



Dr Chaand Nagpaul CBE
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Tavistock Square
London
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DECS Reference: MIN/0128383/21

29 January 2021

Dear Dr Nagpaul,

Thank you for your letter of 13 January to the Home Secretary on behalf of the BMA, BAPIO, APPNE, RCGP, RCOphth, RCPsych and RCOG about bringing elderly parents to the UK as adult dependent relatives under the family Immigration Rules. I am replying as the Minister for Future Borders and Immigration.

We are hugely grateful for the vital contributions all NHS staff have made, both prior to and during the pandemic, which is why we have introduced a range of unprecedented measures to ensure the health and care sector are supported fully. However, there are currently no plans to change the adult dependent relative rules for doctors. It may be helpful to briefly confirm the policy and rationale for adult dependent relatives in the UK.

The family Immigration Rules were reformed in July 2012 to prevent burdens on the taxpayer, promote integration and tackle abuse, and thereby ensure family migration to the UK is on a properly sustainable basis which is fair to migrants and the wider community by not being reliant on access to public services funded by UK taxpayers. The route for adult dependent relatives was reformed because of the significant NHS and social care costs which can be associated with these cases. The Department of Health and Social Care has estimated a person living to the age of 85 costs the NHS on average around £150,000 in their lifetime, with more than 50% of this cost arising from the age of 65 onwards. This figure does not take account of any social care costs met by local authorities.

The Rules seek to ensure only those adult dependent relatives who need to be physically close to and cared for by a close relative in the UK are able to settle here, and require individuals to demonstrate, as a result of age, illness or disability, they need a level of long-term personal care which can only be provided for in the UK by their sponsor here and without recourse to public funds. The Rules have been upheld as lawful by the courts.

Adult dependent relatives can continue to visit a family member in the UK (for up to six months) but must return home at the end of their visit; we do not allow visitors to switch into other immigration categories while in the UK and the adult dependent relative category is not an exception.

It is right and fair the Rules for adult dependent relatives apply equally to all and are applied consistently. Whilst we appreciate for the adult dependent relatives of doctors, any additional burden to the healthcare system may be offset by their sponsor's contribution to it, any decision to relax the Rules for family members of doctors could

undermine the principle behind the Rules and would be discriminatory to those in other professions, many of whom face similar concerns and are contributing to the UK in other ways.

Specifically with regard to EEA nationals, I would point out whilst it is true the adult dependent relatives of newly arriving EEA nationals (from 1 January 2021) must meet these requirements, those EEA nationals resident here by 31 December 2020 are covered by the separation agreements and can bring pre-existing family members (where the relationship existed by 31 December 2020) to the UK under free movement conditions for their lifetime.

As I have said above, we are hugely grateful for the contribution of all migrant healthcare professionals and have introduced a range of measures to support them. Last year, we launched the Health and Care Visa for eligible health and care professionals, which provides fast track entry, reduced fees and dedicated support. This includes exempting health and care workers from payment of the Immigration Health Surcharge. These benefits also apply to the applicant's spouse/partner and dependent children. We also extended the visas of more than 6,000 frontline health workers and their dependents for free so they can continue their crucial work in the fight against coronavirus.

The Home Office continues to keep the Immigration Rules for adult dependent relatives under review and make adjustments in light of feedback on their operation and impact. However, our overall assessment is the rules represent a fairer deal for the UK taxpayer and are helping to ensure public confidence in the immigration system by providing assurance migration to the UK is not based on access to public services or welfare systems.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Foster', with a large flourish at the end.

Kevin Foster MP
Minister for Future Borders and Immigration

Dr Ramesh Mehta OBE
Dr Amir Burney
Professor Martin Marshall CBE
Mr Bernie Chang, FRCOphth, FRCSEd(Ophth)
Dr Adrian James
Dr Edward Morris