

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

19th October, 2022

Proposition No. P.2022/81

Committee for Home Affairs

Population and Immigration Policy Review

AMENDMENT

Proposed by: Deputy A Kazantseva-Miller

Seconded by: Deputy H J R Soulsby MBE

To insert a new proposition 9A:

“9A. To direct the Committee for Home Affairs, when considering any policy changes to the Employment Permit Policy and the Immigration Work Permit Policy, to consider any options to provide long-term employment pathways for residents of the Common Travel Area, particularly in respect of duration of permits for jobs that might currently fall under the Short-Term Employment Permits system, and to report its conclusions and to make any recommendations to the States before the end of the current political term.”

Rule 4(1) Information

- a) The proposition(s) contribute to the States’ objectives and policy plans by providing further policy direction for Population and Immigration Policy Review.
- b) In preparing the proposition, consultation has been undertaken with the President of the Committee for Home Affairs and officers.
- c) The proposition(s) have been submitted to His Majesty’s Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications to the States of carrying the proposal into effect.

Explanatory note

Guernsey faces a jobs crisis, significantly exacerbated by Brexit and Covid and the

forecasted long-term decline in the workforce. It also has a high churn in its population with about 3000-4000 emigrating and immigrating each year and this is in part linked to the short-termism of the permit system.

Guernsey is seeking to update its Population and Immigration regimes and limit the Employment Permit Policy to two routes – the Short-Term Employment Permits (STEPs) and the Long-Term Employment Permits (LTEPs) pathways.

The proposed amendments are influenced by the post-Brexit UK Immigration policy which seeks to limit the level of low-skilled labour arriving in the UK and settling down. The UK “Skilled Worker Visa: Eligible Occupations List” (the UK list) guides what occupations can be offered LTEPs. Other occupations will be offered STEPs, limiting the cumulative number of years a worker can stay to three, thus preventing those workers from settling in the area.

Local businesses in industries that are the biggest recipients of STEPs (hospitality, facilities management and construction) are desperate to attract and retain staff for as long as possible and not be subject to the three-year restriction.

Residents of the Common Travel Area do not need to worry about the UK Immigration restrictions because they have already achieved the right to remain and work in the area. However, based on the current policy and PIPR, CTA residents will continue being treated on an equal basis to all nationalities despite not being bound by Immigration policy.

Given the acute labour shortage and the forecasted decline in our workforce, it could be argued that it would be beneficial to Guernsey to treat CTA residents differently (based on their residency status in the CTA, rather than nationality) under the domestic Population Management regime, because they are not subject to Immigration Policy. This would allow Guernsey to attract and retain more CTA workers for longer, which will help with the long-term cumulative net migration, addressing labour shortages, reducing the workforce churn and the cost to hire and train workers.

Guernsey should seek to make best advantage of its CTA membership by seeking to remove barriers for CTA residents to accessing long-term employment in Guernsey given the strategic objective identified by PIPR to sustain island’s working population at 2020 levels by 2050.

This amendment seeks to give a policy direction the Committee for Home Affairs to explore any options to treat CTA residents differently because they are not bound by the same Immigration restrictions. One possible outcome may be the creation of an alternative permit route which will allow CTA residents to stay longer for occupations that might only be able to attract a STEP type permit under the current system. States of Guernsey can then consider the options and their desirability.