to employers through its website (including an interactive tool to prevent illegal working).

South West RDA actions:

- We have asked the ESW project to work with Business Link to help their advisors keep up to date on the latest changes to migration systems that would affect employers and the data about trends and volumes. The ESW project will continue to hold sub-regional and regional events for employers.
- We will explore signing up to the voluntary code - but given internal funding constraints it is unlikely that the Agency will be recruiting in the short to medium term.

Recommendation 4
<p>The South West RDA and business intermediaries should lobby government on issues of concern to the region's employers – particularly the new responsibilities arising from the introduction of the Points Based System and for a phased approach to lifting restrictions on the migration of Romanian and Bulgarian nationals.</p>

Recommendation agreed.

The points based system allows people to migrate to the UK from non-EEA areas. Employers are required to develop new means of checking and monitoring their non-EEA workforce in order to fulfil their responsibilities as a sponsor. We had evidence during the review that this is placing an unhelpful burden on smaller employers, who may not have electronic recording systems, and for businesses in lightly regulated sectors.

South West RDA actions:

- Develop relationships with officials in UKBA, MAC and CLG Migrations Directorate to facilitate lobbying and engagement. The panel should note Wendy Matthews will be meeting the Regional Director of the UKBA shortly. These relationships will enable us to lobby on the points identified in this and other recommendations.

- Meet with the Better Regulation Executive (BERR) to present the evidence of the accountability burdens faced by SMEs to influence policy, particularly regarding the phased approach on Romanian and Bulgarian nationals.
- Encourage ESW to do some further research on the impact on employers of the PBS if the BIG lottery bid is successful.
- Ensure that the ESW project gathers intelligence from their employer events on the impact of the PBS, shortage occupations lists and changes to EU systems and in particular the seasonal agricultural workers scheme, to inform and provide an evidence base for submissions, lobbying and to influence changes in policy.

Recommendation 5

The South West RDA should work with their networks (such as Business Link, the South West Rural Enterprise Gateway, the Beacon Network and the South West Manufacturing Advisory Service) and partner organisations to provide support and advice to businesses in the sectors most vulnerable to a decline in numbers of migrant workers.

- Support should focus on helping businesses which rely heavily on a fluctuating migrant workforce to identify less labour intensive processes and promote productivity led growth where possible.

Recommendation agreed.

We recognise that one way businesses can improve their productivity is to use migrant labour, but given the inherent instability in the availability of labour, we would like to promote alternative options to business. For example, the Manufacturing Advisory Service provides advice to business about how they can move away from labour-intensive production processes. Mainstream Business Link provision can provide advice on new products and markets (including overseas).

South West RDA action:

- We will explore ways in which we can use the ESW project to promote the productivity message to sectors that are overly dependant on migrant workers. For example we could use the regional/sub-regional employer events to flag the support that is available through the Manufacturing Advisory Service and other schemes.

Recommendation 6
The South West RDA and the South West Regional Employment and Skills Partnership (RESP) should engage with national government and make regular submissions to the Migration Advisory Committee's (and others') calls for evidence to influence any revisions that occur to the Shortage Occupations List.

Recommendation 7
The Migration Advisory Committee should actively consider the disproportionate impacts of the Shortage Occupation List on English Regions and seek input from regional partners.

Recommendations 6 agreed and recommendation 7 endorsed.

South West RDA/RESP action:

- As we stated in recommendation 4 we will build relationships with the relevant agencies so that we can lobby on behalf of employers and inform the development of migration policies and processes.

Recommendation 8
The Learning and Skills Council and its successor bodies should undertake further research to determine the level of need and demand for advanced level English language training. On the basis of this information, a regional programme of action to address the identified needs can be developed.

Recommendation 9
The Scrutiny Panel recommended that when the next round of tenders for the 'ICE Breakers' programme is invited, the South West RDA, Learning and Skills Council, Regional Employment and Skills Partnership, Local Employment and Skills Boards and local migrant worker forums should work together to disseminate the relevant information widely to facilitate the roll out of the 'ICE Breakers' programme across the region.

Recommendation 10
Working with Local Authorities, the Learning and Skills Council and its successor bodies should ensure that accurate, up to date, information and advice about English language training is readily accessible to migrant workers.

Recommendations 8 and 10 endorsed and recommendation 9 agreed.

During the review process we explored the key issues around English language training and agree that more needs to be done to improve the curriculum for migrant workers. We are supportive of the Ice Breaker pilot that uses an experiential learning model to help migrant workers gain better language skills through work based conversations, rather than other more formal forms of learning.

The panel should note that the transition from the LSC to the Skills Funding Agency and Young People's Learning Agency may affect the joint working on this agenda in the short/medium term.

South West RDA/RESP actions:

- The ESW project has already begun mapping demand. We would support the LSC in any efforts to change and enhance provision, lobbying where appropriate.
- The ESW project will promote the Ice Breaker project through its employer led events and its work with migrant worker networks.

Recommendation 11
The South West RDA should work with the Regional Employment and Skills Partnership and sector skills councils to support and publicise to employers: <ul style="list-style-type: none">- the use of the European Qualifications Framework (EQF), which will relate different countries' national qualifications systems to a common European reference framework by 2010.- stronger engagement and promotion of UK NARIC

Recommendation agreed.

There is a long and ongoing debate at EU level about how to improve the recognition of overseas qualifications. This is an area where it is particularly difficult to implement new systems effectively, partly because there is a lack of clarity about where the agenda should be driven nationally. At a practical level the definitions of training qualifications do not stay static and cannot therefore be easily benchmarked against those in other countries.

South West/RESP action:

- We will ask the ESW project to promote the EQF and UK NARIC in their employer engagement events.

Recommendation 12
Through its networks, the South West RDA should work with employers to encourage the progression of migrant workers into vacancies which are more commensurate with their skill level and to contribute to the wider South West economy.

Recommendation agreed.

The SLIM report (2007) showed there was some evidence that the skills of migrant workers were under-utilised and that many of the migrants working in 'low-skilled' occupations such as crop pickers, cleaners or bar staff actually had experience in 'high-skilled' jobs such as teaching and/or had university qualifications (see ESW 2008 research).

South West RDA actions:

- We will ask the ESW project to develop some case studies that can be disseminated through our networks to employers.
- We are already funding a PhD student to look at the issue of migrants and higher level skills. We will look at the outcomes of this research and see if there are any policy lessons we need to learn.
- Explore One North East's pilot Talent Attraction scheme and the London Development Agency's Migrant Qualifications Project to see if they are models that could be replicated in the South West.

Recommendation 13
The South West RDA must support businesses to lobby the Migration Advisory Committee to ensure that companies dependent on skilled workers from outside the UK are able to employ sufficient numbers of workers from abroad under Tier 1 of the Points Based System.

Recommendation agreed.

We recognise that many of the region's largest multi-national businesses (e.g. in the aerospace and automotive sectors) rely on Tier 1 migration to ensure they have the expertise they need for their businesses.

South West RDA action:

- We have already lobbied on issues for Honda and will continue to do so for companies in our Top 50 listing when appropriate.

Recommendation 14
The South West RDA, working with JobCentre Plus and Local Employment and Skills Boards should develop, as a matter of urgency, routes into work for groups, like the long term unemployed, who may have difficulty gaining and retaining employment.

Recommendation agreed.

We acknowledge that there are many routes available to the long term unemployed to get back into work; within the public sector it is mainly Job Centre Plus and the Learning and Skills Council who are responsible for this service. The RESP also has a vital part to play as it is responsible for the European Social Fund (ESF) frameworks which is targeted at these issues. The South West RDA has also funded some programmes already which provide targeted support in certain areas, for example the West @ Work programme and the Gloucester City Employment and Skills Plan. We are also encouraging employers and individuals to re-train through our area action forces who are working with businesses in trouble as part of our response on the economic crisis.

South West RDA action:

- We will ensure that the ESW project promotes the routes back into work, including the offer from JobCentre Plus Local Employment Partnerships at their regional/ sub-regional

Recommendation 15

Through its developing database of contacts in organisations supporting migrant workers in the region, the Forum for Migrant Workers should promote the use of existing information and websites, thereby avoiding the development of duplicate resources.

- Where gaps are identified, new material should be commissioned at a regional level.

Recommendation endorsed.

South West RDA actions:

- We will suggest that a communications plan is developed as part of the regional action plan to ensure a coordinated effort, including the provision of information to employers.

Recommendation 16

South West Councils should use funding from the Enabling Grant and the Regional Improvement and Efficiency Partnership to roll out a region-wide programme of training events for front line Local Authority staff.

Recommendation endorsed.

Recommendation 17

The Regional Strategic Coordination Board for Migration should lead the development of a proactive region-wide approach to promote the positive contribution that migrant workers can make to our economy and our communities.

Recommendation endorsed.

We fully endorse the recommendation to the Regional Strategic Board for Migration. We also think there is a need for the Board to work with regional organisations, such as South West Councils and the Government Office South West, to ensure there is sufficient high-level representation and engagement with the Forum to deliver the action plan.

The South West RDA is represented on both the Board and the Forum, and we will continue to enhance the linkages between the two groups. Additionally, we have developed a formal link between the ESW project and the Regional Employment and Skills Partnership (RESP), which will aid the effective delivery of skills support for migrant workers.

Recommendation 18
<p>The Forum for Migrant Workers should strengthen its links with the region's Local Area Agreements and Multi Area Agreements</p> <ul style="list-style-type: none"> - A member of the South West Councils LSP network should be invited to sit on the Forum for Migrant Workers in order to promote the integration of action to address the needs of migrant workers into the region's Local Area Agreements.

Recommendation endorsed.

We fully support the recommendations to the Forum and the South West Councils LSP network. We agree that there is currently little connection between the Forum for Migrant Workers and the Local Area Agreements (LAAs) that have been developed by Local Strategic Partnerships (LSPs). None of the region's LAAs has a target (national indicator) in relation to migrant workers, even in those areas of the region which have a dense concentration of workers. The Board and Forum should discuss this issue further and identify ways to influence the future evolution of the LAAs. We would particularly like to see progress made in the areas with the greatest concentrations of migrant workers; Bristol, Plymouth, Bath and South Gloucestershire.

Recommendation 19
<p>The Forum for Migrant Workers should undertake a Review of the existing draft Action Plan in view of changing economic circumstances, and the key recommendations set out in this report.</p>

Recommendation 20
<p>The Forum for Migrant Workers should finalise an Action Plan which:</p> <ul style="list-style-type: none"> - Is a joint expression of the region's priorities on migration - Achieves high level sign up from a full range of relevant organisations; - Sets realistic targets; - Takes into account feedback from migrant communities; - Assigns responsibility to organisations; and - Sets out timescales for delivery and methods for reporting.

Recommendations 19 and 20 endorsed.

South West RDA actions:

- We will continue to ensure there is high-level support from the Agency to support the work of the Forum and the delivery of the action plan.

Recommendation 21

To support the ongoing delivery of the Regional Action Plan, the Migrant Workers Forum should develop a long term strategy to ensure ongoing funding from a range of sources, including funding from the European Union

- Partners in the Migrant Workers Forum should lobby the Home Office for a continuation of the 'Enabling Grant' beyond March 2010 (with funding reflecting more accurately the numbers of migrants in each region) and lobby the Department for Communities and Local Government for an active role in overseeing the allocation of funding in the Migration Impacts Fund.

Recommendation endorsed.

South West RDA action:

- We have accepted an invitation from the Government Office South West to participate in the allocations process for the Migration Impacts Fund.

Recommendation 22

The South West RDA should extend funding of Equality South West beyond 2009, and provision for Migrant Worker support beyond March 2010.

Recommendation agreed.

South West RDA action:

- RDA officers are currently progressing a new funding proposal for ESW which would also include provision for migrant worker support beyond March 2010. It is important that regional capacity is maintained in order that the regional action plan can be delivered.