



Home Office consultation – *A Fair Pathway to Settlement*
(*Earned Status consultation*)

Unite the Union

Response

February 2026

About you

Unite is the UK and Ireland's largest trade union, with over 1.2 million members across all sectors of the economy, including health, transport, manufacturing, financial services, food and agriculture, information technology, service industries, construction, energy and utilities, local government and the not-for-profit sector. Unite also organises in the community, enabling those not in employment to join our union.

Equality is a pivotal element of Unite's comprehensive agenda, which encompasses job security, equitable pay, and favourable working conditions. To ensure that these values are actively promoted and upheld, we have established a dedicated equality department. This department supervises multiple Equality Committees, each designed to address the specific needs and challenges faced by various groups, including women, individuals with disabilities, members of the LGBT+ committee, as well as Black and Asian Ethnic Minorities (BAEM) groups, in addition to young workers. These committees play an essential role in advocating for inclusive practices and fostering an environment where every member can thrive, thereby enhancing the overall integrity and fairness of our organisation.

Unite has consistently championed equal opportunities, striving to eliminate barriers in the workplace and across all facets of society. As part of our commitment to this mission, we have conducted a thorough consultation process to gather comprehensive insights and concerns from our members working across all sectors of industry. Through this effort, we aim to amplify the voices of underrepresented groups and ensure their experiences shape our advocacy for a fairer, more inclusive environment for everyone.

Given our representation of over 1.2 million workers across sectors heavily reliant on migrant labour, Unite is uniquely placed to assess the workplace implications of these reforms. Our submission examines the proposed changes to earned settlement and includes recommendations which we believe, based on our considerable knowledge of workplaces and industries, will protect jobs, the economy and the wider community.

Executive Summary

Unite strongly opposes the proposed Earned Settlement reforms. While framed as a system to reward “long-term contribution”, the proposals would, in practice, extend insecurity, deepen inequality, and entrench a two-tier workforce. Across all pillars (***Character, Integration, Contribution, Residence, and Equality/Exemptions***), Unite finds the proposals punitive, discriminatory, and incompatible with safeguarding, employment rights, and equality law.

Overall framework and retrospective application

The consultation proposes a standard **10year qualifying period for settlement**. However, multiple mechanisms within the framework, such as earnings thresholds, language requirements, use of public funds, compliance penalties, and route-based exclusions, would extend routes far beyond 10 years for many migrants. For some groups, particularly low-paid workers and those with periods of irregular status, the combined effect of penalties

could result in **15, 20, or up to 30 years**, and in some cases, permanent exclusion from settlement.

Unite is gravely concerned about proposals to apply these changes **retrospectively**. Consultation materials and ministerial briefings are inconsistent about whether this applies to **migrants who entered the UK in 2010 or 2021**, creating serious legal uncertainty. In either case, retrospective application would fundamentally breach the good-faith understanding under which migrants entered the UK and made long-term decisions about work, family, and settlement. This approach risks recreating the conditions that led to the **Windrush scandal**, in which lawful residents were rendered insecure by shifting rules, retrospective rule changes, documentary burdens, institutional poor record-keeping, and punitive enforcement.

1. Character

Unite opposes the inclusion of mandatory “good character” and “clean criminal record” requirements. These are inherently subjective and will disproportionately exclude migrant workers who have been criminalised as a result of exploitation, domestic abuse, trafficking, or survival strategies. Linking settlement more closely to the criminal justice system will amplify existing racial and gender inequalities and directly undermine protections under the **Modern Slavery Act 2015**.

2. Integration

Unite rejects the framing of integration as an individualised test of language attainment. Rewarding advanced English proficiency with shorter routes to settlement entrenches inequality, particularly given cuts to publicly funded ESOL. Disabled migrants, those with learning difficulties, carers, and survivors of trauma will be unfairly disadvantaged. Integration is a shared social responsibility and should be supported through public investment, not used as a gatekeeping tool.

3. Contribution

Defining contribution primarily through earnings thresholds falsely equates income with value. This approach devalues low-paid but essential work across health, social care, logistics, hospitality, manufacturing, and food production. Requirements to have no government-related debt further penalise workers already burdened by excessive visa fees. Proposals to “*incentivise*” volunteering risk coercion and undermine the principle that volunteering must be freely given.

4. Residence

Penalising migrants for their route of entry or for past periods of irregularity ignores the realities of abuse, exploitation, unaffordable fees, and insecure employment. These measures contradict the purpose of the **Employment Rights Act 1996** and the **Employment Rights Act 2025**, which are intended to enable workers to leave unsafe jobs without penalty. They also risk indirect discrimination under the **Equality Act 2010**.

5. Equality and exemptions

Unite is deeply concerned about the impact on children, survivors of violence against women and girls, disabled migrants, Black and minoritised communities, refugees, and those already on settlement routes. Weakening or failing to extend existing protections, such as the **MVDAC** and **DVILR routes**, risks long-term harm, family separation, and child poverty.

Unite calls for shorter, fairer routes to settlement; a clear, non-retrospective application with robust transitional protections; and an approach grounded in dignity, equality, and recognition of migrant workers' essential contribution to the UK.

Contact:

This document is submitted on behalf of Unite the Union.

For further information about this response, please contact Irina Do Carmo (Equality Research Officer)

Section A

In this section, we invite your views on the proposed Earned Settlement framework, including how clearly the changes are explained.

‘Earned settlement’ is a principle that recognises the value of long-term contribution to the UK. Rather than granting settlement automatically after a fixed period, this approach requires individuals to demonstrate sustained commitment (through work, community involvement, or other meaningful contributions) before being granted permanent status. The proposed framework sets a starting point of **10 years** before settlement can be obtained. This duration may be **reduced** based on positive indicators (e.g. contributing to the Exchequer by earning a certain salary) or **extended** based on negative indicators (e.g. reliance on public funds).

A1. Overall, how clear do you find the proposed changes to the settlement framework?

Very Clear	1
Somewhat clear	2
Neither clear nor unclear	3
Somewhat unclear	4
Very Unclear	5
Don't know / prefer not to say	99

A2. Which aspects of the proposed changes to settlement are not clear?

Please select all that apply.

The concept of earned settlement	1
The overall purpose	2
Which groups may be eligible for exemptions from the 10-year qualifying period	3
How reductions to the qualifying period will be applied	4
How extensions to the qualifying period will be applied	5
How reductions and/or extensions will be applied if applicants meet multiple criteria	6

How the proposed changes will apply to dependants and children	7
<p>Other (please specify)</p> <p>Unite is unclear about the extent to which the government has considered the potential impact of the settlement changes on applicants with protected characteristics such as women, disabled, young people and black and minoritised people across all genders. We believe that these groups will be disproportionately disadvantaged by the proposed changes.</p> <p>Unite is gravely concerned about the impact of these changes will have on migrants on existing settlement routes, many of whom have struggled to pay recurring exorbitant visa fees for themselves and their families, in our submission to the <i>Routes to Settlement</i> opposed the proposals to extend, restrict, or tie “earned” pathways to Indefinite Leave to Remain (ILR), especially if applied retrospectively to migrants who entered since 2021 and without transitional arrangements. International evidence demonstrates that longer, conditional routes increase the risk of labour exploitation, hinder integration, destabilise migrant households, and place disproportionate burdens on vulnerable workers.</p>	8

A3. Overall, to what extent do you agree or disagree with the proposed changes to the settlement framework?

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

Section B

This question focuses on ‘Character’, the first of the four core pillars designed to ensure that applicants make a meaningful contribution to UK society and meet clear, measurable standards.

To be eligible for settlement, applicants will need to meet the suitability requirements set out in the existing Immigration Rules ([Part Suitability](#)).

This reformed system will, as now, provide for the refusal of applications where core requirements relating to their character and conduct are not met (for example, having a criminal conviction, non-compliance with immigration requirements and considerations pertaining to the public good). It will be mandatory to meet such requirements and there will be no ability to trade with other considerations to determine the qualifying period.

A3. Do you have any comments on how ‘Character’ should be considered in relation to settlement?

Please keep your response to 200 words and focus on the points you feel are most important.

Unite strongly opposes the inclusion of “good character” as a settlement requirement. This test is inherently subjective, inconsistently applied, and highly susceptible to bias. It risks embedding discrimination in immigration decision-making and will disproportionately penalise migrant workers who experience structural disadvantage, including racism, poverty, insecure employment, and gender-based violence.

The proposed requirement for a mandatory “clean criminal record” is particularly harmful to migrant workers who are survivors of domestic abuse, labour exploitation, and modern slavery. Many survivors are criminalised as a direct result of coercion, control, or survival strategies linked to their exploitation. These proposals would punish individuals for harm inflicted upon them, directly undermining the victim protection clause in the Modern Slavery Act 2015, which recognises that victims should not be penalised for unlawful acts committed as a consequence of their exploitation.

Further, closer alignment between immigration enforcement and the criminal justice system is deeply concerning, given well-documented racial discrimination in policing and sentencing. Black and minoritised migrant workers, particularly women, are therefore more likely to be excluded from settlement.

So-called “non-compliance” with immigration requirements is often a direct result of exploitation by abusive partners or employers, including deliberate immigration abuse to maintain control. Penalising this non-compliance rewards exploitative practices and entrenches a two-tier workforce, leaving migrant workers more vulnerable to exploitation, retaliation, and re-criminalisation.

Section C

This section focuses on ‘Integration’. To be eligible for settlement applicants will need to demonstrate meaningful engagement with British society. This includes passing a Life in the UK test and speaking English at an upper intermediate level (B2 standard under the Common European Framework of Reference for Languages).

Under the proposed reforms, applicants who can demonstrate advanced English language ability (at C1 standard) will be able to reduce their route to settlement by one year. C1 level under the Common European Framework of Reference for Languages means the user is proficient and able to perform complex tasks related to social, academic, and professional situations.

C1. What do you think about a 1-year reduction for applicants who can demonstrate advanced English language ability (at C1 standard)?

The reduction doesn't go far enough (it should be longer than 1 year)	1
The reduction is about right	2
The reduction goes too far (it should be shorter than 1 year)	3
There should be no reduction for these applicants	4
Don't know / prefer not to say	99

C2. How do you think integration should be assessed?

Please select all that apply.

Through a formal test (such as a revised Life in the UK Test)	1
Through gathered ongoing evidence (such as participation in certified English-language education or employment/volunteering evidence)	2
Through completing a cultural orientation course once arrived in the UK	3
Through character references from public services professionals and British Nationals	4
Through evidence of learning and participation within the wider community (including testimonies from relevant organisations/groups)	5
In another way (please specify)	
Unite opposes the proposals in Section C, which frame “integration” as an individualised test of language attainment rather than a shared social responsibility. Conditioning eligibility for faster settlement on advanced English-	6

<p>language proficiency risks deepening inequality and entrenching a two-tier system among migrant workers. Integration should not be reduced to a mechanism for rewarding those with greater access to time, money, and educational opportunities.</p> <p>Using English-language proficiency as a criterion to determine the qualifying period for settlement unfairly penalises migrant workers, particularly amid sustained cuts to public funding for English for Speakers of Other Languages (ESOL). The withdrawal of funded ESOL provision has shifted the financial and practical burden of language learning onto low-paid and insecure workers, many of whom face long hours, unpredictable shifts, and caring responsibilities. Employers frequently refuse to provide paid time off or contribute to language training, even though they directly benefit from migrant labour. Conditioning faster settlement on language skills while failing to reinstate adequate ESOL funding is therefore inequitable and undermines the stated aim of integration.</p> <p>The financial impact of these proposals is significant. Costs extend beyond the language assessments themselves to include the substantial expense of reaching B2 or C1 level through private tuition, exam preparation, and repeat testing. These costs are often multiplied when dependants are also required to meet language thresholds. When combined with rising visa fees, repeated renewals, and the risk of losing lawful status, this model risks pushing working migrant families into financial hardship and debt.</p> <p>From an equality perspective, these proposals will disproportionately disadvantage migrants with learning difficulties, cognitive impairments, disabilities, or neurodivergent conditions. Language tests and standardised assessments frequently fail to make reasonable adjustments or account for different learning needs. Migrants with disabilities may require additional time, specialist support, or alternative methods of demonstrating integration, yet the proposals make no provision for this. As a result, disabled migrants and those with learning difficulties are more likely to be excluded from accelerated routes to settlement, regardless of their long-term residence, employment history, or contribution to society.</p> <p>Further, survivors of labour exploitation and modern slavery will also be unfairly disadvantaged. Trauma, disrupted education, and prolonged periods of control or isolation can significantly affect language acquisition and confidence. Expecting survivors to meet heightened “contribution” thresholds in order to secure stability fails to recognise the realities of recovery and risks perpetuating insecurity for those most in need of protection.</p>	
<p>Don't know / prefer not to say</p>	<p>99</p>

C3. Do you have any further comments on how 'Integration' should be considered in relation to settlement?

Please keep your response to 200 words and focus on the points you feel are most important.

A fairer and more effective approach to integration would recognise and value the many ways migrant workers already contribute to British society, rather than relying on narrow, exclusionary metrics. Integration is not achieved solely through formal language attainment but through participation in work, communities, and collective life. Many migrant workers have lived in the UK for years, contributing through long-term employment, paying taxes and National Insurance, caring for family members, and sustaining key sectors of the economy, including health, social care, manufacturing, hospitality, logistics, and food production.

Participation in trade unions, engagement with workplace rights, and involvement in community and civic life are also clear indicators of integration. Migrant workers who organise collectively, raise concerns about health and safety, and challenge exploitation are actively contributing to fairer workplaces and stronger communities. These contributions are overlooked by an approach that prioritises individual "contribution" tests based solely on language proficiency.

By contrast, the proposed extension of settlement routes and associated costs risks actively undermining integration. Rising visa fees, repeated renewals, and the financial burden of meeting language requirements reduce workers' disposable income and time, limiting their ability to participate in social life, community activity, and trade union engagement. These pressures disproportionately affect low-paid workers, survivors of exploitation, and those with caring responsibilities, reinforcing precarity and entrenching a two-tier workforce.

Integration should be assessed holistically and supported through public investment, including the restoration of fully funded, accessible ESOL provision. Unite calls for shorter, fairer routes to settlement grounded in dignity, equality, and recognition of migrant workers' essential role across the economy and society.

Section D

This section focuses on ‘Contribution’. This reinforces the principle that settlement should be earned through active participation in the economy and wider society. To be eligible for settlement applicants must:

- Have contributed to the Exchequer by having annual earnings above £12,570 for a minimum of 3 to 5 years (subject to this consultation), in line with the current thresholds for paying income tax and National Insurance Contributions (NICs), or an alternative amount of income. Please note, however, that these income-related thresholds would not track future changes to the tax system.
- Have no outstanding litigation, NHS, tax or other Government debt.

D1a. Do you think the following groups should be exempt from the requirement to have earned above £12,750 for at least 3 to 5 years?

	Yes	No	Don't know / prefer not to say
Those on maternity leave or long-term illness / disability	1A	2A	99A
Those in certain occupations with different pay arrangements (e.g. Ministers of Religion)	1B	2B	99B

D1b. Are there any other groups that you think should be exempt from the requirement to have earned above £12,750 for at least 3 to 5 years?

You may list up to five separate groups. If you think there are more than five groups that should be exempt from the requirement then please list the five that you most strongly feel should be provided with an exemption from this requirement.

People with disabilities and long-term health conditions	1
Stay-at-home parents and unpaid full-time carers.	2
Victims of domestic abuse and all forms of gender-based violence	3
Victims of trafficking and exploitation, and migrant domestic workers	4
People already in the UK on existing settlement routes	5

D2. To what extent do you agree or disagree that migrants who have worked in an occupation below RQF level 6 should have their standard qualifying period for settlement set at 15 years?

Occupations skilled to RQF level 6 are those which require a qualification equivalent to degree level or higher. You can read more about what kind of qualifications this includes here.

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

D3a. To what extent to you agree or disagree that applicants who earn a taxable income above £50,270 should be eligible for a reduction in their time to settlement?

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

D3b. What do you think about the proposed reductions for applicants based on their annual taxable income?

	The reduction doesn't go far enough (it should be longer)	The reduction is about right	The reduction goes too far (it should be shorter)	There should be no reduction for these applicants	Don't know / prefer not to say
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7-year reduction for applicants who earn a taxable income above £125,140	1A	2A	3A	4A	99A
5-year reduction for applicants who earn a taxable income above £50,270	1B	2B	3B	4B	99B

D4. Do you think those employed in a public service occupation (i.e. health and education occupations where going rates are based on national pay scales) should be eligible for a reduction in their qualifying period to settlement?

Yes	1
No	2
Don't know / prefer not to say	99

Under the proposed reforms, applicants who claim public funds (e.g. benefits and housing assistance) would face a penalty depending on the length of time they claimed public funds during their route to settlement.

D5. What do you think about the proposed penalties for applicants claiming public funds?

The Home Office recognises that some applicants (such as those from vulnerable groups) may have extenuating circumstances to claim public funds. Later questions will explore whether specific groups should be exempt from the proposed reforms.

Ensuring that the UK can remain compliant with its international obligations, this would exclude those covered by Trade Continuity Agreements and Social Security Coordination Agreements.

	The penalty doesn't go far enough (it should be longer)	The penalty is about right	The penalty goes too far (it should be shorter)	There should be no penalty for these applicants	Don't know / prefer not to say
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<u>5-year penalty</u> for applicants who claim public funds for <u>less than 12 months</u> during their route to settlement	1A	2A	3A	4A	99A
<u>10-year penalty</u> for applicants who claim public funds for <u>more than 12 months</u> during their route to settlement	1B	2B	3B	4B	99B

D6. To what extent do you agree or disagree that once someone has been granted settlement in the UK they should continue to be eligible to claim public funds (e.g. benefits and housing assistance)?

Ensuring that the UK can remain compliant with its international obligations, those covered by Trade Continuity Agreements and Social Security Coordination Agreements would continue to be eligible to claim public funds.

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

The Home Office recognises the vital role that volunteers play in delivering positive change to their communities, the environment and the lives of others. Volunteers, including those who are migrants, are a valued part of British life and their contributions enrich communities across the country.

The Home Office is considering whether giving back to the local community, for example, through volunteering, should be recognised as a form of contribution towards earned settlement.

D7. To what extent do you agree or disagree that giving back to local communities (e.g. by volunteering) should be considered as a contribution that can reduce the length of time required to qualify for settlement?

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

IF YOU ARE RESPONDING AS AN **INDIVIDUAL**, SKIP TO QUESTION D11

IF YOU ARE RESPONDING ON BEHALF OF AN **ORGANISATION**, ANSWER QUESTION D8

D8. Does your organisation currently accept or manage volunteers?

Yes	1
No	2
Don't know / prefer not to say	99

IF YOUR ORGANISATION **DOES NOT ACCEPT OR MANAGE VOLUNTEERS**, SKIP TO QUESTION D11

IF YOUR ORGANISATION **DOES ACCEPT OR MANAGE VOLUNTEERS**, ANSWER QUESTIONS D9–D10

D9. How easy or difficult do you think it would be for applicants to provide evidence of giving back to the community?

Very easy	1
Somewhat easy	2
Neither easy nor difficult	3
Somewhat difficult	4
Very difficult	5
Don't know / prefer not to say	99

D10. Considering any potential benefits and challenges, what would be the overall impact of recognising giving back to the community as a contribution towards settlement for your organisation? Would this have...

A very positive impact	1
A somewhat positive impact	2
No impact	3
A somewhat negative impact	4
A very negative impact	5
Don't know / prefer not to say	99

D11. Do you have any further comments on how ‘Contributions’ should be considered in relation to settlement, including any potential benefits or challenges of recognising giving back to the community as a contribution towards settlement?

Please keep your response to 200 words and focus on the points you feel are most important.

Unite opposes the proposals in Section D, which redefine “contribution” in narrow financial terms and risk entrenching a two-tier settlement system that privileges higher-paid workers while devaluing the essential contributions of those in low-paid employment. Linking settlement eligibility to an earnings threshold falsely equates income with contribution and ignores the structural realities of the labour market, including occupational segregation, insecure work, and pay inequality.

Many migrant workers are employed in low-paid but socially vital roles across health and social care, hospitality, cleaning, logistics, manufacturing, and food production. These workers already contribute through their labour, by paying taxes and National Insurance, and by sustaining key public services and supply chains. Penalising them for low pay, often set by employers and shaped by labour market conditions beyond their control, is unjust and discriminatory.

The requirement to have no outstanding government-related debt is also deeply concerning. Migrant workers face disproportionately high visa fees, repeated renewals, and restricted access to public funds, increasing the risk of debt accumulation. These proposals, therefore, risk impoverishing migrant workers and their families while further delaying access to security and rights.

Unite rejects the premise that additional measures of “long-term contribution” are necessary. Proposals to incentivise or require volunteering to shorten settlement routes are particularly problematic: volunteering must be freely given, not coerced as a condition of status. Migrant workers already make substantial economic, social, and cultural

contributions through their work, community participation, and collective organising. Settlement should reflect this reality rather than impose punitive and exclusionary tests.

Section E

This section focuses on ‘Residence’. This pillar aims to recognise lawful, continuous residence in the UK. In order to meet the qualifying period for settlement, applicants will need to have spent the required time in the UK on a route, or routes, that leads to settlement as set out in the existing [Immigration Rules](#).

Under the proposed reforms, a person’s pathway to settlement will also depend on their history of compliance with immigration laws. Applicants who arrived in the UK illegally (e.g. via a small boat), arrived in the UK on a visit visa, or who have overstayed their visa for 6 months or more, will have additional time added to their standard qualifying period for settlement, or prevented from settling in the UK altogether.

E1. Which of the following penalties do you think should be applied to each of the following applicants?

	A penalty of 20 years	A penalty of 10 years	A penalty of 5 years	There should be no penalty for these applicants	Don't know / prefer not to say
Applicants who arrived in the UK illegally	1A	2A	3A	5A	99A
Applicants who initially entered the UK on a temporary visit visa (typically this visa permits stays of up to 6 months for tourism, visiting family or friends or short-term business activities)	1B	2B	3B	5B	99B
Applicants who have overstayed their original visa by 6 months or more	1C	2C	3C	5C	99C

E2. Do you have any further comments on how 'Residence' should be considered in relation to settlement?

Please keep your response to 200 words and focus on the points you feel are most important.

Unite opposes the proposals in Section E, which would penalise individuals based on their route of entry or periods of irregular status rather than recognising long-term residence and the realities of exploitation and abuse. These measures risk entrenching precarity and punishment, particularly for migrant women and workers who leave abusive or exploitative situations.

Many women fleeing domestic abuse, trafficking, or forced labour have limited knowledge of, or access to, safe and legal routes to the UK. Perpetrators and exploitative employers routinely weaponise this lack of knowledge, coercing entry on inappropriate visas or deliberately engineering overstaying to maintain control. Penalising individuals for these circumstances directly undermines safeguarding objectives and rewards abusive behaviour.

Extended qualifying periods also punish workers who lose their status because of prohibitively high visa fees or the need to leave abusive employment. This directly contradicts the purpose of the Employment Rights Act 1996 and the newly enacted Employment Rights Act 2025, which retain and strengthen protections against unfair dismissal and are intended to enable workers to leave unsafe or exploitative workplaces without fear of penalty. By linking immigration security to rigid compliance histories, the proposals deter workers from exercising these rights in practice.

The proposals also risk indirect discrimination under the Equality Act 2010, given their disproportionate impact on women, survivors of abuse, and racialised migrant workers. From a trade union perspective, secure status is essential to enforcing employment rights, organising collectively, and preventing exploitation. Policies that extend precarity undermine labour standards, entrench a two-tier workforce, and weaken protections for all workers.

Section F

This section focuses on whether specific groups (including potentially vulnerable groups) should be exempt from, or receive reductions to, the proposed earned settlement reforms.

F1. Where the standard qualifying period is proposed to increase from 5 to 10 years, which option do you think should apply to each of the following visa holder groups?

The Government remains steadfast in its support for members of the Hong Kong community in the UK and is fully committed to the BN(O) route, which will continue to welcome Hong Kongers. We fully recognise the significant contribution that Hong Kongers have already made to the UK, and the role they will continue to play in the years ahead. That is why those on the BN(O) visa route will continue to be able to settle in the UK after living here for five years.

We want to continue to attract the brightest and best exceptional talent that attracts investment, creates jobs, accelerates productivity and promotes growth through our targeted immigration routes: Global Talent for the most talented leaders and potential leaders and Innovator Founder for the most talented entrepreneurs.

	Exemption (remain on a 5-year path as standard)	Reduction (of at least 2 years from the standard qualifying period of 10 years)	Apply full change (standard qualifying period of 10 years)	Don't know / prefer not to say
Applicants who currently require 3 years continuous residence under the Global Talent route	1A	2A	3A	99A
Applicants who currently require 5 continuous years residence under the Global Talent route	1B	2B	3B	99B
Applicants who currently require 3 continuous years residence under the Innovator Founder route	1C	2C	3C	99C
Applicants who hold a permission as the parent/partner/child of a British citizen and meet core family requirements	1D	2D	3D	99D
Applicants on humanitarian visa routes (e.g. Syrian, Afghan)	1E	2E	3E	99E

F1a. To what extent do you agree or disagree that dependants of migrants who hold Global Talent or Innovator Founder visa status should retain their current 5-year path to settlement?

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

F2. To what extent do you agree or disagree that there should not be transitional arrangements for those already on a pathway to settlement?

Transitional arrangements refer to temporary measures which are designed to ease the impact of the new rules for those already in the UK and on an existing pathway to settlement.

Agreeing means supporting no transitional arrangements; **disagreeing** means supporting transitional arrangements.

Strongly Agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

The current immigration system includes provisions that protect the most vulnerable in society by allowing them to settle in the UK.

- For example, a person on the family route whose relationship ends because they are a victim of domestic abuse can settle immediately.
- Similarly, a person on the family route whose partner dies can also settle immediately.
- There are special arrangements for children and young adults who have grown up in the UK without an immigration status, allowing them to settle 5 years after regularising their status. Please note references to children and young adults in this

section does not mean children in care or care leavers, for which separate targeted will take in place in due course.

- Finally, adults with long-term care needs can join a close relative in the UK and settle where the care they require is not available or affordable in their home country.

F3. Do you think the following vulnerable groups should retain their current arrangements and be exempt from the proposed settlement changes?

	Yes	No	Don't know / prefer not to say
Victims of domestic violence and abuse	1A	2A	99A
Bereaved partners	1B	2B	99B
Children and young adults who grew up in the UK without immigration status	1C	2C	99C
Adults with long-term care needs	1D	2D	3D

F3a. Are there any other vulnerable groups that you think should be considered as part of this consultation?

You may list up to five separate groups. If you think there are more than five groups that should be considered as part of this consultation, please list the five that you feel will be most affected by these changes.

ALL victims of domestic violence and gender-based violence, including survivors of sexual assaults/abuse.	1
Victims of trafficking and exploitation and migrant domestic workers.	2
People awarded refugee protection.	3
People in existing routes to settlement.	4
People with disabilities.	5

The Armed Forces Covenant is a national commitment to ensure that those who serve or have served in HM Armed Forces are not disadvantaged because of their service. Individuals who have completed the minimum term of service (4 years), or who were medically discharged from service, can apply for settlement immediately upon leaving the Armed Forces. This provision also extends to their immediate family members, including partners and children. The government is committed to at least maintaining the current time periods to settlement for HM Armed Forces and their immediate family members.

F4. Do you think the following Armed Forces groups should retain their current time period to settlement or should further reductions be available to this group?

	Retain current arrangements	Further reductions should be applied	Don't know / prefer not to say
Members of HM Armed Forces	1A	2A	99A
Immediate family members of HM Armed Forces	1B	2B	99B

Currently, most dependant partners of migrants can settle at the same time as the main applicant without meeting any additional conditions. Dependant partners of economic migrants who benefit from accelerated settlement do not themselves benefit from a reduced settlement period. Under the proposed reforms, dependant partners will have their own qualifying period based on their individual circumstances.

For children, it is recognised that they cannot meet certain requirements under the earned settlement proposals, such as National Insurance Contributions (NICs). The Home Office intends to keep a window for those admitted as dependants under 18 to settle at the same time as their parents, while considering an age cut-off after which they would need to follow their own route to qualify for settlement.

F5a. To what extent do you agree or disagree that dependant partners of migrants should earn settlement in their own right?

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

F5b. To what extent do you agree or disagree that dependant children of migrants should earn settlement in their own right? (with employment-related requirements waived if they were admitted as a dependant under 18)

Strongly agree	1
Agree	2

Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

F5c. To what extent do you agree or disagree that resettled refugees should have a 10-year route to settlement?

Resettled refugees are those who have been granted protection and moved to the UK through official resettlement programmes.

Strongly agree	1
Agree	2
Neither agree nor disagree	3
Disagree	4
Strongly disagree	5
Don't know / prefer not to say	99

IF YOU **ARE** RESPONDING ON BEHALF OF AN ORGANISATION THAT PROVIDES IMMIGRATION ADVICE OR SUPPORT SERVICES, ANSWER QUESTIONS F6–F7

IF YOU **ARE NOT** RESPONDING ON BEHALF OF AN ORGANISATION THAT PROVIDES IMMIGRATION ADVICE OR SUPPORT SERVICES, SKIP TO QUESTION F8

F6. As an organisation which provides immigration advice or support services, are there any migrant groups in particular that you think will face barriers in demonstrating their eligibility or meeting new requirements for settlement?

You may list up to five separate groups. If you think there are more than five groups that will face barriers in demonstrating their eligibility or meeting new requirements for settlement, please list the five that you feel will be most affected by these changes.

People in low-paid/precarious employment and people with No Recourse to Public Funds (such as migrant domestic workers)	1
Victims of domestic abuse and all forms of gender-based violence	2
Black and minoritised migrants	3
Mothers, especially single mothers	4

Victims of trafficking and exploitation	5
--	---

F7. What are the main barriers that you think these groups will face?

Please select all that apply. If you have listed more than one group at F6, please write the number that is associated with that group (i.e. 1,2,3,4,5 as applicable) in each of the relevant options below.

Lack of documentation	1
Complexity of requirements	2
Language barriers	3
Financial barriers	4
Health-related barriers	5
Limited access to advice/support	6
Other (please specify) <ul style="list-style-type: none"> - Difficulty accessing legal advice - Disability and neurodivergence 	7
Don't know / prefer not to say	99

F8. Do you have any further comments on how specific groups should be considered in relation to settlement? We particularly welcome views on how the proposed changes could affect children in the UK.

Please keep your response to 200 words and focus on the points you feel are most important.

The proposed settlement reforms raise serious concerns for specific groups, particularly victims and survivors of violence against women and girls (VAWG) and children in the UK. The Migrant Victims of Domestic Abuse Concession (MVDAC) and the Domestic Violence Indefinite Leave to Remain (DVILR) route are vital lifelines for victims on partner visas. It is deeply concerning that these protections are subject to consultation, as any weakening risks trapping victims in abusive relationships or forcing them into long-term irregularity. Existing protections must be retained and extended to ensure that all migrant victims and survivors can access safety and stability.

These proposals conflict with human rights principles and the UK's obligations under the Istanbul Convention, which requires equal protection for migrant women experiencing violence. Trauma-informed exemptions and fair transition arrangements must apply to victims and survivors, refugees, and those already resident in the UK.

Criminal and immigration histories often obscure the reality that many women acquire convictions directly linked to exploitation or survival, including trafficking into criminal activity or coercion by abusers, as recognised in the Government's VAWG Strategy and Home Office guidance. Penalising these histories compounds harm rather than addressing it.

The proposals will disproportionately affect those already at heightened risk of precarity, including survivors of abuse, trafficking and exploitation, Black and minoritised women, and caregivers. They also risk locking children into prolonged instability and poverty, particularly where families are placed on divergent immigration routes, restricting access to education, healthcare, and long-term security.

Section G

YOU SHOULD ONLY ANSWER THIS SECTION IF YOU ARE RESPONDING ON BEHALF OF AN **ORGANISATION**

IF YOU ARE RESPONDING AS AN **INDIVIDUAL**, SKIP TO THE **END OF THE SURVEY**

This section focuses on how the proposed earned settlement reforms may impact your organisation.

G1. To what extent, if at all, do you think the proposed reforms will impact your organisation in the following ways?

	Ability to attract suitable candidates	Ability to retain existing migrant workers	Workforce planning	Administrative burden
Very positive impact	1A	1B	1C	1D
Somewhat positive impact	2A	2B	2C	2D
No impact	3A	3B	3C	3D
Somewhat negative impact	4A	4B	4C	4D
Very negative impact	5A	5B	5C	5D
Not applicable	6A	6B	6C	6D
Don't know / prefer not to say	99A	99B	99C	99D

G2a. To what extent, if at all, do you think the proposed reforms will affect your organisation's plans to sponsor employees to work in the UK on a visa in the future?

Much more likely to sponsor	1
Slightly more likely to sponsor	2
No change	3
Slightly less likely to sponsor	4
Much less likely to sponsor	5
Don't know / prefer not to say	99

YOU SHOULD ONLY ANSWER QUESTION G2B. IF YOU ARE RESPONDING ON BEHALF OF AN ORGANISATION WHICH SPONSORS STUDENTS TO STUDY IN THE UK

G2b. To what extent, if at all, do you think the proposed reforms will affect your organisation’s plans to sponsor students to study in the UK on a visa in the future?

Much more likely to sponsor	1
Slightly more likely to sponsor	2
No change	3
Slightly less likely to sponsor	4
Much less likely to sponsor	5
Don't know / prefer not to say	99

G2c. To what extent, if at all, do you think the proposed reforms will affect your organisation’s plans to sponsor refugees and displaced people to work in the UK on a visa in the future? (e.g. such as a community sponsorship scheme)

Much more likely to sponsor	1
Slightly more likely to sponsor	2
No change	3
Slightly less likely to sponsor	4
Much less likely to sponsor	5
Not applicable	6
Don't know / prefer not to say	99

G3. Please provide any evidence you may have on whether the proposed changes might influence visa applicants' or visa holders' decisions to come to or remain in the UK.

Please keep your response to 200 words and focus on the points you feel are most important.

The proposed settlement changes will significantly influence migrants' decisions to come to or remain in the UK by fundamentally undermining the psychological contract that underpins labour migration. Migrants who come to the UK for work do so in good faith, on the understanding that sustained employment, tax contributions, and compliance will lead to security, settlement, and equal treatment. Extending settlement routes while sharply increasing costs breaches that expectation.

Visa fees are already set far above administrative costs. A migrant on a three-year Skilled Worker visa currently pays close to £9,900 before settlement; under the proposals, this would rise to around £16,900, largely due to the extended Immigration Health Surcharge. Introduced during a cost-of-living crisis, these changes will push many working families into debt. Research shows a clear link between extended routes and financial hardship, with many migrants struggling to meet basic living costs.

UK immigration costs are now among the highest internationally, undermining competitiveness amid falling migration. Unite's own survey of over 1,300 migrant members found that 29 per cent are considering leaving the UK as a direct result of the proposed changes.

High costs and prolonged insecurity will also lead some workers to fall out of status through inability to pay, increasing irregular work and exposure to exploitation. This weakens labour standards for all workers and risks deepening labour shortages across key sectors. Rather than encouraging integration and retention, these proposals signal to migrant workers that long-term contribution will be met with escalating barriers rather than security, trust, and belonging.

G4. Do you have any further comments on the potential impacts on your organisation in relation to the proposed changes to settlement?

Please keep your response to 200 words and focus on the points you feel are most important.

Unite has profound concerns about the retrospective application of the earned settlement reforms. Changing the rules for migrants who entered the UK lawfully and in good faith represents a fundamental breach of trust. Workers made life-defining decisions, investing in education, careers, families, and homes based on a clear and settled framework. To now erase years of lawful residence and reset the clock is not reform; it is retrospective punishment.

The appended case study demonstrates the severity of this injustice. A skilled worker who has lived in the UK since 2016, studied here, built a professional career in architecture, and contributed to net zero and social housing delivery would see seven years of lawful residence disregarded. This could extend their route to settlement to 17 years. Employers who budgeted responsibly under existing rules now face unplanned and unaffordable sponsorship costs, threatening retention of highly integrated staff.

This approach carries alarming parallels with the Windrush scandal: lawful residents rendered insecure by shifting policy, inadequate transitional protections, and an administrative culture that prioritises enforcement over fairness. Retrospective changes create legal uncertainty, destabilise workforce planning, and signal to migrant workers that long-term compliance offers no security.

Such measures will drive skilled, socially committed workers away from the UK, damaging public services, housing delivery, and economic stability. Settlement policy must not repeat the systemic failures of the past.

Appendix A – Case study

Case study – A skilled worker on the Long Residence Route (Appendix LR)

I came to the UK in 2016 as a student to study architecture. The course lasted 5 years. In 2021, I transferred to a graduate visa. I obtained my skilled worker visa in 2023. I have been on a skilled worker visa for 3 years. My employer budgeted for a 3-year visa because I am on the long residence route and would've qualified this year, but now the Government is proposing not to count my student and graduate visas, meaning my employer would need to pay the skilled worker visa surcharge for 7 years, not 5, making it even less feasible.

Under the current long residence route (LRR), LRR rules allow those who have lived lawfully and continuously in the UK for 10 years to apply for ILR (Indefinite Leave to Remain), even if some of that time was spent on visas that do not confer settlement themselves (such as student, graduate and ICT (intra-company transfer) visas). This allows immigrants to combine several visas, even if they're not settlement visas, to count as lawful residence. I should be eligible for ILR in August of this year. Now, following the announcement of the proposed earned settlement model (likely to be introduced in April), LRR will be abolished, and ILR eligibility will be based solely on time spent on settlement-granting visas (student, graduate, and ICT visas are not settlement visas). This will erase 7 years of my life in the UK.

In those 7 years, I have put down roots, made friends and become part of a community. I have never lived anywhere else as an adult. I no longer have a social network in my home country. I studied architecture here, which is nothing like the architecture in my home country. If I return, I will have no job, no experience and would have to start from scratch. Having studied here, I have full knowledge of UK construction. I have built a career based on living here.

On top of that, I work at a practice that is very sustainability-focused, and we work towards reaching net zero. I work extensively on social housing projects, and I contribute to the government's policy to build more homes and achieve net zero.

I have won 2 awards here in the UK for my work. When you look at all these things, you think surely the rules would allow someone like me to be worthy of living here, but that is not considered under the proposals for 'contribution and integration'. This is making it unfair for quite a lot of people. The earned settlement scheme claims to reward integration, but it measures integration only by financial contribution, for example, the 5-year discount for earning over £50k. It is very unfair to measure integration and contribution only by salary threshold and volunteer work. There are many migrant workers, such as care workers, architects, civil engineers, and researchers, who significantly contribute to the UK through their work. I have a friend who is a researcher in the renewable sector. She won't qualify for the salary threshold. Another is a physiotherapist in the private sector, so she won't benefit from the NHS 5-year discount. These professions don't typically earn over the £50k

threshold. Another is a civil engineer, working on railway infrastructure; he also won't qualify for the threshold.

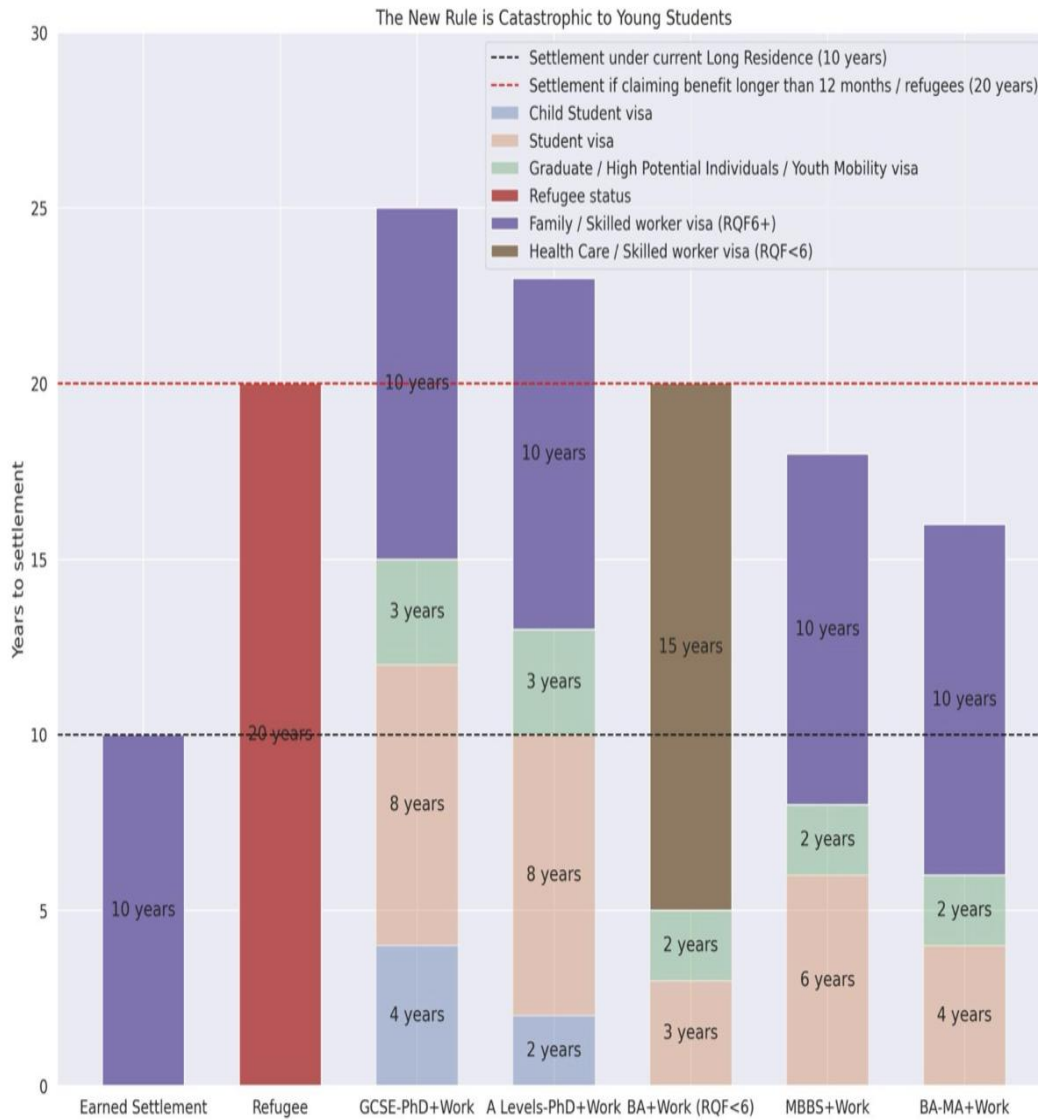
The average salary for an established architect (5+ years of experience) is £41k. I qualified last year, so I won't qualify under the new rules and will have to stay on the skilled worker visa for a total of 10 years, which means I may have to wait 17 years before qualifying for settlement. How is it fair that someone who has not studied or lived in the UK but came on a high salary can settle here in 3 years, while someone who came here as a teenager, studied, and built a life here will need to wait 17 years.

In my practice, we don't chase vanity projects; we take on work with social value, so I can pour all this expertise into building houses that are valuable to people and lift them out of fuel poverty. I feel the Home Office is now telling me, "You're not worth getting a settlement; you will have to keep working for us with no stability". This has nothing to do with having recourse to public funds. For me, living on temporary visas makes life very unstable because the rules can change at any time. I cannot commit to purchasing a home or advancing my career due to my temporary status.

Someone with a skilled worker visa does not have the right to change employers. If your employer is exploitative or abusive, you cannot change because you will lose your visa. Yes, there are mechanisms to report exploitation, but there are also many ways an employer can walk the line between what is legal and illegal, and you cannot report them. For example, working overtime without being paid for it or given Time off in Lieu, which is common in the architectural sector, especially for young assistants.

I know people who have children and started families, made long-term commitments such as taking out a mortgage, and will face significant financial burdens because of the new rules, or, in the worst-case scenario, will need to leave the UK because their employer cannot sustain an increased skills surcharge for another 5 years. This is a significant financial commitment for an employer and will make it financially unviable. This is the case at my practice, and I may have to leave because my employer won't be able to afford another 5 years or an increase in pay to £50k. This is the surest way to make one of the most integrated cohorts of immigrants leave and take their skills elsewhere.

Appendix B – Graph illustrating the impact of the changes for students

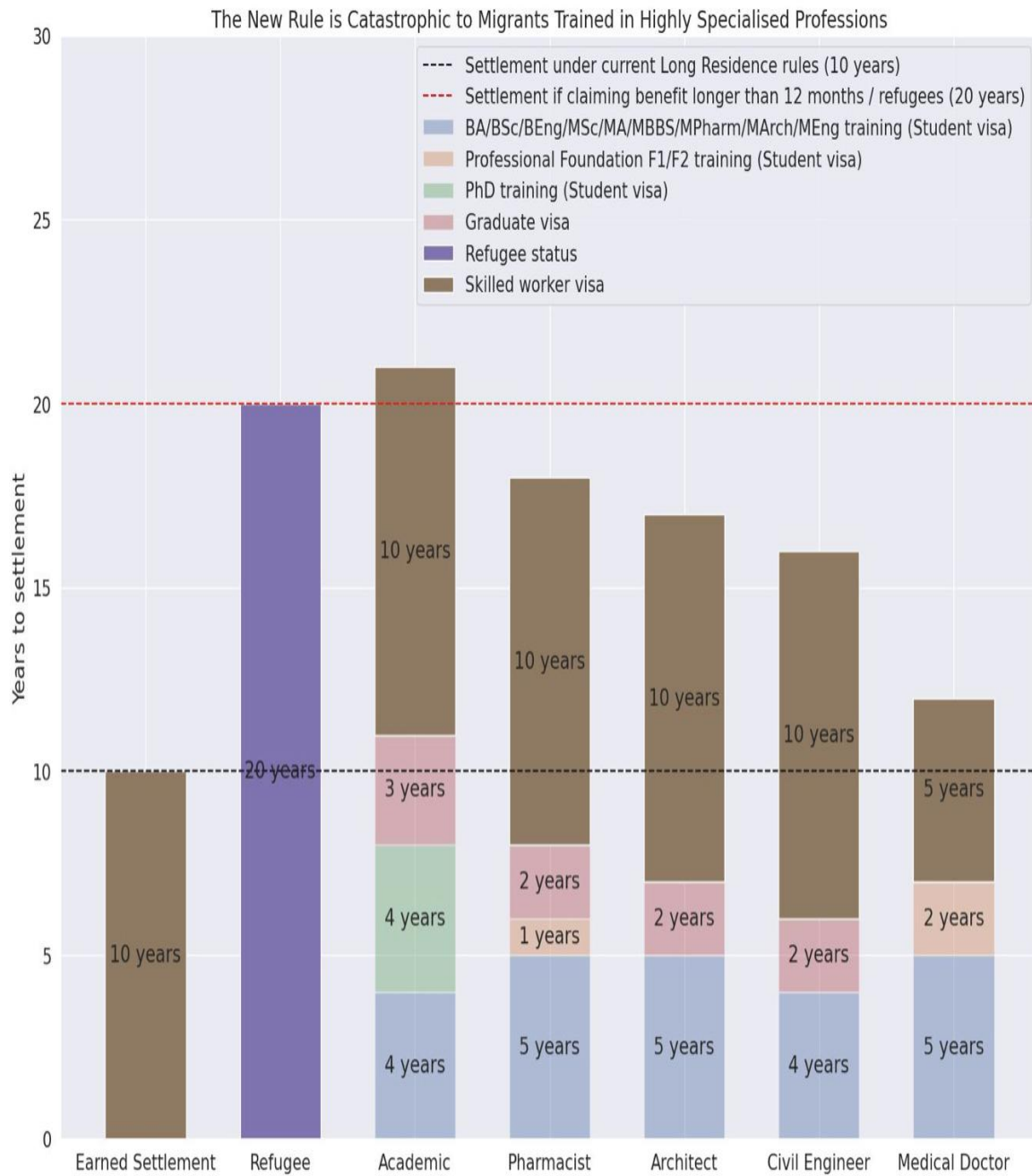


Graph 1 showing the average years that a young student could take to achieve settlement under the proposed “Earned Settlement” rules.

In some instances, particularly for students who obtain a PhD, time to settlement would exceed that of refugees.

Note: this graph does not account for any discounts obtained by volunteering, English language proficiency, etc.

Appendix C – Graph illustrating the impact of new rules for migrants trained in highly specialised occupations.



Graph 2 showing the average years that UK-educated immigrants in representative professions could take to achieve settlement under the proposed rules if non-settlement student and graduate visas do not count towards the 10-year qualification baseline.

Note: this graph does not account for any discounts obtained by volunteering, English language proficiency, etc.

Note 2: Pharmacists may be eligible in less years if they happened not to require a graduate visa throughout their journey

