Impact case study (REF3)

REF2021

Institution: University of Oxford

Unit of Assessment: 22A - Anthropology

Title of case study: Improving the understanding of how migration policies affect the UK

Period when the underpinning research was undertaken: 2015-2019

Details of staff conducting the underpinning research from the submitting unit:

Name(s):	Role(s) (e.g. job title):	Period(s) employed by submitting HEI:
Madeleine Sumption;	Director, Migration Observatory (MO);	2014-present;
Carlos Vargas Silva;	Research Director, (COMPAS);	2009-present;
Zovanga Kone	Research Officer (MO)	2017 – 2019
Mariña Fernández-Reino	Senior Researcher (MO)	2018 - present

Period when the claimed impact occurred: 2015 – 31 Dec 2020

Is this case study continued from a case study submitted in 2014? N

1. Summary of the impact (indicative maximum 100 words)
Through their work at the Migration Observatory at the University of Oxford, Sumption and Vargas-Silva have enabled policymakers and the media to understand the trade-offs inherent in migration policy decisions. They have 1) provided government and EU embassies with a detailed understanding of which migrants (e.g. EU citizens after Brexit, and the Windrush generation) risk losing legal rights due to immigration policies, and why; 2) shone light on the implications of migration policies and how they affect vulnerable groups, particularly women and ethnic minorities; and 3) helped Parliament and government departments understand the impacts of post-Brexit labour migration policies. The Migration Observatory received the 2017 ESRC Outstanding Impact in Society prize, recognising its effectiveness in informing public debates on migration.

2. Underpinning research (indicative maximum 500 words)
Research produced by COMPAS (Centre on Migration, Policy and Society) and the Migration Observatory in the School of Anthropology and Museum Ethnography (SAME), has demonstrated that contemporary immigration policy choices require trade-offs between competing policy goals, typically creating winners and losers. The two strands of research, led by Sumption and Vargas-Silva, have identified who is most affected by immigration policies and analysed the implications of attempts to mitigate negative impacts. Methodologically, the research combines two main elements: original data analysis to identify the characteristics of those affected by immigration policies (e.g. women, children, long-term residents in the UK with EU-27 citizenship, ethnic minorities, low-income households, and those who might be fearful of applying for formal status); and synthesis of research evidence from across the social sciences to identify theoretical insights and implications for current policy debates.

The first strand of the research identified the mechanisms through which legally resident migrants may lose their legal rights as a result of immigration policy design. Drawing on literatures on programme participation and implementation that have been under-explored in research on immigration policy, the research identified groups of EU-27 citizens who are at risk of failing to secure their residence rights after Brexit, both because the policy requires action by the participant and because the 'burden of proof' rests on the migrant rather than the state **[R1]**. In the case of the Windrush generation, the authors showed that substantial numbers have limited documentation and thus may be unable to exercise legal entitlements despite being lawful residents or UK citizens **[R2]**.

The second strand of the research shows that post-Brexit labour migration policy will require important trade-offs between competing objectives. For example, the government must decide whether to prioritise the ability to target labour migration to areas of perceived need, or mitigating

the risks of adverse impacts on migrants and the labour market, associated with restricted rights they receive on visas that are tied to specific types of jobs and thus specific employers **[R3]**. It must also balance the desire to meet complex policy goals for specific industries, such as social care and agriculture, against the risk that immigration policy will become more complex and less evidence based **[R4]**. The research also identified operational problems that emerge as a result of visa caps, such as the cap on skilled non-EU work visas [**R4**], and explained the practical implications of introducing an "Australian-style points-based system" **[R5]**.

As post-Brexit policy has developed, the Migration Observatory has revisited the initial research of the 'Unsettled Status' report **[R1]** in 2020, which provides further detail on the factors expected to be associated with vulnerable groups at risk of 'falling through the cracks' as the EU Settlement Scheme (EUSS) is implemented **[R6]**. Between **R1** and **R6**, the research identified more than 25 groups of people who might be affected, including those who do not realise they must apply (8 sub-groups); people who will struggle to apply as they have reduced personal autonomy (6 sub-groups); people who are likely to struggle with the application system itself (7 sub-groups), people who lack identity evidence (6 sub-groups), as well as people who fail to convert from pre-settled to settled status.

3. References to the research (indicative maximum of six references)
All Migration Observatory reports were peer reviewed by at least two independent external experts. This is in addition to peer review conducted by journals prior to publication.

R1. Madeleine Sumption and Zovanga Kone, *Unsettled Status: Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit?* Oxford: Migration Observatory, April 2018. https://migrationobservatory.ox.ac.uk/resources/reports/unsettled-status-which-eu-citizens-are-at-risk-of-failing-to-secure-their-rights-after-brexit/ [output type: U]
R2. Migration Observatory, *Commonwealth citizens arriving before 1971*, Oxford: Migration Observatory, May 2018. https://migrationobservatory.ox.ac.uk/resources/commentaries/commonwealth-citizens-arriving-before-1971/ [output type: S]
R3. Madeleine Sumption, *Is Employer Sponsorship a Good Way to Manage Labour Migration? Implications for Post-Brexit Migration Policies*, National Institute Economic Review, Issue 248 (May 2019). https://doi.org/10.1177%2F002795011924800111 [output type: D]
R4. Madeleine Sumption, *Labour immigration after Brexit*, Oxford Review of Economic Policy, March 2017. https://doi.org/10.1093/oxrep/grx006 [output type: D]
R5. Madeleine Sumption, *The Australian points-based system: what is it and what would its impact be in the UK?* Oxford: Migration Observatory, July 2019. https://migrationobservatory.ox.ac.uk/resources/reports/the-australian-points-based-system-what-is-it-and-what-would-its-impact-be-in-the-uk/ [output type:U]
R6. Madeleine Sumption and Marina Fernandez-Reino, *Unsettled Status - 2020: Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit*. Oxford: Migration Observatory, September 2020. https://migrationobservatory.ox.ac.uk/wp-content/uploads/2020/09/Report-Unsettled-Status-2020.pdf [output type:U]

4. Details of the impact (indicative maximum 750 words)
The Migration Observatory's work – and specifically the research outlined in this case study – has: (1) raised understanding of migration issues for key actors; (2) provided an evidence base for UK policymakers at national and international levels to help them think through the implications of migration policy changes; and (3) facilitated more nuanced media reporting on migration.

Raising understanding through knowledge exchange on migration issues
Through an intensive programme of knowledge exchange, the researchers made data and analysis available in accessible formats such as policy reports, commentaries and data tables, using the Migration Observatory's public website which received 4,600,000 page views from 2015 to September 2020. They worked directly with UK journalists across the political spectrum to explain research and its relevance to contemporary migration policy developments, using press releases to highlight salient findings – leading to citations in over 1,000 print stories and regular

appearances on broadcast media. The researchers also ran a programme of in-person engagement with policy and civil society users. From 2016 to 2019 **[E1]** this included leading or participating in over 350 meetings, presentations or private briefings with senior officials and parliamentarians, as well as representatives of civil society. This engagement does not aim to secure specific policy outcomes, but instead to improve users' understanding of the complexity of migration and the impacts of policy.

In two independent evaluations of the Migration Observatory's work (undertaken by strategy consulting firm Firetail) from 2016 **[E2]** and 2019 **[E1]**, users described the Migration Observatory as 'highly respected' and authoritative'. Firetail conducted 38 interviews with users from policy, media and civil society, who were known to have used the Migration Observatory's work. These interviews were anonymous to ensure their integrity. The 2019 evaluation said it found "*unanimous agreement across stakeholders that the Migration Observatory is a highly regarded, well established and important actor in the UK's migration landscape*" **[E1]**. It noted that policy, media, and civil society have used the research to develop policy and services, prepare briefings or reports, and understand the implications of different policy choices and limitations in the data **[E1]**. For example, one policymaker told the evaluators: "[…] *for briefing ministers I used Madeleine's Twitter page or a briefing from their website to take a few quotes from because I know it is trustworthy*"; a civil society representative said "*their work helps our own confidence" by giving an "opportunity to fact-check information*"; and a journalist said they looked to the Observatory for data about stories that are contested **[E1]**.

Improving the evidence base for policy interventions relating to vulnerable migrants after Brexit
The Migration Observatory has fielded a large number of requests for expert advice from policymakers involved in formulating proposals and responding to decisions relating to the social or economic consequences of immigration policies. Vargas-Silva was appointed as advisor to the House of Lords Economic Affairs Committee's inquiry on Brexit and the labour market (December 2016-July 2017). Sumption gave oral evidence on post-Brexit migration policy and EU citizens' rights to the Home Affairs Committee (**e.g. E3,** which refers to a report published shortly after as **R4**), the Treasury Committee, the Scottish Affairs Committee, the House of Lords EU Committee, and the Welsh and London Assemblies (January 2017-May 2019). Research produced by the team is cited in at least 9 House of Commons Library briefings (e.g. **E4,** on EU Settlement Scheme), which parliamentarians use to inform themselves about major policy areas.

Migration Observatory research has also been cited in 7 parliamentary committee reports between 2017 and 2019. Two of these reports – the Exiting the European Union Committee Report on the risks faced by EU citizens post-Brexit (July 2018 – **E5**), and the Home Affairs Committee EU Settlement Scheme Report (May 2019 – **E6**) highlight the 'Unsettled Status' report **[R1]** findings on the groups of EU citizens which would be most vulnerable following Brexit:

'…*the Migration Observatory ha[s] highlighted groups at particular risk, including:*
- *the children of EU citizens in the UK (727,000);*
- *EU citizens born in the UK but not registered as British citizens (323,000);*
- *Elderly EU citizens who are long-term residents in the UK (284,000 EU citizens resident in the UK for more than 20 years);*
- *EU citizens already granted permanent residence (401,519 between 2004 and 2017) who may be unaware they will need to reapply;*
- *Non-EU family members of EU citizens (283,000 permits issued 2005–2016);*
- *Those with limited literacy or fluency in English (288,000 EU citizens reported not speaking English well or at all in the 2011 census);*
- *Isolated individuals or groups with fewer social links;*
- *Those who choose not to apply because they fear rejection. This could include the 85,000 people previously refused permanent residence, those with minor or spent criminal convictions, those who have been homeless at some point in their time in the UK and those involved in cash-in-hand work.'* **[E6]**

The research served as an evidence base to allow politicians to reflect on the nature of different vulnerabilities to the settlement scheme, and the further consideration needed in quantifying these groups. Further specifics from **R1** on who these 'isolated individuals' might be were cited in 11 in-text examples in **E5**: for example, victims of domestic violence, those without bank accounts, people without sufficient identity documentation, and those who will struggle with application systems due to age or language barriers, to name a few. Considering these issues in turn, the Committee state that '*It will be very important to disseminate information through representatives of the various European communities established in the UK so that the message can be amplified to the people who need to apply. The Government should consider how it might provide additional resources to such community organisations that will be doing valuable work on the Government's behalf*' **[E5]**.

A 2019 e-mail testimonial from the Home Office confirms that it used **R1** to inform its thinking about how to ensure the EU settlement scheme would be accessible to vulnerable groups, and that the report provided useful insight into the nature and scale of vulnerabilities as they developed outreach and application assistance for EUSS. [Text removed for publication] **[E7]**. The subsequent support measures included GBP17,000,000 in grant funding to 57 charities supporting vulnerable applicants across many of the groups identified by the Migration Observatory research, and a government-provided support service for those lacking digital skills or internet access **[E8]**.

In November 2020, the Home Office published a Policy Equality Statement (PES) regarding EUSS **[E9]**, which provides more information on government measures designed to make EUSS inclusive for a range of vulnerable groups. Both **R1** and **R6** (an update on **R1** with further evidence) are cited as '*principal sources of evidence*' for '*demonstrating due regard to the public sector equality duty*' (the purpose of PES statements). **R6** is cited 7 times, in particular highlighting the need for flexibility in documentary evidence that can be presented by applicants to EUSS (**R6** in footnotes, **E9**). This document provides an update on the measures mentioned by **E7** and **E8**. They include an increase in the number of charities to support vulnerable groups – which has since grown to from 57 to 72 organisations between 2019 and 2020, with both in-person and mobile support being made available. They also mention that at Settlement Resolution Centres '*staff have been trained to recognise signs of potential vulnerability and handle applicants sensitively according to their needs*' **[E9]**. As such, the research has continued to provide an evolving evidence base to support policy decisions and resource allocation.

The researchers were also invited to present findings to the EU-27 member states (on 25 July 2018, 14 May 2019, and 23 September 2020) which conduct their own outreach and support for applicants for settled status. This was coordinated by the Delegation of the European Union to the United Kingdom, whose EU citizens' rights programme lead described the 'Unsettled Status' policy report **[R1]** as the '*single most authoritative source*' on vulnerable groups who may have difficulties applying for settled status, and said that it enabled them "*to start a more informed discussion*" with the government on "*how to best deliver for groups at risk*" **[E10]**.

In parallel with the above, since 2016 Sumption has been a member of the Migration Advisory Committee (MAC), an independent body of 6 academics, who provide independent, evidence-based advice to the government on migration issues. MAC played a key role advising the government on post-Brexit immigration policy, including making recommendations in two areas related to the Migration Observatory research: the removal of the cap on skilled work visas **[R4]** and advice against the use of immigration policies that tie migrant workers to their employers in low-wage jobs, where there is a greater risk of exploitation **[R3]**. Credited directly as '*the MAC's recommendation*' in the Home Office's post-Brexit immigration plan announced in February 2020 **[E11]**, the Government have agreed to remove the cap on skilled work visas, and have decided to create a unsponsored route within the points-based system to run alongside the employer-led one.

Facilitating evidence-based reporting on migration in the media
The research was covered in a huge diversity of outlets reaching readers across the socio-economic and political spectrum, including the *Daily Mail*, *The Times*, *The Telegraph*, BBC News,

The Guardian, *The Independent (*and sister paper *i*), the *Financial Times*, *The Observer*, *The Mirror*. **E12** is one such example from the conservative *Evening Standard* (‘Thousands of EU nationals at risk of losing their legal status in the UK, report **[R1]** warns’, covering those findings in detail**)**. Migration Observatory experts and analysis were cited in over 1,200 media stories from 2015 to 2020, and over 90 appearances on high-profile broadcast programmes such as Radio 4’s Today and World at One programmes, *Newsnight* and Channel 4 News, bringing research evidence on the impacts of immigration policies to millions of viewers. In independent evaluations, journalists from across the political spectrum emphasised the value of the accurate and impartial data**.** One anonymous journalist noted that the “*Migration Observatory have had a really big impact in terms of how [my organisation] reports migration figures*”, saying that “*we know we can trust them to tell the facts as they are*” **[E2**, 2016**]**. The 2019 evaluation cites a journalist describing the Observatory as “*highly regarded and respected, crucially independent and authoritative*” **[E1]**. Stakeholders interviewed for the Observatory’s external evaluations have said that such interventions contributed to ‘*a more balanced debate*’ on migration, ‘*holding policymakers to account*’.

The most significant individual example of this engagement is the research provided to The Guardian reporter Amelia Gentleman, who led the initial reporting on the Windrush generation. Gentleman said in a retrospective article from April 2018 that it was only when she contacted the Migration Observatory for advice that she ‘*began to realise what a massive problem this was.*’ **[E13]**. Her reporting is now widely credited as the major factor behind the government’s actions to help members of the Windrush generation since 2018, including granting documentation to thousands of Commonwealth migrants and the introduction of a compensation scheme. In a letter to The Guardian in April 2018, the High Commissioner for Barbados to the UK, crediting Gentleman as ‘*leading the charge*’ wrote that it was: ‘*a story that was for too long begging for attention became front-page news and in the process won the hearts of a nation and engaged the mind of a government*’ **[E14]**.

5. Sources to corroborate the impact (indicative maximum of 10 references)

E1. Independent evaluation report of Migration Observatory by Firetail, 2019

E2. Independent evaluation report of Migration Observatory by Firetail, 2016

E3. Oral Evidence (24 Jan 2017) Home Affairs Committee: ‘Immigration’

E4. House of Commons Library Briefing – EU Settlement Scheme

E5.Report (July 2018) House of Commons; Committee on Exiting the European Union.

E6 Report (May 2019) Home Affairs Select Committee Report: ‘EU Settlement Scheme’

E7. Confidential e-mail statement (Aug 2019) from Home Office EU Exit team

E8. Home Office Policy Statement (Mar 2020) on support for vulnerable groups.

E9. Home Office Policy Equality Statement (November 2020) EU Settlement Scheme

E10.Letter from Delegation of the European Union to the United Kingdom (March 2020) confirming use of research by EU member states and representation in London.

E11. Home Office Policy Statement – UK Points-based Immigration System

E12. Article, *Evening Standard* online (April 2018)

E13. Article, *The Guardian* online (April 2018), Amelia Gentleman on Windrush

E14. Letter to *The Guardian* (April 2018) from High Commissioner for Barbados to UK