



NEWS

NEWS ANALYSIS

Scrap the cap: pressure mounts to allow more foreign doctors into UK

Why are doctors from overseas being denied visas when hundreds of NHS posts lie vacant? **Ingrid Torjesen** reports

Ingrid Torjesen

London

The cap on numbers of health professionals from outside the European Economic Area being allowed to enter the UK to work is coming under increasing pressure.

By Thursday 3 May 12 royal colleges, the BMA, and NHS Employers, which represents organisations that employ NHS staff, had called on the new home secretary, Sajid Javid, to allow more doctors the chance to secure one of the 20 700 tier 2 (general) certificates of sponsorship awarded each year to people recruited from outside the EEA.¹

The Labour Party went further and said that all NHS workers should be exempted from the tier 2 visa system and an alternative system be put in place for these groups. And the GMC has called on the government to tackle delays in issuing visas.

All these organisations agree that the visa cap is contributing to gaps in hospitals' rotas, lengthening patients' waiting times for treatment, and threatening the care and safety of patients.

Charlie Massey, chief executive of the GMC, said, "It is frustrating that while one government department [the Department of Health and Social Care for England] is working hard to recruit doctors to an overstretched health service, another [the Home Office] is enforcing eligibility conditions which stifle those efforts."

He said that more overseas doctors were taking the exams needed to work in the UK but that the visa cap was stopping them getting NHS jobs. "The government needs to address this issue as a matter of urgency," he said.

Tier 2 certificates are offered firstly to applicants for UK jobs that appear on the list of occupations with staff shortages. Any remaining certificates are allocated according to the number of points an application accrues, with priority given to applications for jobs in occupations that require a PhD-level degree and those with high salaries. Any applicant who is not awarded a certificate in a given month can apply again the next month.

All nursing jobs are currently considered shortage occupations, but only some medical practitioner posts in emergency medicine, psychiatry, paediatrics, and radiology qualify.

"Unprecedented" demand

The tier 2 cap was reached for an "unprecedented" fifth month in a row in April.¹ NHS Employers is aware of at least 400 doctors who have been unable to take up posts since December 2017, and some doctors have been rejected repeatedly because of the visa rules.

Nottingham University Hospitals NHS Trust told *The BMJ* that it had appointed 18 non-EU doctors since December 2017 but that they had been unable to take up their posts because their certificates of sponsorship were refused. Seven have been refused more than once, and two have been refused three times in a row. Two doctors have now decided not to take up their job offers because of the delays.

On 2 May Jane Dacre, president of the Royal College of Physicians, wrote to the prime minister after it was reported that calls to relax the visa rules to allow more overseas doctors to work in the NHS had been vetoed. "I would greatly welcome clarification of the reasoning behind this decision, particularly given the need for more doctors to ensure safe staffing levels for patient care," she wrote.

In their letter to Javid the royal colleges and the BMA proposed "to retain the current cap on restricted certificates of sponsorship for the short term but to exclude applications for shortage occupation roles for the allocation process." This, they said, "would prevent a crisis in the recruitment of NHS nurses and work for both employers and Government in the short term whilst the UK navigates through complex Brexit negotiations."

There is no indication whether their plea will lead to action. In February seven royal colleges, NHS Employers, and the BMA wrote to the then home secretary, Amber Rudd, to highlight the effects of the tier 2 cap on NHS recruitment, but they have not received a response.

February's letter warned that increased demand for tier 2 visas from non-healthcare sectors, such as IT, meant that fewer slots were available for doctors and pharmacists. Meanwhile Brexit was deterring EU nationals from working for the NHS, the letter said.

Danny Mortimer, chief executive of NHS Employers, said, “This prolonged inability to recruit non-EEA talent hits us particularly hard—and therefore hits patients hard too. We are also aware that our overall demand for visas within the present tier 2 system is adversely impacting on other parts of the economy.”

1 BMA. Health leaders warn against tier 2 visa cap. May 2018. <https://www.bma.org.uk/news/media-centre/press-releases/2018/may/health-leaders-warn-against-tier-2-visa-cap>.

Published by the BMJ Publishing Group Limited. For permission to use (where not already granted under a licence) please go to <http://group.bmj.com/group/rights-licensing/permissions>