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European Union Committee

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Brexit: movement of people in the cultural sector

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The European Union Committee

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Sub-Committee staff

The current staff of the Sub-Committee are Tristan Stubbs (Clerk), Megan Jones (Policy Analyst), Katie Barraclough (Policy Analyst until 4 June 2018), George Stafford (Committee Assistant) and Sam Lomas (Committee Assistant until 24 June 2018).

Contact details

Contact details for individual Sub-Committees are given on the website. General correspondence should be addressed to the Clerk of the European Union Committee, Committee Office, House of Lords, London, SW1A 0PW. Telephone 020 7219 5791. Email euclords@parliament.uk.

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Evidence is published online at <https://www.parliament.uk/brexit-movement-people-field-culture/> and available for inspection at the Parliamentary Archives (020 7219 3074).

Q in footnotes refers to a question in oral evidence.

SUMMARY

The cultural sector makes a profoundly important contribution to the UK's society and economy, and to its international image and influence. Cultural sector workers are highly mobile, and have thrived on collaboration with people from all over the world.

This report argues that the cultural sector urgently needs more clarity on free movement post-Brexit. The Government wishes to “take back control” of the UK's borders by ending the free movement of persons. However, by the time of writing, it had provided little detail about what this would mean in practice. Its most recent pronouncement on free movement appeared in the White Paper published on 12 July 2018, but contained few concrete proposals. A White Paper on immigration is expected by the end of this year, with an Immigration Bill to follow in the New Year. Until then, the structure of the UK's future immigration system will remain unclear.

Despite the lack of detail about the Government's plans, we suggest that future immigration from the EU to the UK will be shaped by one of two broad imperatives. The UK immigration system will either give preferential treatment to EU27 citizens, or treat them in the same way as people from third countries. We reaffirm the conclusion of our previous inquiry, *Brexit: UK-EU movement of people*, that the Government should pursue reciprocal preferential arrangements. But we also analyse the likely effect on the cultural sector should EU citizens face the same restrictions that currently apply to third country nationals.

The cultural sector relies on highly talented individuals, yet often pays salaries that are less than the UK median. Bringing EU cultural workers under the same restrictions as third country nationals could therefore prove detrimental to the sector, because existing visa rules require a minimum salary in excess of what many cultural organisations can offer. As a result, the UK may struggle to attract talent.

Many individuals working in the sector are self-employed. At present, EU social security coordination regulations mean that EU citizens pay contributions only in the Member State in which they are resident, instead of the Member State in which they work temporarily. The UK and EU will need to find agreement in this area if performers, artists and other cultural sector workers are to travel easily from the EU to the UK, and vice versa, in the future.

In addition to describing the potential hurdles posed by the current immigration system, we make suggestions about how aspects of the system might, in fact, facilitate movement for cultural sector workers post-Brexit. We urge the Government to explore whether it could extend the permitted paid engagement and permit-free festival arrangements to EU citizens, two schemes that allow short-term travel to the UK. We also suggest that the Government offer a multi-country, multi-entry short-term ‘touring visa’ for EU citizens, and seek a reciprocal commitment for UK citizens travelling to the EU. This would recognise the two-way benefits that accrue from allowing artists, entertainers and other cultural sector workers to move freely between the UK and EU.

We therefore recommend that the Government be flexible. The UK's negotiators must recognise that any restrictions on EU citizens wishing to enter the UK may be matched by restrictions on UK workers in the EU. A decline in skilled workers from the EU would not only damage the UK's cultural sector, but also represent a significant loss to the audiences that benefit when talented people from across Europe perform in the UK.

Brexit: movement of people in the cultural sector

CHAPTER 1: INTRODUCTION

Free movement and the Brexit negotiations

1. Following the UK's decision to leave the European Union, the Government has stated its intention to end the free movement of persons between the UK and EU, thereby "taking back control of the UK's borders".¹ In its most recent pronouncement on free movement, contained in the White Paper published on 12 July 2018, *The future relationship between the United Kingdom and the European Union*, the Government lays out broad principles for the future relationship negotiations, but gives little detail on what future migration arrangements might look like (see Box 1).

Box 1: The future relationship White Paper and free movement

The White Paper's main provisions on free movement appear in Chapter 1, extracts of which are given below.

"1.4.1 Ending free movement of people

"Free movement of people will end as the UK leaves the EU. The Immigration Bill will bring EU migration under UK law, enabling the UK to set out its future immigration system in domestic legislation ... Further details of the UK's future immigration system will be set out in due course.

"The UK's future immigration arrangements will set out how those from the EU and elsewhere can apply to come and work in the UK."

"1.4.2 Future mobility arrangement

"Any future mobility arrangements will be consistent with the ending of free movement, respecting the UK's control of its borders and the Government's objective to control and reduce net migration ... Given the depth of the relationship and close ties between the peoples of the UK and the EU, the UK will make a sovereign choice in a defined number of areas to seek reciprocal mobility arrangements with the EU.

"The UK's future economic partnership should therefore provide reciprocal arrangements, consistent with the ending of free movement, that: a) support businesses to provide services and to move their talented people [and] b) allow citizens to travel freely, without a visa, for tourism and temporary business activity."

Source: HM Government, *The future relationship between the United Kingdom and the European Union*, Cm 9593, July 2018: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/724982/The_future_relationship_between_the_United_Kingdom_and_the_European_Union_WEB_VERSION.pdf [accessed 18 July 2018]

¹ HM Government, *The future relationship between the United Kingdom and the European Union*, Cm 9593, July 2018, pp 1–2: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/724982/The_future_relationship_between_the_United_Kingdom_and_the_European_Union_WEB_VERSION.pdf [accessed 18 July 2018]

2. A new Immigration Bill was announced in the Queen’s Speech of 21 June 2017,² one of a series of ‘Brexit Bills’ that will provide the legal foundations for the future UK-EU relationship.³ The Government also intends to publish a White Paper on immigration. On 28 March 2018, the then Home Secretary, Rt Hon Amber Rudd MP, told the House of Commons Home Affairs Committee that she expected the White Paper to appear “at the end of this year”, followed by an Immigration Bill “at the start of next year”.⁴
3. On 28 February 2018 the European Commission published a draft Withdrawal Agreement under Article 50 of the Treaty on European Union, setting out the terms of the UK’s exit from the EU. Further iterations of the Agreement were published on 15 and 19 March, and all references below are to the 19 March text.⁵ During the transition period provided for in this Agreement, the UK will remain subject to EU law (Part 4).
4. The UK will thus continue to participate in the free movement of persons for the duration of the transition period, from 29 March 2019 to 31 December 2020. Any new immigration arrangements for EU citizens that come into force under the Immigration Bill will apply from the end of the transition period.
5. The Home Office has also commissioned the Migration Advisory Committee (MAC) to report on “the current and likely future patterns of [European Economic Area] EEA migration and the impacts of that migration on the UK”, in order to build an evidence base for developing post-Brexit immigration arrangements for non-UK EEA citizens. The MAC published an interim report in March, identifying some emerging themes. According to the Foreword written by the MAC Chair, Professor Alan Manning, UK employers were concerned “about the prospects of future restrictions on EEA migration”. The final report is due in September.⁶
6. When giving evidence to this Committee in January 2017 as part of our earlier inquiry, *Brexit: UK-EU movement of people*, the then Minister of State for Immigration, the Rt Hon Robert Goodwill MP, told us:

“Whatever agreement we have with the European Union will be a two-way agreement. It will apply to EU citizens wishing to come and work here, and there will be a parallel negotiation about British people who want to live, work or study in the European Union.”⁷

Without an Immigration Bill, however, the precise rules that will apply to the future movement of people from the EU to the UK are unclear.

2 Cabinet Office, ‘Queen’s Speech 2017’: <https://www.gov.uk/government/speeches/queens-speech-2017> [accessed 19 July 2018]

3 Where the term “post-Brexit” is used below, it refers to the immigration arrangements that the UK and EU will introduce after the Brexit transition period. As we note in paragraph 4, the UK will continue to apply the free movement of persons from the EU and EEA during transition.

4 Oral evidence taken before the Home Affairs Committee, 28 March 2018 (Session 2017–19), [Q 209](#) & [Q 232](#) (Rt Hon Amber Rudd MP, Home Secretary)

5 European Commission, *Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community* (19 March 2018): https://ec.europa.eu/commission/sites/beta-political/files/draft_agreement_coloured.pdf [accessed 19 July 2018]

6 Migration Advisory Committee, *EEA-workers in the UK labour market: interim update*, (27 March 2018): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/694494/eea-workers-uk-labour-market-interim-update.pdf [accessed 18 July 2018]

7 Oral evidence taken on 11 January 2017 (Session 2016–17), [Q 73](#) (Robert Goodwill MP)

7. The EU also has wide-ranging plans for a future agreement in this area. In its negotiating guidelines published on 23 March 2018, the European Council called for “ambitious provisions on movement of natural persons, based on full reciprocity and non-discrimination among Member States”.⁸

What this report is about

8. This short report builds on our report on *Brexit: UK-EU movement of people*,⁹ and considers the implications for the cultural sector of some of the possible changes to free movement that we outlined there. In that report we supported an objective for the Government to “pursue preferential arrangements for UK-EU migration after the UK has ceased to be a member of the EU”.¹⁰ We continue to support this objective, though we note that, notwithstanding the recently published White Paper’s commitment to reciprocity in the negotiations on free movement (see Box 1), the Government is yet to make any concrete proposals in this direction.
9. We chose to investigate free movement in the cultural sector because of its prominent contribution to the UK’s economy; because of the level of public interest in culture; and because, as our evidence confirmed, free movement between the UK, the EU, and vice versa, is crucial to the sector.¹¹ We demonstrate that the cultural sector also plays a significant role in promoting the UK abroad, which will arguably be even more important post-Brexit.
10. We heard an over-riding concern from witnesses to this inquiry. They worried that instead of receiving preferential treatment, future EU migrants to the UK working in the cultural sector might fall under the same immigration provisions as non-EU citizens—a prospect that we also delineated in our previous report.¹² The White Paper proposes a “cooperative accord” between the UK and EU, to facilitate cooperation in “culture and education”, as well as in other areas. It concludes: “The UK and the EU will ... need provisions that allow for mobility in relation to these accords, for example enabling ... musicians to perform at concerts.”¹³ We have heard no further detail from the Government about this proposal, which we briefly consider below.
11. In the absence of such detail, while we have not recommended any specific post-Brexit migration model, we have analysed the consequences for the culture sector should EU27 citizens be subject to the same immigration rules as currently apply to those from outside the EU. We make some suggestions about aspects of the existing system that the Government should prioritise in order to limit any damage to the sector. We consider how the sector will fare

8 European Council, European Council (Art. 50) (23 March 2018)—Guidelines: <http://www.consilium.europa.eu/media/33458/23-euco-art50-guidelines.pdf> [accessed 20 July 2018]

9 European Union Committee, *Brexit: UK-EU movement of people* (14th Report, Session 2016–17, HL Paper 121)

10 *Ibid.*, para 78

11 Oral evidence taken before the Home Affairs Committee, 28 March 2018 (Session 2017–19), [Q 221](#) & [Q 223](#) (Rt Hon Amber Rudd MP). Ending free movement from the EU is one of a number of issues that could affect the cultural sector post-Brexit. The House of Lords European Union Committee considered broader issues affecting trade in digital and creative services in its report, *Brexit: trade in non-financial services* (18th Report, Session 2016–17, HL Paper 135)

12 European Union Committee, *Brexit: UK-EU movement of people* (14th Report, Session 2016–17, HL Paper 121) paras 79, 165 and 169

13 HM Government, *The future relationship between the United Kingdom and the European Union*, Cm 9593, July 2018, para 25, p.77: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/725288/The_future_relationship_between_the_United_Kingdom_and_the_European_Union.pdf [accessed 19 July 2018]

should workers be permitted to enter the UK only if they have a prior job offer, and whether existing provisions for short-term workers from outside the EU might benefit culture in any way.

12. Our principal focus is on the UK Government's options as it designs a new post-Brexit immigration system, but we also consider evidence about the need for UK workers to travel easily to the EU after transition. Our analysis of the sector concludes with a call for reciprocity in the negotiations over the future immigration arrangements. Agreement on reciprocal principles would, we believe, be the best foundation for a workable future migration compact.
13. The report considers future flows of EU citizens to the UK (and vice versa) in the field of culture. It does not consider EU citizens currently resident in the UK, or UK citizens resident in the EU, whose 'acquired rights' formed the subject of a separate inquiry by this Committee, and are addressed in detail in the draft Withdrawal Agreement.¹⁴ Nor does it consider future arrangements for third country nationals, asylum seekers, or refugees arriving from the EU.
14. Our analysis is based on an oral evidence session, as well as written evidence submitted by a range of organisations before the end of May 2018. We also took evidence on the implications of Brexit for the sports sector. Our conclusions and questions on that sector are set out in a letter to the Government, which will be published online.
15. **We make this report to the House for debate.**

14 European Union Committee, *Brexit: acquired rights* (10th Report, Session 2016–17 HL Paper 82). Witnesses provided much evidence about the current importance of EU27 citizens to their industries. While these people's employment will be guaranteed under the citizens' rights provisions of the draft Withdrawal Agreement (should they decide to remain in the UK), we cite this evidence in our analysis of the extent to which the cultural sector depends on immigrants from the EU27.

CHAPTER 2: WHAT IS FREE MOVEMENT?

The free movement of persons: legal basis

16. The free movement of persons is one of the ‘four freedoms’ underpinning the Single Market, along with free movement of goods, services and capital.¹⁵ Free movement of persons was initially limited in scope, principally allowing for free movement of workers.¹⁶ Over time, free movement of persons was extended to include groups such as jobseekers, students, and individuals who are self-sufficient.¹⁷ The 2004 Citizens’ Rights Directive sought to codify the rights of EU citizens and their family members to move and reside freely in EU Member States.¹⁸ The Directive is complemented by rules for social security coordination, guaranteeing equality of treatment alongside citizens of the host Member State.¹⁹
17. The Citizens’ Rights Directive states that any EU citizen has a right to reside in another Member State if they:
 - (i) are a worker or self-employed person,
 - (ii) a jobseeker,
 - (iii) or a student;
 - (iv) are self-sufficient;
 - (v) have been resident for less than three months;
 - (vi) are a permanent resident—that is, they have lived legally and continuously in the Member State for at least five years; or
 - (vii) are a family member of someone with the right to reside.²⁰
18. These rules are not absolute, but allow for some controls on EU migration. For instance, free movement may be restricted for reasons of public security, public policy or public health (though any restrictions must be proportionate

15 The treaties originally referred to the ‘common market’ but this was replaced in the Treaty of Lisbon (OJ C 306, 17 December 2018) by the ‘internal market’, which is defined in Article 26(2) of the Treaty on the Functioning of the European Union (OJ C 326, 26 October 2012). Throughout the rest of this report, “free movement” refers to the free movement of persons.

16 Article 3(c) EEC, Treaty Establishing the European Community provided that the Community aspired to “the abolition, as between Member States, of obstacles to freedom of movement for ... persons”. Articles 48 to 50 EEC provided for free movement of workers, Articles 52 to 58 were concerned with the right to establishment, and Articles 59 to 66 outlined the freedom to provide services.

17 This has happened through treaty change, secondary legislation and the evolving case law of the Court of Justice of the European Union (CJEU)

18 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30 April 2004)

19 Social Security Coordination is set out in Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30 April 2004), and Council regulation 987/2009/EC laying down the procedure for implementing Regulation 883/2004/EC on the coordination of social security systems (OJ L 284/1, 30 October 2009)

20 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30 April 2004)

and individually assessed). Furthermore, EU citizens who have been in another Member State for more than three months and less than five years lose their right to reside if they are economically inactive, and incapable of supporting themselves.²¹

19. Free movement rights may be exercised by citizens of all 28 EU Member States and their dependents. Citizens of three non-EU states that are members of the European Economic Area (EEA)—Iceland, Norway and Liechtenstein—also have free movement rights within the EU28; Switzerland is party to free movement through separate agreements. For simplicity, and unless otherwise stated, when we refer to ‘EU’ and ‘non-EU’ countries below, we intend ‘EU’ to encompass the EU and EEA states whose citizens benefit from free movement.

Box 2: Short-term migration patterns: free movement in practice

Many people who work in the cultural sector travel between the UK, and the EU27 and EEA, for short periods of time. They might tour various countries, either on a self-employed basis or as a posted worker (see paragraphs 48–50) For the duration of such trips, these people count as ‘short-term migrants’.

The Office for National Statistics (ONS) records numbers of short-term international migrants using three definitions:

- Firstly, it uses the United Nations (UN) definition of short-term migrants. For the UN, a short-term migrant is an individual who:

“Moves to a country other than that of his or her usual residence for a period of at least three months but less than a year (12 months), except in cases where the movement to that country is for purposes of recreation, holiday, visits to friends or relatives, business, medical treatment or religious pilgrimage.”²²
- Secondly, the ONS counts those migrants who travel abroad for three to 12 months, but under this heading it includes those reasons for travel that the UN excludes.
- Thirdly, it counts individuals travelling for periods of between one and 12 months. This includes people travelling for any reason, which captures visits made for holidays and visits to friends or relatives.

Notably, the ONS counts short-term migration numbers separately from long-term net migration, which only covers people who move to the UK for periods of 12 months or longer.

In the year ending June 2015, the ONS reported 117,000 short-term visits to England and Wales from outside the UK. Of these, 89,000 (76%) were made by EU citizens. The total number of visits to England and Wales for work or study purposes in the year ending June 2016 was 209,000.²³

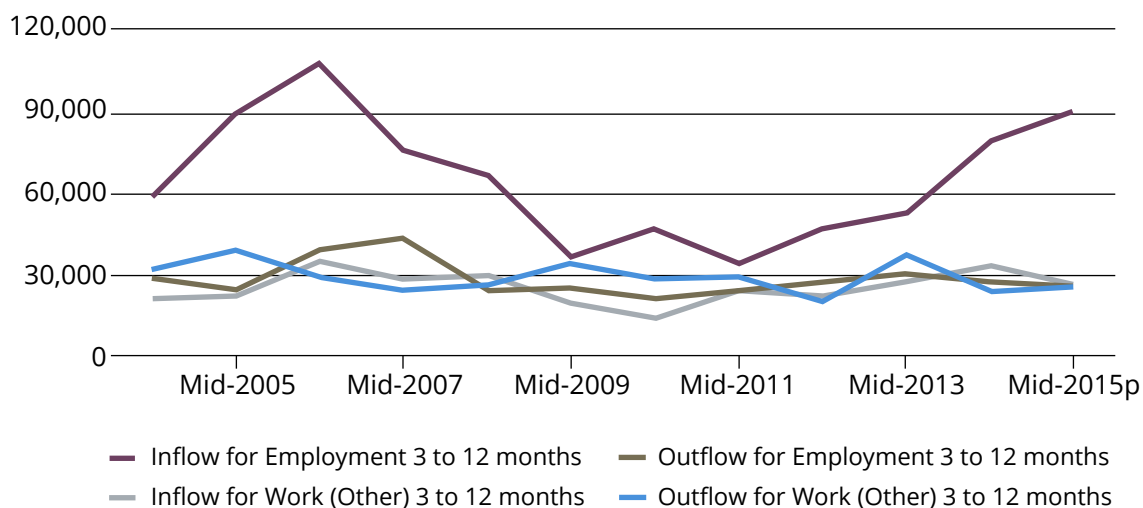
21 European Union Committee, *Brexit: UK-EU movement of people* (14th Report, Session 2016–17, HL Paper 121), pp 8–9

22 Office for National Statistics, *Short-term International Migration for England and Wales: year ending June 2015* (25 May 2017): <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/shortterminternationalmigrationannualreport/mid2015estimates> [accessed 19 July 2018]

23 Office for National Statistics, *Short-term International Migration for England and Wales: year ending June 2016* (24 May 2018): <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/shortterminternationalmigrationannualreport/yearendingjune2016> [accessed 19 July 2018]

People travelling for work accounted for 50,000 (13%) of all short-term international visits from three to 12 months away from England and Wales for the year ending June 2015. The majority of these visits, 43,000 (86%), were made by British citizens.²⁴

Figure 1: Short-term international migration flows for employment and work (other) for 3 to 12 months, England and Wales, year ending June 2004 to year ending June 2015



Source: Office for National Statistics, *Short-term International Migration for England and Wales: year ending June 2015* (25 May 2017): <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/shortterminternationalmigrationannualreport/mid2015estimates> [accessed 19 July 2018]

²⁴ Office for National Statistics, *Short-term International Migration for England and Wales: year ending June 2015* (25 May 2017): <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/shortterminternationalmigrationannualreport/mid2015estimates> [accessed 19 July 2018]

CHAPTER 3: ENDING FREE MOVEMENT: IMPLICATIONS FOR THE CULTURAL SECTOR

The UK cultural sector

20. The cultural sector in the UK is estimated to have contributed £27 billion GVA (Gross Value Added) to the UK economy in 2015, the last year for which comprehensive figures are available.²⁵ According to DCMS, the UK cultural sector employs around 654,000 people, accounting for 2% of all jobs in the UK. Of these, DCMS estimates that 47.6% are self-employed. In written evidence, the Department noted that EU citizens made up 4.6% of workers in the cultural sector, including both employed and self-employed workers.²⁶
21. However, the Creative Industries Federation argued that the DCMS figures provided “nowhere near enough detail” about the importance of EU citizens to the cultural sector, highlighting “massive variation” within sub-sectors that rely on much higher levels of EU citizens: “A survey of the visual effects industry by UK Screen Alliance, for example, found that 33% of its workers were from the EU.”²⁷

Box 3: Definition of the UK cultural sector

DCMS issues estimates measuring the economic contribution of sectors under their remit, including culture. The Department defines the cultural sector as “those industries with a cultural object at the centre of the industry”. The line between the broader creative industries sector, and the cultural sector, is not always clear-cut; and even within the DCMS definitions there is some cross-over. For example, certain sub-sectors, such as film and television, overlap between the creative and cultural sectors.

The sub-sectors that the Government uses in its estimates of the size of the cultural sector are the arts, including the performing arts and the operation of arts facilities; film, television and music; radio; photography; crafts (including the manufacture of jewellery); museums and galleries; libraries and archives; cultural education; and heritage.

Source: Department for Digital, Culture, Media and Sport, DCMS Sectors Economic Estimates 2017: Employment and Trade (26 July 2017, revised 16 August 2017): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/640628/DCMS_Sectors_Economic_Estimates_2017_Employment_and_Trade.pdf [accessed 19 July 2018] and Department for Digital, Culture, Media and Sport, DCMS Sector Economic Estimates: Methodology (18th July 2018): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/725926/DCMS_Sectors_Economic_Estimates_-_Methodology.pdf [accessed 24 July 2018]

22. Other witnesses provided a breakdown of various sub-sectors. UK Music and the Musicians’ Union told us that there were 142,208 people employed in the UK music industry, of which around 44% were self-employed.²⁸ UK

25 Department for Digital, Culture, Media and Sport, *DCMS Sectors Economic Estimates* (August 2016): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/544103/DCMS_Sectors_Economic_Estimates_-_August_2016.pdf [accessed 19 July 2018]

26 Department for Digital, Media, Culture and Sport, *DCMS Sectors Economic Estimates 2017: Employment and Trade*, (26 July 2017, revised 16 August 2017): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/640628/DCMS_Sectors_Economic_Estimates_2017_Employment_and_Trade.pdf [accessed 19 July 2018]

27 Written evidence from the Creative Industries Federation ([BSC0018](#))

28 Supplementary written evidence from UK Music and the Musicians’ Union ([BSC0017](#))

Music’s 2016 Diversity Study found that 10% of people employed in the UK music industry held a passport from a non-UK EU Member State.²⁹

23. A survey of 992 stakeholders from the cultural sector published by Arts Council England in February 2017 showed that of all the cultural sector sub-sectors, dance organisations were among the most likely to employ EU27 citizens.³⁰ Andrew Hurst from One Dance UK reported that around 40,000 people worked in the UK dance sector. The average proportion of EU27 citizens was “about 20 per cent”, while “some smaller companies have much higher proportions of EU nationals working with them”.³¹
24. The UK’s film and television industry contributed £7.7 billion to the UK economy in 2016.³² The Commercial Broadcasters Association (COBA) reported that the UK was also “home to more television channels than any other EU country”, most of which were international channels operating from the UK, but transmitting to overseas markets. We heard that 15% of the workforce of such channels were EU27 citizens.³³
25. The National Museum Directors’ Council (NMDC) and the Museums Association noted that EU27 citizens accounted for “up to 15 per cent of the workforce in some large national museums”, and that national and large museums were more likely to employ a larger proportion of EU27 citizens than “small, rural and independent museums”.³⁴ According to Historic England’s estimates, approximately 8%, or 10,800, workers in the heritage sector were third country nationals, with the “heritage construction sectors, archaeological occupations and heritage tourism sectors being particularly reliant on EU27 nationals”.³⁵ Historic England reported that almost 10% of the tourism workforce worked in heritage tourism, and that “heritage visitor attractions” were “reliant” on staff from the EU27.³⁶
26. Many witnesses emphasised how the cultural sector benefited local communities. The Musicians’ Union and Association of British Orchestras highlighted their members’ community work “in hospitals, care homes and prisons”, as well as their outreach programmes, including performances for children and young people.³⁷ Witnesses underlined the value of the UK’s cultural sector in promoting the UK abroad.³⁸ For the NMDC and Museums Association, the result was “an impact beyond the UK and ... a major role in promoting Britain internationally, encouraging tourism and contributing to the UK’s soft power”.³⁹

29 Supplementary written evidence from UK Music and the Musicians’ Union ([BSC0017](#))

30 Written evidence from Arts Council England ([BSC0015](#))

31 [Q 2](#)

32 Office for National Statistics, ‘Paddington, Star Wars and the rise of the UK film industry’ 14 December 2017: <https://www.ons.gov.uk/economy/grossdomesticproductgdp/articles/paddingtonstarwarsandtheriseoftheukfilmindustry/2017-12-14> [accessed 19 July 2018]

33 Written evidence from Commercial Broadcasters Association ([BSC0019](#))

34 Written evidence from National Museums Directors’ Council and Museums Association ([BSC0013](#))

35 Written evidence from Historic England ([BSC0010](#))

36 *Ibid.*

37 [Q 5](#) and supplementary written evidence from the Association of British Orchestras ([BSC0016](#))

38 Written evidence from Historic England ([BSC0010](#)), the National Museums Directors’ Council and Museums Association ([BSC0013](#)) and the Musicians’ Union ([BSC0017](#))

39 Written evidence from the National Museums Directors’ Council and Museums Association ([BSC0013](#))

27. Witnesses' overwhelming sentiment was that ending free movement would have a negative impact on the cultural sector.⁴⁰ The NMDC and Museums Association told us that restricting access to EU27 cultural sector workers would "undermine [the] competitiveness, attractiveness and success of the UK's museums".⁴¹ Arts Council Wales/Wales Arts International were concerned that ending free movement would diminish opportunities to exchange ideas, while the Drawing Room, a charity providing free public drawing exhibitions, believed that it would jeopardise its ability to bring artists from the EU to the UK.⁴²

Ending free movement: access to skills

28. In her 2 March Mansion House speech, the Prime Minister, the Rt Hon Theresa May MP, set out a broad principle for a future immigration system: "The UK must be able to attract and employ the people it needs."⁴³ Nevertheless, many witnesses were concerned about the impact that ending free movement would have on the cultural sector's ability to access skilled labour. Art Fund told us that changes could "undermine the ability of UK museums to attract and retain skilled" EU citizens.⁴⁴ COBA said that the "future success" of the broadcasting sector depended on developing an immigration system that reflected the skills needs of their sector.⁴⁵ Arts Council Wales/Wales Arts International felt that the curtailment of free movement would lead to "a substantial loss of important skills".⁴⁶
29. We heard from heritage sector witnesses that skills shortages would be exacerbated by Brexit at a time of increased demand for skilled labour. The Heritage Alliance pointed out that demand for "heritage skills" was about to increase because of "large heritage and infrastructure projects" such as HS2, and the restorations of Buckingham Palace and the Palace of Westminster.⁴⁷ Historic England feared that any restrictions on EU citizens' free movement could mean that fewer academics came to the UK, which would weaken the UK's position as a leader in heritage research:

"Much heritage research in England has been built around the model of the free movement of academics within the European Union ... The flow is in both directions as UK researchers often take up positions within universities in EU countries. This has allowed the UK to play a prominent role in heritage research in Europe."⁴⁸

30. The NMDC and Museums Association were also concerned that an inability to attract skills from the EU could "threaten the international status of the UK's world-class institutions".⁴⁹

40 Q 2

41 Written evidence from National Museums Directors' Council and Museums Association (BSC0013)

42 Written evidence from Arts Council Wales/Wales Arts International (BSC0002) and the Drawing Room (BSC0007)

43 Rt Hon Theresa May MP, Prime Minister, Speech on 'Future economic partnership with the European Union', 2 March 2018: <https://www.gov.uk/government/speeches/pm-speech-on-our-future-economic-partnership-with-the-european-union> [accessed 19 July 2018]

44 Written evidence from Art Fund (BSC0001)

45 Written evidence from Commercial Broadcasters Association (BSC0019)

46 Written evidence from the Arts Council Wales/Wales Arts International (BSC0002)

47 Written evidence from the Heritage Alliance (BSC0009)

48 Written evidence from Historic England (BSC0010)

49 Written evidence from the National Museums Directors' Council and Museums Association (BSC0013)

31. In contrast, Historic England and the Heritage Alliance saw a possible upside: restrictions on free movement could provide a “stimulus to expand training and development” in heritage skills in the UK.⁵⁰ For Fiona Biddulph, a postgraduate in Ballet Studies at the University of Roehampton, it was “a fallacy to suggest that protecting British graduates would prevent British [ballet] companies from being globally competitive”.⁵¹ She argued that ballet schools in the UK produced highly trained British dancers who were “displaced by EU and international students”; ending free movement from the EU could therefore provide an opportunity to invest in homegrown talent.⁵²

Movement with a job offer—a viable option for the cultural sector?

32. There are three principal work visas currently used by third country cultural sector workers to enter the UK (see Box 4). These are:
- (a) temporary workers—Tier 5 (creative and sporting);
 - (b) exceptional talent—Tier 1; and
 - (c) skilled workers—Tier 2 (general).

Box 4: Current UK visas for third country cultural workers

Tier 5 is for paid temporary work for up to 12 months, and requires a UK sponsor. It is designed for people such as actors or touring musicians who come to the UK from outside the EU on short-term contracts or for short-term engagements. To act as a sponsor, a UK business must obtain a sponsor licence.⁵³ The Government told us that it had “worked closely with the creative and cultural sector to develop specific Codes of Practice for organisations and individuals using the Tier 5 (temporary worker—creative and sporting) visa for non-EU workers, which reflect the unique working needs and patterns” of these sectors.⁵⁴

Tier 1 is for individuals who are recognised as world leaders, or have demonstrated the potential to become world leaders, in the fields of science, engineering, humanities and the arts. Applications for this route need the endorsement of a designated ‘Competent Body’, a cultural sector organisation selected by the Home Office to assess visa applications.⁵⁵

The Tier 2 (general) route allows UK employers to bring third country nationals to fill specific jobs. Tier 2 (general) visas are capped at 20,700 annually and subject to pay thresholds. The Tier 2 (general) system provides two pathways to a visa: the resident labour market test (RLMT) and the shortage occupation list (SOL).

50 Written evidence from Historic England (BSC0010) and the Heritage Alliance (BSC0009)

51 Written evidence from Fiona Biddulph (BSC0020)

52 *Ibid.*

53 Home Office, *Tier 5 (Temporary Worker) of the points-based system* (5 January 2015): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/581596/Tier-5-Temporary-Worker-v18.pdf [accessed 19 July 2018]

54 Written evidence from the Department for Digital, Culture, Media and Sport (BSC0006)

55 UK Visas & Immigration, *Routes of entry for artists and entertainers* (August 2015): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/450237/Entering_the_UK_Arts_Ents_leaflet_August_2015.pdf [accessed 19 July 2018]

Jobs offered under the RLMT must first show that there is no suitable resident worker available, with the job being advertised to resident workers for a set period. The job must also meet a minimum skill requirement and an annual salary threshold (with effect from April 2017, £30,000).⁵⁶

Jobs on the SOL are exempt from requirements to meet the RLMT, and are subject to salary thresholds specific to each job (which can be lower than the RLMT threshold). There are 17 roles in the creative industries on the shortage occupation list, including dancers, choreographers, and musicians.⁵⁷

33. Witnesses were apprehensive about introducing movement with a job offer along the lines of the system that currently exists for third country nationals. The Creative Industries Federation told us that movement with a job offer would be “highly problematic” and “intolerable ... [for] small and medium-sized enterprises” operating in the cultural sector.⁵⁸ Mr Hurst and Arts Council Wales/Wales Arts International agreed that restrictions on free movement would hit smaller organisations the hardest.⁵⁹
34. The City of London Corporation, which funds the Guildhall School of Music and Drama, the Barbican Centre, and Guildhall Art Gallery, considered the current non-EU visa regime to be “unsuitable” for the cultural sector: “Quotas ... for the creative sector would lead to uncertainty [and] place additional administrative burdens on arts organisations.”⁶⁰ Mark Pemberton, Director of the Association of British Orchestras, described Tier 2 and Tier 5 visas as “clunky”.⁶¹ The Drawing Room said that future restrictions on EU citizens similar to the Tier 1 and Tier 2 systems would have a “stymying effect” on the ability to recruit “new, bright, early-career talent”.⁶²
35. Many witnesses were concerned about the salary threshold that forms part of the eligibility criteria for entering the UK via the Tier 2 route. Salary thresholds are used as a marker to distinguish between “high-skilled” and “low-skilled” workers. We heard that this distinction was challenging: many highly skilled people employed in the cultural sector are not paid enough to reach the threshold.⁶³ Arts Council Wales/Wales Arts International wrote: “High levels of technical skill do not always translate into high salaries. The current Home Office requirement that third country nationals meet a minimum salary threshold for certain types of visa would be problematic.”⁶⁴ Heritage England said: “Income thresholds for visas applied to workers from non-UK EU countries will have adverse impacts on the heritage sector. While many heritage sectors employ highly skilled workers, many are low-paid sectors with wages below [the] national median.”⁶⁵

56 Home Office, *Immigration Rules Appendix A: attributes* (25 February 2016, updated 6 July 2018): <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-a-attribute> [accessed 20 July 2018]

57 Written evidence from the Creative Industries Federation (BSC0018). See also Home Office, ‘United Kingdom Shortage Occupation List’: <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k-shortage-occupation-list> [accessed 19 July 2018].

58 Written evidence from the Creative Industries Federation (BSC0018)

59 Written evidence from Arts Council Wales/Wales Arts International (BSC0002) and Q 6

60 Written evidence from the City of London Corporation (BSC0021)

61 Q 6

62 Written evidence from the Drawing Room (BSC0007)

63 Written evidence from Heritage Alliance (BSC0009)

64 Written evidence from Arts Council Wales/Wales Arts International (BSC0002)

65 Written evidence from Historic England (BSC0010)

36. The City of London Corporation suggested that it would be difficult to recruit for roles that did not meet the salary threshold.⁶⁶ Mr Pemberton believed that there was a misunderstanding in Government about the mismatch between skill level and pay:

“Some orchestras provide permanent employment, and they are recruiting permanent salaried musicians ... That has its own problems now in relation to the increased salary threshold. Now it has to be £30,000. Unfortunately ... musicians starting out in a career in an orchestra are not earning £30,000 a year. We are highly skilled but not highly paid. Sometimes, the people at the Home Office do not understand that. They assume that high skills equals high pay, and it does not in the creative sector.”⁶⁷

Self-employed workers

37. Evidence from the Creative Industries Federation and the Heritage Alliance suggested that, post-Brexit, movement with a job offer would be less relevant for the cultural sector than provisions relating to self-employed workers. The sector relies heavily on consultants and freelance workers working on a project basis, or working on multiple projects at one time—people who would not usually enter the UK with a prior formal job offer.⁶⁸

Box 5: Self-employment and the Citizens’ Rights Directive

The 2004 Citizens’ Rights Directive codified a right of residence for up to three months in other EU Member States. The right of residence beyond three months is open to EU citizens who are employed or self-employed, self-sufficient, or students with sufficient resources and sickness insurance cover.⁶⁹ Individuals taking advantage of these provisions are referred to as “exercising treaty rights”. According to the Citizens’ Directive, self-employed EU citizens can work and travel within the EU without restrictions while they are exercising their treaty rights. Third country nationals, on the other hand, are subject both to EU rules on migration where applicable, or to the domestic immigration laws of individual Member States where no EU legislation exists.⁷⁰

38. Witnesses saw post-Brexit arrangements for self-employed persons as a high priority, and the ability to move between the UK and EU27 at short notice as integral to the business model of many cultural sector organisations. The Creative Industries Federation told us that industries relied on a “rapid turnaround” to access talent, often on a “same-day” basis.⁷¹ The NMDC and Museums Association highlighted specialist conservators as “a good example” of the type of freelance workers hired to work in UK museums on a

66 Written evidence from the City of London Corporation ([BSC0021](#))

67 [Q 2](#)

68 Written evidence from the Creative Industries Federation ([BSC0018](#)) and the Heritage Alliance ([BSC0009](#))

69 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC ([OJL 158](#), 30 April 2004)

70 The EU migration *acquis* covers family members (Directive 2003/86/EC), long-term residents (Directive 2003/109/EC), Single Permit Holders (Directive 2011/98/EC), students and researchers (Directive (EU) 2016/801 (recast)), EU Blue Card Holders (Directive 2009/50/EC), seasonal workers (Directive 2014/36/EU), and Intra-corporate transferees (Directive 2014/66/EU)

71 Written evidence from the Creative Industries Federation ([BSC0018](#))

project basis.⁷² COBA reported that broadcasting and television productions in the UK needed to “appoint [talent] quickly”, requiring people to move either from the EU27 to the UK, or vice versa, to meet production schedules.⁷³ Mr Hurst and Mr Pemberton said that it was essential to be able to bring in talent at short notice, particularly in the event of emergencies such as a lead singer or dancer falling ill or sustaining an injury.⁷⁴

Permitted paid engagement and permit-free festivals

39. In the absence of a clear steer from Government about movement between the UK and EU post-Brexit, witnesses considered whether existing short-term entry routes for third country nationals might apply to EU citizens. There are currently two ‘visit’ routes for third country nationals seeking to enter the UK to take up short-term employment as artists and entertainers. These are visit (standard) and visit (permitted paid engagement) visas, which are of particular benefit to self-employed individuals.
40. The visit (standard) route allows individuals to carry out certain permitted activities. These include: giving performances as individuals or as part of a group; taking part in competitions or auditions; making personal appearances; undertaking promotional activities; attending workshops and giving talks; and appearing at one or more cultural events or festivals on the list of permit-free festivals.⁷⁵
41. The visit (permitted paid engagement) (PPE) route allows professionals over the age of 18 to stay in the UK for up to one month to undertake specific paid engagements. This visa allows professional artists and entertainers who are invited to the UK to carry out one permitted engagement, or a short series of engagements, relating to their profession. It is a single-entry permission only. It extends to the performing and creative arts and includes musicians, visual artists, make-up artists, and writers.⁷⁶
42. Witnesses from the dance and music sectors saw an opportunity to improve the PPE route post-Brexit, to make it more flexible for the needs of the cultural sector. Mr Pemberton told us that in its current form, PPE was “too restrictive” for artists who had not yet made a name for themselves.⁷⁷ He suggested that the PPE route could be extended post-Brexit to include EU27 citizens.⁷⁸ UK Music and the Musicians’ Union agreed that solutions might be based on the PPE route.⁷⁹
43. Some witnesses saw an opportunity to extend the permit-free festival scheme to EU citizens post-Brexit. This allows an artist, entertainer or musician visiting the UK to perform at certain UK festivals without obtaining a work permit. Arts Council Wales/Wales Arts International sought “a review of the options around the permit-free festivals model and intermediary bodies providing certificates of sponsorship”.⁸⁰ Mr Pemberton said:

72 Written evidence from National Museums Directors’ Council and Museums Association ([BSC0013](#))

73 Written evidence from Commercial Broadcasters Association ([BSC0019](#))

74 [Q 4](#)

75 UK Visas & Immigration, *Routes of entry for artists and entertainers* (August 2015): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/450237/Entering_the_UK_Arts_Ents_leaflet_August_2015.pdf [accessed 19 July 2018]

76 *Ibid.*

77 [Q 6](#)

78 [Q 6](#) and supplementary written evidence from the Association of British Orchestras ([BSC0016](#))

79 Supplementary written evidence from UK Music and the Musicians’ Union ([BSC0017](#))

80 Written evidence from Arts Council Wales/Wales Arts International ([BSC0002](#))

“At the moment, there is a work-permit-free festival system, so that the Proms and the Edinburgh Festival, which have this endorsement process, can bring in ensembles from outside the EEA, because they are trusted through that permit-free status. An extension of that across a range of employers would make the difference.”⁸¹

Touring in the EU27 post-Brexit

44. Witnesses told us that short-term touring was essential to the business model of many self-employed artists, and that EU27 countries were their principal destinations.⁸² Mr Pemberton said that some freelance orchestral musicians who worked regularly for a UK orchestra, but lived in the EU27, would go “in and out [of the UK] to do 50 concerts a year”.⁸³ For Horace Trubridge of the Musicians’ Union, if musicians had to get visas for each Member State while on tour, tours “would basically [be] impossible to schedule”.⁸⁴ Witnesses such as Arts Council Wales/Wales Arts International were concerned about the potential increased costs of touring post-Brexit, particularly for smaller arts companies:

“Any reinstatement of mobility restrictions ... will create new borders for our large-scale arts organisations. But whilst these companies will certainly find such impediments inconvenient, for the smaller-scale companies and artists such barriers might become insurmountable. Arts organisations operating on very lean budgets with limited financial flexibility may find themselves unable to cushion or manage the effects of regulation of movement.”⁸⁵

45. The BFI argued that restrictions on free movement for “freelance professionals” could lead to a “significant” loss of inward investment for British film and television, raising costs for the British independent film sector.⁸⁶

Posted workers

46. A posted worker is an employee who is sent by their employer to carry out a service in another Member State on a temporary basis.⁸⁷ The Posted Workers Directive sets out terms and conditions of employment for posted workers. Posted workers are subject to the law of the Member State that they are posted to, but the Directive identifies a set of core rights that they must be granted. These include minimum rates of pay; maximum work periods and minimum rest periods; minimum paid annual leave; conditions for hiring through temporary work agencies; health, safety and hygiene at work; and equal treatment.⁸⁸

81 [Q 9](#)

82 Written evidence from the Incorporated Society of Musicians ([BSC0003](#))

83 [Q 2](#)

84 *Ibid.*

85 Written evidence from Arts Council Wales/Wales Arts International ([BSC0002](#)); Art Fund ([BSC0001](#)) and Arts Council England ([BSC0015](#))

86 Written evidence from the British Film Institute ([BSC0004](#))

87 Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System (‘the IMI Regulation’) ([OJ L 159](#), 28 May 2014)

88 European Commission, ‘Posted workers’: <http://ec.europa.eu/social/main.jsp?catId=471> [accessed 19 July 2018]

47. Posted workers' social security provision is also regulated at EU level.⁸⁹ Posted workers or persons active in two or more Member States pay social contributions in the Member State in which they are regularly employed, and do not fall under the social security scheme of the Member State in which they are temporarily employed.⁹⁰
48. The primary concern of those witnesses who discussed posted worker provisions was with future social security coordination. Mr Pemberton told us that the loss of the Posted Workers Directive provisions on social security would “cause substantial damage”, making touring “too expensive” for orchestras and similar outfits, should their members need to pay social security in other EU countries when on tour.⁹¹ The Incorporated Society for Musicians (ISM) desired that social security arrangements “be negotiated to enable UK musicians to continue to travel across the EU”.⁹²

Multiple-entry visas

49. An EU-wide multi-entry, short-term visa was mooted by several of our witnesses as a possible option for facilitating touring after Brexit. Mr Hurst suggested that this could be a “no-cost or low-cost, long-duration, multiple-entry” visa.⁹³ UK Music and the Musicians' Union suggested that it could be based on the EU Blue Card,⁹⁴ which allows high-skilled non-EU citizens to work and live in any EU country.⁹⁵ The Creative Industries Federation and the British Film Institute also supported the idea of a visa system that permitted short-term visits to multiple EU countries, without needing a separate entry permission for each one.⁹⁶
50. For the EU negotiators to consider such a scheme, the Government will need to make a reciprocal offer. Given the importance for the cultural sector of short-term travel between the UK and the EU27, there was concern from witnesses that failure to obtain a reciprocal deal on movement of people, particularly for the self-employed and individuals carrying out short-term work, could damage the cultural sector. UK Music and the Musicians' Union also described reciprocity as a “major concern”, highlighting a risk that any restrictions applied by the UK could be reciprocated by EU Member States.⁹⁷ The Creative Industries Federation thought that should the UK fail to reach a deal with the EU on migration, the UK should offer unilaterally “the best possible access to EU talent”.⁹⁸

Conclusions

51. **Individuals working in the UK cultural sector are highly mobile, and have thrived on collaboration with people from all over the**

89 Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJL 166, 30 April 2004)

90 European Commission, ‘Posted workers’: <http://ec.europa.eu/social/main.jsp?catId=471> [accessed 19 July 2018]

91 Q 10

92 Written evidence from Incorporated Society Musicians (BSC0003)

93 Q 9

94 Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment (OJL 155, 18 June 2009, pp 17–29)

95 Supplementary written evidence from UK Music and the Musicians' Union (BSC0017)

96 Written evidence from the Creative Industries Federation (BSC0018) and the British Film Institute (BSC0004). This was also referred to as a ‘freelancer’ visa or ‘touring’ visa

97 Q 3 and supplementary written evidence from UK Music and the Musicians' Union (BSC0017)

98 Written evidence from the Creative Industries Federation (BSC0018)

world. Moreover, the country benefits enormously from the sector's contribution to its economy and society. The sector also makes an important contribution to the UK's international image and influence.

52. We did not hear conclusive evidence that free movement from the EU27 had led employers to neglect the training and development of UK cultural sector workers. Brexit nevertheless gives employers an opportunity to review training and development pathways for UK citizens wishing to enter the cultural sector, or to move up the skills ladder.
53. Arrangements for EU27 workers post-Brexit will either take the form of a preferential system for EU citizens, or EU27 workers will face the same restrictions as third country nationals. We reaffirm that the Government should "pursue preferential arrangements for UK-EU migration after the UK has ceased to be a member of the EU", but we underline that whatever the final shape of the UK's future immigration system, it will need to take account of the cultural sector's suggestion that self-employed artists and entertainers be permitted to enter the UK for short-term engagements. To this end, the Government should explore whether it could extend the existing permitted paid engagement and permit-free festival arrangements to EU citizens post-Brexit.
54. The recently published White Paper acknowledges that "the UK and the EU will ... need provisions that allow for mobility" to facilitate the proposed "cooperative accord" with the EU on culture and education. Yet it is unclear how this accord would relate to wider immigration policy, or the existing visa system. Given the cultural sector's concerns about how it will be affected by any agreement with the EU on migration, the Government should urgently provide more detail on this proposal.
55. We are pleased that the Government has made a commitment in the White Paper to "support businesses to provide services and to move their talented people" post-Brexit. But because the Tier 2 visa currently admits only those cultural sector workers who are leaders in their fields, we share the concerns of some of our witnesses that it has had a negative effect on the sector's ability to bring talent to the UK. If the Government's intention is to extend this route to EU27 citizens, it should carry out a full assessment of any possible impacts.
56. If the Government is to achieve its wish to establish an immigration system that meets the needs of the post-Brexit economy, the UK's negotiators will need to be flexible. This means recognising that any restrictions on EU citizens wishing to enter the UK to work may be matched by reciprocal restrictions on UK workers in the EU.
57. Many people working in the UK cultural sector rely on their freedom, as EU citizens, to carry out short-term work in other EU countries. One of the primary aims of EU social security coordination is to support this freedom of movement. We therefore support the Government's aim, set out in the White Paper, that "workers [will] only pay social security contributions in one state at a time".

58. **To encourage the EU to reciprocate, the Government should guarantee that EU citizens travelling on short-term contracts to the UK after the transition period will not pay into its social security system. Failure to secure a reciprocal commitment on social security would undermine any broader agreement on migration between the UK and EU.**
59. **The Government should also seek a commitment for an EU-wide multi-country, multi-entry short-term ‘touring visa’ for UK citizens, and offer a reciprocal commitment for EU citizens. This would enable self-employed persons to travel for short-term visits between the UK and the EU, recognising the two-way benefits that accrue from allowing artists, entertainers and other cultural sector workers to move freely between the UK and EU to tour and work on short-term contracts.**
60. **Without effective reciprocal arrangements, the UK may see a decline in skilled cultural sector workers entering the UK from the EU. Such a development would be to the detriment of the UK cultural sector, and represent a significant loss to the audiences that enjoy seeing talent from across Europe performing in the UK.**

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Baroness Browning
 Lord Crisp
 Baroness Janke
 Lord Jay of Ewelme (Chairman)
 Lord Kirkhope of Harrogate
 Baroness Massey of Darwen
 Lord O'Neill of Clackmannan
 Baroness Pinnock
 Lord Ribeiro
 Lord Ricketts
 Lord Soley
 Lord Watts

Declarations of interest

Baroness Browning
No relevant interests declared

Lord Crisp
No relevant interests declared

Baroness Janke
No relevant interests declared

Lord Jay of Ewelme
Member, Advisory Council, European Policy Forum
Member, Senior European Experts Group
Trustee (non-executive director), Thomson Reuters Foundation Share Company
Trustee, Magdalen College, Oxford Development Trust

Lord Kirkhope of Harrogate
No relevant interests declared

Baroness Massey of Darwen
No relevant interests declared

Lord O'Neill of Clackmannan
No relevant interests declared

Baroness Pinnock
No relevant interests declared

Lord Ribeiro
No relevant interests declared

Lord Ricketts
Trustee, Royal Academy Development Trust
Trustee, Friends of Leighton House Museum

Lord Soley
No relevant interests declared

Lord Watts
No relevant interests declared

The following Members of the European Union Select Committee attended the meeting at which the report was approved:

Baroness Armstrong of Hill Top
Lord Boswell of Aynho
Baroness Brown of Cambridge
Baroness Browning
Lord Crisp
Lord Cromwell
Baroness Falkner of Margravine
Lord Jay of Ewelme
Baroness Kennedy of The Shaws
The Earl of Kinnoull
Lord Liddle
Baroness Neville-Rolfe
Baroness Noakes
Lord Risby
Lord Soley
Baroness Suttie
Lord Teverson
Baroness Verma
Lord Whitty

During consideration of the report the following Members declared an interest:

Baroness Kennedy of The Shaws
Chair, Man Booker Foundation
Baroness Neville-Rolfe
Parliamentary Under-Secretary, Department for Business, Innovation and Skills (Intellectual Property), Jul 2014–Jul 2016
Parliamentary Under-Secretary, Department for Culture, Media and Sport, May 2015–July 2016
Minister of State, Department for Business, Energy and Industrial Strategy, July 2016–December 2016
Baroness Noakes
Patron, Royal Opera House
Founder member, Glyndebourne

A full list of Members' interests can be found in the Register of Lords' Interests: <https://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

APPENDIX 2: LIST OF WITNESSES

Evidence is published online at <https://www.parliament.uk/brexit-movement-people-field-culture/> and available for inspection at the Parliamentary Archives (020 7219 3074).

Evidence received by the Committee is listed below in chronological order of oral evidence session and alphabetical order. Those witnesses marked with ** gave both oral and written evidence. Those marked with * gave oral evidence and did not submit written evidence. All other witnesses submitted written evidence only

Oral evidence in chronological order

- | | | |
|----|---|-------------------------|
| ** | Mark Pemberton, Director, Association of British Orchestras | QQ 1–10 |
| * | Andrew Hurst, Chief Executive, One Dance UK | |
| ** | Horace Trubridge, General Secretary, Musicians' Union | |

Alphabetical list of all witnesses

- | | | |
|----|---|-------------------------|
| | Art Fund | BSC0001 |
| | Arts Council England | BSC0015 |
| | Arts Council of Wales/Wales Arts International | BSC0002 |
| ** | Association of British Orchestras | BSC0016 |
| | Fiona Biddulph | BSC0020 |
| | British Film Institute | BSC0004 |
| | City of London Corporation | BSC0021 |
| | Commercial Broadcasters Association | BSC0019 |
| | Creative Industries Federation | BSC0018 |
| | Department for Digital, Culture, Media and Sport | BSC0006 |
| | Drawing Room | BSC0007 |
| | The Heritage Alliance | BSC0009 |
| | Historic England | BSC0010 |
| * | Andrew Hurst, Chief Executive, One Dance UK | |
| | Incorporated Society of Musicians | BSC0003 |
| | Lewis Silkin LLP | BSC0012 |
| | Museums Association | BSC0013 |
| ** | Musicians' Union | BSC0017 |
| | National Museums Directors' Council | BSC0013 |
| ** | Mark Pemberton, Director, Association of British Orchestras | |
| ** | Horace Trubridge, General Secretary, Musicians' Union | |
| | UK Music | BSC0017 |