

Migrants' Rights Network Response on the Government's Consultation on the Earned Settlement Model

Introduction

What is the Government Consultation on the Earned Settlement Model?

In May 2025, the Government published the new Immigration White Paper entitled 'Restoring Control Over the Immigration System'. The **82-page document** contains a huge number of proposed policies targeting a wide range of migrant groups, including the Government's intention to extend indefinite leave to remain (ILR) from 5 to 10 years, potentially affecting almost 2 million migrants who arrived in the UK from 2021. This announcement came with no timeline and no details as to how it would be implemented.

With the proposal came the [announcement](#) of an 'Earned Settlement' model where migrants' eligibility for ILR would be determined by their profession, the amount of tax they pay, and other contributions like volunteering. This all against the backdrop of removing no recourse to public funds from those that do get granted ILR.

The Government promised a public consultation on this model before it came into effect, which is now open until **12 February 2026, 23:59.**

Here is the [link to access the online consultation](#)

Why have we published our response?

The scale of the changes to ILR, and the chaotic way in which they have been communicated is overwhelming, even for those who have been following the changes since May.

We have an obligation as an organisation that is fighting for the rights of all migrants to ensure others support those who are impacted. The following response is shared so others will also complete the consultation. It includes the real human impacts of the policies they are proposing.

By sharing our response, we can encourage you and others to submit a response too.

Who should complete the consultation?

Everyone who opposes or finds how this Government is treating migrants, including refugees, appalling then we encourage you to complete the consultation.

Anyone can complete the consultation, you do **NOT** need to be a migrant or someone impacted by the changes. We urge you to do this because many of those affected are experiencing very low mood, anxiety and uncertainty. They are doing their best to challenge the proposals but this is taking a toll.

As allies, we have a responsibility to push back too because these people are our friends, neighbours, and colleagues. We should not leave them to do all the hard work.

It takes 20-30 minutes to complete depending on how much you want to write in the free text boxes

What to expect in the consultation?

The majority of the consultation is made up of closed questions. There are, however, a few questions where you will be asked for your opinion related to the key requirements that will be introduced as part of this new plan for settlement.

We would suggest preparing the answer on a word or Google document before pasting them in the online form so that you can make sure you are respecting the 200-word limit and if you wrote too much reorganise the text to make sure you are within the word limit.

The 'earned settlement' proposals are a model for society, beyond our immigration system. They create a hierarchy of belonging and wellbeing based primarily on taxable income.

If you are not navigating the immigration system - you could think about how you would be measured under these definitions of 'contribution', or who in your life would be impacted - friends, family, colleagues, your children's friends, or the people you may not know so personally but who still make up your daily life, such as health and transport workers who may be on temporary visas.

The survey is anonymous and will not impact your immigration case. You do not need to provide personal information, and the data will be aggregated and anonymised in any reporting.

This is part of the notice you will receive at the start of the consultation:

- This survey is anonymous. Any personal information you provide will be handled in strict accordance with the Data Protection Act 2018 and UK GDPR. Your data, including any personal data, may be shared with a third-party provider or other government department or organisation for the purposes of analysing and summarising responses. Technology such as artificial intelligence may be used to support this analysis. All responses will be aggregated and anonymised in any reporting.
- You can only submit one response. As part of this online consultation survey, your IP address will be collected. This, along with other data verification processes, may be used to detect and remove multiple submissions. Your IP address will not be used for any other purpose.

Beyond the consultation

We are engaging with the consultation as we think it's important to make our voices heard, and register opposition to the proposals. Some groups are exploring legal challenges, and we think the consultation data could be useful for this

Nevertheless, we are very aware of the limitations of this consultation, we have found the format of this consultation incredibly limiting and frustrating, with many questions asking you to accept a framework which we fundamentally reject, (e.g. that settlement should be earned, or that some groups should be exempted from longer routes, and by default everyone else should be subjected to longer routes), limited opportunities and space to offer meaningful feedback, and inconsistent and confusing question formats, including a double negative. Given the time between the end of this consultation (12 February), and the start of possible implementation in April, we also have reservations about how deeply the Government intends to listen and learn from these responses. We therefore urge you to continue to engage with this topic beyond filling out this consultation.

Some ways:

- Check in on those around you who may be impacted such as friends, colleagues, neighbours.
- Write to your MP to let them know you reject the principle of earned settlement
- Follow [‘Not a Stranger’](#) to learn more about the impact and how to get involved.

Background

1. Are you responding to this survey as an individual or as a representative of an organisation?

- ☐ Individual
☒ Organisation

If you're responding as an organisation:

Questions 2 – 10. Ask organisations to give more details regarding their size, sector and geographic location.

If you are replying as an individual you would not need to complete questions 2 to 10

If you're responding as an individual:

Questions 11 to 17. Ask personal information regarding your immigration or citizenship status, age, sex, gender identity, ethnicity, where you live and your most recent occupation.

For any of these questions, you do not need to answer. Only answer them if you feel comfortable answering them. For almost all of them you can choose don't know or prefer not to say.

Earned Settlement Section

The following section is the one called Earned Settlement where the Home Office is asking your views regarding the proposed Earned Settlement framework.

This is from the Government consultation:

“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)*

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

- Very clear
- Somewhat clear
- Neither clear nor unclear
- **Somewhat unclear**
- Very unclear
- Don't know / prefer not to say

Our response and rationale: Somewhat unclear

We understand the main changes that are being proposed but we do not understand why these are being proposed.

Migrants should not be penalised for accessing public funds they are entitled to, nor should people seeking asylum because of how they arrived in the UK.

There are many aspects in the proposed changes that are unclear, and will make it more difficult for all migrants, e.g volunteering, which would push them

into forced labour as a means to try and chase a reduction in the time to qualify for settlement.

The proposed changes are classist because they disproportionately impact lower-waged sectors, such as care work, by setting a longer length of time to qualify for settlement. In contrast, those on Innovator or Global Talent Routes are given options for a reduction in qualifying for settlement based on having a higher-wage or coming with an investment. There should be no discrimination of those in lower-waged sectors. (164 words)

2. [If unclear] Which aspects of the proposed changes to settlement are not Clear?

- **The concept of earned settlement**
- **The overall purpose**
- Which groups may be eligible for exemptions from the 10-year qualifying period
- How reductions to the qualifying period will be applied
- How extensions to the qualifying period will be applied
- How reductions and/or extensions will be applied if applicants meet multiple
- criteria
- How the proposed changes will apply to dependants and children
- **Other (please specify)**

Our response and rationale:

- **The concept of earned settlement**
- **The overall purpose**
- **Other**

The “earned settlement” and “earned citizenship” proposed changes draw on objectives outlined in the Immigration White Paper to reduce net migration, to link the immigration system to the skills requirements of the labour market, and to be “fair and effective”. The reality is that the immigration system consists of numerous barriers, restrictive policies and constantly changing rules that push more migrant groups into precarious circumstances.

Many migrants chose the UK assuming the settlement routes were set, and planned their lives, jobs and families based on this. After so many years in the UK, they did not expect a sudden change that would double the number of years (5 to 10 years), or remove some of the routes to settle in the UK.

The overall purpose and concept of earned settlement are rooted in cruelty and uncertainty.

Changes to settlement pathways would have an overwhelming negative impact on migrants and have been one of the most raised issues when we consult with campaigners. The overwhelming consensus is that changes to settlement are unjust and unnecessarily punitive, meaning many people will not be able to plan for their futures here in the UK. One community member told us that changes to the process are “*very unsettling*” and have the potential to have a huge impact on their lives while others felt changes were effectively “*moving (the) goal posts mid way.*” (165 word count)

For individuals:

This is a question that will be asked only of those responding as an individual

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

You will have the opportunity to provide your views on the specific proposals under the four core pillars later in the survey.

- Strongly agree
- Agree
- Neither agree nor disagree
- **Strongly disagree**
- Don't know/ prefer not to say

Character Section

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

From the Government Consultation document:

"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."

- 1. Do you have any comments on how 'Character' should be considered in relation to settlement? (max 200 words)** This open-ended question allows you to outline any concerns you have in relation to the strict application of the 'Character' requirements.

Our response:

There are grave concerns that previous behaviours and immigration matters will be used to label people as 'undesirable' and therefore not deserving or eligible for settlement in the UK.

We are concerned that the following people may be impacted and characterised as not worthy of being allowed to settle in the UK. This includes:

- People arriving to the UK via small boats to seek protection. Those coming for a safer and a more stable life should not face punishment for their circumstances.
- Those who have acquired NHS debt because they have been charged to access essential healthcare when they were ill.
- Many individuals find themselves in undocumented status through no fault of their own, often due to circumstances beyond their control or errors within the system. The UK's immigration system is incredibly complex and expensive to navigate. We believe that these situations should not be used as grounds to deny them the opportunity to settle and rebuild their lives in the UK. Look at the Windrush victims, who are still fighting the Home Office.

- The "conducive to the public good" frameworks are already excessively vague, allowing for arbitrary interpretation and risking the violation of people's human rights and fundamental freedoms.

(200 words)

Integration Section

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).

1. 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)
- The reduction is about right
- The reduction goes too far (it should be shorter than 1 year)
- There should be no reduction for these applicants
- **Don't know / prefer not to say**

Our response and rationale: Don't know / prefer not to say

We have answered it this way because we do not believe there should be an advanced English language requirement. The C1 standard is the equivalent of holding an English A-level, which is completely unnecessary for certain jobs. A higher threshold is being demanded of migrants.

2. How do you think integration should be assessed? (please select all that apply)

- Through a formal test (such a revised Life in the UK Test)
- Through gathered ongoing evidence (such as participation in certified English Language education or employment/volunteering evidence)
- Through completing a cultural orientation course once arrived in the UK
- Through character references from public services professional and British Nationals
- Through evidence of learning and participation within the wider community (including testimonies from relevant organisations/groups)
- **In another way (please specify)**
- Don't know / prefer not to say

Our response and rationale: In another way (please specify)

Approaches to integration have always tended to be exclusive rather than inclusive - they usually concentrate on what migrants and new arrivals (and sometimes longer established groups) need to do to “fit in” rather than the ways in which the society they move to needs to change to accommodate the newcomer.

As per the suggestions above, the focus on integration rests on migrants having a higher standard of English than the majority of the UK population to participate in society. This ignores the real issues which are structural and systemic, such as lack of progression or opportunities because of racial discrimination.

The pressure is on migrants to perform additional costly hurdles to ‘fit’ into a UK society that is undefined, and removes the responsibility on the UK to create a welcoming space.

(131 words)

Resources/ references:

[Read](#) why we reject the narratives on ‘integration/ assimilation’

Do you have any further comments on how ‘Integration’ should be considered in relation to settlement? (max 200 words)

Our response:

We do not think ‘integration’ should be considered in relation to settlement at all. It reinforces the premise that some migrants should be treated differently than others.

Some migrants are already permanently excluded or affected from being involved or able to engage in their communities because their immigration status makes it impossible to do so. For example, people seeking asylum are excluded from working during the process of their application, and are finding it difficult to find accessible English classes.

The ‘integration’ framework should not be used to penalise or punish migrants from being able to settle in the UK. It risks further stigmatising migrants, and adding further barriers such as alienation, inequality and insecurity preventing them from building a stable life in the UK. (125 words)

Contribution Section

According to the Home Office:

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*

1. 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 | | | X |
| Those in certain occupations with different pay arrangements (e.g. Ministers of Religion) | | | X |

Our rationale for our response:

There should be no hierarchy, and therefore we do not agree some migrants can have a reduction and others would not because of the occupation or their wellbeing. No one should be required to have earned above £12,750 for at least 3 to 5 years to be eligible for settlement.

2. 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?

Our response:

We believe all migrants should be exempt from this requirement.

The earning threshold is reinforcing the idea that migrants MUST be high earners or earn exceptional amounts to be seen as 'contributing' or worthy of longer term settlement.

We believe 'contribution' is a made-up idea that's used to vilify some migrants and other communities like disabled people because they are not viewed as economically productive, and therefore have their rights stripped from them on this basis.

3. 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
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our response and rationale: Strongly disagree

We do not agree that some migrant workers should have to wait longer to settle in the UK because they are not at a particular skill level (below degree level).

This is incredibly undermining of the skills and expertise workers need to work in sectors such as the care, agricultural or traditionally lower-waged sector where degrees are not necessary or required.

All these workers will end up in more precarity, costing them more to get to a settlement stage in the UK, heightening uncertainty.

4. To what extent do 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
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our response and rationale: Strongly disagree

We do not agree that earnings should be used as a benchmark to determine whether someone can settle or be used to speed up settlement times. This reinforces that higher waged migrants are preferable to the UK, and feeds class discrimination.

5. 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 |
|---|---|------------------------------|---|---|--------------------------------|
| 7-year reduction for applicants who earn a taxable income above £125,140 | | | | X | |
| 5-year reduction for applicants who earn a taxable income above £50,270 | | | | X | |

Our rationale:

Please see above why

6. 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
- No
- **Prefer not to say**

Our response and rationale:

There should be no hierarchy, and therefore we do not agree some migrants can have a reduction and others would not because of the type of work or sector they work in. All work is equally vital.

Penalties for accessing Public Funds whilst on the route to settlement

According to the Home Office:

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.

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, these penalties would exclude migrants covered by Trade Continuity Agreements and Social Security Coordination Agreements.

This means EU nationals who are protected under the Brexit agreements will not be subject to these possible penalties.

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

| | 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 |
|--|---|----------------------------|---|---|--------------------------------|
| 5-year penalty for applicants who claim public funds for <u>less than 12 months</u> during their route to settlement | | | | X | |
| 10-year penalty for applicants who claim public funds for <u>more than 12 months</u> during their route to settlement | | | | X | |

Our rationale for our response:

There should be no penalties for anyone that needs to access public funds. Public funds are utilised by people when they are in need, and they have a right to seek support from the State.

We all know that exploitation in the workplace, loss of income, ill health, and caring duties may mean someone needs to lean on public funds to protect themselves from destitution, i.e. becoming homeless or being unable to feed themselves or their family. No one should be punished for falling into more difficult economic conditions

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

- **Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know / prefer not to say

Our response and rationale: Strongly agree

We believe a safety net, i.e. public funds, should be accessible to everyone in the UK, and no one should be forced into destitution or penalised for having to use public funds.

9. 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
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our response and rationale: Strongly disagree

There are serious concerns that requiring migrants to volunteer or give back to their local communities undermines the true spirit of volunteering. It may pressure migrants into feeling they have no option but to 'volunteer,' which risks being perceived as forced labour rather than genuine voluntary service.

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? (200 words)

Our response:

There should be no hierarchy, and therefore we do not agree some migrants can have a reduction and others would not. See the rationale for qu.9 and also:

- Pushing migrants to 'volunteer' is a quick route to exploitation, where migrants are used as unpaid labour by unscrupulous organisations and companies.
- Migrants are already giving back through presence in their local communities, their jobs, and taxes. We should not be treating them differently.
- We all want to be appreciated and recognised for the things we do, especially if we put our time, effort and labour into something, but we also don't want to assign so much importance to achievements that they become a determining factor in someone's right to settlement in the UK.

Residence Section

According to the Home Office:

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 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.

1. 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 | | | | X | |
| 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)? | | | | X | |
| Applicants who have overstayed their original visa by 6 months or more? | | | | X | |

Our rationale:

We do not believe there should be any penalties for anyone.

2. Do you have any further comments on how 'Residence' should be considered in relation to settlement? (200 words)

Our response:

The reasons that people migrate are hugely varied from those coming here to study, work, join a loved one, or seek safety. Navigating the UK's immigration system is incredibly complex and expensive. A family of four could spend on average up to £10K on paying for visa fees and the immigration health surcharge, and this does not include legal fees. They face so many hurdles already that we should not be adding anything else to their woes.

The immigration system is error-prone, and many individuals have their 'lawful status' interrupted through no fault of their own. E.g. people have had their visas [incorrectly processed](#) leaving them having to seek emergency legal services at huge cost and stress.

Some migrants do not have a choice in how they travel, for example those seeking sanctuary because there are no routes that allow them to come to the UK to seek asylum. No one should be punished for leaving their homes to seek safety elsewhere by making their lives more uncertain and unstable through the threat of increasing the time they will need to qualify for settlement.

Resource:

- Guardian. [American woman feared losing job and home after Home Office visa error](#) (2025)

The following section focuses according to the Home Office:

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

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

| | Reduction (of 5 or 7 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 | | | X |
| Applicants who currently require 5 continuous years residence under the Global Talent route | | | X |
| Applicants who currently require 3 continuous years residence under the Innovator Founder route | | | X |
| Applicants on humanitarian visa routes (e.g. Syrian, Afghan) | | | X |

Our rationale for the response:

We understand some people are made more vulnerable than others because they have arrived here due to conflict and issues in their countries of origin. However, we would still not seek reductions for any specific group because there should be no hierarchy; the standard qualifying period should not be raised for anyone. We do not agree some migrants can have a reduction and others would not because of the type of work or sector they work in or because they are perceived to be 'paying in more' to the system because of the exclusive route they come in.

4. 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
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- **Don't know / prefer not to say**

Our response and rationale: Don't know / prefer not to say

There should be no hierarchy. We do not agree some migrants can have a reduction and others would not because of the type of work or sector they work in. This is reinforcing a class-based system, and assumes those perceived to be 'paying in more' to the system are seen to be more deserving of a quicker settlement route. Dependents on all relevant visas should retain their current 5-year path to settlement

5. 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.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- **Don't know / prefer not to say**

Our response and rationale: Don't know / prefer not to say

Please be aware of the “not” in the question. They are asking whether you think people already on a pathway to settlement should have these new proposals apply to them, potentially after many years of living here and if they are very close to reaching settlement under the current rules.

We do not agree with the changes so we have chosen to opt for 'don't know'. If they were implemented then we would 'strongly disagree' as we believe there should be transitional agreements for those already on a pathway to settlement.

6. 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 | | | X |
| Bereaved partners | | | X |
| Children and young adults who grew up in the UK without immigration status | | | X |
| Adults with long-term care needs | | | X |

Our rationale for the response:

We understand some people are made more vulnerable than others because of the situations they experience in their lives or health, or because they are children. However, we would still not seek exemptions for any specific group because there should be no hierarchy or carve outs as no-one should be subjected to these extremely destabilising changes.

We oppose the proposed settlement changes for everyone, and do not support a hierarchy of migrants.

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

Our response:

All migrants are made vulnerable by the UK's immigration system. We are expecting tens of thousands of people to be impacted and gravely affected by these changes, which are happening at speed. The instability means more people are made vulnerable by the immigration system. For example, sponsored workers may end up having to stay with an exploitative employer for longer because their qualifying period for settlement has extended from 5 to 10

years. In the case of care workers, they will be stuck in these conditions for 15 years before they can qualify.

There is a concern that migrants with disabilities will be placed at higher risk. Anyone can become disabled, which would lead to a period of incapacitation and rehabilitation that could mean a loss of income, and with no safety net of public funds, there is a risk of destitution.

(149 words)

8. 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 | | | X |
| Immediate family members of HM Armed Forces | | | X |

Our rationale for the response:

There should be no hierarchy, and therefore we do not agree some migrants can have a reduction and others would not because of the type of work or sector they work in. All work is equally vital.

Settlement of family members (called by the Home Office dependants) According to the Home Office:

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.

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

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our rationale for the response:

Forcing dependents, such as partners or children to earn settlement in their own right is incredibly restrictive and creates unnecessary obstacles to family unity and stability.

2. To what extent do you agree or disagree that dependent 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
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our rationale for the response: Strongly disagree

Children having to earn settlement in their own right would have a major psychological impact on the parents and the children once they realise they hold a different immigration status to either one or both parents. There would be increased costs to the families because of having to pay additional visa fees and the Immigration Health Surcharge.

Forcing children who turn 18 and have to qualify in their own right would result in them having to pay fees at an international student level if they decided to go to university, which could be as much as £15,000 to £70,000 per year. This could

mean untold debt for families, or being completely shut out of higher education because of the costs.

3. 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
- Agree
- Neither agree nor disagree
- Disagree
- **Strongly disagree**
- Don't know / prefer not to say

Our rationale for the response: Strongly disagree

We disagree that resettled refugees should have to wait for 10 years to qualify for settlement. We want refugees who flee heartache, persecution and need safety to have stability much sooner. No one should be forced to wait in limbo, and they should be given stability in their lives as soon as possible.

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. (200 words maximum)

Our response:

We have been engaging with communities about the impact of, and concerns around, the Immigration White Paper, and concurrent proposals. While the “earned settlement” and “earned citizenship” changes are at the moment only proposals, the announcement alone has made members of our Network incredibly distressed at worsening conditions for their life in the UK.

So, our position is unequivocal. **The overall purpose and concept of earned settlement is rooted in cruelty and uncertainty, and we firmly oppose all proposals that seek to extend the waiting time or limit access to settlement, for all migrants, including refugees.** The immigration system already consists of numerous barriers, restrictive policies and constantly changing rules that push

more migrant groups into precarious circumstances. The proposed changes will make people's status more insecure, with significant financial and mental health impacts on people affected by longer pathways to settlement.

It is clear the Government is trying to exclude and demonise migrants, and place material and psychological barriers that restrict their ability to be fully involved in their communities. Therefore, we call on the Government to scrap the changes to settlement and citizenship, stop demonising migrants, and put policies in place to make migrants' lives more secure.

(199 words)

Organisation questions

2. [If organisation] Are you responding on behalf of an organisation based in the UK?

- Yes
- No

3. [If organisation] Which of the following best describes your type of organisation?

- Private sector
- **Third sector / Voluntary**
- Public sector
- Education provider
- Business representative organisation or trade union
- Think tank or research/policy organisation
- Other
- Don't know / prefer not to say

4. [If organisation] Does your organisation provide immigration advice or support services?

- Yes
- **No**
- Don't know / prefer not to say

5. [If organisation based in the UK] Has your organisation ever sponsored employees to work in the UK on a visa?

- Yes – we currently sponsor employees
- Yes – we have sponsored employees in the past
- **No – we have never sponsored employees**
- Don't know / prefer not to say

6. [If organisation based in the UK] Does your organisation intend to sponsor employees to work in the UK on a visa in the future?

- Yes
- **No**
- Don't know / prefer not to say

7. [If organisation based in the UK] How many people work for your organisation across the UK as a whole?

- **Under 10**
- 10-49
- 50-249
- 250+
- Don't know / prefer not to say

8. [If organisation currently sponsors employees to work in the UK on a visa] How many employees are currently sponsored via a UK visa at your organisation?

- Under 10
- 10-49
- 50-249
- 250+
- Don't know / prefer not to say

9. [If organisation] Which of the following best describes the industry sector your organisation operates in?

- Agriculture, forestry and fishing
- Mining and quarrying
- Manufacturing
- Electricity, gas, steam and air conditioning supply
- Water supply, sewerage, waste management and remediation activities
- Construction
- Wholesale and retail trade; repair of motor vehicles and motorcycles
- Transportation and storage
- Accommodation and food service activities
- Information and Communication
- Financial and insurance activities
- Real estate activities
- Professional, scientific and technical activities
- Administrative and support service activities
- Public administration and defence; compulsory social security
- Education
- Human health and social work activities
- Arts, entertainment and recreation
- **Other**

- Don't know / prefer not to say

10. [If organisation based in the UK] In which part of the UK is your organisation mainly based?

- East of England
- East Midlands
- **London or Greater London**
- North East
- North West
- South East (excluding London)
- South West
- West Midlands
- Yorkshire and the Humber
- Scotland
- Wales
- Northern Ireland
- Other
- Don't know / prefer not to say

Contribution

10. [If organisation] Does your organisation currently accept or manage volunteers?

- **Yes**
- No
- Don't know / prefer not to say

11. [If organisation with volunteers] How easy or difficult do you think it would be for applicants to provide evidence of giving back to the community?

- Very easy
- Somewhat easy
- Neither easy nor difficult
- Somewhat difficult
- **Very difficult**
- Don't know / prefer not to say

Our response and rationale: **Very difficult**

We oppose the idea of anyone being 'forced to volunteer' so we do not agree with this element of the proposed changes. If 'volunteering' becomes something migrants have to do and prove to reduce the qualification for settlement, then we are very concerned that some migrants will be taken advantage of by unscrupulous companies or organisations. Migrants may end up being exploited e.g. being asked to pay to get proof of 'giving back' or pushed to do volunteering tasks that should actually be paid work.

12. [If organisation with volunteers] Considering any potential benefits or 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
- A somewhat positive impact
- No impact
- A somewhat negative impact
- A very negative impact

Our rationale for the response:

See above

Eligibility and Equalities

10. [If organisation providing immigration advice or support services]

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?

11. [If organisation providing immigration advice or support services]

What are the main barriers that you think this group / these groups will face? (please select all that apply)

- Lack of documentation
- Complexity of requirements
- Language barriers
- Financial barriers
- Health-related barriers
- Limited access to advice/support
- Other (please specify)

Impact on organisations

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

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

| | Very positive impact | Somewhat positive impact | No impact | Somewhat negative impact | Very negative impact | Not applicable | Don't know / prefer not to say |
|--|----------------------|--------------------------|-----------|--------------------------|----------------------|----------------|--------------------------------|
| Ability to attract suitable candidates | | | | | X | | |
| Ability to retain existing migrant workers | | | | | X | | |
| Workforce planning | | | | | X | | |
| Administrative burden | | | | | X | | |

2. [If organisation with intention to sponsor in future] 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
- Slightly more likely to sponsor
- No change
- Slightly less likely to sponsor
- Much less likely to sponsor
- Don't know / prefer not to say

3. [If education provider organisation with intention to sponsor in future] 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
- Slightly more likely to sponsor
- No change
- Slightly less likely to sponsor
- Much less likely to sponsor
- Don't know / prefer not to say

4. [If organisation with intention to sponsor in future] 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 visa a community sponsorship scheme)

- Much more likely to sponsor
- Slightly more likely to sponsor
- No change
- Slightly less likely to sponsor
- Much less likely to sponsor
- Not applicable
- Don't know / prefer not to say

5. [If organisation] 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.

Our response:

Engaging with those affected, we have been told numerous times of the emotional and social impacts with migrants, including refugees describing high levels of frustration, anxiety, and feeling isolated.

These impacts are closely tied to the climate of anti-immigration narratives and feeling less welcome in the UK because of how immigration is discussed, as well as not feeling recognised or valued. There is a great deal of concern about racism, discrimination, or hostility, linked to anti-immigration narratives. In this context, many of them believe the current climate makes them question whether they want to stay in the UK long term.

Alongside anxiety and exclusion, there is little confidence that systems will protect them with low trust in British institutions to protect migrants' rights and wellbeing. The low sense of belonging is very evident, and they do not feel supported by their community.

Migrants, including refugees we have engaged have a very muted outlook on their futures.

(156 words)

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

Our response:

We are extremely concerned about the mental welfare of those who will be impacted by these proposed changes to settlement. The uncertainty many migrants face will be prolonged, which means many will be unsure of applying for jobs and roles we hold because they cannot be sure they will have a future in the UK.

Migrants, including refugees impacted will turn to organisations like us for support despite not being able to offer them the advice and meet their needs. We have observed this with the eVisa transition where there was massive demand for support to the extent that the Government had additional funding to offer organisations to offer practical support. Signposting onwards to get legal advice is already difficult as many organisations are at capacity and these changes will exacerbate this.

(132 words)

What else you can do?

Contact

If you would like further support or information, please feel free to drop us a line at policy@migrantsrights.org.uk