

## **Westminster Hall debate - e-petitions 727360 and 727356 relating to the qualifying period for indefinite leave to remain (8 September 2025)**



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### **Overview of intended changes**

The government's immigration white paper announced in May this year proposes a number of changes to the UK's immigration system, including changes relating to how individuals acquire indefinite leave to remain/settlement status or British citizenship. In summary:

- **The standard qualifying period for settlement will be increased from 5 to 10 years.**
  - Shorter periods will be available for non-UK dependents of British citizens, while the government is also looking to consult on reducing the qualifying period based on "contributions to the UK economy and society".
  - Existing settlement safeguards for victims of domestic violence and abuse will be retained.
  - In the near term, a new bereaved parent route will be created, allowing those in the UK on the route of a parent of a British or settled child, but who have tragically lost their child, to settle immediately.
  - Children who have been in the UK for some time, turn 18 and discover they do not have status will be fully supported and able to regularise their status and settle. This will include a clear pathway for those children in care and care leavers.
- **Similar reforms will be introduced in relation to citizenship, with greater standard qualifying periods that can be reduced to allow those with "greater contributions to qualify sooner".** A refresh of the Life in the UK test will be conducted. Measures to reduce financial barriers to young adults who have lived here through their child from accessing British nationality will be considered.

We are generally concerned around the headline changes being made to qualifying periods for settlement and citizenship, and anticipate a number of issues in relation to these.

### **Anticipated issues arising from the policy changes**

There are a range of issues with the government's plans on increasing the qualifying period for indefinite leave to remain:

## **1. The changes will increase the likelihood of exploitation for migrant workers**

Previous research from the Work Rights Centre indicates that migrant workers in the UK are already at an increased risk of labour exploitation and modern slavery because they are subject to the sponsorship system. This system ties individual workers to employers who retain control over their employment and, crucially, their ongoing lawful immigration status in the UK.<sup>1</sup> In recent years, many sectors but particularly adult social care have seen a range of cases of exploitation, where employers have used their position of power over workers as a result of sponsorship to exploit them and prevent them from raising grievances with state enforcement agencies. For example, the Home Office's enforcement action against rogue sponsors in the care sector has backfired on workers and left over 39,000 migrant carers in limbo,<sup>2</sup> with more being affected each month.

**In this context, doubling the time that migrant workers must wait before they are free from sponsorship and have the unrestricted right to work in the UK means that they will be at a prolonged risk of exploitation. This will disadvantage many migrant workers and their family members, but will also make the job of the forthcoming Fair Work Agency much harder in terms of the scale of non-compliance to tackle.**

## **2. The changes will place migrant families under increased strain for longer**

The UK immigration system is already one of the most expensive in the world in terms of those wishing to move and settle in the UK, and the changes will only increase this financial strain. For example, previous analysis by the Migration Observatory found that a Skilled Worker visa holder with no dependent family members would pay around £11,500 from entry to acquiring British citizenship, while someone moving with a partner and two children would pay around £42,700 in total.<sup>3</sup>

In the context of recent year-on-year increases to immigration application fees and related costs, doubling the time that people must wait to be granted settlement in the UK will place families under enormous pressure. This is not an abstract risk - previous research by IPPR into the existing 10 year route to settlement found that 80% of people reported having their wellbeing or mental health negatively impacted, over half struggled to meet

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<sup>1</sup> Work Rights Centre, "Safeguarding sponsored workers: A UK Workplace Justice visa, and other proposals from a six country comparison", 24 April 2025, <https://www.workrightscentre.org/publications/2025/safeguarding-sponsored-workers-a-uk-workplace-justice-visa-and-other-proposals-from-a-six-country-comparison/>

<sup>2</sup> Home Office, Department of Health and Social Care, "New rules to prioritise recruiting care workers in England", 12 March 2025, <https://www.gov.uk/government/news/new-rules-to-prioritise-recruiting-care-workers-in-england>

<sup>3</sup> Migration Observatory, "Q&A: Immigration fees in the UK", 5 April 2025, <https://migrationobservatory.ox.ac.uk/resources/commentaries/qa-immigration-fees-in-the-uk/>

the cost of utility bills and almost half were forced to borrow from friends or family to pay for the costs of their immigration applications.<sup>4</sup>

**The net effect of the policy change is clear - delaying social and economic integration, a greater number of people put in limbo for longer, and increased chances of families falling into irregular migration status and destitution.**

### **3. The changes will reduce the UK's international competitiveness**

Increasing the time before migrant workers can become settled or British citizens is likely to disincentivise some from picking the UK when considering their international options for labour migration. For example, Dr. Madeleine Sumption, Deputy Chair of the Migration Advisory Committee (MAC), has noted that the change will make the UK “more restrictive than most other high-income countries”.<sup>5</sup> Though carve-outs are envisaged based on a currently nebulous principle of “contribution”, it is hard to see how this policy will attract the “brightest and best” talent the government is focused on. The prospect of having to make further extension applications and incur further sets of associated fees and costs will put many off the UK entirely.

### **4. The changes are unduly fair for migrants already in the UK, and businesses already employing migrant workers**

We are particularly concerned over reports that the government intends to apply the new policy on settlement retroactively i.e. to those already in the UK that had applied and continue to reside under the old settlement rules. Though the likely affected cohort is difficult to predict because of the current uncertainty around what implementation will look like, it is worth noting that roughly half the people on temporary visas at the end of 2024 – around 53% or 2.1 million – had a path to settlement<sup>6</sup>

For these individuals, who had a legitimate expectation that they would qualify for settlement after 5 years, retroactive implementation would be unduly harsh and unfair. This is particularly the case for those that may be nearing the 5 year mark when implementation of the policy takes place. For businesses already employing migrant workers, applying the policy retroactively will potentially mean incurring thousands of pounds in unplanned sponsorship costs due to a sudden change in policy that they could not have predicted. **This change is bad for workers, bad for businesses and will undermine the government's growth ambitions.**

<sup>4</sup> IPPR, “Revealed: the ‘devastating’ impact of 10-year process endured by thousands on course to settle in UK”, 2 March 2023, <https://www.ippr.org/media-office/revealed-the-devastating-impact-of-10-year-process-endured-by-thousands-on-course-to-settle-in-uk>

<sup>5</sup> BBC News, “PM promises tougher visa rules to fix ‘broken’ migration system”, 11 May 2025, <https://www.bbc.co.uk/news/articles/cg4vlyly0l2o>

<sup>6</sup> Migration Observatory, “Changes to settlement: what do they mean?”, 30 May 2025, <https://migrationobservatory.ox.ac.uk/resources/commentaries/changes-to-settlement-what-do-they-mean/>

## **Recommendations for government**

The government must scrap the intended changes to increase qualifying periods for settlement and citizenship. Far from increasing the social cohesion the government aims to promote, the changes will hinder social and economic integration, make it harder for migrant families to settle into communities in the UK, and ultimately make their position unnecessarily more precarious. More generally, the government must reconsider its immigration white paper which does not adequately address the growing issue of migrant labour exploitation and will negatively impact many sectors where migrant workers form a crucial part of the labour force.

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