

---

**Chair of the UK Statistics Authority, Sir Michael Scholar KCB**

Sir David Normington KCB  
Permanent Secretary  
Home Office  
2 Marsham Street  
LONDON  
SW1P 4DF

30 April 2010

Dear David

**STATISTICS ON THE POINTS BASED SYSTEM**

The Statistics Authority has recently been engaged in correspondence with Sir Andrew Green, Chairman of *MigrationWatch UK*, regarding the source of the statistics on the Points Based System quoted in the Prime Minister's speech of 31 March. I enclose copies of this correspondence, including my replies.

The Authority understands the position to be that all but one of the statistics referred to in that speech are available from various published official statistics sources, with one figure an estimate that is not an official statistic.

The Authority's view is that it would be helpful if, in future, the Home Office publishes the statistics in this area in as an accessible a way as possible treating them, wherever appropriate and possible, as official statistics. We would like to see this done as quickly as technical and professional considerations allow.

I am copying this letter to the National Statistician, Jil Matheson, and to David Blunt.

Yours sincerely



**Sir Michael Scholar KCB**

---

**Chair of the UK Statistics Authority, Sir Michael Scholar KCB**

Sir Andrew Green KCMG  
Weston House  
Deddington  
OX15 0TG

28 April 2010

Dear Sir Andrew

**STATISTICS ON THE POINTS BASED SYSTEM**

Thank you for your letters of 5 and 19 April. I am sorry that it has taken me a while to reply, but your letters raised complex issues, on which I wanted to be sure of the facts before replying to you.

My enquiries have elicited information from the Home Office and UK Border Agency, who are the producers of the relevant statistics, on the source of the statistics quoted in the Prime Minister's speech of 31 March, to which you refer in your letter. I understand that the latter are in part derived from material that has already been published and in part from estimates prepared by the UK Border Agency. I will write to you separately about the status and source of those figures when we have completed our inquiries.

However, I wanted to reply without further delay on the question of principle that you raise.

In July 2009, the Authority published a statement on the circumstances in which data held by government departments for management purposes should, in our view, be treated as official statistics.<sup>1</sup> In that statement we said that we recognise that there are large amounts of detailed government data that are not routinely published as official statistics, but that the Authority will advise that in certain circumstances such figures should, in future, be handled in accordance with the Code of Practice for Official Statistics and thus be treated as official statistics. We identify in our statement two criteria to which we will have particular regard:

- the data are used publicly in support of major decisions on policy, resource allocation or other topics of public interest, or
- the data attract public controversy when published and the Authority takes the view that public debate would be better informed if the figures were in future handled as official statistics.

In the case to which you refer, my view is that both of these criteria have been satisfied and that it would, in future, be appropriate for the Home Office or UK Border Agency to prepare and publish the main statistics from the Points Based System in accordance with the rules for official statistics (to the extent that they are not already). I should stress that this is not a retrospective view, and should not be construed as a criticism of what was said on 31 March.

---

<sup>1</sup> <http://www.statisticsauthority.gov.uk/news/statement---management-information--research-data--and-the-use-of-statistics-in-policy-documents--22-july-2009.pdf>

I will be writing to the Permanent Secretary at the Home Office to draw the Authority's advice to his attention. The final decision on such matters is, under the legislation under which we operate, for the body producing the statistics.

Yours sincerely

*Michael Scholar*

**Sir Michael Scholar KCB**

Sir Andrew Green K.C.M.G.  
Weston House  
Deddington  
OX 15 OTG

Dear Sir Michael,

### **Statistics on the Points based System**

Further to my letter of 5 April, you may have noticed that, in the course of his TV interview with Andrew Marr on 18 April, the Prime Minister said:

“Immigration will be much lower. The number of students will be reduced.....The Points Based System is starting to have a big effect.”

Yet again the Prime Minister is making claims for the effectiveness of the Points Based System on the basis of statistics which, if they exist, have not been published in full as your Code of Practice requires.

I hope you will consider this as a further formal complaint to your Authority.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'Andrew Green', with a horizontal line underneath the name.

Sir Michael Scholar,  
Chairman,  
Statistics Authority,

Sir Andrew Green K.C.M.G.  
Weston House  
Deddington  
OX 15 OTG

5 April 2010

Dear Sir Michael,

### **Statistics on the Points Based System**

Thank you for your letter of 31 March about The statistics for net immigration. I am grateful for the action you took.

Regrettably, I now have a further matter to raise concerning the Prime Minister's subsequent speech on immigration delivered on 31 March.

I attach an extract (from pages 7 and 8) in which he quotes selectively from statistics on the Points Based System (PBS) which have not yet been published in full in order to claim that the government are succeeding.

This is surely contrary to a number of the Principles of your Code of Conduct, for example:

Principal 2: Impartiality and objectivity. That official statistics should be equally available to all.

Principal 3: Integrity. That no statement – based on prior knowledge – should be issued should be issued ahead of the publication of the statistics.

In this case, the speech gives numbers for Tier 1 (General) and Tier 2 (General) but not for Tier 4 (students). The list is incomplete because there is no mention of Tier 1 (Post Study Route), nor Tier 2 (ICT), nor Tier 2 (shortage occupation).

Clearly, it is necessary to have the full breakdown in order to assess whether or not the policy is succeeding but this has not been published by the UK Border Agency. Our own estimate, based on such partial

information as has been made available is that the PBS has made very little difference. Whether or not that is correct, I hope you will agree that the government should not be making claims based on statistics that have not been fully published.

To make an accurate assessment of whether the PBS is indeed succeeding we need the statistics for calendar 2009 for each part of each Tier broken down into “in country” and “out of country” where appropriate. We also need to know the number of Certificates of Sponsorship under Tier 2 requested by employers for the coming year and the number so far allocated. So far we have seen only those parts that appear to support the government’s case.

I realise, of course, that a general election is about to be declared and that the success or otherwise of immigration policy will be a significant issue but that seems to me to strengthen the case for full publication. I hope that you will invite the UKBA to do just that.

Yours sincerely,



(A.F.Green)  
Chairman, MigrationwatchUK

Annex

### **Extract from PM’s speech of 31 March 2010**

“Now let me describe what we are doing in each of the five tiers of the points based system:

Tier 1 covers the highest skilled individuals who we believe will make the greatest contribution to the economy. These 30 thousand people from around the world are the professionals who we most want and most need to attract to Britain. Firms want them to come and need them for some of their vital work.

Tier 2 - is where the existing UK labour market is, as yet, not meeting the current demand for special categories of skilled workers. And where, for a time, we still need to secure migrants to

fill these crucial skill gaps. Some of these people are specialists like IT workers or engineers brought in by multinationals based here in Britain. Others are people coming to fill jobs which require skills in short supply in the UK's own workforce.

Because of our actions to train the UK workforce - we are able to reduce the number of people coming under tier 2. Specific skills needed by employers are advertised in job centre plus for four weeks and increasingly filled by local people. The 30,000 who employers hire from abroad come here only after the jobs have been advertised locally in jobcentre plus for 4 weeks.

And we are succeeding. A fall from 99 thousand in 2007 to 81 thousand in 2008, to 63 thousand in 2009 for tier 2 or equivalents on the previous system.

-8-

Tier 3 covers unskilled workers. This tier is closed and we have no intention of opening it.

Tier 4 covers students. Some are brilliant young men and women learning at our finest universities who, because they have chosen to study here are more likely to stay on and make an important contribution for years to come. Again these are people it is important for us to attract.

However, we need to be tougher on those who want to come under tier 4 and who are studying low-level qualifications, and tougher on bogus colleges. So we have stopped over 140 colleges bringing in students from outside the EU in the last year and tightened the rules reducing the hours students on lower level courses can work each week - it is expected that these changes will see around 40 thousand fewer students coming to the UK in 2010/11 than otherwise would have been the case.

Finally tier 5 cover workers such as visiting musicians and entertainers. These are temporary.

So this is the system we have introduced which gives us the ability to secure the skills we need and to secure our borders against those who are not welcome here. And I believe the responsible way to debate migration - and I believe this is what many companies want to see - is to debate how we can use this system over the coming years to continue to control migration fairly, to reduce the overall need for migration, while continuing to attract the key people who will make the biggest contribution to the growth of our economy."