

EMPLOYMENT AND MIGRATION: SCOTLAND

February 2011

Introduction

Apart from overall data on migration flows to Scotland, consistent data on immigrants in Scotland are hard to find. Often data are available at UK level only and survey data¹ lack a sufficiently large Scottish sample for analysis. The Scottish government's aim of attracting migrants to Scotland and the influx of migrants from the new EU states has led to several studies documenting migrants in Scotland. However, these studies' findings are restricted to particular migrant groups and/or particular regions of Scotland. This report will outline the available data on migration flows and stocks. It will also review existing studies on migrants and employment.

Scotland used to be a country of net emigration; more people left Scotland than migrated to it. However, since the 1950s and 1960s, out-migration reduced significantly and more recently, in-migration has increased. Consequently, Scotland has been a country of net immigration since 2003 with in-migrants outnumbering out-migrants by around 20,000 for the past six years. In 2008-9, net migration to Scotland was 21,900. Looking at migrant stocks, the most recent data available comes from the 2001 Census. At that time, the non-British Isles born population of Scotland was just over 168,000, 3.3% of the overall population. Of these, the largest groups were born in Germany, Pakistan, the USA, India and Canada (descending order). For the UK as a whole, the corresponding figures are 4.3 million born abroad or 7.5% of the overall population with the largest groups born in India, Pakistan, Germany, the Caribbean and the USA.² Migration flows over the past decade are sure to have changed this picture significantly by the time of the 2011 census.

Migration to Scotland includes all categories of migrants: workers, asylum seekers, refugees, students and family members. In terms of migrant workers, administrative data gives an indication of the numbers coming from new EU member states to work with employers in Scotland. Accession monitoring data shows the number of these nationals registering with employers in Scotland was 14,190 in 2008; this figure dropped to 10,315 in 2009 and is expected to continue falling in 2010. However, this data does not include all migrant workers. Some coming from the new member states may be self-employed or not registered in Scotland for other reasons. Nor do these figures include migrants coming to work in Scotland from other countries.

¹ Such as the Labour Force Survey

² See BBC Born Abroad at: http://news.bbc.co.uk/1/shared/spl/hi/uk/05/born_abroad/html/overview.stm

Migrants' Rights Scotland

for a rights-based approach to migration

Turning to asylum related migration, control of Immigration statistics show 2,470 asylum seekers (including dependents) were accommodated in Scotland as at end December 2009. A further 50 received subsistence-only support in Scotland. These asylum seekers in Scotland represent just fewer than 9% of the total asylum seeker population receiving support in the UK. The vast majority of this asylum seeker population in Scotland is based in Glasgow with just 35 living elsewhere. Estimates from the United Kingdom Border Agency (UKBA) are that around 18,000 people seeking asylum passed through Scotland in the period 2004-2009. The UKBA also estimates that there were 7,900 people with refugee status or leave to remain in Scotland in 2009. It is difficult to keep track of the numbers of refugees or people with leave to remain on humanitarian grounds in Scotland. They are not specifically counted in existing datasets. Where they are from black and minority ethnic groups, they will be counted as part of the minority ethnic population. However, not all refugees will be from black and minority ethnic groups nor will all of the black and minority ethnic population in Scotland have arrived through the asylum route; many will not be migrants at all but British-born minorities. A small number of refugees have come to Scotland from refugee camps elsewhere. North Lanarkshire council agreed to take 20 refugee families from the Democratic Republic of Congo under the UK Gateway Programme in 2006. This programme provides for 500 refugees to enter the UK from refugee camps.

International students make up a larger body of migrants in Scotland with universities in Scotland keen to attract the funding international students bring. Many of Scotland's universities have prestigious international reputations and are attractive to international students. In 2003-4, international students brought around £128m into Scotland in tuition fees. The number of overseas students in Scottish Higher Education Institutions (HEI) and colleges in 2006-7 was 58,000. Of these just over 14,000 came from the EU (excluding UK).³

The Scottish Policy Context

Although immigration is a reserved matter under the devolution settlement, policies affecting immigrants in Scotland have diverged from the rest of the UK. More advanced population decline has caused the Scottish Government to look to immigration as a way of boosting economic growth. In 2004, the Fresh Talent scheme was announced introducing a package of measures aiming to attract people to live and work in Scotland.⁴ The Fresh Talent scheme initially included a variation of the immigration rules to allow students graduating in Scotland more leave to remain in Scotland to work than was permitted to students in the rest of the UK. This variation in the rules has now been mainstreamed; however a more positive approach to migrants in Scotland can still be discerned. At both local and national government level, there is interest in developing a better understanding of how immigration could make a contribution to Scotland's economy.

Although immigration control is a reserved matter, many policy areas affecting the integration of immigrants are devolved to the Scottish Government. This includes policy areas such as

³ Cavanagh et al (2008) Fresh Talent Working in Scotland Scheme: An Evidence Review

⁴ Scottish Executive (2004) New Scots: Attracting Fresh Talent to meet the Challenge of Growth

Migrants' Rights Scotland

for a rights-based approach to migration

health, housing and education. These are issues that affect migrants in their day-to-day lives. Local and/or national government in Scotland has on occasion displayed more generosity towards migrants than south of the border. For instance, integration funds that in the rest of the UK are restricted to refugees are available to asylum seekers in Scotland. Civil society is also active. The Scottish Refugee Integration Forum was established in 2002 to enable the more effective partnership of organisations concerned to support refugees and asylum seekers. More radically, campaigns against the deportation of asylum seekers have had greater success and more positive media coverage in Glasgow than tends to be the case elsewhere in the UK.

The fit between devolved and reserved policy matters relating to immigration and asylum is often unclear. Aspects of UK-level policy frequently rely on devolved authority cooperation to be effective, yet that co-operation is not assured. For instance, the Home Office enforcement strategy relies on Scottish government co-operation in restricting immigrant's access to services.⁵

In relation to labour migration, Scotland has its own Scotland-specific shortage list for tier 2 of the points based system (PBS). This allows the Migration Advisory Committee (MAC) which advises on how best to administer the PBS, to recommend a different set of shortage occupations for Scotland than for the rest of the UK. However the variations in the Scotland-specific shortage list have been limited to date. Under the April 2010 Shortage Occupation list, the additional shortage occupation list for Scotland was restricted to 'Consultant Radiologists' only. There is a discrepancy between the claims of Scottish employers and others who claim the Scottish labour market is distinct from the rest of the UK with more shortages and the limited range of occupations the MAC has to date included in its Scotland-specific shortage list. One factor influencing this is that the MAC has found it difficult to get evidence about shortages in Scotland in the format it requires.

a) What are the main reasons why immigrants come to your region?

As noted above, migrants come to Scotland for all kinds of reasons. Asylum seekers are dispersed mainly to Glasgow; international students come to Scottish universities. In terms of migrant workers, it is difficult get a representative overall picture. Several studies⁶ tell us a lot about migrants from the new EU states but do not give an overall picture of migrants in the labour force.

Focusing on nationals from the new EU states, Worker Registration Scheme (WRS) data shows that the main concentrations of these nationals are to be found in Grampian and Tayside. Within Grampian, a study found the migrant population in Aberdeen City more mixed than in Aberdeenshire or Moray where migrant workers

⁵ Home Office (2007) Enforcing the Rules: A strategy to ensure and enforce compliance with our immigration laws

⁶ E.g.: De Lima, P et al. (2007). A Study of Migrant Workers in Grampian; Fife Research Co-ordination Group (2007) Migrant Workers in Fife-A Survey; Scottish Economic Research (2006) The Tayside Migrant Labour Population: scale, impacts and experiences.

Migrants' Rights Scotland

for a rights-based approach to migration

tended to be A8 nationals. In Tayside, a study found 42% of respondents in Perth and Kinross, with a further 36% in Dundee and 22% in Angus. In Fife, the main concentrations were found in Kirkcaldy (41%) and Glenrothes (30%).

b) What are the main jobs done by migrants in your regional area?

WRS data (May 2004-Sept2007) shows concentrations of migrant workers in particular sectors in Scotland as follows: Hospitality and Catering 25%; Agriculture 19%; Administration, Business and Management Services 19%; Food, Fish and Meat Processing 12%; Manufacturing 7%; Construction and Land Services 7%; Health and Medical Services 4%.⁷ Studies of migrant workers in particular regions show that migrant workers in Dumfries and Galloway were concentrated in food processing, forestry and tourism. In Tayside: agriculture, tourism and food processing. In Grampian: agriculture food processing and hospitality. In Fife: food processing and construction. In each case, migrant workers tended to be concentrated in unskilled and semi-skilled jobs.

However, this data again refers mainly to migrant workers from the new EU states. As such it gives an incomplete picture as it leaves out other migrants in the labour market. It also fails to capture students who are allowed to work limited hours a week.

c) Do migrants coming to your region settle there or are they mainly mobile?

While recent studies into migrant workers from the new EU states have usually posed questions about intentions, the results are unclear. New EU migrant workers in Tayside generally expected to stay in the UK (63%), yet in Grampian many expressed the wish to return home. What does seem to emerge is that migrant workers' intentions are closely bound up with the availability and security of jobs. For students staying under the fresh talent initiative, intentions to stay were also often expressed, but again this depended on the availability of suitable jobs and careers within Scotland.⁸

Key Issues

It is difficult to get an objective sense of what the key issues are for migrants in Scotland from the existing research. The available studies only tell us what issues the researchers investigated in more depth rather than posing open questions to migrants to discover key issues. This section will cover some of what has been raised in research studies. These studies predominantly focus on EU migrant workers and so issues affecting other migrant categories are obscured. This section will also cover the findings of focus groups conducted by Migrants' Rights Scotland under the respective headings. The focus groups conducted by Migrants'

⁷ Metcalf et al (2008) Employment of Migrant Workers: Case studies of selected employers in Wales and Scotland

⁸ Cavanagh, L et al (2008) Fresh Talent Working in Scotland: An Evidence Review

Migrants' Rights Scotland

for a rights-based approach to migration

Rights Scotland contained a wider range of migrants by migration category, but included a smaller number of respondents than most of the studies reviewed.

a. General employment rights (working conditions/wages/discrimination)

A number of studies on migrant workers note that employers find migrant workers are willing to work for pay and conditions not attractive to local workers (Metcalfe et al 2009; de Lima et al 2005). Macroeconomic studies of the effects of recent migration on the UK labour market have found some evidence of wage depression at the lower end of the labour market. This suggests that migrant workers tend to be clustered in low paid jobs where it is possible that the availability of migrant workers keeps wages from rising as much as they might otherwise do.

Employers report that they do not discriminate between migrant and non-migrant workers in terms of pay. However, in situations where migrant workers are contracted through an agency their take-home pay will be less than that of local workers. More recent studies have found that as migrant workers' networks increase, more are finding employment through word-of-mouth and by directly approaching employers rather than using agencies (de Lima et al 2007). Breaches of health and safety have also been found.

Focus Group discussion

The focus group participants mentioned the Glasgow Bus Company, the NHS, agriculture as employers or sectors in which migrants are employed. Fife Council was also mentioned as having an increasing number of migrant employees. There was a sense that more opportunities existed for migrants in those parts of the labour market that were more familiar with employing migrants. The prevalence of agencies was also mentioned.

b. Access to work (under-employment, de-skilling and transfer of qualifications)

Underemployment of migrant workers is common across all studies when qualifications are taken into account. This is often linked to migrant workers not speaking English. Despite their qualifications, migrant workers are generally to be found working in unskilled or semi-skilled occupations. For many migrant workers, low skilled work seems to be a route towards learning English rather than the start of a career. In some instances, the difficulty in transferring qualifications means that migrants are underemployed, particularly in sectors where the transfer of qualifications is complicated. De-skilling is also noted as a problem as training opportunities can be limited for workers who do not speak English. This also makes progression difficult.

Focus Group Discussion

Many thought that underemployment was a common problem. Participants saw different reasons for this; from language barriers, problems on transferring qualifications to the

Migrants' Rights Scotland

for a rights-based approach to migration

application process. It was noted that some sectors targeted migrant labour and so were easier workplaces for migrants to enter. These were jobs that for historical or other reasons had a greater proportion of migrants. So the NHS was seen as one migrant employer, another was Glasgow Bus Company.

Participants were sceptical about the availability and reliability of statistics on migrants in the labour market. Even programmes designed to support migrants in the workplace (as existed in Fife) gathered little and flawed data with migrant workers classified by broad ethnic categories only (e.g. white). Thus the data gathered was insufficiently nuanced. In discussing language barriers, participants noted difficulties in accessing language courses and educational opportunities. They advocated better at-work training, but also wondered whether migrants would continue to work in the jobs they were filling once they had acquired English language skills. In addition, they wondered what avenues existed for career progression given that many new EU migrants' qualifications were so at variance with their current employment. Model projects in Fife were mentioned as a potential model for language training.

In terms of transferability of qualifications, even where qualifications were recognised participants felt they were downgraded compared to British equivalents or that employers remained sceptical of overseas qualifications even where these were transferable. A further problem was getting work experience from the home country recognised. Participants spoke of this as discriminatory.

c. Immigration status (Points Based System / asylum / EU migrants)

The issues that arise under this heading tend to be UK-wide as immigration control is a reserved matter. The manner in which the points based system favours the highly skilled and focuses primarily on filling labour market needs can be seen as diverging from what Scotland might seek from immigration as a way of addressing population decline or to attract individual entrepreneurs.

In terms of employment, Immigration status is a serious barrier to employment for asylum seekers who are prohibited from working until status is granted. This has been the case since 2002. But a recent Supreme Court ruling gives the right to work to those asylum seekers who have made a fresh claim and have been waiting for more than 12 months for a new decision.⁹ The ruling affects about 45,000 people and the Home Office is trying to limit its impact by restricting these workers to skilled shortage occupations only. All other migrant categories are permitted to work although some have limitations on the hours and types of work they can undertake.

⁹ The Guardian, Thursday 29th July 2010 at <http://www.guardian.co.uk/uk/2010/jul/29/restrictions-sought-asylum-seekers-jobs>

Migrants' Rights Scotland

for a rights-based approach to migration

Focus Group discussion

Participants saw immigration controls as increasingly restrictive and described the uncertainty and powerlessness they felt when trying to negotiate the immigration system. There were comments on the cost of making applications for visa extensions, and the worry that these may not be granted. There was a sense of unfairness if rules were changed that they had been relying upon and that it was difficult to keep up with constant changes.

There were comments that the distinction in immigration rules between EU and non-EU migrants is discriminatory especially if a cap is put on non-EU nationals.

d. Enforcement in the workplace (document checks and workplace raids)

Focus Group discussion

The Migrants' Rights Scotland focus group discussion saw workplace raids as intertwined with workplace discrimination with particularly ethnic minority migrants singled out and scape goated. While only one focus group participant had personally experienced a raid, others found their working experiences affected by the possibility of raids. It was noted that the raids appeared to prioritise high visibility targets such as high street shops and restaurants rather than sectors or industries known to have high migrant concentrations. It was suggested that migrants needed better support and advocacy and that trade unions and other organisations should be trained to offer this.

e. Quality of life (housing, health and access to public benefits and services)

Focus Group discussion

A key component in quality of life was earning enough not to have to work very long hours as this could have a negative effect on mental and physical health, realising overall migration objectives and establishing social and support networks. Participants talked about isolation due to moving country and language or cultural barriers, and that this could be exacerbated by long working hours. They found it crucial that one's 'migration aims' were being realised and that sometimes immigration rules, the need to earn money and other factors could de-rail migrants from their aims. Realising their aim was the key to quality of life, yet the many obstacles and uncertainty migrants faced made it very difficult to realise their aims. Many participants described the problems of becoming overstretched in terms of the costs they incurred meant having to work harder and harder while not managing to build the life they had envisaged for themselves. They saw themselves in danger of becoming trapped - working very hard to make ends meet while losing sight of their initial aim.

Other factors that had a detrimental impact on quality of life were discrimination, a lack of support and insecurity of status.

Migrants' Rights Scotland

for a rights-based approach to migration

Key Stakeholders

NGOs and Migrant Community Organisations

One group of NGOs are those based in Glasgow working predominantly on issues related to asylum seekers and refugees. These include Scottish Refugee Council, Oxfam, Poverty Alliance, and Positive Action in Housing. Apart from the Refugee Council, these organisations tackle the issues from an anti-poverty perspective. Their work generally focuses on signposting and service development, rights campaigning and networking and community development.

Another group of organisations are those focused on community development. These are often black and minority ethnic organisations. These are more widespread and include Black and Ethnic Minority Infrastructure in Scotland (BEMIS), Glasgow Anti-Racist Alliance (GARA) and the race equality councils. These organisations generally work from anti-racist or an equalities and diversity perspective. However, many of them tend not to work on asylum and refugee issues or migrant worker issues. In Scotland, the term 'migrant worker' tends to be taken to refer to migrants from the new EU member states; groups working on racial equality often neglect this group as they are seen as 'white'. The focus tends to be minority ethnic groups rather than migrants.

A newer group of organisations are migrant worker groups. These tend to be support and information groups specifically for migrant workers. They can be organised by country/region of origin, Scottish town/region or by particular sector. Examples include the Overseas Nurses and Care Workers Network, United Polish Falkirk, Lithuanian Community Integration Association. Many of these organisations have primarily social aims, networking co-nationals or migrants in particular sectors or cities; in some cases organisations seek to build bridges to native Scots for their communities. This is often combined with facilitating access to information through advice services. For some organisations, this work has a clear workers' rights orientation and is directly linked to trades unions.

The distinctions described above are for orientation only; in practice many organisations work across these distinctions bringing together different perspectives. However, these broad distinctions observed above do reflect the way migrant groups are fragmented in Scotland. Often work is done with respect to only one group of migrants, disregarding the potential of solidarity across different migrant categories and the commonalities that underpin many migrants' experiences of 'otherness'. This

Migrants' Rights Scotland

for a rights-based approach to migration

approach also sets up an opposition between migrants and settled minority ethnic groups and between different migrant groups.

Government

The Scottish Government's approach to immigration is complex and difficult to read. There is still within the civil service the desire to investigate how immigrants can contribute to Scotland's quest for economic growth and to offset population decline, even after the change in government to the Scottish National Party in 2006. Since then, work has been commissioned to investigate the impact of immigration on Scotland's economy and labour market. Immigration was a topic for discussion in the SNP's National Conversation consultation on independence. However, given the recession and the tricky relationship between the SNP government and Westminster, it is difficult to know what of these actions are simply to goad the UK government and what would survive future political manoeuvrings.

Like immigration controls, equality legislation is reserved; however, the Scottish Parliament has specific commitment to equal opportunities under the Scotland Act. This has resulted in work on asylum and immigration with the Equal Opportunities Committee holding an inquiry to migration and trafficking with a remit: 'To explore the impact and contributions of migrant populations within Scottish society and the extent and nature of trafficking'. The Committee is due to report this autumn.

At local government level a strategic migration partnership team exists at the Convention of Scottish Local Authorities (Cosla). Its role is to co-ordinate and network stakeholders to develop services and support for asylum seekers, refugees and more recently, migrant workers (largely those from the EU accession countries). Cosla's stakeholders tend to be government and statutory bodies. The strategic migration partnership has recently expanded its role to include a strategic/political policy focus.

Trade Unions

The Scottish Trades Union Congress (STUC) has carried out some activities in support of migrant workers in Scotland. Some of this work has been conducted by the STUC's Black Workers' Committee within the remit of promoting race equality and preventing racial discrimination. Other work has focused on migrant workers as vulnerable workers who are more likely to face employment difficulties due to language,

Migrants' Rights Scotland

for a rights-based approach to migration

information and rights barriers.¹⁰ Other unions such as Unison and Unite have also undertaken projects and partnerships to support migrants as workers. The unions are also interested in recruiting migrant workers to their membership. However, union involvement in Scotland has been limited, particularly with the main focus on workers more generally - especially during the recession. Furthermore, much of the work on migrant worker issues is led by the UK unions, filtering through to the Scottish sister organisations. Consequently, most of the work done is not specific to Scotland.

Media

In looking at what shapes attitudes to asylum in Scotland, the Institute for Public Policy Research conducted an internet search of all articles related to asylum seekers and refugees in the previous five years and found that “the Scottish media appears to be more sympathetic to the plight of asylum seekers and refugees than the English tabloid press.” (2006:25) The report notes the Scotsman’s coverage of cultural event and use of individual human interest stories humanised the issues. The more in-depth study conducted by Oxfam and Glasgow Caledonian University on Asylum and the Scottish Media found that while the purely Scottish newspapers were broadly positive on asylum, Scottish editions of UK newspapers were less so and there remained a considerable amount of negative coverage. (2006:14)

On immigration and employment, the media have been receptive to running stories on Scotland’s greater need for migration in view of population decline. This provides a view of the potential benefits of immigration for Scotland, but it is a story about devolution/independence as much as a story about immigration. This type of media story about immigration has survived the recession and become sharper-edged with the Westminster proposals for an immigration cap.¹¹

However, while there are more positive media stories on asylum and immigration in the Scottish media than in the UK as a whole, this should not be taken to mean that Scottish media coverage is generally positive on immigration.

¹⁰ See the TUC’s Vulnerable Worker Project: <http://www.vulnerableworkersproject.org.uk/>

¹¹ For instance: ‘The Unfashionable Truth about Immigration’ The Times, 31 August 2010. ‘Immigration Cap Attacked as ‘economics of sixth form’ The Scotsman, 29 June 2010

Migrants' Rights Scotland

for a rights-based approach to migration

Role of CSP Volunteers

There are a multitude of issues of importance for migrants in Scotland, but the greatest barrier is developing an inclusive migrant platform that equips migrants with the knowledge and skills to seek to influence the policy agenda. The current situation is that community organisations operate in silos; each attending to the interests of a particular category of migrants and neglecting the commonalities of the migrant experience - such as isolation, discrimination, disorientation and uncertainty - that would allow for a more unified migrant voice to emerge. At times, the lack of a clear picture of the migrant experience in Scotland also hampers the development of a migrant voice for the region. There is need for better data on migrants in Scotland and need to develop a migrant community familiar with its experiences and needs as a group. In terms of building influence in the region, the first step would be to help equip migrant community members with the knowledge and skills to allow them to articulate and mobilise the migrant voice in Scotland. From this development work, a clearer focus would emerge over time. In step with this, there is a need to provide this emergent migrant voice with a platform from which to seek to influence policy. The Scottish Parliament and local authorities provide a receptive focus for policy work and there is scope to influence these bodies into a more proactive approach in support of migrants. However, at present the work of seeking influence needs to take one step back to focus on developing within the migrant population a perspective, networks and the skills to allow migrants to represent themselves without retreating into silos or resorting to gatekeeping.

Report prepared by Dr. Sarah Kyambi for Migrants' Rights Scotland and Migrants' Rights Network, Communication Strategies Project.

Migrants' Rights Scotland

for a rights-based approach to migration

References:

- Cavanagh et al (2008) Fresh Talent Working in Scotland Scheme: An Evidence Review
- De Lima, P et al. (2007). A Study of Migrant Workers in Grampian
- Fife Research Co-ordination Group (2007) Migrant Workers in Fife-a survey
- Hall & Aitken (2007) Migrant Workers in Dumfries and Galloway
- Home Office (2007) Enforcing the Rules: A strategy to ensure and enforce compliance with our immigration laws
- Lewis, M (2006) Warm Welcome? Understanding Public Attitudes to Asylum in Scotland
- Metcalf et al (2008) Employment of Migrant Workers: Case studies of selected employers in Wales and Scotland
- Oxfam (2006) Asylum and the Scottish Media: A Report on the Scottish Media developed by the Oxfam Asylum Positive Images Project and Glasgow Caledonian University, available at www.oxfamgb.org
- Rolfe & Metcalf (2009) Recent Migration into Scotland: The Evidence Base
- Scottish Executive (Feb 2004) New Scots: Attracting Fresh Talent to meet the Challenge of Growth
- Scottish Economic Research (2006) The Tayside Migrant Labour Population: Scale, impacts and experiences.