



## Fees and charging for immigration and visas

### Response from Arts Council England

December 2013

Arts Council England is the national development agency for the arts, museums and libraries in England. Our mission is 'great art and culture for everyone' and we work to achieve this by championing, developing and investing in arts and cultural experiences that enrich people's lives.

We fund a range of activities across the arts from theatre to music, poetry to dance, carnival to crafts. We support and invest in high quality arts practice and the best emerging practitioners whom we believe are essential for underpinning a dynamic creative economy. We also support a network of high quality museums across England, and work to ensure that the country's public libraries are excellent and accessible to all.

Between 2011 and 2015, we will invest £1.4 billion of public money from government and an estimated £1 billion from the National Lottery in order to make the arts, and the wider culture of museums and libraries, an integral part of everyday public life, accessible to all, and understood as essential to the national economy and to the health and happiness of society.

### Immigration and visas

Arts Council England is one of four Designated Competent Bodies who assess applications from migrants wishing to enter the country under the Tier 1 (Exceptional Talent) visa. Arts Council England can make up to 300 recommendations to the UK Border Agency for allocation of up to 1000 visas under this strand. As of 1 October 2013, applicants can also apply to the Arts Council demonstrating exceptional *promise* as well as exceptional *talent*.

Since the beginning of the programme, we have received a hundred applications to the Exceptional Talent strand, which has seen a 39% success rate.

Type	Applications Received	Endorsed	Rejected	Returned	Undecided	Success rate
Talent	100	37	57	2	4	39.4%

Promise	2	1	0	0	1	100.0%
Total	102	38	57	2	5	40.0%

The programme has thus far been a good step forward in allowing more exceptionally talented artists and creators to contribute to growth and wellbeing in the UK. Arts Council England believes that encouraging international creative exchange is good for the cultural and social wellbeing of the nation, and all evidence suggests that it is essential for economic growth.<sup>1</sup>

We strongly support the government’s commitment to this area, but believe there is still room for improvement. We continue to advocate elsewhere for greater emphasis on creative skills in developing the framework for immigration, and ensuring that there is flexibility in the provision of short term visas for artists and producers of creative content. There is still a sense that the UK is not amenable to the international cultural exchange which drives innovation, creativity and wellbeing,<sup>2</sup> and we continue to work with the Home Office and others to improve this.

### **Fees and charging structure**

The current fees and charging structure for Exceptional Talent and Promise is inefficient and is detrimental to both applicants and the aims of the programme.

Currently applicants are required to apply *either* to Talent (i.e. they are a world leader in their field) or Promise (i.e. they demonstrate the potential to become a world leader in their field). Both application strands have identical fee structures: an application costs £840, payable in two instalments: half on application, half upon successful application.<sup>3</sup>

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<sup>1</sup> In May 2013, the Arts Council published a study into [The contribution of the arts and culture to the national economy](#), which found that our sector generated £12.4 billion turnover in 2011 alone, including nearly £6 billion of Gross Value Added (GVA). This does not include indirect impacts through (for instance) encouraging tourism, supporting innovation, or contributing to local regeneration. Although it is not clear what percentage of this figure was from migrants, there is strong historical evidence to support the link between migration and economic growth, and recent research has demonstrated that migrants make a net positive contribution towards the UK’s public finances (see, for instance: Home Office and DWP, *The Economic and Fiscal Impact of Immigration*, Oct 2007).

<sup>2</sup> See, for instance: <http://www.theguardian.com/commentisfree/2011/jun/27/britain-persecutes-visiting-artists-visa>

<sup>3</sup> The most recent Fees Table published by UKBA is from April 2013 and therefore does not yet include Exceptional Promise.

The two strands are balanced, it is clearly within the aims of the programme that applicants who are appropriate for one strand, may at a later date be appropriate for the other, and that applicants who are rejected through one strand may, on the same evidence, be accepted to the other. However, under the current system, if an applicant applies for Talent, and are not judged to meet the criteria against the higher level of achievement, they *cannot* subsequently be assessed against the lower standard of achievement for Promise using the same application because the evidence requested is incompatible (Promise requires three letters of endorsement; Talent only asks for two). Applicants must therefore submit a separate application to Promise, and subsequently pay the £420 application fee again.

From the perspective of the applicant (in terms of cost, delay and effort) and the Arts Council (in terms of clarity and simplification of workflow and reduction of workload and complaints), it would be clearly preferable to have a single workflow that asks all applicants to submit evidence of their achievements and to submit *three* letters of endorsement. It should then be the task of the Competent Bodies, in endorsing the application, to express whether the applicant is recognised as a world leader in their field or (where this is not the case) whether the applicant is recognised as having the *potential* to become a world leader in their field.

Simplifying the workflow in this way would require no, or minimal, changes to published criteria and assessment guidance. Applicants could still be asked to apply for either Talent or Promise and the distinct criteria for each scheme would be maintained, but it would now be possible for an assessor to recommend that an applicant who applied under Talent has not met the criteria for that standard but has been judged to meet the criteria for Promise (and, though rare, vice versa). This would still enable us to differentiate between, and report on, rates of application and success for each strand separately. Furthermore, simplifying the workflow in this way would have no impact on the government's policy aims in this area, beyond making the process more efficient for applicants and assessor.

If this approach is not adopted, Arts Council England believes that the requirement for the applicant to separately reapply would be due only to the inflexibility of our own business processes and it is therefore unfair to impose additional charges on the applicant as a consequence of this. The application fee for Exceptional Promise (£420) ought be waived in instances where the applicant has previously applied and been rejected under the Exceptional Talent strand.