

Commissioning Letter

Ecorys UK Limited
Albert House
Quay Place
92-93 Edward Street
Birmingham
B1 2RA

Friday, 1st March 2019

Dear Sirs

**BEIS Research and Evaluation Framework Agreement – Lot 5
Review of EU member states' temporary mobility systems for third country nationals
CR19006**

Thank you for your response to the Specification for the above commission by the Department for Business, Energy and Industrial Strategy (BEIS) (the Customer) through the BIS Research and Evaluation Framework dated 2 January 2016 between (1) Secretary of State for Business, Innovation and Skills; and (2) Ecorys UK Limited (the Framework Agreement).

Appendix A: Review of EU member states' temporary mobility systems for third country nationals
Appendix B: Tender dated 14th February 2019

Annex A: General Data Protection Regulations

This contract shall commence on Monday, 4th March 2019 and shall end on Friday, 24th May 2019.

Department for Business, Energy and Industrial Strategy accepts your Tender (Appendix B), submitted in response to our Specification (Appendix A). Ecorys UK Limited shall undertake the services in alignment with the specification in Appendix A and their bid submitted in Appendix B.

The Call-Off Terms and Conditions for this Contract are those set out in Schedule 5 to the Framework.

The agreed total charges for this assignment are £89,820.00 exclusive of VAT which should be added at the prevailing rate. This contract shall not exceed £89,820.00 in alignment with the following commercial breakdown:



AWS.2 Price Schedule

Please ensure that you DO NOT alter this area as back end changes may result in your figures being disallowed.

SOURCING REFERENCE:	CR 19008
SOURCING DOCUMENT TITLE:	Review of EU member states' temporary mobility systems for third country nationals
BIDDER NAME:	Ecorys

Please complete the shaded yellow sections only.

Please note that the staff costs in section 1 call C33, C33 and C44 should equal the staff costs outlined in the project term and the distribution of staff days.
The figure used for calculation is the total cost (ex VAT) provided in Section 1 (call C44). The total cost is the total staff costs (ex VAT) and the total Travel and subsistence. Overhead costs, cost of production of materials and any/all costs associated with the delivery of the project (ex VAT).

Section 1: Total Project Costs (Summary)

Job Title	Number of Days	Total Staff Cost (ex VAT)	Objective	Total Cost (EX VAT)
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audiences, to allow the Department time to consider the request. The Contractor shall only present findings that will already be in the public domain at the time of presentation, unless otherwise agreed with the Department.

Congratulations on your success in being selected to undertake this Commission.

Yours sincerely

[REDACTED] Category Manager
UK Shared Business Services Ltd

BY SIGNING AND RETURNING THIS COMMISSIONING LETTER THE SERVICE PROVIDER AGREES to enter a legally binding contract with the Customer to provide to the Customer the Services specified in this Commissioning Letter and Annexes incorporating the rights and obligations in the Call-off Terms and Conditions set out in the Framework Agreement.

Department for Business, Energy and Industrial Strategy

Name and Title	[REDACTED]
Signature	[REDACTED]
Date	06/03/2019

Signed on behalf of Ecorys UK Limited

Name and Title	[REDACTED]
Signature	[REDACTED]
Date	06/03/2019

- **Appendix A Specification**

1. Background

As part of its preparations for EU Exit, the UK Government is seeking to develop its understanding of the form and operation of EU member states' temporary mobility systems. Understanding the entry requirements and associated costs to UK business of the available temporary mobility routes for third country nationals into EU member states will be important to enable HMG to prioritise the potential barriers¹ that these visa requirements pose when formulating detailed positions for both negotiated and non-negotiated outcomes. The aim of this project is to review EU member states' visa systems with regard to existing temporary mobility routes for third country nationals². Expert knowledge is required to adequately analyse and compare these diverse systems.

The UK is highly connected with EU member states in both goods and services trade as well as investment, all of which are facilitated by temporary mobility³. When the UK leaves the EU, free movement will come to an end. An advanced understanding of the baseline position for third country nationals in Member States' temporary mobility systems will be a crucial starting point for negotiations about the future relationship with the EU, in all scenarios. The project will deliver a report that includes an overview of all available temporary mobility routes for third country nationals. This includes concerns about the permitted activities and durations, including cool-off periods, professional requirements, and visa costs. Expert knowledge will give information about the practical application of these rules for temporary mobility, the administrative burdens (process of obtaining a visa, e.g. can travelling individuals do it themselves or are experts needed?) and how businesses work approach the systems in practice. The project will also contain an estimation of annual administrative and visa costs to a typical business in selected UK sectors. The three parts will be analysed for 26 EU member states⁴ and compared in a summarising report: i.e. a review of what temporary mobility routes exist in each member state for third-country nationals; how these routes are implemented in practice and used by business; and what sorts of costs are incurred by business using these routes.

The main outcome of this project will be a fine-grained understanding of EU member states' visa systems for third country nationals. Regardless of the form of our future relationship with the EU, this detailed knowledge of the third country baseline will inform HMG policy-making and enable it to maximise positive outcomes for businesses.

The project will have three sequential phases (see the methodology section for specification of steps in each phase):

1. A pilot analysis of two selected 'tier 1' (as defined in the scope section below) EU member states (Germany and Italy) will allow BEIS to review the quality of the delivered work and ensure that the results are in line with our expectations.
2. If BEIS is content that the pilot analysis has been successfully delivered, this will trigger the extension of the analysis to the remaining 'tier 1' countries as defined in

¹ Barriers are comprised of the cost of visa, opportunity cost of obtaining a visa (administrative burdens including delays), and professional qualification requirements.

² Third country nationals here are non-EEA citizens who don't have access to freedom of movement within the EU. UK nationals will be treated as third country nationals after EU Exit in the absence of any negotiated settlement covering mobility.

³ We define 'temporary mobility' as outward visits to other countries (in this case UK to EU member states) for business activities, intra-corporate transfers, contractual service provision or investment purposes allow both services and manufacturing firms to provide services in host territories, attend conferences and meetings, facilitate the exchange of personnel between international subsidiaries, and explore new business opportunities.

⁴ This is all EU27 except Ireland, as the common travel area (CTA) will allow unrestricted temporary mobility to Ireland for UK and Irish nationals.

the scope section. The contractor will present interim outputs to BEIS upon completion.

3. After completion of phase 2, BEIS can extend the analysis and the contractor will repeat the analysis for the 'tier 2' (as defined in the scope section below) countries and present the final report to BEIS.

BEIS expects all bidders to treat any of the information included in this invitation to tender as commercially sensitive and not share it any further.

BEIS expects all bidders to abide by the General Data Protection Regulation when handling personal data. This includes ensuring data protection is built into the project by design and by default. BEIS expects all bidders to outline how they will ensure compliance with the GDPR for the duration of the project, as well as for any time beyond the duration of the project when personal information will be retained.

2. Aims and Objectives of the Project

Temporary mobility is an important part of and facilitator of services trade (usually referred to as Mode 4 of trade in services). In the Political Declaration agreed by HMG and the EU, the two parties committed to agreeing reciprocal mobility arrangements including covering temporary entry for business persons. The expert knowledge acquired through this project will inform HMG's plans post-Brexit in every scenario.

Research questions

The precise research questions that the contractor should answer are:

1. Based on national legislations, guidance and any other appropriate sources what are the available routes and connected requirements, costs, application processes, processing times, lead-in times, permitted activities and durations (incl. cool-off phases) for third country nationals to enter the selected EU member states for temporary mobility activities including, but not limited to, business visitors, intra-company transferees, service suppliers (both from a company to a client in a host state in which it has no operations and from a self-employed person), researchers/scientists, students and investors⁵?
 - a. Are there any preferential agreements or arrangements for specific non-EU nationals? What are the differences to the non-preferential temporary mobility systems for third country nationals?
 - b. What are the differences and similarities between the national systems? Are the similarities based on EU regulation? Can EU member states be clustered into similar systems or level of burden?
 - c. How does the Schengen system interact with member states' immigration systems⁶? How do other EU regulations, such as the blue card directive interact with member states' systems?
2. How are the identified routes and the connected requirements, costs, and permitted activities enforced in practice within each country's system?
 - a. Is there any scope and/or demonstration of flexibility in the application of the temporary mobility rules?
 - b. Which agency is responsible for the enforcement (e.g. border force) and how do they operate with reference to 2a?
 - c. What are common ways in which businesses tackle the applied barriers?

⁵ In a typical Free Trade Agreement, Mode 4 provisions for most of these categories will cover short-term business visitors, intra-corporate transferees, contractual service suppliers, independent professionals and investors. These categories may be covered through Member State immigration systems by a variety of different routes and categories.

⁶ For example, what does a Member State permit a business visitor to do on a Schengen Visa? Is a work permit required as well as a Schengen visa? For which activities?

3. Based on the (i) theoretical and (ii) applied immigration rules, what are the economic costs (cost of visa, administrative cost of obtaining visa,) and indirect costs (including added time at immigration control and delays in obtaining a visa) for (different) third country businesses?

Scope

The temporary business mobility routes that will be covered should cover temporary mobility activities including, but not limited to, business visitors, intra-company transferees, service suppliers (both from a company to a client in a host state in which it has no operations and from a self-employed person), researchers/scientists, students and investors⁷. To ensure the timely delivery of the results for key EU member states, we intend to split the geographical scope into two tiers. The selected 'tier 1' EU member states will be Germany, France, the Netherlands, Belgium, Italy, Spain, Denmark, Sweden and Poland. 'Tier 2' of the EU member states will be the remaining EU member states, excluding Ireland.⁸

The analysis of each country, summarised into a detailed report, will include three elements:

1. A desk review of the national legislative texts, government websites, trusted third party sources and information on stock will form the *review of the source material*. This will form a theoretical legal understanding of the available temporary mobility routes including associated costs, requirements and permitted activities. Legal advice should be obtained if uncertainty persists.
2. An *expert judgement* about the practical application of the national visa facilitation systems including any known workarounds for third country nationals.
3. An *economic appraisal* of the costs for an average UK business of changing from free movement of people to third country status.

We would envisage the three parts of the project to be intrinsically linked and would favour a contractor who can deliver them together. However, we would also be interested in hearing from bidders who could provide the review of the source material and the expert interviews, but don't have the necessary expertise to perform specific parts of the project, such as an economic appraisal. Generally, we invite contractors in such cases to sub-contract the part of the analysis where they lack specialisation, with any sub-contracting to be clearly declared in their bid. We would still be willing to consider bids that are not able to include the economic appraisal, but this needs to be clearly cleared in the bid and will impact the scoring.

3. Methodology

The detailed methodology will be defined by the contractor in the bid and scrutinised by BEIS before the start of the contract. However, we suggest the following broad steps:
Step 1: The contractor will start with the desk review of relevant source material of an EU member states' temporary mobility systems to answer the first research question listed above (see 2. Aims and Objectives of the Project). This will include finding the appropriate sources and mapping the available information regarding research question 1. We expect the contractor to follow a transparent and replicable methodology. This will include elements such as a framework for analysis, established search terms, proposed search terms, websites and databases to be searched, and criteria for judging quality of material. This step will build the basic theoretical understanding and lexicon of the temporary mobility routes. If uncertainty due to a lack of (robust) information persists, we advise the contractor to make use of (internal or sub-contracted) legal advice for a due diligence.⁹
Step 2: The contractor will use the findings of the desk review, i.e. visa application process, theoretical requirements, costs and permitted activities as a basis for qualitative interviews to be conducted with experts, such as visa facilitation agencies, immigration lawyers or

⁷ In a typical Free Trade Agreement, Mode 4 provisions for most of these categories will cover short-term business visitors, intra-corporate transferees, contractual service suppliers, independent professionals and investors. These categories may be covered through Member State immigration systems by a variety of different routes and categories.

⁸ We exclude Ireland from this analysis, as the common travel area (CTA) will allow unrestricted temporary mobility to Ireland.

⁹ Nonetheless, information that is poor or impossible to find are also useful findings to record and communicate, but evidence should be provided to justify the poor quality or lack of information provided when relevant.

similar. We would encourage the contractor to make use of seasoned experts in this field. The contractor is expected to build the sample. We expect the contractor to apply standard qualitative techniques – purposive sampling, development of a topic guide, transcription of responses, thematic/content analysis – and would engage BEIS social researchers to provide oversight and quality control of this aspect of the contract. In the course of the interviews, the contractor will investigate the practical application of the systems, answering research question 2 from above. We assume that the contractor will be able to obtain the required information on average in 0.5 days' worth of interviewing per country. Step 3: The contractor will use the information obtained from step 1 and 2 to estimate the cost of obtaining a visa for an average business from a selected UK sector, as specified in research question number 3. We suggest an economic appraisal using a standard cost model. This would include setting out the assumptions, itemised costs, evidence used both to identify the category of cost (e.g. direct vs. indirect) and the financial impact. The steps required to obtain the necessary visa and the according cost factors could be presented in a stylised journey. Although we are open for methodological suggestions from bidders, e.g. use of in-house model, we expect the contractor to adhere to Government Economic Service standards which are outlined in the Green Book.

Phases of the analysis

The analytical timescales will be defined by the contractor in the bid and scrutinised by BEIS before the start of the contract. However, we expect the supplier to stick to the following phases:

Phase 1 (anticipated 04/03 – 15/03/2019): In the first phase, the contractor will conduct steps 1 to 3 of the analysis looking at Germany and Italy. Upon completion of this pilot phase, the contractor will present the interim output in form of a report and presentation for the two analysed countries (without including policy advice) to relevant officials in BEIS. The report and presentation should include a summary of the findings from the review of the source material, expert interviews and economic appraisal. BEIS will then review the output and decide if the project will be extended. BEIS reserves the right to terminate the full contract or specific elements of the project, e.g. the economic appraisal, if they prove unsatisfactory.

Phase 2 (anticipated 25/03 – 12/04/2019): If BEIS decides to proceed with the project, the contractor will repeat steps 1-3 for the remaining 'tier 1' EU member states (as defined in the scope; see section of 2. Aims and Objectives). As in phase 1, upon completion of the analysis, the contractor will produce a report and presentation, summarising the outputs from the three parts of the analysis for all 'tier 1' countries (including the two pilot countries), without including policy advice. The contractor will share this interim output with BEIS by the date specified in the contract (likely early April).

Phase 3 (anticipated 12/04 – 24/05/2019): After completion of phase 2, BEIS reserves the right to terminate the contract if the outputs prove unsatisfactory or due to a change of external circumstances. If BEIS decides to continue the commission, the contractor will repeat steps 1-3 and summarise the results for the 'tier 2' EU member states in a report. The contractor will combine all findings of the project in the final report and present this (including slide pack) to relevant officials from BEIS and other government departments.

4. Deliverables

BEIS expects the bidders to provide a comprehensive overview of their bids. This should allow suppliers to showcase their understanding of the environment and objectives as well as innovative and methodologically robust approaches to tackle the analytical tasks. In particular, we would expect bidders to provide full information about:

- A staff list including CV outlining relevant expertise, number of days each person will spend on the project and which tasks, their day rate and total project costs
- Their methodological approaches for each of the steps 1-3, e.g. how the bidder plans to identify organisations/individuals to approach for the expert interviews

- Their presentational approaches for each of the steps 1-3 (e.g. summarising tables for review of source material, highlights from interviews, stylised “journeys” for economic appraisal)
- The sub-contracted parts (if any) and the name and methodological approaches of the sub-contractors
- Their preliminary project plan, including proposed timelines for the phases of analysis

BEIS reserves the right to reduce the scale of the project in light of the bids received, though the core objectives will remain. We will discuss the overall scale of the project with the contractors before the start of the project.

BEIS expects the contractor to provide a variety of (interim) outputs during and after completion of the project. We would like to comment on at least one draft version for each of the required outputs and discuss the structure with the contractor beforehand. The expected outputs will include:

- A methodology paper that clearly outlines the proposed research strategies for the three steps of the analysis. We expect a draft to comment on and a final version. Specific sections of the paper should address:
 - Methodology of the review of the source material including, but not limited to, proposed search terms, databases to be searched, quality judgement
 - Methodology for the qualitative interviews including, but not limited to, sampling strategy, topic guide, etc.
 - Methodology of the economic appraisal including, but not limited to, assumptions, itemised cost, evidence to identify cost categories (e.g. direct vs indirect) and financial impact
- Fortnightly written updates (2-page summary sent via email) on emerging findings and project progress
- Interim output for analysis of Germany and Italy including
 - Dataset of the review of the source material
 - Anonymised transcripts of expert interviews
 - Draft report to comment on and final report including results from review of source material, expert interviews and economic appraisal
- Interim output for analysis of tier 1 EU member states (if the project is extended to this phase)
 - Dataset of the review of the source material
 - Anonymised transcripts of expert interviews
 - Draft report to comment on (including structure) and final report including results from review of source material, expert interviews and economic appraisal
- Final quality assured output for all countries in tier 1 and 2 of EU member states (if the project is extended to this phase)
 - Dataset of the review of the source material
 - Anonymised transcripts of expert interviews
 - Draft report¹⁰ to comment on (including structure) and final report including results from reviews of source material, expert interviews, and economic appraisal
- Presentation of the analysis using PowerPoint slides summarising the key findings, including draft slides to comment on and final version.

¹⁰ BEIS will provide an example of an appropriate published BEIS report to the successful contractor as a quality guideline.

- **Appendix B – Tender Response**

PROJ1.1 Approach

This section summarises the approach that Ecorys, in partnership with NIESR, intend to use to carry out this assignment. The first two specific objectives of this research, which relate to an overview of all available temporary mobility routes for third country nationals (TCNs) and a review of how these routes are implemented in practice and used by businesses, will be analysed through:

- **Task 1.** A desk review of EU-wide and national sources. We will rely on our in-house lawyer Gillian Kelly to advise on the interpretation of this material.
- **Task 2.** Interviews, which will help us to form an expert judgement about the practical application of temporary mobility requirements for TCNs, and inform any gaps we had from task 1.

The third specific objective, which requires an estimation of annual administrative and visa costs to a typical business in selected UK sectors will be modelled through:

- **Task 3.** A cost analysis for an average UK business of changing from free movement of people to third country status.

This methodology will be repeated three times across each of the three steps of this research (if the research is continued after step 1) and will provide a fine-grained review of EU member States' visa systems with regard to existing temporary mobility routes for TCNs.

Steps of the project

Step 1 'Tier 1' pilot The first step of this project is based on a pilot analysis of Germany and Italy, as specified by BEIS, in order to allow BEIS to review the quality of the delivered work and ensure that the results are in line with BEIS's expectations.

Step 2 Extension to other 'tier 1' countries Pending BEIS' approval, the analysis will be extended to the remaining 'tier 1' countries, i.e. France, the Netherlands, Belgium, Spain, Denmark, Sweden and Poland.

Step 3 Extension of analysis to 'tier 2' countries Pending BEIS approval, the analysis will be extended to 'tier 2' countries, i.e. the remaining EU Member States, except Ireland, which has a special agreement with the UK.

Task 1: Rapid review

Firstly, we will conduct a rapid review of relevant source material of EU Member States' temporary mobility systems to answer the first research question as part of our desk research.

Developing a search protocol: We will develop a search protocol before undertaking the desk review in order to ensure that our methodology is transparent and reliable. Our search protocol will explain a framework of analysis, established search terms, a general overview of websites and databases, and quality criteria in place. The search protocol will be included in the methodology document for approval by BEIS. This search protocol will help us to refine the scope of our assignment through key definitions, search terms and time limits.

We anticipate that the scope of our assignment will be limited to national legislation, regulation or other guidance documentation from select EU host Member States, which is relevant to the individual entry of a TCN with a relevance to a UK business. We will concentrate on national-level legislation: we will specify when devolved competencies could

result in variation but will not cover each of the decentralised regulations (unless discussed and agreed with BEIS). We will also not cover temporary mobility covered by bilateral agreements, which do not include the UK. We anticipate that some of our key search terms will include the temporary mobility of TCNs, mode4 provisions, or circular mobility. We would propose to set the time limit on our search as 2016-2019 to cover all applicable legislation or regulation in place. The search

protocol will also explain how we quality assure our data. We will also include reports and data published by official Governmental sources and agencies, or peer reviewed publications.

Screen relevant sources: We will then screen relevant sources at the EU and national level. At EU level, we will examine sources such as the **European Migration Network (EMN)** from the Migration and Home Affairs Division of the European Commission¹, which provides comprehensive information on national legislation.

Some of the relevant publications from the EMN include:

- An information leaflet related to the intra-EU mobility of TCNs².
- A focused report series related to admitting TCNs for business purposes for 11 Member States (excluding Italy and Germany) in 2014³.
- Ad-hoc queries on relevant topics, such as the application of the Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of TCN for the purposes of EU Blue Card⁴; covering the requirements related to a query regarding policies for circular migration and temporary migration labour schemes⁵ or the recruitment and admission of students who are third country nationals for example⁶.
- Country factsheets, which provides updates regarding relevant national changes in legislation.

In addition, we will review the pool of relevant **EU regulations and directives** related to migration, in order to question 1c of the Terms of Reference. Our legal expert, Gillian Kelly, will lead this work. The main Directives in this area are:

- Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services.
- 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.
- Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.
- Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.
- Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third- country nationals for the purposes of highly qualified employment ('Blue Card Directive').
- Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

¹ https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network_en

² https://ec.europa.eu/home-affairs/sites/homeaffairs/files/doc_centre/immigration/docs/studies/emn_inform_intra_eu_mobilitytcn_july_013.pdf

³ Example for Germany is included here: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn_studies/economic-migration/17a_lithuania_business_study_english.pdf

⁴ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/2018.1317_council_directive_200950ec_of_25_may_2009_on_the_conditions.pdf

⁵ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/economic-migration/576_emn_aHQ_on_policies_for_circular_migration_en.pdf

⁶ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/2017.1189_ee_aHQ_on_retaining_tcn_students.pdf

We have already conducted preliminary research into how these Directives have been transposed into national legislation in Germany and Italy, which we can share with BEIS straight away if we are awarded this contract.

There are also a number of further EU legal sources (including legal articles, case law and legislation) relating to the mobility of third country nationals (TCNs) within the EU. Some of the most relevant examples are listed below. Examples of legal articles and books are:

- Lucia Della Torre & Tesseltje de Lange (2018), '[The 'importance of staying put': third country nationals' limited intra-EU mobility rights](#)', *Journal of Ethnic and Migration Studies*, 44:9.
- Agne Vaitkeviciute (2017), '[Migration and mobility of third-country researchers and students in the European Union and Switzerland](#)', *Jusletter* 13. Februar 2017
- Sara Iglesias (2015), '[Free Movement Law within the European Union: Workers, Citizens and Third-Country Nationals](#)', *The Palgrave Handbook of International Labour Migration*, pp.361-381.
- Richard Ball (2013), 'The Legitimacy of The European Union through Legal Rationality: Free Movement of Third Country Nationals', London: Routledge.
- Anja Wiesbrock (2010), '[Free Movement of Third-Country Nationals in the European Union: The Illusion of Inclusion](#)', *European Law Review* 35(4).

Other sources include reports from the EU institutions that discuss the issue of posted workers. These would include for example, the European Parliament's 2016 report on the posted workers Directive⁷.

CJEU Case law: In the 2000s, the European Commission engaged the Court of Justice of the European Union (CJEU) at several instances to ensure that Member States did not impose barriers for posted TCNs. Examples of the most relevant cases are described below:

- Case C-445/03 *Commission v Luxembourg, posted workers I* [2004] ECR I-10191: the CJEU held that Luxembourg unduly restricted the service providers' free movement by imposing a work permit on their personnel.
- Case C-244/04, *Commission v Germany* [2006] ECR I-00885: the CJEU condemned Germany for requiring TCN posted workers to be at least one year employed with the service provider before they would be granted an entry and work visa. In 2006, the Court ruled that this was in violation of Article 56 of the Treaty on the Functioning of the European Union (TFEU) (on the free movement of services).
- Case C-168/04, *Commission v Austria, posted workers II* [2006] ECR I-9041: The CJEU condemned Austria, which required posted workers to obtain both an entry visa and an 'EU posting confirmation'.

National sources: As a large part of national legislation is influenced by EU law, we will look at how Member States have transposed relevant EU Directives in order to gain a general overview of the state of national legislation/guidance in reply to question 1.c of the Terms of Reference. We will then cover the broader national legislation, regulation and guidance in conformity to question blocks 1 and 2 of the tender specifications.

We will then review a broader set of national legislation, regulation and guidance, starting with the websites of the relevant national authority. For example, in Germany and Italy, this includes the Ministries of Foreign Affairs and International Cooperation.

⁷http://www.europarl.europa.eu/RegData/etudes/STUD/2016/579001/IPOL_STU%282016%29579001_EN.pdf

We will use the data gathered during this stage to create a dataset, using a template that will summarise information on all the indicators mentioned in the research questions for relevant individuals, including business visitors, intra-company transferees, service suppliers (both from a company to a client in a host state in which it has no operation and from a self-employed person), researchers/scientists, students and investors, as specified in section 4.2 of the tender specifications.

Our quality assurance reviewer Andrea Broughton will review the material before we forward it to BEIS. Further, we will only use information which has been published by an official source, or peer reviewed to ensure high quality standards.

Task 2: Qualitative interviews to be conducted with experts

In accordance with the ToR, we will undertake a number of interviews with experts. Below is a preliminary list of experts we could consider for these interviews: this list would be refined in the light of our desk research findings, as well as our expert judgement (purposive sampling). We intend to cover immigration lawyers, representatives from the visa facilitation agencies and seasoned experts in the field of labour mobility of TCNs in the EU. We will communicate the finalised list of experts to interview to BEIS for approval. Overall, we plan to carry out around 3 interviews per country during this stage.

Immigration lawyers: We propose to contact members of the [European immigration lawyers network \(EILN\)](#). EILN has members in a number of the selected 'tier 1' EU Member States (namely Germany, France, the Netherlands, Belgium, Italy and Spain). For the remaining selected 'tier 1' EU Member States, we propose immigration lawyers who have extensive knowledge and experience of labour mobility of TCNs in the EU. We also propose a list of UK lawyers, with experience in Brexit issues and TCN labour mobility. The table below gives details of proposed immigration lawyers.

Lawyer	Member State	Tier
• Céline Verbrouck, Altea Avocats	Belgium	1
• Mumtaz Immigration services Denmark	Denmark	1
• Ann Cary Dana Avocat	France	1
• Karl Waheed Karl Waheed Avocats		
• Daniela K. Boehme, geb. Wendler Rechtsanwältin	Germany	1
• Thomas Oberhäuser Rechtsanwalt		
• Avv. Ettore Berretta, Studio Legale Associato	Italy	1
• Dudkowiak & Kopec Law Firm	Poland	1
• Andrés de Ceballo abogado	Spain	1
• White & Case LLP	Sweden	1

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<ul style="list-style-type: none"> Bram van Melle / Thomas van Houwelingen, Everaert Advocaten 	The Netherlands	1
<ul style="list-style-type: none"> Jelle A. Kroes, Kroes Advocaten Immigration Lawyers 		
<ul style="list-style-type: none"> Lewis Silkin Lawyers (Immigration and Global Mobility Team) 	UK	N/A
<ul style="list-style-type: none"> Laura Devine Immigration Lawyers 		

Visa Facilitation Agencies representatives: Most of the visa facilitation services in Member States are carried out via the national Ministry of Foreign Affairs/Immigration Department. We propose to conduct interviews with representatives working on visa issuing in each of the 'tier 1' EU Member States. An indicative list from which Department/Ministry such representatives may come from is included below.

Visa Facilitation Agency	Member State
<ul style="list-style-type: none"> The Belgian Government's Foreign Office 	Belgium
<ul style="list-style-type: none"> Ministry of Foreign Affairs of Denmark 	Denmark
<ul style="list-style-type: none"> Ministry of Immigration, Integration, National Identity and Codevelopment 	France
<ul style="list-style-type: none"> Federal Foreign Office 	Germany
<ul style="list-style-type: none"> Federal Ministry of Labour and Social Affairs (BMAS) 	
<ul style="list-style-type: none"> Federal Ministry of the Interior (BMI) 	
<ul style="list-style-type: none"> Ministry of Foreign Affairs and International Cooperation 	Italy
<ul style="list-style-type: none"> Ministry of Foreign Affairs of the Republic of Poland 	Poland
<ul style="list-style-type: none"> Ministry of Foreign Affairs, European Union and Cooperation 	Spain
<ul style="list-style-type: none"> Swedish Migration Agency 	Sweden
<ul style="list-style-type: none"> Ministry of Justice and Security- Immigration and Naturalisation Service 	The Netherlands

Seasoned Experts: We also propose to conduct interviews with a number of seasoned experts in the field of labour mobility of TCNs in the EU. Some potential stakeholders are listed below. We aim to cover all 'tier 1' EU Member States also.

Names/ expertise area	Member State	Tier
• [REDACTED]	[REDACTED]	1

• [REDACTED]	■	■
[REDACTED]		
■ [REDACTED]	EU	All
[REDACTED]		

Developing a topic guide: These interviews will be carried out on a semi-structured basis, using a topic guide that we will agree with BEIS. The topic guide will concentrate on:

- Filling in information gaps, especially related to the data we gathered for research question block 1

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- Helping us to understand the *de facto* practice in the EU Member State being investigated, which covers, as specified by research question block 2:
- How the mobility routes and connected requirements are enforced
- The scope for the demonstration of flexibility
- The agencies responsible
- Common ways in which businesses tackle applied barriers
- Understanding recent relevant legislative or regulatory changes
- Guiding us toward relevant sources of information that could inform our economic appraisal (task 3).

Conducting the interviews: As a result of its long-standing track record in conducting studies and evaluations in all EU Member States, Ecorys has a wide network of EU national experts on labour mobility. Our team of national experts will conduct three qualitative phone interviews per Member State with experts. We envisage that these interviews will be conducted by phone, although some could be conducted on a face-to-face basis, depending on circumstances. The interviews will be recorded, with the interviewee's permission, and then transcribed (interviews carried out in languages other than English will be summarised in English). This will then enable us to carry out content and thematic analysis of the data collected by the interviews. We may consider using qualitative analysis software to support this phase, such as atlas.ti, for example.

We will comply with the General Data Protection Regulation (GDPR) when dealing with the data from the interviews. Ecorys and NIESR have formal GDPR policies, to which they adhere in all their project work. These are available upon request. Throughout this process of carrying out interviews, we will be in regular contact with BEIS in order to ensure general oversight and quality control.

Task 3: Estimation of the costs of obtaining a visa

This research strand will draw on the desk review and consultations with experts to develop reliable estimates of the cost of temporary mobility arrangements to the average UK business within a selected sector. The specific aims of the appraisal are to:

- Provide cost estimates under for a range of temporary mobility routes;
- Map the costs and activities associated with temporary mobility routes;
- Provide a means to identify opportunities to minimise costs incurred by business.

Our approach is designed to integrate with the other research strands and maximise their value. We would be keen to refine and agree all elements of the economic appraisal at the project inception meeting.

Selection of sector for economic appraisal

As indicated in the invitation to tender, the economic appraisal will focus on one sector – this is necessary to ensure the cost model is developed in sufficient depth to arrive at reliable cost estimates. Regarding the selection of a sector, key considerations will include the number and type of organisations affected (i.e. the degree to which the findings can be applied to the wider sector and, potentially, other sectors) and access to sector experts (to develop and test our assumptions). At this stage, we suggest focussing on a sector with a particular reliance on exports to the European Union. Based on recent analysis by the Bank of England, potential sectors for consideration include: finance; transport; professional services (or a sub-sector within); other manufacturing; oil and gas; and chemicals.

Cost model

In the following sections, we provide an overview of the steps that will be followed to develop a comprehensive and transparent model to allow reliable cost estimates to be made. The

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model will be developed based on OECD/EC guidance and Green Book principles. The model will be an extension of the Standard Cost Model (used to estimate administrative burdens) with flexibility to account for other costs (discussed below) associated with temporary mobility routes.

Step 1: Initial mapping of costs and activities. The desk review (see above) will provide us with the necessary information to map the key costs and activities associated with different temporary mobility routes, and the underpinning assumptions, for a selection of Member States. For the Member States (or groups, where similar systems exist) we anticipate the different scenarios will include, at least, a 'default' position (where visa costs/processes are adhered to in full) and a 'preferential' position. The latter would be based on evidence of Member States streamlining/subsidising temporary mobility routes for specific countries and would include consideration for potential Schengen style arrangements.

The identified costs/activities will be mapped on to timelines starting at the hypothetical point of any changes to the current free movement of people arrangements to employees arriving at the country where business is being undertaken (to account for potential delays stemming from visa applications and border control). Recognising potential differences in processes and available resources, we will explore the feasibility of developing separate timelines for large (i.e. multinational) organisations, and small and medium sized enterprises (SMEs).

We envisage costs will fall under the following categories and, if necessary, would expand these as the project evolves: (a) one-off costs: for example, consultancy and/or legal advice required; (b) direct costs: visa costs and, potentially, charges if visa applications are outsourced or a 'checking' service used. The latter two may be important to SMEs that may not have the resources internally; (c) admin costs/burden: the resource (time multiplied by on-cost salaries) required to facilitate temporary mobility arrangements, per activity. For example, required employee background checks and visa applications; and (d) indirect costs: costs accruing from visa and/or border control delays. This will be estimated based on the average cost such delays multiplied by the likelihood of their occurrence.

Step 2: Refinement and validation of costs, activities and assumptions. The outputs from Step 1 will provide a strong basis for the planned consultations with experts (see the

section above). We will refine and validate the costs and activities identified through structured consultation to test the initial assumptions and ensure no key activities/costs are overlooked. This will include RAG rating the final set of assumptions, recognising the potential impact of external events/factors. This step will ensure a sound theoretical underpinning to derive cost estimates (Step 3).

Step 3: Cost modelling. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Step 4: Reporting. A plain English overview of the economic appraisal methodology and key assumptions/limitations will be provided in the main report alongside headline average costs and visualisations of relevant cost/activity timelines. Further technical detail on the methodology and assumptions, and a cost matrix, providing estimated costs for the different components across different Member States / scenarios (see step 3), will be provided in an annex.

We will deliver the outputs as specified in the ToR: namely a methodology paper, based on the guidelines in the ToR, fortnightly updates via email, two interim reports (one for Germany and Italy and one for other Tier 1 countries if relevant), a final report, if relevant, and a set of PowerPoint slides. We will use the report template communicated by BEIS to compile the final report.

Methodological challenges

The scale and timing of this assignment yields three methodological challenges, each of which we are confident that we can address:

Challenge 1: Scale of information: the first challenge relates to the scale of information that we need to obtain over a relatively short time period. We have to collect data for 228 data units at the pilot stage to cover question blocks 1 and 2 only (19 questions for 6 categories of individuals across two EU Member States). Extended to 26 Member States, we would need have to collect data for 2,964 points, over a period of 11 weeks, a period which also includes reporting. The information may also be of a fairly complex nature, and disaggregated across several bodies of legislation or guidance.

- **Solution 1.1:** We will rely on our network of country experts across EU Member States to gather complex data quickly. These experts understand the national complexities, speak the national language and can be mobilised at short notice. We are confident in the ability of these experts to deliver at short notice, because we have worked with them for many years.
- **Solution 1.2:** The research team and the BEIS team will discuss the feasibility of extending the exercise after the pilot stage, as specified in the Terms of reference, and based on the quality of information analysed in the pilot.

Challenge 2: Availability of information: we may also encounter gaps in information in certain Member States.

- **Solution 2.1:** As specified in the ToR, encountering information gaps could be a finding in itself, and we will report these gaps to BEIS.

Challenge 3: We will have to make assumptions for our economic estimate based on imperfect information. For example, we will have to estimate how many individuals relevant to UK businesses would be affected by the higher costs of becoming TCNS. We do not know exactly how many individuals currently travel to EU Member States, given the freedom of movement which has been applicable so far. As is standard practice, we will rely on confidence intervals to reflect the uncertainty we have.

We will engage the BEIS social research team throughout the project, to quality control the interviews as well as to comment on at least one draft version for each of the required output. Our drafts will also be reviewed and quality assured following the ISO standards by our Project Director, Andrea Broughton, who will also be responsible for the overall quality of the deliverables. Details of the resources that we will use for this work are contained in section PROJ1.2.

We will work with BEIS to disseminate findings from this project in order to stimulate the policy debate. Ecorys has a dedicated communications team, which we would instruct to advertise the report through social media as well as other online channels. Our research team also remains available to take part in relevant conferences and events in order to disseminate and discuss the findings of this research.

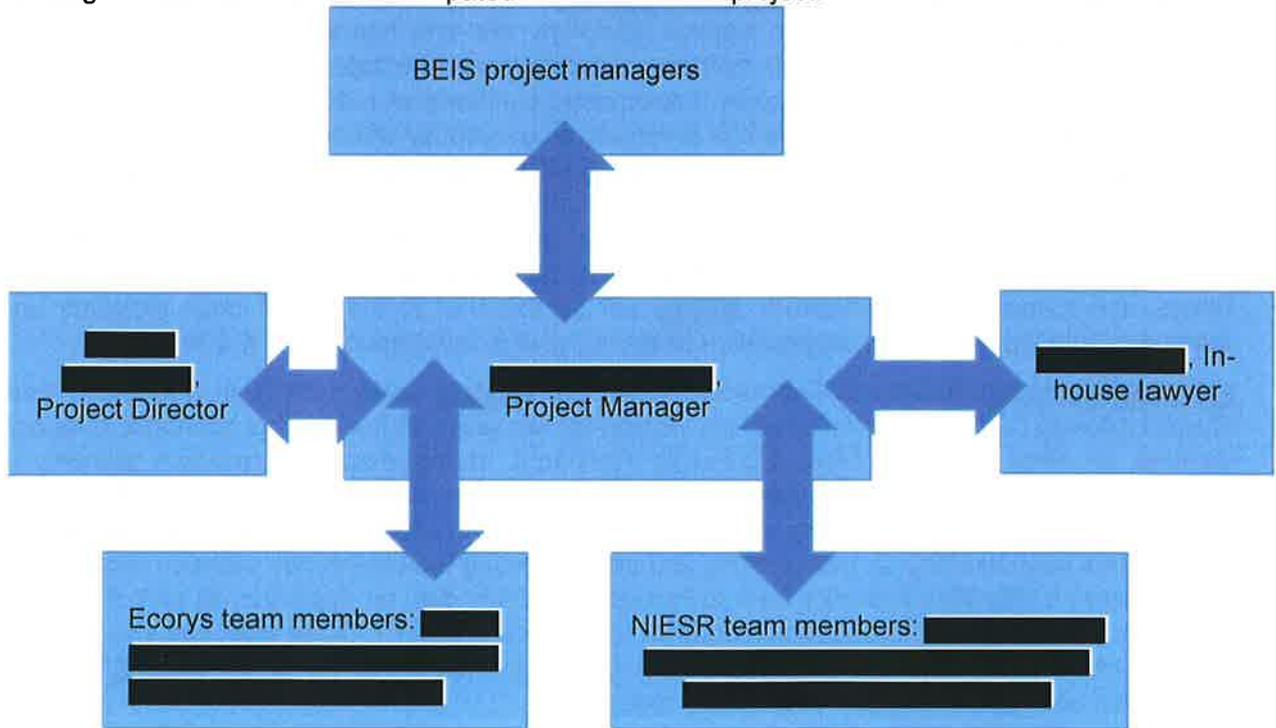
PROJ1.2 Staff to Deliver

Team language capacity by country

Pilot countries		Other tier 1 countries		Tier 2 countries
Germany	[REDACTED]	France	[REDACTED]	The coverage of these countries will be discussed with BEIS if the project is extended. We are confident that we can cover all necessary languages from our network of experts in EU Member States.
	[REDACTED]		[REDACTED]	
Italy	[REDACTED]	Netherlands	Ecorys NL	
	[REDACTED]		[REDACTED]	
	[REDACTED]	Belgium	Ecorys NL	
	[REDACTED]	Spain	[REDACTED]	
		[REDACTED]	[REDACTED]	
		Poland	Ecorys Poland	

Workflow

The figure below sets out our anticipated workflow for this project.



PROJ1.3 Understanding the Environment

EU mobility policy depends on each Member State’s legal framework and all Member States have different visa systems in place to regulate third country temporary mobility routes. A different conceptualisation of temporary and circular migration has led to a variety of policies, legislations and practices. Temporary migration often refers to a single movement and limited stay, whilst circular migration applies to back-and-forth movement between the EU and the country of origin, which is enabled by, for example, simplified admission/re-entry procedures for this type of migrant.

On 29 March 2019, it is planned that the UK will leave the EU. In the absence of any negotiated settlement covering mobility, UK nationals will be treated by countries within the Schengen area as

third country nationals (TCNs). Some individuals from non-EU countries are required to hold a visa when travelling to the Schengen Area while others are exempt. Common lists are set out in Regulation (EU) 2018/1806 and usually a short stay visa issued by one of the Schengen States allows its holder to move up to 90 days in any 180-day period. For longer stay visas, rules remain subject to national procedures. As a general rule, a Schengen visa allows an individual to cross any Schengen borders; in some cases a short-stay visa may be supported by additional documentation such as an invitation letter, proof of lodging, return or round-trip ticket. Therefore a systematic review of all EU Member States' entry requirements and associated costs is crucial for UK business, particularly because goods and service trades as well as investments are facilitated by temporary mobility.

Different systems in place to regulate third country national mobility include permitted activities and duration (including cool-off periods), professional requirements and visa costs. Some non- EU nationals have preferential agreements or arrangements. The majority of EU Member States have bilateral cooperation agreements and projects in place with third countries, which often operate in relation to specific groups such as highly-skilled workers, seasonal workers, trainees and students. Examples of cooperation with third countries include: youth mobility agreements, mobility partnerships, education migration, guest workers agreements, and agreements on seasonal workers. Overall, Member States are cooperating with a range of different countries, both developed and developing.

Portability of pension and social security rights as well as registration of temporary absence from Member States are strategies used to encourage temporary migration.¹ The European Intra-Corporate Transferees Directive (ICT directive) 2014/66/EU of the European Parliament and of the Council of 15 May 2014, for example, outlines the conditions of entry and residence for TCNs moving to the EU under an intra-company transfer (ICT). This Directive has been implemented by the majority of EU countries and it allows intra-corporate transferees to be exempt from Schengen Visa obligation and to enter stay and work in other Member States without the need to apply for another work permit (up to 90 days).²

The **general objective** of this project is to review EU member states' visa systems with regard to existing temporary mobility routes for third country nationals³. This review will lead to a fine-grained understanding of EU Member States visa systems for third country nationals. The project will inform the HMG's plans post-Brexit in every scenario, and the detailed positions for negotiated and non-negotiated outcomes related to the requirements and costs that UK businesses are likely to face when entering the EU. The specific objectives are to: acquire an overview of all available temporary mobility routes for third country nationals; understand how these routes are implemented in practice and used by businesses; and estimate the direct and indirect costs of third country entry for UK businesses.

The research questions reflect these three objectives:

- **Question block 1** relates to identifying available routes and connected requirements for TCNs
- **Question block 2** explores how these routes and requirements are enforced
- **Question block 3** looks at the costs of entry for TCN businesses

These research questions show the breadth of data that this assignment covers, in a relatively short time. The research questions pertain to data gathering (1, 1a, 2, 2a-2c); while others, including 1.b, 1.c, and 3, are analytical. We believe that the team we have assembled for this work will be able to deliver this project to a high standard, both in terms of data gathering and data analysis. The team contains individuals experienced in research, cost analysis, legal analysis and reporting. Details of the individual team members are contained in the Staff to Deliver section of our proposal. Below, we give a short overview of the relevant experience of Ecorys and NIESR.

Ecorys is one of Europe's foremost policy research organisations and a leading supplier of consultancy services and project management to national, international and supra-national organisations from the public, private and not-for-profit sectors. At Ecorys we aim to deliver benefit to society through the work we do. Building on a history spanning more than 85 years, we value our independence, integrity and partnerships. We operate across many levels; from the local to the international. At the European level we have 560 staff and 16 permanent offices in 11 countries. Ecorys' expertise covers labour markets and employment; social policy, education, health and governance; business, enterprise and innovation; and youth and social inclusion. Ecorys has extensive experience in working on European projects addressing employment conditions, legislation evaluation, social dialogue, management of restructuring, and labour market analyses. We have a multi-disciplinary team of researchers, which includes economists as well as experts in qualitative and quantitative research and analysis.

NIESR is widely respected for its high quality, policy relevant and influential research on immigration. Its research includes the economic, labour market and social impacts of migration and the effectiveness of immigration policies. NIESR research on immigration has been commissioned and funded by a wide range of organisations, including Government Departments and the Migration Advisory Committee, by foundations such as the Leverhulme Trust, Barrow Cadbury, Unbound Philanthropy and the Paul Hamlyn Foundation. Our research for the MAC has been strongly focused on policy and has covered Tier 1 migration as well as impacts of Tier 2 on services such as health and education. NIESR has delivered a programme of work on the implications of Brexit for future immigration. This research has involved looking at immigration policies in place for third country nationals in other European countries. As well as conducting research on this issue, NIESR has held a series of roundtables and dissemination events to promote discussion about new immigration policies.

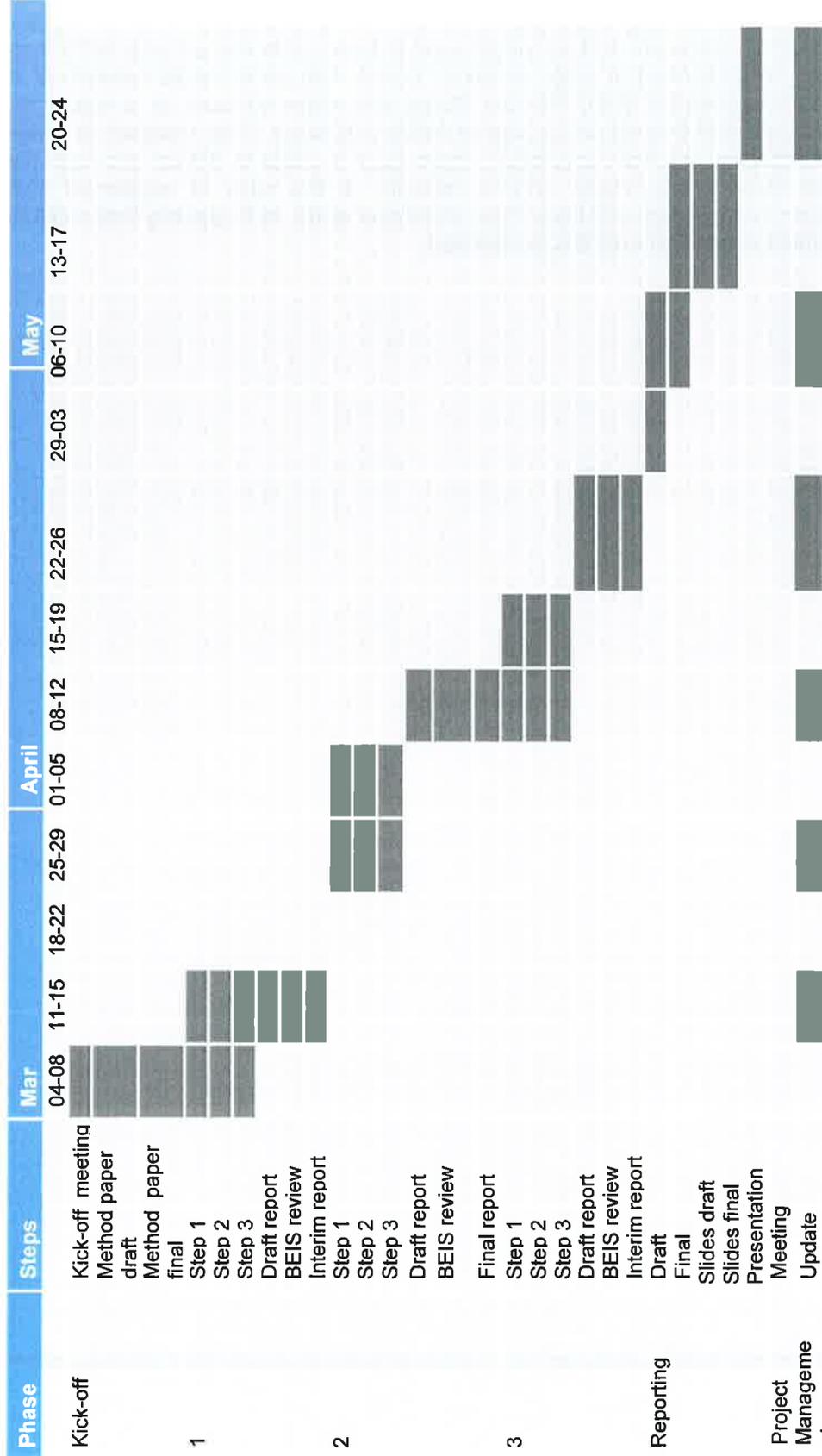
PROJ1.4 Project Plan and Timescales

The table below summarises the project plan by phase of analysis. The timetable is tight but achievable. In order to ensure that this timetable does not slip, the project manager, Monica Andriescu, will be in regular contact with BEIS and will therefore be able to flag up any potential problems that may lead to timetable slippage. We have included opportunities for regular meetings with BEIS, although the project manager will be available at any time to liaise with BEIS on email, on the phone or in person. Other risks and our strategies to mitigate them are set out below:

- **Difficulties in finding the right type of information in the desk review.** This is unlikely, given the breadth of information that exists on this topic. Our team is composed of highly experienced researchers and our legal advisor will be able to guide this part of the research. The core team can also cover all the relevant languages in the pilot and the Tier 1 research.
- **Difficulties in coordinating the team across two organisations.** Ecorys and NIESR have complementary skills and experience, which we are confident will ensure the successful delivery of this project. There are a number of links between the two teams, as individual members on both sides have worked together closely in the past. We therefore do not foresee any particular difficulties in coordinating the team. Nevertheless, the project manager will be in regular contact with [REDACTED], who will be the lead from NIESR's side, in order to ensure that cooperation is smooth.
- **Difficulties in gaining access to interviewees.** Finding and gaining the agreement of interviewees can be difficult. However, we will build on the research that we have already carried out for this proposal in terms of identifying key experts for this stage. We will share the list of potential interviewees on an ongoing basis and consult regularly with our national experts in order to identify appropriate interviews. A supporting letter from BEIS may also aid this process.

- **Difficulties in identifying themes and marshalling the material.** This is a technical subject and there will no doubt be many complexities in the content of the material that we will gather. Making a story out of the many strands of this research may be challenging. However, we believe that we have the technical expertise necessary, combined with a highly experienced writing and editorial team, to be able to present the key themes and highlights of this material in a clear and transparent manner.
- **Difficulties in finding information for all Tier 2 countries.** This will be a challenging phase of the research, and we would want to be in close contact with BEIS throughout this phase. As mentioned in other sections, Ecorys has an EU-wide network of experienced researchers based in all EU Member States, with whom we work on a regular basis, and so we are confident that we will be able to deliver this stage of the research to a high standard.
- **Staff absence.** We have a relatively large team in place to deliver this work and therefore do not foresee any issues around capacity. In the case of unplanned staff absence, however, both Ecorys and Niesr have significant extra staff capacity that could be deployed onto this research, should this be needed.

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- Annex A General Data Protection Regulations

1. Data Protection

The Supplier will be compliant with the Data Protection Legislation, as defined in the terms and conditions applying to this opportunity. A guide to The General Data Protection Regulation published by the Information Commissioner's Office can be found [here](#).

The only processing that the Supplier is authorised to do is listed in Annex 1 by the Contracting Authority and may not be determined by the Supplier.

Annex 1: Processing, Personal Data and Data Subjects

(1) The contact details of the Contracting Authority Data Protection Officer are:

The Contracting Authority Data Protection Officer
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Email: dataprotection@beis.gov.uk

(2) The contact details of the Supplier Data Protection Officer (or if not applicable, details of the person responsible for [REDACTED])

(3) The Supplier shall comply with any further written instructions with respect to processing by the Contracting Authority.

(4) Any such further instructions shall be incorporated into this Annex 1.

Description	Details
Subject matter of the processing	<p>The part of the research commission regarding expert interviews aims to gather intelligence on the practical application of EU member states' temporary mobility systems for third country nationals, in addition to a review of text-based source material. This will be achieved through interviewing a selected sample of experienced professionals in the field.</p> <p>The supplier will be required to draw from publicly available information or company-internal sources to create a sample of experts for the interviews. BEIS will not share any contacts with the supplier.</p> <p>The individuals will not be asked any questions</p>

	<p>related to their person in the interviews but instead will be giving information about EU member states' temporary mobility systems for third country nationals.</p> <p>Whilst the majority of the information that experts in a professional capacity provide in the interviews will not be personal data, we expect the Supplier to treat all data as such (as there is a risk that some experts will speak (for parts of the interview) in a private capacity).</p> <p>The processing regarding these interviews will include the names and business contacts of the interviewed expert professional and the Supplier.</p> <p>After the interviewing is completed, the Supplier will compile a data set of experts' anonymised responses. The Supplier will use this in conjunction with further analysis to write a report of research findings (to be shared with the Commissioning authority).</p> <p>The processing of names and business contact details of staff of both the Contracting Authority and the Supplier and any sub-contractors will be necessary to deliver the Services exchanged during the course of the Contract, and to undertake Contract and performance management.</p> <p>The Contract itself will include the names and business contact details of staff of both the Contracting Authority and the Supplier and any sub-contractors involved in managing the Contract.</p>
Duration of the processing	<p>Processing will take place from Monday, 4th March 2019 for the Commencement of the Contract plus a duration of supplier retention period of 3 months. The Contract will definitely end on Friday, 24th May 2019 but may be terminated earlier.</p>
Nature and purposes of the processing	<p>The nature of the processing will include collection, recording, storage, retrieval, consultation, use, disclosure by transmission, restriction, erasure or destruction of data regarding the expert interviews.</p> <p>Processing takes place for the purposes of</p>

	<p>research in the context of a wider research commission on EU member states' temporary mobility systems for third country nationals.</p> <p>The nature of processing will include the storage and use of names and business contact details of staff of both the Contracting Authority and the Supplier as necessary to deliver the Services and to undertake the Contract and performance management. The Contract itself will include the names and business contact details of staff of both the Contracting Authority and the Supplier and any sub-contractors involved in managing the Contract.</p>
<p>Type of Personal Data</p>	<p>The Supplier will process names, job titles, and business contact details of the experts before the interviews. In some interviews the Supplier may also process the personal opinion of the interviewed experts.</p> <p>Other personal data will include names, business telephone numbers and email addresses, office location and position of staff of both the Contracting Authority and the Supplier and any sub-contractors as necessary to deliver the Services and to undertake the Contract and performance management. The Contract itself will include the names and business contact details of staff of both the Contracting Authority and the Supplier and any sub-contractors involved in managing the Contract.</p>
<p>Categories of Data Subject</p>	<p>Individuals that are interviewed by the Supplier in expert interviews.</p> <p>Staff of the Contracting Authority and the Supplier and any sub-contractors, including where those employees are named within the Contract itself or involved within Contract management.</p>
<p>Plan for return and destruction of the data once the processing is complete</p> <p>UNLESS requirement under European Union or European member state law to preserve that type of</p>	<p>The Personal Data will be retained by the Supplier for a 3 months retention period, following which the Supplier will delete the Personal Data and erase the Personal Data from any computers, storage devices and storage media that are to be retained by the Supplier after the expiry of the Contract and the Supplier retention period. The Supplier will certify to the Contracting Authority that it has completed such</p>

data	deletion. Where Personal Data is contained within the Contract documentation, this will be retained in line with the Department's privacy notice found within the Procurement Documents.
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The nature of the service will require the Supplier to collect personal data directly from data subjects. The Supplier will use the agreed Contracting Authority privacy notice as instructed by the Contracting Authority.