

# Partial review of the Shortage Occupation List: Review of Nursing

## Summary

The Migration Advisory Committee (MAC) is an independent, non-departmental public body that advises the government on migration issues. It has published its report (March 2016) on nursing shortages across the UK.

The report examines a range of factors that have contributed to the shortage of registered nurses. It concludes that many of these factors could, and should, have been anticipated by the Department of Health (DH) and other bodies and its main recommendation is that all nursing (across the four fields) should be listed on the shortage occupation list (SOL).

The full report can be read [here](#).

This briefing provides a summary of the relevant issues within the report, particularly around workforce planning in England.

## MAC report on nursing shortages

In October 2015, the Home Secretary added nursing to the SOL pending a review by the MAC. The SOL is an official list of job roles for which there are not enough resident workers in the UK to fill vacancies. Occupations on the SOL have priority for Tier 2 work visas for skilled non-EEA nationals. Tier 2 visas are controlled by an annual quota, the current cap is 20,700.

Occupations must pass three criteria before they are placed on SOL. These are:

- Are they skilled to the required level? The requisite skill level for inclusion on the SOL is National Qualifications Framework level 6 and above (NQF6+), i.e. graduate level. Nurses are skilled to NQF6+.
- Are they in shortage? Presently 10 indicators are used to establish whether an occupation is in shortage. These are benchmarked against criteria defined by the MAC and provide a national picture on the level of shortages.

## Migration Advisory Committee (MAC) report on nursing shortage

### Purpose

This briefing provides a summary of the MAC report on whether nurses should be retained on the UK shortage occupation list.

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### CoDH Contact

[Rachel Craine](#), Senior Policy Officer

- Is it sensible to fill vacancies with non-EEA labour? Four indicators are considered to determine whether it is sensible for migrants outside the EEA to fill vacancies.

## Summary of the findings

### Shortages

Of the 10 indicators of shortage, nursing failed to pass the three indicators on pay. Constraints on public sector pay since 2010 have led to a fall in pay for nurses in real terms. Of the other seven indicators, nursing passed five, a strong indicator of a shortage.

The availability and consistency of vacancy data for nursing posts is variable across health and social care in the four nations within the UK. These limitations make it difficult to draw comparisons and gain an accurate picture of the number of vacancies and distribution across the UK. However, as is apparent from the experience of most employers, the available data does indicate that across the UK there is a serious shortage of nurses. Vacancy rates in England (particularly in London) are higher than for each of the devolved administrations. As is well known, many employers across the NHS, care and independent sectors are experiencing challenges in recruiting enough nurses.

### Underlying contributing factors

The report highlights that demand, supply and pay are the overarching factors affecting nursing. Demand for nurses has been affected by changes in patient demographics, healthcare reform, changing role of nurses and a greater focus of the quality of patient care.

In parallel with the increasing demand, the report acknowledges that the supply of nurses has been hampered by cuts to education places which have reduced the number of graduates entering the profession. Retention of the existing workforce is also an issue, with an ageing workforce and many nurses choosing to move to alternative roles or work abroad.

The report is critical of the workforce planning process, particularly for England. It says 'there is a structural undersupply of nurses in the UK



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that has been caused by the failure to factor demand from non-NHS employers into workforce planning' (4.32).

It goes on to say 'The health sector controls its own supply of nurses through training commissions and yet has managed to leave itself without sufficient nurses' (5.48).

The report also acknowledges that the reduction in education commissions between 2010 and 2013 across England, Northern Ireland, Scotland and Wales 'was a significant contributing factor towards the current national shortage of nurses' (4.38). Since then the number of education places in England, Scotland and Wales has been increased, however, they remain insufficient to meet demand and make up for the shortfall in places between 2010 and 2013.

#### Addressing the shortage

In considering the evidence on whether it is sensible for nurses outside the EEA to fill vacancies the MAC looked specifically at four questions: Is there an underused UK supply of nurses, which could help to address the shortage? Would training more nurses have an impact on the numbers of non-EEA nurses coming to the UK? What is the role of improvements in pay and conditions? What other sources of nurses are there?

The main themes drawn from the report's findings are:

- Employers have made plans to address issues of recruitment and retention, but a lack of detail around the plans is concerning. Current data also suggests that the numbers of nurses returning to the profession is low.
- Control of costs is a major driver that has left the sector reliant on non-EEA nurses. The MAC have concerns that non-EEA staff are seen as an attractive solution to the problem because they are often perceived as a cheaper option. They are being used to mask problems with the demand and supply of nurses.
- The MAC suggests the DH and Health Education England are aspirational in saying they will have achieved a demand/supply equilibrium of nurses by 2019-20. They conclude that based on

'The reduction in education commissions between 2010 and 2013 was a significant contributing factor towards the current national shortage of nurses'

historic patterns of workforce planning and without an adequate plan to address current shortages there is a real risk that nursing will remain on the SOL.

### Report conclusions and recommendations

- The MAC unsurprisingly concludes that the evidence suggests a shortage of nurses in the UK and therefore the profession should be retained on the SOL.
- The report recommends that the allocation of the Certificate of Sponsorship (CoS) should be monitored by the Government and it should be considered whether to have monthly or an annual limit for nurses to avoid the risk of displacing other occupations (such as engineers) who are included in the annual quota (6.42)
- The report recommends that the Government should consider whether to apply a resident labour market test (RSLT) for nurses, including whilst they are on the SOL (6.44).
- The report concludes that availability of accurate, consistent and comprehensive data must be improved (6.46).

Although the report is a comprehensive indictment of the failures of workforce planning, there is only limited reference to the change in funding structures for pre-registration nursing education in England and the MAC did not receive detailed analysis of how the removal of the number cap might alter the workforce supply. The MAC therefore seems to have taken a largely retrospective look at the issue rather than factoring in the potential impact of future changes. It is, however, interesting to note its comment that HEE has not made any assumptions in its plans about the impact on the removal of bursaries on future supply of nurses.