

Consultation on 'Visiting Ministers' with Simon Dadd at the Home Office, 11.06.2014

Present were Buddhist representatives from BLIA, FPMT, NBO/Buddhist Society. This report combines the Power Point Presentation together with points arising.

1. Routes of entry for religious personnel:

- a) Tier 2 of the Points Based System ('Ministers of Religion') for long term positions or study.
- b) Tier 5 for temporary positions ('Religious workers', 2 years max)
- c) Religious visitors for short visits

2. Sponsors should be registered charities or 'ecclesiastical corporations' who agree to carry out certain duties and keep detailed records on those they sponsor

3. Tier 2

- Allows a stay of up to 5 years with settlement thereafter
- Dependents may accompany them
- Must understand English at B2 (upper intermediate) level so as to be able to represent those they minister to and communicate requirements to them
- A resident labour market test is required for positions that are jobs but monastics are exempted
- Only those who will carry out skilled religious duties may be recruited
- Should not fulfil a mainly administrative or clerical function, unless filling a senior post
- Work must be within a religious order or directed by it
- May move between different sponsors but cannot start in a new position before permission is granted

4. Tier 5

- 2 years max but need not stay all that period
- No right of settlement
- No English language requirement
- They may acquire an English language qualification but must leave the country before applying for re-entry as a Tier 2 worker

5. Skilled arts workers helping in building a temple come under the business provisions for Tier 2.

- Employers must pay wages equivalent to settled workers in the same role
- National Minimum Wage regulations must apply otherwise

6. Visiting religious workers (i.e. 1c) may be offered travelling expenses and hospitality but no remuneration. While visiting for a conference or similar event, they may give a sermon or otherwise preach and give pastoral care. Visitors should bring with them a letter of invitation from their sponsoring organisation mentioning in detail what they will be doing in the UK. Charity workers are exempt from payment requirements and enter under these conditions.

7. Recent abuses and concerns have included the following:

- Religious workers are found engaging in other work
- Religious charities existing in name only
- Groups espouse extreme views (homophobia, anti-Islamic propaganda)
- Failure to submit accounts to the Charity Commission (where income is below £100K these may be abridged)
- Funding shortfalls compared to salaries claimed

Further remarks

The incredibly detailed and complex manual for the whole process is available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/305304/Tier_2_5_Sponsor_Guidance_04-14.pdf.

Simon Dadd is the Home Office contact charged with faith liaison and is able to offer help, but is trying to arrange for someone at the Sheffield office of V&I to be the main contact on faith matters (http://www.sheffieldhelpyourself.org.uk/full_search_new.asp?group=21664). He admits that UKBA staff is likely to be less familiar with the religious culture than with others.

It is recommended that a visa application should be as detailed as possible.

Work on Visa applications abroad has been outsourced to a new organisation called BSF. Buddhist contacts have suggested to me that employees there may be exercising prejudice. It has been observed, for example, that there is no difficulty in bringing in monastics from Malaysia but it is almost impossible to get someone from Taiwan.

The Home Office and V&I do seem to be making a great effort to apply regulations equitably. Obviously Tory jitters over UKIP electoral successes have not yet permeated down to them.

The Home Secretary has the power to exclude named individuals from the UK. Certain other individuals may be refused a visa on the grounds of contentious public statements or associations.