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By email to: MAC@homeoffice.gsi.gov.uk

Dear MAC Secretariat

Migration Advisory Committee (MAC) Call for Evidence dated 4 August 2017

I write on behalf of the Society of London Theatre ("SOLT") and UK Theatre Association ("UK Theatre") in response to your call for evidence on the economic and social impacts of the UK's exit from the European Union.

About us

- SOLT and UK Theatre are the trade associations and members' organisations representing the interests of those engaged in the production and presentation of medium to large-scale dramatic and lyric theatre in the UK. Both memberships are drawn from subsidised and commercial theatre.
- The combined box office income of SOLT and UK Theatre's memberships was more than £1 billion across London and the rest of the UK, with 34 million tickets sold, in 2016.
- SOLT represents approximately 200 London-based producers, theatre owners and managers, including all the major subsidised theatrical organisations in London.
- UK Theatre represents approximately 220 theatres, concert halls, dance companies, producers and arts centres throughout the UK. UK Theatre also operates as a professional association, supporting over 1,000 individuals working professionally in theatre and the performing arts in the UK.

MAC's call for evidence

We note that the Government has commissioned the MAC to advise on the economic and social impacts of the UK's exit from the European Union and also on how the UK's immigration system should be aligned with a modern industrial strategy. We further note that the call for evidence identifies the sort of information that the MAC will find most helpful to receive during the initial

Society of London Theatre is a company limited by guarantee registered in England and Wales, whose registered office is at the above address.

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"UK Theatre" is the operating name of UK Theatre Association, which was founded by Sir Henry Irving in 1894 and is a company limited by guarantee registered in England and Wales, whose registered office is at the above address.

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phase of its consideration of the government's. As requested, we have responded to those questions in the call for evidence which are relevant to our expertise.

EEA Migration Trends

1. Please provide evidence on the characteristics (eg types of jobs migrants perform; skill levels, etc) of EEA migrants in your particular sector/local area/region. How do these differ from UK workers? And from non-EEA workers?

1.1 The theatre workforce is much broader than on-stage talent. Our members engage EEA migrants in a wide range of roles across a number of departments, including not only performers, but also creatives (eg artistic directors, designers, choreographers), stage management, production and technical, press and marketing, IT, box office, front of house, finance, fundraising and development, and general administration. Most of the EEA migrants working for our members are highly skilled and a very large number of them are in performance roles. The MAC's call for evidence is therefore extremely relevant to us.

1.2 For some members, the roles performed by, and skill levels of, EEA migrants differ from UK and non-EEA workers. For others they do not.

2. To what extent are EEA migrants seasonal; part-time; agency-workers; temporary; short-term assignments; intra-company transfers; self-employed?

2.1 EEA migrants are mostly engaged by our members on a seasonal basis, on short-term assignments or on a temporary basis. This is particularly the case for performers.

2.2 A notable exception to this is that the leading ballet and contemporary dance companies engage dancers on long-term contracts. This is due to how dancers develop through their time with a company – not only in terms of skill and ability, but also in terms of adopting the particular style of the company and learning the repertoire.

3. Have the patterns of EEA migration changed since the Brexit referendum?

3.1 Our members have reported that some of their EEA workers, including those who are highly skilled, have left their roles due to the uncertainty surrounding their ability to stay in the UK on a long-term basis. We also understand that some members have stopped offering permanent contracts to EEA workers due to the uncertainty regarding their future status.

3.2 Others who have yet to be affected (due to current artistic programming being based on longstanding collaborations and reputation, and involving short-term engagements) have nevertheless expressed concern about future recruitment and retention of staff due to the uncertainty surrounding the rights of EEA nationals to work in the UK post-Brexit. This is particularly the case in relation to those from countries which do not allow dual nationality.

4. What impact would a reduction in EEA migration have on your sector/local area/region?

4.1 This would have a significant impact on the theatre industry. There is a general concern about the likely resulting severe shortage of skilled workers in all areas, from front of house to technology to performance.

- 4.2 Hundreds of performers who are EEA migrants work for our members every year. This enables our members to produce a wide variety of world-class artistic programmes which showcase the best talent from around the world in the UK. A reduction in the availability of EEA nationals would restrict their ability to generate and present the current variety of work at this high level.
- 4.3 There is a particular issue for the dance sector (both classical ballet and contemporary dance). A number of dancers in our leading dance companies are EEA nationals. As the MAC knows from our past submissions, there is a worldwide shortage of the calibre of dancer required for these companies. This is due to a number of factors, including the length of training, the exceptionally high degree of skill required, the short nature of dancers' careers and, most significantly, the essential requirement of innate ability. As a result, the occupations of skilled classical ballet dancer and skilled contemporary dancer are on the Tier 2 Shortage Occupation List. A reduction in EEA migration would severely inhibit the ability of our leading companies to maintain their very high standards and compete on the world stage. Any post-Brexit immigration system for EEA nationals should recognise the occupations of skilled classical ballet dancer and skilled contemporary dancer as shortage occupations.
- 4.4 For some of our members, the majority of their programme involves work with other EEA artists and organisations due to the strength of the European arts scene, the relative costs of importing work from Europe versus the rest of the world, and longstanding collaborative relationships with leading European companies. A reduction in EEA migration would have a detrimental impact on the work of these UK companies and these relationships. This, in turn, could negatively impact the ability of our members to take their work to EEA countries.
- 4.5 Some members also engage workers who are based in the EEA but come to the UK frequently for work based on the principle of freedom of movement. These arrangements will be at risk post-Brexit.
- 4.6 A reduction in the availability of EEA workers would also mean losing much of the international knowledge, expertise and connections amongst permanent staff, such as administrative and production staff, which underpin the work of some of our members. In particular, for those which are internationally-focused organisations, it is necessary for them to have an international workforce. Further, our members would lose the language skills and cultural and legal understanding of EEA countries which they have difficulty in finding in the domestic theatre workforce.
- 4.7 Our members have raised concerns about the high proportion of migrant workers in areas such as cleaning and catering in their organisations (often casual workers or agency staff) and whether they will have the ability to recruit sufficient numbers of staff in these areas post-Brexit.
- 4.8 As well as concerns about a potentially reduced pool of candidates post-Brexit, our members are also concerned that the introduction of visa (or similar) requirements for EEA nationals on short-term performance contracts would add a significant administrative burden and cost, which could potentially make presenting much work unsustainable. Some of our members, particularly those in the dance sector, already spend significant resources on engaging non-EEA nationals (eg staff time and visa costs). This would be compounded if similar requirements were to apply to EEA migrants and some members have said that they would need to employ an additional staff member if this were the case. For smaller organisations the additional costs may be prohibitive. It is also worth bearing

in mind in this context that many of our members are publicly funded and/or have charitable status.

- 4.9 There is also concern that immigration requirements for EEA nationals post-Brexit will result in a slower recruitment process. This is a particularly critical issue in the context of having to replace a performer at short notice, due to illness or injury. This is a regular reality in the worlds of opera and dance. The fact that, at present, an EEA national (with the relevant experience) can be brought in easily within hours is vital. It is essential that any post-Brexit immigration requirements for EEA migrants allow a mechanism to replicate this.
- 4.10 Any new immigration system which is introduced should be simple to use, not overly bureaucratic, have a quick turnaround and should take into account the end user. We believe that the Government needs to introduce a system with sufficient flexibility to allow change, that it should constantly review the effectiveness of the new system and liaise with businesses to ensure they are able to use the new system to recruit the people they need.
- 4.11 Many migrant workers (both EEA and non-EEA) in the creative industries are freelancers and this is a factor which should be addressed in any new immigration system.
- 4.12 We believe that with any new system the Government should send out a positive message that goes further than simply presenting a system of routes to working legally in the UK, by making clear that, as a country, the UK is very much open for business.
- 4.13 Any detrimental impact to the success of a theatre organisation which arises from a reduction in the availability of EEA migrants is likely to have a knock-on effect on that organisation's local area, affecting restaurants, hotels, tourism and other service industries. Where the organisation is an important focus in a city (as many of our members are), any reduction in its activities or undermining of its reputation would have an impact on the city's economy and its appeal to visitors and investors.

Recruitment Practices, Training and Skills

5. **Please provide evidence on the methods of recruitment used to employ EEA migrants. Have these methods changed following the Brexit referendum?**
 - 5.1 A variety of methods are used by our members: advertising on the member's own website, in national media and in industry publications and websites; approaching partner organisations in the EEA; member's own networks; recruitment agencies; performers' agents; social media; and word of mouth.
 - 5.2 In some cases, EEA performers are employed because of their involvement in the production which has been programmed, the production having been chosen due to its artistic quality.
 - 5.3 Most members have not changed their recruitment practice since the Brexit referendum, but those who have done so commented that they have become more dependent on networks and recommendations as the pool of EEA workers has decreased.
6. **Do recruitment practices differ by skill-type and occupation?**
 - 6.1 The method or combination of methods varies depending on the role concerned.

- 6.2 Permanent roles tend to be publicly advertised.
- 6.3 Performers will usually complete an audition whilst other staff may have to complete competency based interviews and assessments.
- 6.4 Whether the role requires a bilingual worker can affect recruitment practices as it is easier to find workers to fill roles where English is the only language required. It tends to be the case that a wider search is needed for bilingual staff.
7. **What are the advantages and disadvantages of employing EEA workers? Have these changed following the Brexit referendum result?**
- 7.1 A key advantage is that having access to EEA workers allows our members to recruit the most talented, highly skilled workers for the job.
- 7.2 Engaging EEA workers enables those presenting international work to do so in an authentic manner.
- 7.3 Employing EEA workers allows our members to offer a diversity of experience, keeping their audiences interested in their programmes, and to maintain their place in the cultural landscape by providing a window on the world.
- 7.4 Diversity within the workforce is key for our members: they aim for the workforce to be representative of their audiences and local communities. Having EEA workers helps them in seeking to achieve this, and in engaging with their local communities.
- 7.5 Employing EEA workers can present challenges in terms of language and cultural differences, but these are outweighed by the many advantages, eg cultural diversity, working with people with different experiences, and the advantages referred to above.
- 7.6 The only disadvantage identified of employing EEA workers, and the only change resulting from the Brexit referendum, is that our members do not currently know what the employment/immigration status of their EEA workers will be post-Brexit.
8. **To what extent has EEA and non-EEA migration affected the skills and training of the UK workers?**
- 8.1 Our members do not consider that there has been any negative effect on the skills and training of UK workers in the theatre industry. On the contrary, their view is that UK workers have been exposed to the best work internationally and that migration has enriched the skills and artistic lines of enquiry available to their domestic workforce. They believe that this has been transformative for the UK theatre industry.
9. **How involved are universities and training providers in ensuring that the UK workforce has the skills needed to fill key roles/roles in high demand in your sector?**
- 9.1 Our members consider that training institutions could improve their offer, particularly in relation to providing ongoing professional development for performers and other creative workers to enable them to reach the highest level and to placing greater focus on practical skills.

- 9.2 Training institutions which our members praised as training performers to the highest level have a significant proportion of international students which members believe ensures that performers experience the importance of international cultural exchange at an early stage. Focusing solely on training UK workers would be hugely detrimental to this.
- 9.3 In relation to contracted catering staff, our members commented that there is a lack of training providers for these types of staff.
10. **How well aware are you of current UK migration policies for non-EEA migrants? If new immigration policies restrict the numbers of low-skilled migrants who can come to work in the UK, which forms of migration into low-skilled work should be prioritised? For example, the current shortage occupation list applies to high skilled occupations; do you think this should be expanded to cover lower skill levels?**
- 10.1 Many of our members are aware of current UK migration policies for non-EEA migrants.
- 10.2 Some members have suggested that the shortage occupation list should be extended to lower skilled workers, particularly in areas such as catering, unless there is a focus on attracting and training thousands of UK nationals for these roles or the resident labour market test rules become less restrictive.

Economic, Social and Fiscal Impacts

11. **What are the economic, social and fiscal costs and benefits of EEA migration to the UK economy? What are the impacts of EEA migrants on the labour market, prices, public services, net fiscal impacts (eg taxes paid by migrants; benefits they receive), productivity, investment, innovation and general competitiveness of UK industry?**
- 11.1 The benefits are significant. We have referred to the benefits to our industry above, including the opportunity EEA migration provides to our members to hire the best talent and develop a diverse workforce. However, we also believe that, particularly as the UK has a low unemployment rate, removing EEA migrant workers will leave some other industries with real shortages of labour. In addition to contributing to the economy, through the payment of taxes, for example, EEA migrants make the UK a more culturally rich and diverse nation. We therefore believe the net impact of EEA migration to be a positive one.
12. **Do these impacts vary by skill level (high-skilled, medium-skilled, and low-skilled workers)?**
- 12.1 We believe that the positive benefits of EEA migration apply to all skill levels, although the high- and medium-skilled occupations are the most valued in our sector.

Conclusion

The availability of EEA workers is essential to the UK theatre industry and to the UK's creative industries as a whole. The UK's creative industries generate £87.4bn a year to the UK economy¹.

¹

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544103/DCMS_Sectors_Economic_Estimates_-_August_2016.pdf

It is vital that any new immigration system post-Brexit facilitates the recruitment and retention of EEA workers by the theatre industry.

Thank you for giving us the opportunity to comment. We look forward to discussing in more detail the issues raised by the call for evidence at our members' roundtable meeting with Tracy Liennard of the MAC on 29 November. Should you require any further information in the meantime, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink that reads "LOUISE NORMAN". The letters are in all caps and have a slightly cursive, informal style.

Louise Norman
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