A Guide to the Shortage Occupation List (SOL) and Companion to the SOL Call for Evidence 2023



This guidance has been updated as part of our <u>review of the Shortage Occupation List (SOL) methodology</u>. This document explains what the SOL is and what evidence we consider to be useful from stakeholders when responding to our Call for Evidence (CfE) questionnaire.

What is the SOL?

The SOL lists occupations where there is a shortage of suitable skilled labour in the UK, and where it is sensible to fill those shortages with migrant workers through a skilled work visa.

The occupations on the list are given some dispensations within the immigration rules, designed to make it easier for employers to access migrant labour to fill vacancies in those areas of identified shortage. For example, if an occupation is on the SOL employers do not have to meet the full salary threshold that other jobs on the Skilled Worker visa must meet.

The Government periodically commissions the Migration Advisory Committee (MAC) to recommend which jobs should be placed on the SOL. The MAC considers the data and qualitative evidence from stakeholders and compiles a list for the SOL. However, as the SOL forms part of the Immigration Rules, ultimately it is for the government to decide which occupations are selected.

The current benefits of a job being on the SOL

Having a job on the SOL currently confers the following benefits:

- The main benefit to being on the SOL is a lower salary threshold (compared to the current Skilled Worker salary threshold, currently £25,600) of either £20,480 or 80% of the going rate for the occupation (whichever is higher). The Government is planning to uprate salary thresholds across the Skilled Worker routes as part of the routine Spring package of immigration rules changes expected to lay on 9 March. Subject to Parliamentary approval, this will see the general threshold of the Skilled Worker route being £26,200 and the lower SOL salary threshold being £20,960.
 - The MAC have already decided that we will recommend that the SOL salary threshold discount for those occupations subject to a binding going rate be abolished and will conduct this SOL review on that basis. This will mean that occupations on national pay scales and occupations where the going rate is above the Skilled Worker general salary threshold are excluded (as these occupations cannot benefit from a salary discount). In practice, this means that the only occupations that will benefit from being on the SOL, and hence the only occupations that will be considered for inclusion, are

those for which the occupation's going rate falls between £20,480 and £25,600 (or £20,960 and £26,200 subject to Parliamentary approval of the changes).

- Reduced visa fees: standard visa fees for a Skilled Worker visa application range from £625 (less than 3 years) to £1,423 (over 3 years). For occupations on the SOL the costs are £479 and £943 respectively, a reduction of just under 25% and just over 35% respectively for visas.
- The salary discount that applies to applications for SOL occupations also applies at the time of making an application for settlement (or Indefinite Leave to Remain).
- Although supplementary work is not allowed in most circumstances whilst on a Skilled Worker visa, it is allowed where an occupation is on the SOL.
- Asylum seekers whose claim has been outstanding for more than 12 months may apply for permission to work if the occupation is on the SOL.

What is the going rate for my occupation?

The going rate is the 25th percentile of full-time annual wages, as used in the UK's immigration system regulations. The Government publishes the going rates, available <u>here</u>. They are derived from the Annual Survey of Hours and Earnings (ASHE) data. The current published going rates are based on ASHE 2019 and we have included updated going rates for ASHE 2021 in our <u>dashboard</u>.

What we will consider for this review of the SOL

- Occupations skilled at Regulated Qualifications Framework (RQF) level 3 (A-levels or equivalent training or qualification) and above that are currently eligible for a Skilled Worker visa.
- We have also been asked by the Government to consider the evidence for occupations below RQF3 –
 these jobs are currently not eligible for a Skilled Worker visa. Evidence needs to suggest that an occupation
 (or a specific job within the occupation) requires substantial training/qualifications and prior experience
 and that the job/occupation should be recategorized to RQF3 to be made eligible for Skilled Work visas.
 We also welcome evidence that the occupation is facing severe and unexpected shortage and that despite
 the efforts of employers/sectors it is proving impossible to recruit resident workers. We will then consider
 this evidence as a request for temporary inclusion for eligibility of Skilled Worker visas. Only in exceptional
 circumstances, with compelling evidence as the MAC received for the <u>Social Care commission</u>, will
 occupations at RQF1-2 level be considered for inclusion on the SOL.
- Given the recent nature of our recommendation to include care workers on the SOL and the continued failure of the Government to respond to that report, we will not be asking the social care sector to resubmit evidence to this review for their continued inclusion on the SOL. This also applies to senior care workers, which will also continue to be included.

• We welcome evidence for jobs across all regions/nations of the UK. We will be assessing occupations in the UK as a whole, but also assessing occupations in each nation where applicable.

What we will not consider for this review of the SOL

- Occupations that will not materially benefit from being on the SOL these are occupations that have a salary threshold above the general threshold (i.e., they have an occupation-specific binding threshold, the "going rate"). As set out above, this means any occupation for which the going rate is above £25,600 (or £26,200 assuming Parliamentary approval of the threshold change).
- Occupations for which we do not receive evidence. We will only consider occupations for inclusion on the SOL where stakeholders provide evidence through our CfE.
- As the SOL is part of a strategy to address shortage for a particular job in the UK market, no jobs will remain on the SOL indefinitely. You should save your submission to this questionnaire for your own record.

How does the MAC decide which occupations are placed on the SOL?

The MAC has 2 main considerations when assessing whether an occupation should be placed on the SOL:

- Is the occupation in shortage? To assess whether an occupation is in shortage, the MAC uses data-driven indicators of labour market conditions which are derived from national representative datasets. These are based on pay, hours worked, employment and vacancies and are combined with qualitative evidence from stakeholders;
- Is it sensible to fill those shortages with migrant workers? The MAC will consider whether it is effective and appropriate to recruit workers from overseas to resolve shortages. This is largely assessed via the online CfE questionnaires.

What is the Call for Evidence (CfE) questionnaire?

The MAC considers the information from stakeholders via the CfE, alongside data on shortage and information from other sources such as stakeholder events to form its assessment of shortages. The CfE comprises three questionnaires for those: 1) responding on behalf of their own organisation, 2) on behalf of other organisations or 3) in a personal capacity.

There are 2 core sections in the CfE: Section B and Section C. We explain below what these sections comprise and how to provide information which is useful and relevant.

Section B: Occupations in shortage

The questions in Section B are on shortage and is split into 2 parts. The first asks which occupations should go on the SOL, and the second presents the data on shortage.

In the first part, you will be asked to provide the relevant Standard Occupation Classification (SOC) 2010 codes for the occupations you think should go on the SOL. SOC codes are a commonly used classification for organising occupational information and are used within the immigration system to determine which occupations are eligible for certain visas.

The MAC uses SOC codes at the 4-digit level. This is at the most job specific/granular level for which we have available data. For example, if you are looking for the SOC code for 'car mechanic' you should record the SOC code 5231 'vehicle technicians, mechanics and electricians' in your answer to the question. You will be asked to record both the SOC code and its corresponding job title for this question. You are advised to look up your SOC code using the ONS toolkit <u>here</u> (this will open up a new window) which is also linked in the CfE question. You can either submit evidence that all occupations in a SOC code are in shortage, or only some occupations (for example, only mechanics rather than SOC code 5321 as a whole).

How to find your occupation code using the ONS toolkit

In Section B of the CfE you will be asked to identify the SOC code for the occupations you would like added to the SOL.

A SOC code is a common classification of occupational information used in the UK which classifies jobs in terms of their skill level and skill content. The guidance below explains how to identify the relevant SOC code.

In order for us to be able to make valid comparisons, it is important that you match as closely as possible the job you have in mind to the correct 4-digit SOC code.

To do this we recommend you make use of the coding tool from the Office for National Statistics (ONS) linked below. We will assume that your response to the rest of this questionnaire will be in reference to the jobs which you have identified here.

How to use the ONS Occupation Coding Tool:

Step 1: Follow the <u>ONS 2010 SOC toolkit here</u> and enter the name of the job you want to find an occupation code for in the text box highlighted below.

Office for National Statistics
ONS Occupation Coding Tool
What is this?
This Occupation Code Search Tool has been developed to assist users to code occupation titles. It matches inserted text against the Standard Occupational Classification 2010 (SOC2010) Volume 2 coding index. If you would like to use the version of this tool designed for mobile phones, please click here. If a match cannot be found it is either because the search term is uniquely stylised and not suitable for a coding index, or it is a new or emerging occupation title. If you search for a occupation title that you consider appropriate for inclusion in the index, please contact the Occupation and Social Classification Helpdesk with your proposal.
If you have an occupation code and want to know more about it, please type into this box and click the button
If you need to find an occupation code, please type your occupation title into the box below. When the search is complete, the results presented are an aid to help you select the code you deem appropriate. Please click on the result links to confirm if a code is appropriate, and to find your related NS-SEC code. If the Coding Tool does not provide an appropriate result, it might be beneficial to amend your search term and try searching again, or the Occupational Classification Hierarchy may assist in determining the correct code. Note: The search facility does not allow punctuation or symbols, and the search time is dependent on the speed of your computer and the number of words searched for.
Occupation Title Search Cancel search
Results of your search Enter the job title Insufficient text provided in search box.

Step 2: Select the result that best matches your search.

If the Coding Tool does not provide an appropriate result, it might be beneficial to amend your search term and try searching again, or the Occupational Classification Hierarchy may assist in determining the correct code.

Note: The search facility does not allow punctuation or symbols, and the search time is dependent on the speed of your computer and the number of words searched for.

Occupation Title car mechanid	Search	Cancel search
Results of your search		

You searched for: car mechanic

The results of your search are listed below, and are presented in reverse word order with the most likely matches first. You can click on the links for further information, and to discover your related NS-SEC code. 5231. "Mechanic, car"

5223. "Mechanic"	your search
5224. "Mechanic, camera"	
5223. "Mechanic, technical"	
6145. "Carer"	
5223. "Mechanic-fitter"	
5223. "Mechanic. machine"	
6139. "Carer, cat"	
3113. "Technician, mechanical"	
8212, "Carman"	
5223. "Mechanic-examiner"	
5250, "Mechanic-in-charge"	
8129, "Machinist, carbon"	
8137, "Machinist, carpet"	
8137, "Machinist, cap"	
5449, "Caner"	
8114. "Cager"	
5322, "Technician, carpet"	
7125. "Merchandiser"	
3122, "Technician, CAD"	

Your search returned more than 20 results. To display the next 20 results, return this button or try refining your search term.

Step 3: Check the match by reviewing the description of the occupation code, the tasks required, and the jobs related to that code. You can find this by scrolling down the page.

5231: VEHICLE TECHNICIANS, MECHANICS AND ELECTRICIANS

Job description:

Vehicle technicians, mechanics and electricians accept calls for help and repair and service the mechanical parts and electrical/electronic circuitry and components of cars, lorries, buses, motorcycles and other motor vehicles, and repair and service auto air-conditioning systems.

Entry requirements of this job:

There are no formal academic entry requirements, although some employers may require GCSEs/S grades or an equivalent qualification. Training is undertaken off- and on-the-job. NVQs/SVQs at Levels 2 and 3 are available. Apprenticeships at NVQ/SVQ Levels 2 and 3 are available and take three to four years to complete.

Tasks required by this job include:

- visually checks, test drives or uses test equipment to diagnose engine and mechanical faults;
- removes, dismantles, repairs and replaces defective parts and prepares new parts using appropriate tools;
- · reassembles, tests, adjusts and tunes the appropriate parts, systems or entire engine;
- carries out routine maintenance checks on oil and air filters, brakes and other vehicle parts/systems;
- diagnoses faults in electrical/electronic circuitry, removes faulty components and fits replacements;
- · checks condition of electrical/electronic systems and carries out servicing tasks;
- installs additional electrical amenities such as radio/CD players, aerials;
- · repairs and services air conditioning, heating and engine-cooling systems.

NS-SEC categorisations:

The simplified NS-SEC analytic class for this code is 5 The simplified NS-SEC operational category for this code is 11.1 To find your exact NS-SEC code, please use the NS-SEC Coding Tool.

Jobs related to this code:

- · Auto electrician
- Car mechanic
- HGV mechanic
- Mechanic (garage)
- MOT tester
- Motor mechanic
- Motor vehicle technician
- Technician (motor vehicles)

This unit group is part of:

- Minor Group 523: VEHICLE TRADES
- Sub-Major Group 52: SKILLED METAL, ELECTRICAL AND ELECTRONIC TRADES
- Major Group 5: SKILLED TRADES OCCUPATIONS

Step 4: If you are unhappy with the match suggested by the tool, go back to step 2 and select another

suggested match and/or go back to step 1 and alter your search term.

In this example, we are happy with the match and can conclude that the job "Car Mechanic" is associated with occupation code 5231.

Section B: Shortage Indicators

This section presents the <u>data</u> that the MAC uses to understand whether there is a shortage. This is a new addition to the CfE, as we recognise that although the data may demonstrate a shortage, it requires further

contextual information as there may be other factors which influence what we observe. We have included some questions in the CfE to understand how data on shortages (on pay, employment, vacancies, and hours worked) compares with your experience or of the organisations you represent.

Section C: Why an occupation should go on the SOL

This section consists of questions the MAC will consider in answer to whether it is appropriate to recruit migrant workers to resolve shortages. By shortage we mean those jobs which are hard to fill.

Whilst a job may be identified as being in shortage, that in itself is not sufficient grounds to include it on the SOL as there may be other options than migration available to organisations for resolving shortages. For example, organisations may be able to resolve their shortages by improving job offers; through better conditions or pay; expanding their recruitment strategies to attract unemployed or out of work individuals; or investing in technology to reduce dependency on labour.

In this section you will be asked to provide supporting data/research and/or examples such as case studies to support your response.

In both Sections B and C, you will be asked to tell us whether any of the issues discussed relate to the location of the job to help us understand whether any of the shortages experienced are location-specific.

How you should respond to the CfE questions

When considering what kinds of information to provide, the MAC considers information to be most powerful when it is specific (e.g., relates to individual occupations or a small group of occupations), and is backed up by independent research, statistics or reference to external sources that show in detail how the occupations are affected. It is also useful to hear about the wider context, but it is helpful to show how this applies to specific occupations.

What to consider when providing data:

The MAC considers objective data to be the most useful. This can be data or research from your organisation, or from an external source such as surveys and job adverts. When considering what data or research to provide, please think about its relevance to the questions in this questionnaire and whether it refers to the jobs/SOC codes you have listed. You can provide a summary of the supporting data or research in response to the questions themselves, but you can also attach this evidence at the end of the questionnaire. If you are attaching a document, please remove personal data that could identify individuals and flag any specific areas or pages you would like us to review. If you are providing data or research, you should tell us:

- The source of your data or research;
- If the data is from your own organisation, to what extent you think the data is accurate;
- Whether the data is up to date;

- Whether any checks have been done to ensure accuracy (if unsure you can still submit this data); and,
- If you are providing the results of a survey, tell us about the sample size and whether it is representative of the population of interest.

The MAC would welcome your data, but we appreciate that not everyone has done their own research and that some people may find it difficult to get hold of data. You can, however, provide a description of what you have observed/experienced, in the form of a case study.

What to consider when providing case studies:

If you wish to provide an example of a situation which you have observed/experienced, you can do this as a case study. We would find it useful to receive case studies in response to the questions in the CfE. It would be useful to the MAC if you could construct it using the STAR method:

- Situation
- Task
- Action or steps taken
- Result/outcome

We have provided an example of how you should structure a case study using the STAR approach below. This is for illustrative purposes only. Not all responses will be suited to a case study framework. What is important is that you provide examples from the organisation you represent where you can, and to provide as much detail as possible in a structured format.

Responses which the MAC finds less useful are those which lack detail, for example stating what job is in shortage, but not giving sufficient detail to explain why it is in shortage or why it should be on the SOL.

The example below is of a real case study, but we have summarised and completely anonymised any identifying information.

We have experienced issues with retaining [job title/SOC code]. In the past year this has been a concern because...

To understand the issues, we engaged with existing staff through employee surveys and one to ones. We found that employees were leaving for several reasons, some left to work in similar jobs in organisations which offered a higher pay.

We have responded to this shortage in the following ways... [Provide detail on any changes to pay, conditions, hours or contract types, recruitment activities, other investments such as automation].

This has to some extent improved retention within the organisation, although we are still short of staff to fill x number of vacancies. It would be helpful to have to this occupation on the SOL because...