Unite the Union response to the Home Affairs Committee call for evidence: *Work-based Migration*

27th October 2026

Unite the Union

Unite is the UK and Ireland's largest private- and public-sector trade union, with over 1 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 these values are actively promoted and upheld, we have established a dedicated equality department. This department oversees 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, Black and Asian Ethnic Minorities (BAEM) groups, and 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 to gather comprehensive insights and concerns from our members across all sectors of industry. Through this effort, we aim to amplify the voices of underrepresented groups, including Unite's 25,000 migrant worker members, who have shared their experiences through member engagement and Unite's 2025 migrant worker survey. Their experiences inform our evidence, and on their behalf we advocate for a fairer, more inclusive migration system.

Introduction

Trade unions believe that the UK's work migration system must be founded on fairness, dignity, equality and respect for all workers, regardless of nationality or immigration status. Across all sectors of industry, migrant workers make a vital contribution to the UK economy, public services and local communities. They must be recognised as workers with rights, not treated as a flexible or disposable source of labour.

The Home Office should ensure that immigration policy supports a high-wage economy, protects workers from abuse and exploitation, and enables employers to meet genuine workforce needs. It must not create a two-tier labour market in which migrant workers are more vulnerable to abuse, less able to challenge poor treatment, or forced to accept inferior pay and conditions because their immigration status depends on their employment.

Unite recognises the importance of addressing skills shortages and supporting domestic workforce development. However, migration policy must not be used as a substitute for adequate investment in training, fair pay, improved working conditions, workforce planning and staff retention.

A fundamental principle must be that no worker should be forced to tolerate exploitation, unsafe working conditions or unfair treatment because challenging their employer could jeopardise their right to remain in the UK. Protecting migrant workers' rights is essential not only for migrant workers themselves, but also for protecting pay, conditions and collective bargaining across the entire workforce.

Unite has recently responded to the Home Affairs Select Committee consultation on changes to Indefinite Leave to Remain (ILR). Unite strongly opposes proposals to lengthen, restrict, or tie "earned" pathways to ILR, especially if applied retrospectively to migrants who entered since 2021. International evidence shows that longer, conditional routes heighten the risk of labour exploitation, undermine integration, destabilise migrant households, and impose disproportionate burdens on vulnerable workers. In 2025, Unite surveyed its migrant worker membership. The survey received over 1,200 responses and highlighted how anti-migrant rhetoric from the government is contributing to the exploitation and marginalisation of migrant workers, as well as wider societal problems for migrant communities.

Summary and recommendations

Unite calls on the Home Office to develop a work migration system that protects workers, supports fair employment, and responds to genuine economic needs without creating insecurity or exploitation.

The government should judge the success of migration policy not merely by the number of people entering the UK, but by whether the system supports a fair labour market, protects workers from exploitation and enables employers to meet genuine workforce needs. Migrant workers must never be placed in a position where their immigration status prevents them from exercising their employment rights or participating in trade union activity. A fair migration system must provide workers with security, dignity, a genuine voice at work and the freedom to challenge exploitation without fear. Protecting migrant workers strengthens employment standards for everyone, supports responsible employers and promotes fairness across the UK labour market.

We recommend that the government:

1. Establish fair, transparent and evidence-based salary thresholds that protect wages without unfairly excluding workers in essential occupations.
2. Introduce predictable eligibility reviews, meaningful consultation and appropriate transitional arrangements whenever immigration rules change.
3. Reduce migrant workers' dependence on individual employers by making it easier to change sponsors and challenge abusive employment.
4. Introduce explicit statutory exemptions and safeguards to ensure that recognised victims of modern slavery are not disadvantaged by extended qualifying periods for ILR, earnings thresholds, employment requirements, or other earned settlement conditions arising from their exploitation. These protections should also apply where an individual has been unable to maintain continuous lawful residence due to coercion, employer misconduct, or failures within the sponsorship system.

5. A separate protective immigration route for migrant workers who have experienced serious employment-related abuse or exploitation, providing sufficient time to secure alternative employment, access justice and pursue remedies without risking destitution or removal.
6. Review and reform No Recourse to Public Funds (NRPF) restrictions to ensure migrant workers are not driven into destitution or forced to remain in exploitative employment. Introduce temporary exemptions from NRPF and access to emergency financial assistance, housing and essential support for workers who lose their employment through no fault of their own, including due to employer misconduct, exploitation, insolvency or sponsorship failures. These protections must not adversely affect workers' immigration status, continuous residence or future eligibility for settlement.
7. Explore sector- and local-authority-based sponsorship arrangements that improve workforce planning and worker mobility without trapping workers in particular occupations or geographical areas.
8. Strengthen employment rights enforcement, collective bargaining, access to independent advice and protection against retaliation.
9. Establish a clear safety net for workers who lose their jobs through no fault of their own, including reasonable time to find alternative employment and safeguards against employer wrongdoing.
10. Enforcing the National Minimum Wage: There must be a distinction between existing protections and the additional safeguards. These protections should be incorporated into the work of the Fair Work Agency, rather than being confined to HMRC's existing enforcement arrangements. This would help establish safe reporting as a consistent principle across labour market enforcement.
11. Assess the effects of migration policy on pay, recruitment, retention, workforce development and the quality of essential public services.
12. Involve trade unions and migrant worker organisations in designing, monitoring and reviewing the system.

1. What objectives should the Home Office seek to achieve when setting salary thresholds?

The Home Office should set salary thresholds to protect workers, support fair employment practices, and respond to genuine labour-market needs. Thresholds should not be designed primarily to reduce migration numbers without sufficient consideration of their impact on workers, employers and essential public services.

Prevent exploitation and wage undercutting

Salary thresholds should help prevent employers from recruiting migrant workers at lower wages to reduce labour costs or weaken collective bargaining. However, thresholds alone cannot guarantee fair treatment and must be accompanied by effective enforcement of minimum wage legislation, employment rights and equal treatment standards. Migrant workers should receive fair pay for the work they undertake, and employers must not be able to use immigration status to create a cheaper, more vulnerable workforce or to undermine the terms and conditions secured through collective bargaining.

Unite is particularly concerned that migrant workers are disproportionately exposed to exploitation and wage undercutting, where immigration restrictions, insecure employment and an imbalance of power between employers and workers create conditions in which employment rights can be routinely undermined. Workers whose immigration status depends on employer sponsorship may be especially reluctant to challenge unlawful deductions, unpaid working hours, excessive workloads or wages below the statutory minimum, for fear of losing their employment and, consequently, their right to remain in the UK. These vulnerabilities can be deliberately exploited by unscrupulous employers, creating conditions in which migrant workers are denied their legal entitlements while compliant employers and collectively bargained employment standards are undercut.

The National Minimum Wage and National Living Wage must provide an enforceable wage floor for migrant workers, regardless of nationality or immigration status, wherever the relevant statutory entitlement applies. Employers must not be permitted to circumvent minimum wage legislation through unpaid overtime, unlawful deductions, excessive accommodation charges, misclassification of employment status, or the imposition of recruitment-related costs that unlawfully reduce workers' pay. Attention must be given to sectors such as social care, agriculture, and food production, where migrant workers are concentrated and where insecure employment, subcontracting, fragmented employment relationships, and limited trade union access can make exploitation harder to identify and challenge.

Unite believes that enforcement of National Minimum Wage legislation must be strengthened, with HM Revenue and Customs (HMRC) adequately resourced to conduct proactive, intelligence-led investigations rather than relying predominantly on individual workers to report breaches. Enforcement should include scrutiny of employers' payroll records, actual hours worked, wage deductions and working arrangements, alongside meaningful penalties and the recovery of unpaid wages where breaches are identified. Enforcement activity should also recognise that migrant workers may face additional language, cultural, financial and immigration-related barriers to exercising their rights.

Unite calls for HMRC's National Minimum Wage enforcement function to provide clear, accessible guidance for migrant workers on their rights under minimum wage legislation and the mechanisms for reporting suspected breaches. This should include multilingual information on statutory minimum wage entitlements, unlawful deductions, unpaid working time, record-keeping requirements, routes for recovering underpayments, and how to raise complaints confidentially. Such guidance should be developed in consultation with trade unions and migrant workers' organisations and made available through accessible channels independent of employers, including at relevant stages of the visa application and sponsorship process.

Crucially, Unite calls for a clear and enforceable firewall between employment rights enforcement and immigration enforcement. Unite welcomes existing provisions for confidential reporting of minimum wage breaches. However, confidentiality from an employer does not provide sufficient protection when workers fear immigration enforcement consequences. The Government must establish a statutory firewall that prohibits the routine sharing of personal information obtained through labour rights complaints with immigration enforcement authorities, alongside safeguards against

employer retaliation and effective routes to redress. Migrant workers who report wage theft, underpayment, exploitation, discrimination or other breaches of employment law must be able to approach HMRC and other labour market enforcement bodies without fear that their personal information will be routinely shared with immigration enforcement authorities or used to initiate immigration enforcement action against them. Without such safeguards, the threat of immigration consequences can deter workers from reporting exploitation, allowing abusive employers to operate with impunity.

Effective safeguards should also protect workers from employer retaliation, including threats to withdraw sponsorship, to report workers to immigration authorities, or to otherwise jeopardise their immigration status. Where migrant workers are exploited by sponsoring employers, they should have meaningful opportunities to change employers and pursue employment rights claims without being placed at immediate risk of losing their lawful immigration status.

Unite believes the most effective way to prevent wage undercutting is to ensure that all workers can exercise their employment rights, challenge exploitation and organise collectively without fear. A migration system that leaves workers dependent on individual employers while denying them safe and effective routes to enforce their rights does not prevent exploitation; it risks enabling it. The Government must therefore place equal treatment, effective minimum wage enforcement, secure reporting mechanisms and the protection of migrant workers at the heart of its approach to work-based migration.

Recognise the value of essential work

Salary requirements must reflect the true value, responsibilities and skills associated with different occupations. A rigid threshold based on general salary levels risks excluding workers in essential sectors, including social care, healthcare, food production, transport and other public services, where pay may not adequately reflect the importance of the work. The government must not confuse low pay with low social value, nor assume that recruitment difficulties can be resolved simply by restricting migration.

Promote fair wages and collective bargaining

Thresholds should complement collective bargaining and established sectoral pay structures. Trade unions should be involved in setting appropriate salary requirements, particularly in sectors where pay is negotiated collectively or where public funding constrains employers' ability to raise wages. Employers should be encouraged to improve pay, conditions, training and career progression rather than relying on restrictive immigration rules to address workforce shortages.

Support sustainable workforce planning

The Home Office should consider the long-term needs of the economy and public services. Salary thresholds should encourage investment in domestic training and retention while allowing responsible employers to recruit internationally where genuine shortages persist.

Ensure fairness, transparency and predictability

Thresholds should be evidence-based, transparent, and reviewed through meaningful consultation with trade unions, employers and affected workers. Workers and employers need sufficient notice of changes to make informed decisions and avoid unnecessary disruption.

To what extent does the current approach achieve these objectives?

The current approach has the potential to establish minimum salary standards, but it risks overemphasising salary as a measure of skill and economic value.

A uniform or inflexible approach can disadvantage workers in lower-paid essential occupations, particularly where wages are constrained by public funding, regional differences, or longstanding undervaluation. It may prevent employers from recruiting workers who are genuinely needed, without addressing the underlying causes of recruitment and retention difficulties. Higher thresholds do not automatically improve wages or working conditions. Without effective enforcement and stronger collective bargaining, employers may continue to offer poor conditions to workers who meet immigration salary requirements but lack the power to challenge their treatment.

The Home Office should publish evidence on the effects of salary thresholds on recruitment, vacancies, pay, workforce retention, training and exploitation. It should also assess whether thresholds disproportionately exclude workers in essential sectors and whether alternative measures could address labour shortages more fairly.

Trade unions therefore call for salary thresholds that are proportionate, occupation-sensitive and informed by collective agreements and independent labour market evidence. They should protect wages without unfairly excluding essential workers or creating further instability in the workforce.

2. What impact does changing eligibility rules for work visas have on businesses, employers and workers?

Frequent or abrupt changes to work visa eligibility can create significant uncertainty for employers and workers alike. For employers, changes can disrupt recruitment, increase costs, delay workforce planning and leave critical vacancies unfilled. These consequences can be particularly serious in sectors already experiencing shortages, including health and social care.

For workers, changes can undermine their ability to plan their lives, support their families and build long-term careers in the UK. Workers may make substantial financial and personal commitments to relocate, only to find that their occupation is no longer eligible for sponsorship or that they cannot meet new salary requirements.

When visa eligibility is tied to continued employment with a sponsoring employer, workers may also face an unequal power dynamic. Fear of losing their immigration status can deter them from reporting unsafe working conditions, challenging unlawful deductions, joining a trade union, or leaving an abusive employer. This dependence can weaken collective bargaining and create conditions in which exploitative

employers gain an unfair advantage over responsible employers. It can also undermine workplace solidarity by placing migrant and domestic workers in unequal positions.

Unite's concerns about the exploitation of migrant workers are supported by evidence gathered directly from our membership. In Unite's 2025 survey of migrant members, 45% of respondents reported feeling pressured or exploited because of their immigration status. Furthermore, 46% reported experiencing racism, discrimination or unfair treatment while working in the UK. Some respondents described migrant agency workers receiving inferior contractual terms compared with British workers undertaking comparable work, while others reported being paid less despite carrying out greater responsibilities:

"Agencies employ EU staff to work like that for years without a contract, while British workers receive contracts after three months. When I was hired, I went directly to the company, but they then passed my documents to the agency. The agency paid the flat rate regardless of whether I worked nights, weekends, bank holidays, etc." – Anon Unite migrant worker member

These findings demonstrate the extent to which immigration status can expose workers to unequal treatment and exploitation in the workplace. They reinforce Unite's longstanding concerns, previously raised in evidence to the Low Pay Commission, that some employers deliberately exploit migrant workers' vulnerability to reduce labour costs, including by paying below statutory minimum wage rates. Such practices not only disadvantage migrant workers but also risk undermining collective bargaining, established pay structures and employment standards across the wider workforce.

Abrupt changes can affect existing workers differently from new applicants, creating uncertainty for those who have already committed to working in the UK in good faith. The Home Office should conduct comprehensive impact assessments before altering eligibility rules. It should consult trade unions, employers, sector representatives and migrant worker organisations, publish clear guidance and introduce appropriate transitional arrangements. Existing workers should not face disproportionate hardship because the government changes the rules after they have arrived and begun contributing to the UK economy.

Is it more important to have a responsive or consistent approach to work migration policy?

Both are necessary, but consistency, transparency and predictability should underpin migration policy. A responsive system must be able to address genuine labour shortages, shifting economic conditions and emerging skills needs. However, responsiveness should not justify frequent, short-notice policy changes that undermine workers' security or make effective workforce planning impossible. A consistent framework enables employers to invest in training and retention, gives workers greater confidence in their future, and helps essential services plan their staffing needs.

The Home Office should establish regular, evidence-based reviews of eligibility rules, with clear criteria for introducing changes. When urgent changes are necessary, the

government should explain the evidence, assess the consequences for workers, and provide reasonable notice and transitional protections. A fair system must be responsive to economic needs without imposing the cost of policy uncertainty on migrant workers.

3. What improvements could be made to the work visa system to ensure that migrant workers are treated fairly, with dignity and respect?

The Home Office should introduce reforms that strengthen workers' independence, improve access to justice and hold exploitative employers accountable.

Reduce dependence on individual employers

When immigration status is tied to employer sponsorship, workers can be placed in a position of significant vulnerability. The fear of losing the right to remain in the UK can deter workers from leaving exploitative employment or from exercising their employment rights. The government should make it easier for sponsored workers to change employers through a clear, accessible process, with reasonable time to secure new employment and appropriate safeguards during the application process. Workers should not be forced to choose between tolerating abuse and risking their future in the UK.

Introduce sector-based or local-authority-based visa arrangements

Trade unions call on the Home Office to examine alternatives to a system in which a migrant worker's immigration status depends heavily on a single employer. One option is to develop sector-based sponsorship arrangements, under which eligible workers could move between approved employers within a designated sector, subject to appropriate immigration and employment requirements. This could be particularly beneficial for sectors facing persistent recruitment and retention difficulties, such as social care and other essential services.

Another option would be to explore local-authority-based workforce arrangements, allowing eligible workers to move between approved employers within a defined local area or local-authority framework where there is an evidenced need for workers. Such arrangements could help local areas plan their workforce needs more effectively, support continuity of essential services, and reduce disruption when an individual employer closes, loses a contract, or can no longer offer employment.

These models should be developed in consultation with trade unions, local authorities, employers and migrant-worker organisations. They should be based on transparent assessments of labour-market needs, fair pay standards and adequate investment in training for the domestic workforce.

Crucially, sector-based or local-authority-based arrangements must expand workers' choices rather than create new geographical or occupational restrictions. Workers should not be trapped in a particular sector or area, and there should be clear routes to changing sectors, moving to another part of the UK or obtaining alternative immigration permission where eligibility requirements are met.

Any such model must include:

- The ability to change employer within the relevant sector or area without having to start a new sponsorship process for every job change, where legally feasible.
- Equal pay and employment conditions, supported by collective bargaining and effective enforcement.
- Independent advice and protection against retaliation for raising concerns or leaving abusive employment.
- Reasonable transition periods when a worker loses employment or an employer ceases operating.
- Clear routes for workers to change sectors or locations where their circumstances or opportunities change.
- Safeguards against employers or authorities using sponsorship arrangements to restrict freedom of association, suppress trade union activity or discriminate against workers.

The government should pilot these arrangements in sectors and areas where evidence shows persistent shortages, poor retention or significant risks of exploitation, and evaluate their impact on workers' rights and employment standards. The purpose of reform must be to give workers greater security and mobility, not merely to make labour available to employers.

Strengthen employment rights and enforcement

Migrant workers must have effective access to minimum wage protections, holiday pay, applicable sick pay, health and safety protections, equality legislation and trade union representation. The government should adequately resource labour-market enforcement, ensure that workers can report violations safely and impose meaningful penalties on employers who exploit them. Enforcement must focus on those responsible for wrongdoing rather than treating vulnerable workers as the problem.

Protect freedom of association and collective bargaining

Migrant workers should be free to join trade unions, participate in collective bargaining and raise workplace concerns without intimidation or retaliation. Trade unions must be recognised as essential partners in preventing exploitation, improving workplace standards and ensuring that migrant and domestic workers are not pitted against one another. The government should support collective bargaining and fair pay structures as key safeguards against the creation of a two-tier workforce.

Improve recruitment transparency

Before accepting employment, workers should receive clear written information on salaries, working hours, deductions, accommodation charges, visa conditions and their rights if the employment relationship ends. Recruitment fees, misleading job offers and exploitative arrangements should be effectively investigated and prevented. Workers should not be left with substantial debts as a result of misleading promises made by employers or recruitment intermediaries.

Provide accessible advice and protection

Workers must have access to independent employment and immigration advice, appropriate language support and confidential complaint mechanisms. The Home Office should work with trade unions, advice organisations and migrant worker groups to ensure that workers understand their rights and can seek assistance without relying exclusively on their employer. Where workers report exploitation or leave abusive employment, safeguards should prevent them from being unfairly disadvantaged in immigration decisions for seeking to protect themselves.

Promote equal treatment and workplace dignity

Migrant workers should not face discrimination, harassment, intimidation or inferior treatment on account of their nationality or immigration status. Employers should maintain safe working environments, address harassment and discrimination effectively, and ensure that all workers can raise concerns without fear. The government should monitor workplace outcomes and take action where evidence shows that migrant workers are disproportionately exposed to poor conditions or abusive practices.

The testimonies collected by Unite in the 2025 Unite Migrant Worker survey and submitted as evidence to the Home Affairs Select Committee in January 2025 provide further evidence of discriminatory employment practices, including wage theft, unequal contractual arrangements, lower rates of pay, restricted progression opportunities, and threats involving immigration enforcement. Some respondents described migrant agency workers receiving inferior contractual conditions compared with British workers undertaking comparable work, while others reported being paid less despite carrying out greater responsibilities. Additionally, Unite migrant workers are experiencing increasing racism and hostility in the workplace as a consequence of government rhetoric and planned changes to immigration legislation.

“When I worked for a food production company, my manager was openly racist, saying that she wanted only British management, so I was never promoted even though I passed the interviews. I was threatened, my holidays were cancelled, and I endured a lot of abuse.” - Anon Unite migrant worker member

> *“I’ve heard people at work joking about my immigration status.”* - Anon Unite migrant worker member

“Over the past six months, racism and racist slurs have risen considerably. We are experiencing humiliation and living in fear.” - Anon Unite migrant worker member

These testimonies should serve as a stark warning to the Government that hostile immigration rhetoric and policies do not exist in isolation; they have real consequences for migrant workers, emboldening racism, reinforcing workplace inequalities, and creating a climate of fear in which exploitation can flourish. The Government cannot claim to protect workers' rights while pursuing immigration policies that risk legitimising discrimination and leaving migrant workers more vulnerable to abuse.

4. What mechanisms are needed to support migrants who lose their jobs after arriving in the UK through no fault of their own?

This is a particularly important area of concern for trade unions. Migrant workers may lose employment because of redundancy, an employer's insolvency, the loss of a contract, restructuring or the withdrawal of sponsorship. They may also be affected by an employer's failure to comply with sponsorship requirements. Workers who have acted lawfully and in good faith should not face destitution, exploitation or the loss of their future in the UK simply because circumstances beyond their control have ended their employment. The Home Office should establish a clear and effective safety net incorporating the following protections.

Greater flexibility to change employers

The system should enable workers to move to another eligible employer without unnecessary administrative barriers. Where a worker has secured a new job and is complying with the relevant requirements, reasonable processing periods and transitional safeguards should prevent avoidable disruption. Sector-based and local-authority-based sponsorship arrangements could make this transition easier by enabling workers to seek opportunities with other approved employers within an established framework.

The ability to change employer is an essential safeguard against exploitation. Workers should not be left dependent on a former employer or forced to accept unsuitable work because their options are limited.

Protection where the employer is at fault

Workers who lose their jobs through no fault of their own should have a reasonable period to seek alternative employment and secure sponsorship where required. The period should reflect the time needed to find suitable work, apply for a new visa where necessary, and navigate administrative processes. Workers should receive clear information about applicable deadlines and their immigration status. Where employment ends because of employer misconduct, exploitation, insolvency, or a breach of sponsorship obligations, the worker's circumstances should be assessed fairly and individually. Workers should not automatically suffer immigration consequences for an employer's wrongdoing. There must be effective safeguards for those who report abuse, challenge unlawful treatment, or leave an unsafe workplace.

The power imbalance created by employer-sponsored visa arrangements can leave migrant workers dependent on individual employers not only for their livelihoods but also for their immigration status and future eligibility to settle. Under existing Home Office sponsorship guidance, when an employer's sponsorship licence is revoked, workers who were not complicit in the wrongdoing will normally have their immigration permission curtailed to 60 days. This creates an unacceptable situation in which workers can lose their employment, income and immigration security because of their employer's misconduct. For workers who have already experienced exploitation, 60 days may be wholly inadequate to secure alternative sponsorship, recover unpaid wages, obtain legal advice and pursue employment tribunal claims, particularly where they are experiencing financial hardship, trauma or other vulnerabilities.

These concerns are particularly serious when exploitation amounts to forced labour, human trafficking or modern slavery. The Modern Slavery Act 2015 provides an important legislative framework for identifying and protecting victims, including statutory guidance on identification and support under Section 49. This must be considered alongside Section 65 of the Nationality and Borders Act 2022, which provides temporary permission to stay for certain confirmed victims of slavery or human trafficking, where necessary to support recovery, access compensation or cooperate with investigations. However, existing protections remain insufficient. Temporary permission to stay as a victim of modern slavery does not, in itself, provide a route to settlement, leaving survivors facing prolonged uncertainty about their future in the UK.

Unite is concerned that proposed changes to ILR and earned settlement requirements could further disadvantage victims whose exploitation has prevented them from meeting employment, earnings, continuous residence or other qualifying conditions. Victims may have experienced prolonged unemployment, unpaid work, unlawful deductions, psychological trauma, ill health or an inability to change employers. These circumstances must never be interpreted as a failure to contribute or as grounds for delaying or denying settlement.

Unite calls for protections for victims of modern slavery and human trafficking to take precedence over any new or more restrictive immigration and settlement requirements. Unite firmly believes victims of modern slavery should have access to a secure, clearly defined pathway to settlement, rather than being left dependent on temporary immigration concessions or repeated discretionary applications. Survivors should be able to rebuild their lives, access employment, recover unpaid wages, pursue compensation and participate in legal proceedings without the ongoing threat of immigration insecurity. Protection should be trauma-informed, accessible and independent of any requirement to remain with an abusive employer.

Unite welcomes the Government's October 2026 announcement that recognised victims of modern slavery on Skilled Worker visas can leave abusive sponsors and take up alternative lawful employment without jeopardising their existing immigration permission. Unite believes this protection must be extended to workers experiencing serious labour exploitation who may not meet the threshold for formal recognition as victims of modern slavery. Crucially, the reform does not provide a secure route to settlement or guarantee that periods of exploitation will be disregarded when assessing future ILR applications. Without these additional safeguards, migrant workers may escape an abusive employer only to face continued immigration insecurity. The Government must also recognise that serious labour exploitation does not always meet the legal threshold for modern slavery. Workers subjected to wage theft, discriminatory treatment, unlawful deductions, threats, or breaches of employment rights must not be excluded from immigration safeguards simply because their experiences do not result in a positive modern slavery determination.

Effective remedies must include the recovery of unpaid wages, compensation for unlawful treatment, access to employment tribunals, independent legal advice, protection against employer retaliation and access to appropriate support services. Employers found responsible for serious exploitation should face meaningful sanctions, including enforcement action, financial penalties and, where appropriate,

revocation of sponsorship licences. However, sanctions against employers must be accompanied by protections for affected workers, rather than transferring the consequences of employer misconduct onto those who have been exploited.

Unite also calls for a statutory firewall between labour market and immigration enforcement, ensuring that migrant workers can report exploitation, provide evidence and seek remedies without fear that doing so will trigger immigration enforcement action against them.

Ultimately, the Government cannot claim to tackle labour exploitation while maintaining immigration and settlement rules that can penalise the very workers who are abused. The law must hold exploitative employers accountable, not punish their victims. Protection from modern slavery must be an overriding safeguard within the immigration system, not a right that can be weakened or displaced by increasingly restrictive settlement requirements.

Emergency financial and practical support

Sudden unemployment can leave migrant workers facing rent arrears, debt, food insecurity and the risk of homelessness, particularly where they have relocated at considerable expense or are supporting dependants.

These risks are significantly heightened for migrant workers subject to the No Recourse to Public Funds (NRPF) condition, which restricts access to most mainstream welfare benefits and housing assistance, including Universal Credit and homelessness assistance under Part VII of the Housing Act 1996. NRPF can leave migrant workers without an adequate financial safety net when they lose their employment through no fault of their own, including where an employer becomes insolvent, loses its sponsorship licence, or is found responsible for serious breaches of employment rights. Workers may have paid substantial visa fees, Immigration Health Surcharges, and relocation costs, while continuing to contribute to the UK economy through taxation and National Insurance. Yet, when faced with sudden unemployment, many are excluded from the very welfare protections that would help prevent financial hardship and destitution.

The interaction between employer-sponsored immigration arrangements and NRPF can create a particularly dangerous dependency on employers**.** Where workers know that losing their jobs may also mean losing their immigration status, accommodation and access to essential income, they may feel compelled to tolerate wage theft, excessive working hours, unsafe working conditions, harassment or other forms of exploitation rather than risk unemployment and destitution. This imbalance of power can be exploited by unscrupulous employers and undermines migrant workers' ability to exercise their employment rights or leave abusive workplaces.

Unite believes that the Government must recognise the role NRPF plays in increasing vulnerability to labour exploitation and introduce targeted exemptions and emergency protections for migrant workers who face sudden unemployment, employer misconduct or sponsorship failures. This should include temporary access to public funds and emergency financial assistance, including support for essential living costs,

housing and dependent children, while workers seek alternative employment, pursue legal remedies or resolve their immigration status.

Consideration must be given to victims of labour exploitation, trafficking and modern slavery. The Government must ensure that NRPF conditions do not prevent victims from accessing safe accommodation, subsistence support, healthcare (including specialist trauma care for survivors of modern slavery) and other essential services necessary for their protection and recovery. Access to emergency support should not depend on completing lengthy immigration or legal processes before assistance is available.

The Government should also ensure that migrant workers can access independent, multilingual advice on immigration and employment rights, housing assistance, debt support and employment services. Clear guidance must set out which benefits and services fall within the legal definition of public funds, which forms of assistance remain available despite NRPF restrictions, and how workers can access relevant statutory support or apply for a change of conditions where eligible.

Unite calls for a review of the NRPF condition and its impact on migrant workers, particularly those on employer-sponsored visas, to remove barriers that heighten vulnerability to exploitation and destitution. At a minimum, workers who lose their employment due to employer wrongdoing, insolvency or sponsorship failures should have access to a temporary safety net without jeopardising their immigration status or future eligibility for settlement.

No worker should be forced to choose between enduring exploitation and facing destitution. An immigration system that denies workers the financial security needed to leave abusive employment risks trapping them in the very exploitation the Government claims it seeks to prevent.

Independent advice and representation

Workers who lose their jobs should have prompt access to independent immigration and employment advice. They should be informed of their options, the steps required to preserve or regularise their status, and the consequences of missing applicable deadlines. Trade unions and specialist advice organisations should be supported in helping workers understand their rights and challenge unfair treatment. As discussed above, the NPRF barriers to support and recovery should be removed.

Fair and proportionate decision-making

The Home Office should clearly distinguish between workers who deliberately breach immigration requirements and those who lose their employment despite acting in good faith. There should be a transparent process for considering exceptional circumstances, employer wrongdoing and evidence that a worker has taken reasonable steps to secure alternative employment. Decisions should be proportionate, properly explained and subject to appropriate review or appeal.

Stronger accountability for employers

Employers must not be permitted to use sponsorship arrangements to evade responsibility for redundancy, unpaid wages, unlawful deductions or other employment obligations. The government should strengthen enforcement against employers and recruitment intermediaries that exploit migrant workers, while ensuring affected workers can recover unpaid wages and pursue employment claims.

The consequences of employer misconduct should fall on those responsible rather than be unfairly shifted onto workers.

5. The relationship between visa security, trade union rights and collective bargaining

Trade unions wish to emphasise that immigration status and employment rights cannot be considered in isolation. Where workers depend on an individual employer to maintain their immigration status, they may be reluctant to challenge unpaid wages, unsafe working conditions, excessive workloads, discrimination, harassment or other forms of exploitation. They may also fear joining a trade union, participating in collective action or supporting colleagues who raise legitimate workplace concerns. This creates a power imbalance that can undermine the practical exercise of employment rights, even where those rights exist in law.

It can also weaken collective bargaining by making some workers more vulnerable to employer pressure and less able to negotiate fair pay and conditions. Such arrangements risk creating a two-tier workforce in which migrant workers are treated less favourably and employers who exploit their vulnerability gain an unfair advantage over those who comply with employment law.

The Home Office should therefore ensure that visa arrangements do not prevent workers from organising collectively or from exercising their rights. This requires meaningful freedom to change employers, access to independent advice, effective protection against retaliation, and safeguards for workers who report exploitation.

Trade unions should be recognised as partners in identifying abuses, supporting workers and promoting fair employment practices. The government should consult unions and migrant worker organisations when designing visa rules, setting salary thresholds and assessing the effects of policy changes.

A worker's ability to exercise their rights must not depend on whether their employer is willing to tolerate that exercise. Protecting migrant workers' ability to organise and challenge mistreatment strengthens employment standards for all workers, promotes responsible employment and prevents immigration arrangements from being used to suppress wages or weaken trade union representation.

This response was submitted **by Unite Equalities Department** on behalf of **Unite the Union.**

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