

UK Shortage Occupation List changes within the health sector and the new NHS surcharge

Published 30 March 2015

We are aware of the difficulties the NHS and private/independent health sectors have been experiencing in recruiting for certain professions, and the recent recruitment drives outside of Europe. In September 2014, the Immigration Minister commissioned a partial review of the Shortage Occupation List (SOL) which considered, amongst other areas, this aspect in further detail. It is hoped that the recommendations proposed will now assist Tier 2 licence holders within the health sector with this issue.

In addition, the date on which the anticipated health surcharge for migrants will come into effect has been announced. This will be 6 April 2015.

UK Shortage Occupation List

The SOL details the professions that are in short supply and therefore in high demand in the UK. Employers for these professions are not required to advertise the posts which they wish to fill for 28 days (as part of the Resident Labour Market Test) before sponsoring a non-EEA national.

The Migration Advisory Committee (MAC) was recently asked to perform a partial review of the SOL following the Government raising issues with the supply of suitably skilled workers in a limited number of areas. As a result of this the MAC recommended some changes to the current SOL. These changes will come into effect from 6 April 2015 and are likely to affect recruitment within the health sector.

The following roles are now to be added to the SOL making it easier and quicker for employers to recruit migrant works within these occupations from outside of the EEA:

- Clinical radio consultants;
- Non-consultant non-training roles in paediatrics and in old age psychiatry;
- Core trainees in psychiatry;
- CT3 and ST4 to ST7 training roles in emergency medicine;
- Prosthetists and Orthotists; and
- Paramedics are to be reclassified as being skilled to National Qualifications Framework (NQF) level 6 (rather than the previous NQF level 4).

GPs were considered for inclusion but the MAC concluded that there was no evidence demonstrating a shortfall of medical students in the UK. The MAC therefore did not recommend this inclusion. Additional categories which were considered, but not included, ranged from acute medicine consultants, paediatric pathology consultants, ophthalmology non-consultant non-training role, geriatric medicine consultants and dermatology consultants.

The following roles are to be removed from the SOL on the basis that there is now no longer a national shortage for these:

- Haematology Consultants;
- Non-consultant non-training medical staff posts in psychiatry (excluding old-age psychiatry);
- General medicine specialities delivering acute care services, anaesthetics and rehabilitation medicine;
- HPC registered therapeutic radiographers;
- Specialist nurses working in neonatal or paediatric intensive care units.

Employers within the health sector who are currently in the process of recruiting migrant workers under the SOL will need to take care in light of these forthcoming changes. The removal of a role will not prevent employers from continuing to employ staff already sponsored in these roles, but any future recruitment of non-EEA migrants to these roles will be a lot more challenging.

NHS surcharge

At the moment all migrants coming to work study or join family members in the UK receive free NHS treatment in the same

way as permanent residents do. However, with effect from 6 April 2015, the NHS surcharge will be payable by all UK visa applicants who are applying to stay in the UK for more than 6 months; or for those migrants already living in the UK and who apply to extend their stay on or beyond 6 April 2015.

The surcharge will be payable upfront for the total period of time which migrants are given permission to stay in the UK, and this will be paid during the visa application or extension process. Main applicants and dependents will pay £200 per year, and students will pay £150 per year. Once paid, lawful migrants will have the same access to NHS healthcare as permanent residents. There are some exceptions to the surcharge which include those who hold tourist and visitors visas who come to the UK for less than 6 months and migrants from Australia and New Zealand.

If you would like to discuss the changes to the SOL or the NHS surcharge in further detail then please contact [Emma Morgan](#) on 0161 934 3237 or Sajida Hussain on 0113 251 4730.

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