

Belgrave House
76 Buckingham Palace Road
London SW1W 9TQ
United Kingdom

Google

U11 BG
Main +44 (0)20 7031 3000
Fax +44 (0)20 7031 3001
www.google.co.uk

Mr. Philipp Schindler
President of Google Northern & Central Europe
Belgrave House, 76 Buckingham Palace Road
London SW1W 9TQ

Lord Green of Hurstpierpoint
Minister of State for Trade and Investment
UK Trade & Investment
1 Victoria Street
London SW1H 0ET

8th July 2011

Dear Lord Green,

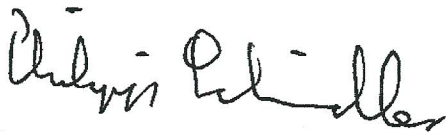
In the occasion of our meeting at Number 10 Downing Street during the Founders Forum conference on 8th June, you asked me for more background information about why we find it so hard to hire in the UK, as compared to other EU destinations. What follows below is an analysis of the process in the UK, accompanied by a recommendation of how such process could be improved based on our current learnings, in addition to a comparison made with the key EU countries.

We are increasingly finding that the differences in the systems are forcing us to locate new hires in countries other than the UK. In the past few months, we have lost a Vietnamese candidate who did his PhD and wanted to work in London. Unfortunately, we could not get him a work visa for the UK, so we placed him in Munich instead. We recently approved a Moroccan candidate for hire in Zurich instead of London because we could not get a work permit. And a recent Argentinian candidate we had wanted to hire also had to be rejected due to the inability to secure a visa. I am also aware of a few incidences where candidates have been routed to the U.S instead, or have had to remain out of work as they were not able to start before their visas were approved.

Clearly, the impact for us as an employer in the UK is negative. Our capacity to expand our UK presence is being unnaturally stifled by this situation. The benefits that these new hires bring to the UK - both economically and socially - are also lost.

Please do let me know if you need any more information, I would be happy to provide further insight on this subject.

Yours sincerely,



Philipp Schindler

Google

United Kingdom

Total number of hires: [REDACTED]

EEA nationals: [REDACTED]

Non-EEA nationals: [REDACTED]

4 of whom (1%) got a Google sponsored Tier II visa. The rest used Tier 1 visas (now discontinued)

- The qualifying criteria for Tier II General – Unrestricted (new hires who are residing outside the UK) will change from month to month, meaning that it will be very difficult to determine a timeframe, or even if the candidate will ultimately get a work visa. After several months of using the system a pattern will appear, however it is still very likely that there will be “spike” months when the pass mark is very high – throwing out any prediction that may have been made as to timing, etc.
- Advertising in Job Centre Plus is almost entirely pointless as the advert content is limited to 240 characters and resident workers seeking employment in Information Technology or Management positions at Google tend not to use the services of their local Job Centre.
- Given that a recruitment process is already likely to take several months and the role would have been posted on UK / European job websites such as google.com and monster.com etc, it is far from the ideal to then have to endure a visa process that could potentially take 3-6 months to complete.
- Candidates show little confidence in UKBA policy after so many policy changes over a number of years. In demand specialists often have a choice of destinations and without any certainty of how they will apply for extensions and / or Indefinite Leave to Remain in the future, candidates are less likely to relocate to the UK, especially if they have a family.
- With so many changes being made so frequently it is very difficult for HR professionals to maintain their knowledge of UK Immigration and disseminate this information to other stakeholders such as recruiters, business managers, etc.
- With the vast majority of non-resident workers now having to obtain a Tier 2 visa, immigration compliance is now a full time job with the UKBA imposing strict reporting requirements on changes to salary, position, duties, working hours, etc.
- Limited availability of UKBA Premium Processing.
- Limited availability of family appointments to enrol biometric data at UKBA office.
- Only single applicants are able to attend a Post Office to enrol biometric data.
- Inconsistency in processing at Posts abroad.
- Not possible to certify maintenance for family members on the Certificate of Sponsorship, as for the main applicant. A separate letter must be issued.
- The processing method of refusing any application that is apparently not fully documented, presents considerable difficulties. As it costs 400GBP to process an application, candidates should receive a phone call or email when a document is not included, or is not to the UKBA's strict (and inflexible) standards



Ways to improve the current immigration process in the UK

- Re-introduce Tier 1 General: Going forward, there will be no option other than Tier 2 General for new hires. Tier 1 Post Study Work will be appropriate in some circumstances, however this route will also be closed from April 2012. This lack of flexibility will impact our business in instances where a fast turnaround is required. Previously, if there was insufficient time to conduct the Resident Labour Market Test, issue CoS and apply for Entry Clearance, it was possible just to apply directly for Entry Clearance as a Tier 1, significantly reducing the start-to-finish processing time. Ideally, the Tier 1 General visa should be re-introduced. 90% of Google's non-EEA candidates were brought in to the UK in the past on a Tier 1 visa. In accordance with government objectives to reduce net migration a higher pass mark and / or more stringent qualifying criteria could be applied to keep this category just for those that are highly skilled.
- Resident Labour Market Test: Recognise the variety of approaches that employers might use to make a genuine attempt to recruit from the resident labour market and remove the requirement to advertise in Job Centre Plus
- Recognition of contribution to the UK economy and / or employment of resident workers: Where an organisation makes a significant contribution to the UK economy and / or employs a high proportion of resident workers it should be possible for them to be "rewarded" for this by allowing them to employ the non-resident worker specialists and managers they require.
- UKBA Contact: Have more open communication channels with the UKBA in order to expedite applications where required, seek assistance / clarification etc.
- Streamline and professionalise UKBA processes: including appointment availability, ability to certify maintenance for dependants on the CoS, not refusing applications when there is a minor error / omission.

COMPARISON WITH OTHER KEY EU COUNTRIES

Poland

Total number of hires in the last 12 months [REDACTED]

EEA nationals: [REDACTED]

Non-EE nationals: [REDACTED]

- Labour market test: 2 weeks
- Application processing time: 3-8 weeks
- Processing fee: 25 EUR
- No work permit quota limits
- Clear guidelines from the immigration authorities on what criteria the candidate / Google must meet in order to qualify for a work permit.

Google

Ireland

Total number of new hires in the last 12 months: [REDACTED]

EEA nationals: [REDACTED] of the total hires)

Non-EEA nationals: [REDACTED] of the total hires)

- Labour market test: not applicable to Google (Google is exempt from the labour market test - the IDA issues a letter addressing it to the DETE to support our hires and their employment permit applications)
- Application processing time: 3-6 weeks - Google's applications are being fast-tracked by the immigration authorities in Ireland
- Processing fee per application: 1000 EUR
- No employment permit quota
- Clear guidelines from the immigration authorities in Ireland on what criteria the candidate / Google must meet in order to qualify for a work permit.
- One point of contact at the DETI who processes all of our applications to provide updates on the current status of an application, provide advice etc
- Great support from the IDA, DETI in the employment permit process

Germany

Total number of hires in the last 12 months: [REDACTED]

EEA nationals: [REDACTED]

Non-EEA nationals: [REDACTED]

- Labor market test: usually not enforced
- Application processing time: ca. 4 weeks for applications for engineering roles
- Our applications for engineers are processed usually within 4 weeks despite the fact that several immigration authorities are involved in processing the application (Foreigner's office and the equivalent of job centre plus need to be process the application (the application is sent to the foreigner's office in Munich which posts it to the labour office in Hamburg to carry out the labour market test who then posts the application back to the foreigner's office in Munich. This would imply that the labour market test does not apply to Google as we hire highly qualified candidates with skills that are not readily available in Germany / the EEA)
- Processing fee: free of charge
- No work permit quota limits
- Clear guidelines from the immigration authorities on what criteria the candidate / Google must meet in order to qualify for a work permit.
- Immigration officials provide updates on the current status of an application upon request

Google

France

Total number of new hires in the last 12 months: [REDACTED]

EEA-nationals: [REDACTED]

Non-EEA national: [REDACTED]

- Labour market test takes ca. 4 weeks
- Application processing time: 6-12 weeks
- Processing fee: 60% of monthly wages, amount capped at 2.5 times the minimum wage
- No work permit quota limits
- Clear guidelines from the immigration authorities on what criteria the candidate / Google must meet in order to qualify for a work permit.
- Immigration authorities are available to provide updates upon request on the current status of the application

Switzerland

Total number of hires: [REDACTED]

EEA nationals: [REDACTED]

Non-EEA nationals: [REDACTED]

- Labour market test: no requirement to advertise the role with the local job center, job posting on websites such as Monster.com etc suffice
- Application processing time: 8 weeks
- Processing fee: 250 EUR
- Clear guidelines from the immigration authorities on what criteria the candidate / Google must meet in order to qualify for a work permit.
- Immigration authorities are available to provide updates upon request on the current status of the application