1. Summary

This submission argues that some of the provisions in the Immigration Bill will deter genuine international students from choosing the UK as a destination for their higher education. This will have a serious impact on the learning and cultural experiences of all of our students. Specifically we are concerned about:

- the introduction of a healthcare levy as this does not take into account the net economic benefit brought to the UK by international students. We think students should be exempt from this proposal.
- the introduction of landlord checks as this is both an intrusion of civil liberties for all students and may lead to greater segregation on campus at a time when we are encouraging integration. We think this proposal is unworkable and will lead to greater discrimination and loss of social cohesion.
- the removal of appeal rights when there is low confidence in the Home Office's decision making processes as evidenced by the high proportion of refusals overturned on appeal.
- the efficacy of the proposed changes. 65% of our students believe that the measures outlined in the Immigration Bill will not be effective in achieving the Bill's stated aims of cutting down on illegal migrants in the UK and ensuring that legal migrants make a financial contribution to public service.
- the detrimental effect on the UK of these extra restrictions on international students. Overall, 88% of our student population said that international student population have a “positive” or “very positive” effect on the UK as a whole.

2. Introduction

2.1 The University of Sheffield Students' Union exists to provide support, representation, facilities, services, entertainment and activities to students studying at the University of Sheffield.

2.2 It has been rated the best Students' Union in the UK in the Times Higher Education's Student Experience Survey for the past 3 years running. It has also been awarded Gold in the national Student's Union Evaluation Initiative.

2.3 The organisation is run for students by students, with eight Students' Union Officers elected annually to direct it and represent its students. The Students' Union offers the opportunity for students to get involved and make their issues and suggestions heard – a collective voice of 24,000 people.

2.4 We directly represent just under 6000 non European Economic Area students who comprise about 24% of our total student population. We have over 130 nationalities here at Sheffield with China, Malaysia, India, Nigeria and Hong Kong accounting for 60% of our non EEA international students. All of our students benefit from learning and living together in a culturally diverse campus and it is these skills and experiences which are highly sought after by graduate employers. We are concerned that a combination of immigration rule changes particularly around rights to work has made the UK a less attractive study destination for international students which will in turn impact on the diversity of our campuses and the internationalisation efforts on campus.
2.5 As a Russell Group university the numbers of international students studying at postgraduate level particularly doing PhDs are extremely important to the overall high quality international experience for all our students. At present about 46% of our postgraduates come from overseas and we are concerned that these proposals may deter such high quality students from choosing the UK as a destination to study.

2.6 The national economic contribution of all international students is cited at around £17.5bn$^2$ and here in Sheffield, a recent independent research report conducted by Oxford Economics$^3$ found that the net economic contribution to the Sheffield economy was £120.3 million. This figure assumes an average of £6905 per capita consumption of public services including health and education.

2.7 This submission is informed by a survey of 513 University of Sheffield students which took place in November 2013. A full copy of these results can be provided on request. Where not otherwise cited, quotes come from this research.

3. Healthcare levy

3.1 This proposal will disproportionately impact on international students health and education as the government has calculated that in 2012 there were around 950,000 temporary migrants in the UK and therefore liable for the levy. Two thirds (650,000) of this group are non-EEA students.$^4$ And at the same time the government has announced a strategy to increase the number of non-EEA students who we think will be deterred by these proposals.

"many of these solutions focus on making entry more difficult, which affects legal immigrants as well and does little to nothing to address the problem of immigrants ‘falling through the cracks’ once they’re here."

3.2 We are concerned that the government published this Bill before releasing the findings of the consultation. We are aware that there was considerable opposition to the proposals from the education sector but on this occasion this opposition does not seem to have been reflected in changes to the draft Bill. In our opinion it does not make sense to harm an export sector which directly creates a significant number of jobs in the UK. Nor does it make sense to harm a vibrant sector which brings enormous educational, social and cultural benefits to all our students.

3.3 Our research found that 79% of students believe that international students should not have to pay to use the NHS. Over 1300 of our members, both home and international students, have written to their local MPs to express their opposition to the healthcare levy. We also had a 1000 students sign a petition against the introduction of the levy which was presented to Rt Hon Nick Clegg MP. We believe there is a very strong economic case for international students to be exempt from this proposal.

4. Landlord checks

4.1 Landlords in the private rented sector will have to check the immigration status of all prospective tenants and could be fined if they let or renew a tenancy to someone who does not have permission to be in the UK. The policy intention is to make it more difficult for ‘illegal immigrants’ to find housing.

4.2 This proposal will affect all students whether home or international as landlords would have to check all passports of prospective tenants regardless of nationality to comply with the Equality Act. We think this will lead to more students from black
and minority ethnic backgrounds being discriminated against when looking for housing.

_The bill will only promote institutional racism in housing. It will also promote public hostility to immigrants, legal or illegal._

4.3 Landlords who are not themselves regulated, or qualified to carry out such checks, will be in possession of their tenants most private and valuable documents. We cannot be sure that some ‘rogue landlords’ will not misuse this information.

4.4 We believe that the effects of this bill, will lead to further discrimination against international students and others who are in the UK legally. International students already face difficulties in securing accommodation and are often made to pay large fees and advance rent payments. This bill may result in landlords/agents refusing to even consider international students as tenants or charge additional fees to cover the extra administration costs.

4.5 It will also mean practical difficulties for all students looking to secure accommodation. In the student sector, tenancies are entered into often months in advance of the actual tenancy start date. International students may not be able to prove their immigration status that far in advance and so would be prevented from signing up for properties with their friends who are home students or miss out on the best accommodation.

4.6 In addition to this, international students may need to extend their visas whilst in the UK and they can also be without their original passport and visa for several months, whilst the Home Office is dealing with their visa renewal. They would not be able to prove their immigration status to prospective landlords during this time would effectively be barred from moving into private rented accommodation.

4.7 International students looking to book accommodation before coming to the UK will be prevented from doing so as they will not be able to prove their immigration status before entering the UK.

5. **Removal of right of appeal**

5.1 We are particularly concerned about the proposals to remove the right of appeal for most immigration decisions. If the UK Border Agency always made fair and correct decisions there would be no need for an appeal system. The reality is that it is a hugely flawed organisation – the words of the Home Secretary, Theresa May, on 28 March 2013:

“The agency is often caught up in a vicious cycle of complex law and poor enforcement of its own policies... UKBA has been a troubled organisation for many years...it will take many years to clear the backlogs and fix the system, “

5.2 Of 28,300 appeals determined in 2012/13, nearly 50% of all managed migration and entry clearance appeals were successful. We simply do not have any confidence that the UK Border Agency will be able to fairly review its own decisions via the Administrative Review process based on our experience of supporting students and their dependants who have been refused entry clearance or leave to remain. International students are the migrants that the government tells us that they want to encourage to come to the UK. Should they be refused through poor quality decision-making then it is essential that they retain an independent right of appeal to the Tribunal. 89% of our students described the decision to restrict the right
to appeal as “unfair”. Instead, the Home Office should focus on increasing the numbers of high quality decisions to reduce the number of appeals.

5.3 Our staff at the Student Advice Centre have been supporting international and home students with immigration appeals since 1991. Our experience is that over 99% of these appeals have been successful which indicates that the decision-making is flawed and not the applicant. Many of our cases involve family members of students and there is no doubt we would have lost many valuable PhD students without a recourse to an appeal right as these students would have withdrawn from their studies rather than face separation from their families.

6. Effect of the changes on the UK as a whole

6.1 73% of the international students who responded to the survey said that had the changes outlined in the Bill been in place when they were deciding where to study, it would have affected their decision to come to the UK. Overall, 88% of our student population said that international student population have a “positive” or “very positive” effect on the UK as a whole. Even ignoring the clear social and cultural benefits brought by international students, the national economic contribution of all international students is cited at around £17.5bn.

This policy does not address real issues. It is a political discourse. the process to come as a student is already too hard and almost makes you want to apply for other country’s university.

7. Conclusion

7.1 It is our view that the three parts of the bill discussed above should all abandoned as they will seriously impact on international students both currently in the UK and those considering the UK as a destination.

Immigration encourages multiculturalism and diversity which are good things

November 2013

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1 Global Graduates, Global Graduates into Global Leaders, November 2011, Council for Industry and Higher Education
3 The Economic Costs and Benefits of International Students, January 2013, Oxford Economics