

Evidence to the Secondary Legislation Scrutiny
Committee for its consideration of the
Statement of Changes to the Immigration
Rules: HC 997, 1 July 2025



Introduction

1. Work Rights Centre is a registered charity dedicated to supporting migrants to access employment justice and improve their social mobility. We do this by providing free and confidential employment and immigration legal advice, and general employability support, and by mobilising frontline intelligence to address the systemic causes of migrants' inequality. The charity was founded in 2016. Ever since, we have advised over 6,000 people, and helped recover over £500,000 in unpaid wages and fees, and supported hundreds more to make job applications and secure their immigration status. Our frontline service consists of two multilingual teams of advisers who operate in London (5 days a week) and Manchester (on Saturdays). Together, the advice team assist an average of 20 beneficiaries a week, with issues which range from non-payment, insecure immigration status, and career advice.
2. We ask that the Secondary Legislation Scrutiny Committee draw the Statement of Changes to the Immigration Rules: HC 997, published on 1 July 2025, to the special attention of the House, on the following bases:
 - a. that the statutory instrument is politically or legally important or gives rise to issues of public policy likely to be of interest to the House;
 - b. that it may imperfectly achieve its policy objectives; and
 - c. explanatory material laid in support provides insufficient information to gain a clear understanding about the instrument's likely impact.

Background

3. The Statement of Changes HC 997 contains a number of changes to the Immigration Rules across different visa routes. The two core changes envisaged are to:
 - a. the Skilled Worker visa and other work routes, as set out in the government's immigration white paper published on 12 March 2025; and

- b. the closure of the Afghan Relocations and Assistance Policy (ARAP) to new principal applications.

There are other minor changes being made.

- 4. For the purpose of this submission, we focus specifically on the changes to (a) above.
- 5. Within this, we focus on the following reforms:
 - a. Lifting the skills threshold for the Skilled Worker visa route to the Regulated Qualifications Framework (RQF) level 6, and similarly updating the going salary rates for eligible occupations;
 - b. The introduction of the Temporary Shortage List, envisaged as a long-term replacement to the current Immigration Salary List; and
 - c. The closure of entry clearance applications for Skilled Workers sponsored in occupation codes 6135 (Care workers and home carers) and 6136 (Senior care workers), effectively bringing about an end to overseas recruitment in social care.

The statutory instrument is politically or legally important or gives rise to issues of public policy likely to be of interest to the House

Lifting the skills threshold for Skilled Worker visas and updating the salary thresholds for eligible occupations

- 6. Though much of our submission is focused on other changes to the immigration rules, it is worth noting that increases to salary and skills thresholds may have unintended impacts. For example, many individuals on Graduate visas who have invested significant sums to study in the UK may be hindered in making the transition to graduate employment, particularly as the new entrant salary rates have increased to £33,400, a figure which may be implausible outside of London and the South East of England. Similarly, the changes could further entrench the divide between London and the South East of England as compared with the rest of the UK, given salary disparities across the country.¹

¹ The Northern Powerhouse Partnership, “Persistent wage gap between north and south”, published 9 August 2022, available at:

7. Though the Explanatory Memorandum notes that transitional arrangements will mean that those already in the Skilled Worker route will be exempted from the increase to the skills threshold, it also notes that these arrangements will “not be in place indefinitely and will be reviewed in due course”. The government must urgently provide clarity on their plans in this area, otherwise there is a risk that a substantial cohort of workers already on the Skilled Worker route are unable to continue their stay in the UK through no fault of their own.

Introduction of the Temporary Shortage List

8. The introduction of the Temporary Shortage List, and the current lack of clarity around key aspects of its operationalisation, gives rise to a number of issues that will be of interest to the House.
9. The Explanatory Memorandum notes that roles on the Temporary Shortage List are intended to be “time-limited” and “conditional”. Occupations on the list currently have removal dates set for 2026 (with the exception of adult social care), while the government has said it reserves the right to bring these dates forward if compliance issues present on the list. The government must urgently clarify that individuals sponsored on Temporary Shortage List roles before the relevant cut-off date will be eligible to continue their lawful stay in the UK beyond this date, including the ability to make extension and settlement applications – there must not be a “cliff-edge” situation where people become at risk of losing their status. This is particularly important in the context of the government potentially bringing forward cut off dates for certain occupations – the government must clarify what planning and consultation activities will take place with both workers and affected sectors to ensure that they are not blindsided by abrupt changes to the immigration rules. The government must learn from previous experiences of introducing new immigration rules without sufficient consultation, particularly in the adult social care sector, which have created uncertainty and confusion for workers and businesses alike.²

<https://www.northernpowerhousepartnership.co.uk/persistent-wage-gap-between-north-and-south/>

² House of Lords Secondary Legislation Scrutiny Committee, “Lords Committee voices concerns on care sector impact of health and social care visa restriction”, 7 March 2024, available at: <https://committees.parliament.uk/committee/255/secondary-legislation-scrutiny-committee/news/200299/lords-committee-voices-concerns-on-care-sector-impact>

10. Without clarification that sponsorship on Temporary Shortage List roles will not amount to being sponsored on a short term visa (akin to the Seasonal Worker visa, for example), there are serious exploitation concerns to consider. Short-term visa routes can make it harder for workers to report and take action against employers who breach their rights. Previous research into time-limited visas has shown that their short-term nature disincentivises workers from speaking out about exploitation, as they hope to maximise their earnings in the little time they have in the UK.³ Reporting non-compliance and potentially taking legal action is also a time-consuming process. Even if workers decide to progress legal claims from outside the UK, there are procedural barriers that can weaken their ability to substantiate their claims (e.g. the requirement for countries, at a diplomatic level, to positively approve giving evidence to a UK court or tribunal from overseas).⁴ Short-term visas therefore inhibit migrant workers' practical enjoyment of employment rights, which the new Temporary Shortage List must not perpetuate.
11. In addition, we are concerned by the prospect that individuals sponsored on Temporary Shortage List roles will not be able to be accompanied by dependant family members in the UK. Notably, the Explanatory Memorandum explains that this exclusion will not apply to individuals working in occupations at RQF level 6 or above, nor will it apply to those working in occupations at RQF level 3-5 who are already in the Skilled Worker route and able to bring dependants before the changes come into effect. This amounts to an arbitrary exclusion of workers from the enjoyment of family life in the UK and perversely implies that the benefits of having a family unit in the UK is a privilege only reserved for a 'deserving' cohort of workers.

[-of-health-and-social-care-visa-restriction/#:~:text=In%20addition%2C%20the%20Home%20Office,of%20the%20changes%20was%20lost.](#)

³ Landworkers' Alliance, 'Debt, Migration and Exploitation: The Seasonal Worker Visa and the Degradation of Working Conditions in UK Horticulture', published 10 July 2023, available at: <https://landworkersalliance.org.uk/lwa-report-digs-into-exploitation-of-migrant-workers-in-uk-horticulture/>

⁴ Foreign, Commonwealth & Development Office, "Taking and giving evidence by video link from abroad in UK court cases and tribunals", published 1 August 2023, available at: <https://www.gov.uk/guidance/taking-and-giving-evidence-by-video-link-from-abroad>

12. The Home Office's own evaluation of the Skilled Worker route, published on 12 May 2025, suggests this change will backfire. Aside from finding that 71% of dependant partners were in work, thereby contributing to the government's own economic growth agenda, the report also notes:⁵

"In qualitative interviews, visa holders with dependants said being able to bring their children had been a key motivator for using the Skilled Worker visa. Many called it a 'dealbreaker', and felt certain they would not have come to the UK if their family could not join them."

13. There is also an exploitation risk with this change. Our previous research and engagement with migrant social care workers affected by a similar ban on dependants suggests that banning workers from having access to family members in the UK increases costs of living pressures and financially disincentivises people from reporting exploitation (as the income of a partner is one of the only lifelines that migrant workers otherwise have to support themselves when exiting an exploitative workplace).⁶ As a result, workers are more likely to acquiesce to exploitative conditions in the workplace and less likely to report grievances. The government must reconsider this change.

End to overseas recruitment in social care

14. The closure of entry clearance applications for Skilled Workers sponsored in care worker, home carer and senior care worker roles is politically important given the anticipated impact on the care sector and existing workforce shortages it is facing.
15. Numerous stakeholders have expressed concerns over the government's proposed plans in this area:
- a. The Homecare Association have stated the changes risk creating "extreme workforce shortages" and consequent harm to older and disabled people;⁷

⁵ Home Office, Skilled Worker route evaluation, published 12 May 2025, available at: <https://www.gov.uk/government/publications/skilled-worker-route-evaluation/skilled-worker-route-evaluation#dependants-on-skilled-worker-visas>

⁶ Hansard HL Deb. Vol. 837, 1 May 2024, available at: <https://hansard.parliament.uk/lords/2024-05-01/debates/BA5EC639-EA08-46E8-A3B7-A91F48BB4854/Debate>

⁷ Mithran Samuel, "What will ending overseas recruitment mean for adult social care?", CommunityCare, published 14 May 2025, available at:

- b. The National Care Forum have called the changes a “short-sighted” decision;⁸
- c. Care England has called the changes a “crushing blow to an already fragile sector”;⁹
- d. The Association of Directors of Adult Social Services (ADASS) has warned that the policy risks creating a “triple whammy” of greater reliance on costly agency staff, greater levels of unmet care need and more people giving up work to look after loved-ones;¹⁰
- e. UNISON have remarked that the recruitment of staff from overseas has been the only reason that the care system has been prevented from “falling over” in the past few years;¹¹
- f. The Public Accounts Committee, in their recent report on the Skilled Worker visa route, remarked that they were “concerned about the potential impacts of this decision for the sector, which expects demands for social care roles to increase over the next 10 years.”¹²

16. The end of overseas recruitment in social care could have long-lasting, damaging effects on the UK’s care system, at a significant cost to both the economy and public health. The changes are even more concerning because the government’s plan to boost workforce numbers in social care in lieu of new overseas recruitment is questionable at best. The Home Office’s press release on this change focuses on two measures that are outlined to plug the gap in recruitment – the Department for Health and Social Care’s rematching scheme for the some 40,000 displaced migrant care workers already located in England, and the government’s commitment to establish fair pay

<https://www.communitycare.co.uk/2025/05/14/what-will-ending-overseas-recruitment-mean-for-adult-social-care/>

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² House of Commons Committee of Public Accounts, “Immigration: Skilled worker visas”, published 4 July 2025, p.5, available at: <https://committees.parliament.uk/publications/48634/documents/254879/default/>

agreements in social care through its wider plans on employment law reform.¹³

17. Firstly, the government's rematching scheme for displaced migrant workers already in England is not working effectively in redeploying workers to new ethical employment in the social care sector. Our major research report evaluating the scheme (due to be published shortly after this submission), using data obtained from Freedom of Information (FOI) requests, a survey with workers, and 25 interviews with workers and service providers (across seven regional hubs) found that:

- a. Less than 4% of workers identified by the Home Office as needing support were reported to have found a new sponsor through the scheme by 30 April 2025. FOI data from the Home Office shows that between 1 May 2024 and 30 April 2025, a total of 28,492 displaced care and senior care workers were emailed by UKVI and directed to contact their regional hub for support.¹⁴ As of 30 April 2025, the regional hubs had successfully rematched a total of just 941 care workers with a new sponsor, according to FOI data from DHSC.¹⁵ If we express this as a proportion of the total number of workers displaced and contacted by UKVI up to 31 March (27,611),¹⁶ this amounts to an approximate rematching rate of just 3.4%.
- b. Many workers did not contact their local regional hubs for rematching, for reasons that ranged from lack of awareness to lack of trust and concerns about data sharing.

¹³ Home Office, "Overseas recruitment for care workers to end", published 11 May 2025, available at:

<https://www.gov.uk/government/news/overseas-recruitment-for-care-workers-to-end>

¹⁴ FOI 2025 05731 - Number of Care Workers Who Received Email Signposting Them to Regional Partnership for Support', WhatDoTheyKnow, 28 May 2025, https://www.whatdotheyknow.com/request/number_of_care_workers_who_receive_2?nocache=incoming-3031930.

¹⁵ FOI 1605963 - Number of Care Workers Who Accessed Support via International Recruitment Fund', WhatDoTheyKnow, 6 February 2025, https://www.whatdotheyknow.com/request/number_of_care_workers_who_access_2/response/3037620/attach/html/3/FOI%201605963%20AS.pdf.html.

¹⁶ We used 31 March 2025 as the cutoff date for the number of workers emailed by UKVI, in recognition that it takes time for the hubs to contact and place workers into a new role. Hubs would have had at least one month to place these workers into sponsored roles.

- c. Yet even when they did, overwhelmingly workers struggled to find another sponsor:
 - i. Stakeholders reflected on a general mismatch between employers' requirements for a cheap and flexible workforce, and visa criteria that were seen to have made sponsorship increasingly costly and compliance heavy.
 - ii. A second mismatch was between employers' requirements for a UK driving licence and car, which are critical in domiciliary settings, and the possibilities of workers who, in the most part, were not able to meet these criteria.
 - iii. For a significant minority of people, these structural barriers were compounded by language difficulties, financial constraints that made it difficult to pay for another visa, and even the ability to secure a reference from past employers.
- d. In summary, however hard the regional hubs may have tried thus far to connect workers and employers, there has been a fundamental mismatch between the needs of employers, the possibilities of workers, and the inflexibility of the Health and Care Worker visa.

18. The rematching scheme is therefore a "sticking plaster" on a much wider issue of care worker immobility and exploitation within the immigration. In any case, even at maximum efficiency, the scheme would only serve to fill but a fraction of the roles required in social care (Skills for Care data places this figure at 131,000 in England in 2023/24).¹⁷

19. Secondly, measures to improve domestic recruitment will not be immediately forthcoming and are not guaranteed. The government's roadmap for the implementation of the Employment Rights Bill confirms that it will only look to bring forward regulations to establish the Fair Pay Agreement Adult Social Care Negotiating Body in October 2026.¹⁸ It will then take some time beyond

¹⁷ Skills for Care, "The state of the adult social care sector and workforce in England 2024", published July 2024, p.10, available at: <https://www.skillsforcare.org.uk/adult-social-care-workforce-data/workforce-intelligence/documents/state-of-the-adult-social-care-sector/the-state-of-the-adult-social-care-sector-and-workforce-in-england-2024.pdf>

¹⁸ Department for Business and Trade, "Implementing the Employment Rights Bill, our roadmap for delivering change", published 1 July 2025, available at: <https://assets.publishing.service.gov.uk/media/686507a33b77477f9da0726e/implementing-the-employment-rights-bill-roadmap.pdf>

this to actually negotiate and implement an agreement for the sector that boosts pay and conditions, such that it could potentially incentivise more new entrants from the domestic workforce. Similarly, Baroness Louise Casey's work on an independent commission into adult social care, which will help inform the government's proposed plans on a National Care Service, is not due to produce a final report with long-term recommendations until 2028.¹⁹ It is also worth noting in the interim that some care sector stakeholders have expressed disappointment at the funding allocated for social care in the government's recent spending review.²⁰ These unknowns and the lack of impact assessment produced by the government for these Statement of Changes (see later in this submission) make it difficult to justify the government's abrupt action to end overseas recruitment in social care, indicating a need for greater scrutiny.

The changes may imperfectly achieve their policy objectives

End to overseas recruitment in social care

20. The closure of entry clearance applications for Skilled Workers sponsored in care worker, home carer and senior care worker roles has been touted as a response to well documented evidence of migrant worker exploitation in the social care sector.

21. For example, the government's immigration white paper states at §80 – 81:²¹

¹⁹ Department for Health and Social Care, "Independent commission into adult social care: terms of reference", published 2 May 2025, available at: <https://www.gov.uk/government/publications/independent-commission-into-adult-social-care-terms-of-reference/independent-commission-into-adult-social-care-terms-of-reference#:~:text=terms%2Dof%2Dreference-,Summary,2028%20to%20the%20Prime%20Minister.>

²⁰ Stephen Hall, "Social care left out in the cold once again': Sector leaders respond to last week's Spending Review", Care Home Professional, published 16 June 2025, available at: <https://www.carehomeprofessional.com/social-care-spending-review-reaction/#:~:text=Melanie%20Weatherley%20MBE%2C%20Co%2DChair,to%20support%20adult%20social%20care.>

²¹ Home Office, "Restoring control over the immigration system", published 6 June 2025, available at: <https://www.gov.uk/government/publications/restoring-control-over-the-immigration-system-white-paper>

"We have taken steps to address these concerns, restricting access to overseas recruitment unless employers have first tried to recruit from the in-country redeployment pool, but the evidence shows more needs to be done.

We will therefore end overseas recruitment for social care visas..."

22. Similarly, at 5.11 of the Explanatory Memorandum, it states:²²

"Concerns over workers sponsored as care workers and senior care workers (occupation codes 6135 and 6136) are well known. These include visa holders who have found themselves out of work due to employers over-estimating demand for their services or losing their ability to sponsor workers due to non-compliance, as well as significant concerns over abuse and exploitation of workers. As set out in the Immigration White Paper, these changes close entry clearance applications for Skilled Workers sponsored in these occupation codes."

23. However, it is not at all clear that the exploitation of migrants will be prevented by stopping new applicants to carer roles under the Skilled Worker visa route. For example, it remains a possibility that migrants will continue to be exploited in their countries of origin by unscrupulous recruitment agents and other actors, notwithstanding their inability to secure visas for caring roles in the UK. This is important because the Public Accounts Committee's recent report on the Skilled Worker visa identified that the Home Office had previously not "taken sufficient action to prevent exploitation in applicants' home countries and identify bogus agents, relying on sponsors complying with immigration rules".²³ This measure therefore does little to bolster the government's approach in preventing exploitation at source, outside of the territory of the UK in workers' countries of origin.

24. Moreover, this measure does nothing to assist those migrant workers in the care sector continuing to be exploited and/or suffering the consequences of exploitation in the UK. For example, despite the previously discussed

²² Home Office, Explanatory Memorandum to the Statement of Changes in Immigration Rules presented to Parliament on 1 July 2025 (HC 997), available at: https://assets.publishing.service.gov.uk/media/6862a05a1c735341c2111b11/E03394848_-_HC_997_-_EXPLANATORY_MEMORANDUM_Web_Accessible_.pdf

²³ House of Commons Committee of Public Accounts, Immigration: Skilled Worker visas, p.5.

ineffectiveness of the government's rematching scheme for displaced migrant care workers in England, there are no specific measures to improve this regime. Similarly, there are no other measures or reforms that might have been included to safeguard exploited workers. For example, the government's immigration white paper promised to explore "making it easier for workers to move between licensed sponsors for the duration of their visa, giving them more control over who they work for and reducing the risk of exploitation", while also promising to explore "innovative financial measures, penalties or sanctions, including for sponsors of migrant workers or students, which will incentivise them to show greater responsibility in their sponsorship practices...".²⁴ Neither of these measures have been included or expanded upon further in this Statement of Changes.

25. As set out in our previous submission to this Committee only a few months ago, given the emergency situation faced by tens of thousands of exploited care workers in the UK, there is now an urgent need for structural reform of the Skilled Worker route to prevent exploitation.²⁵ The government's proposal will very likely reduce the number of migrants arriving to the UK in care roles, but any policy objectives relating to preventing exploitation will not be achieved.

Explanatory material laid in support provides insufficient information to gain a clear understanding about the instrument's likely impact

26. The Explanatory Memorandum states at §9.1 to §9.3 (emphasis added).²⁶

"The changes to skills threshold are likely to have an indirect impact on businesses, charities and voluntary organisations who wish to sponsor overseas workers in occupations below RQF level 6. To a lesser extent, the updates to salary requirements may impact organisations who wish to sponsor overseas workers in occupations at or above RQF level 6.

²⁴ Home Office, Restoring control over the immigration system, p49, 60.

²⁵ Work Rights Centre, Evidence to the Secondary Legislation Scrutiny Committee for its consideration of the Statement of Changes to the Immigration Rules: HC 733, 12 March 2025, p.4, 9-10, available at: https://www.workrightscentre.org/media/4b4hr32d/work_rights_centre_evidence_to_the_secondary_legislation_scrutiny_committee_soc_hc_733_12_march_2025__1_.pdf

²⁶ Home Office, Explanatory Memorandum to the Statement of Changes in Immigration Rules presented to Parliament on 1 July 2025 (HC 997)

These impacts may include adjustment costs for businesses to respond to these changes.

The changes to close entry clearance applications for adult social care in occupation codes 6135 and 6136 are also likely to have an impact on businesses, charities and voluntary organisations who provide care in the UK.

These changes are also likely to have a significant impact on the public sector, as fewer applications will result in lower Home Office fee and Immigration Health Surcharge revenue as well as changes to the net fiscal contribution of these cohorts.”

27. As explained above, given the concerns expressed about the effect of these changes on different sectors in the labour market, it is inconceivable that an impact assessment has not been published at the same time as these Statement of Changes so their anticipated effect can be properly scrutinised. The government itself notes the “magnitude of these changes” in the Explanatory Memorandum, yet has failed to produce an impact assessment for them.

28. As the Committee will be aware, this is not the first occasion on which the Home Office has failed to provide an impact assessment to accompany wide-ranging and consequential immigration rule changes. As recently as 26 March 2024, the Committee held a one-off oral evidence session with the then Parliamentary Under-Secretary of State for the Home Office (Lord Sharpe of Epsom OBE) and senior civil servants at the Home Office (Dan Hobbs, Director-General at the Migration and Borders Group & Ruth Hasling, Deputy Director at the Parliament, Legislation and External Affairs Unit) to discuss the continuous failure to provide impact information for statutory instruments covering a broad range of important topics.²⁷

29. During this session, Ruth Hasling explained:²⁸

“We have quite a long process by which all our SIs are considered. That starts at a triage process roughly three to four months before we would

²⁷ House of Lords Secondary Legislation Scrutiny Committee, Corrected oral evidence: Poor quality of Home Office impact information, Tuesday 26 March 2024, available at: <https://committees.parliament.uk/oralevidence/14610/default/>

²⁸ Ibid, p.10.

be looking at laying, where we consider the SIs at that point. We do probe on issues such as impact assessments to make sure that they are being progressed where they are relevant. Similarly, where we press on the position with consultation or guidance, that is our first opportunity to flag whether there are concerns. There are occasions where there is an expectation at that point that an impact assessment will be done. The department is progressing that in line with the expected timetable, but unfortunately when we have got closer to the laying date issues have come up, as is the case with the impact assessments for these two Immigration Rules packages and it has not been possible to publish alongside.

In my SRO capacity, I will always advocate for publishing an impact assessment alongside the Explanatory Memorandum. Unfortunately, there are times where, because of the pressing nature of the policy and the importance of moving it forward, it is not possible to publish alongside."

- 30.** It is worth pointing out that the government's immigration white paper, of which these proposed changes form part of, has been anticipated by the Home Office at least as far back as 17 December 2024, according to a press release issued by the department on this date.²⁹ The government has therefore had many months to work on and produce a suitable impact assessment for these changes but has nonetheless failed to supply this analysis. This will undoubtedly hamper the scrutiny process applied to the changes and gives rise to serious concerns about their impacts on the labour market.

Conclusion

- 31.** For the above reasons, we ask for careful scrutiny and recommend each House annuls the Statement of Changes and provides the Home Secretary the opportunity to reconsider the policies underlying these changes.

8 July 2025

²⁹ Home Office, "Government strengthens Migration Advisory Committee", published 17 December 2024, available at: <https://www.gov.uk/government/news/government-strengthens-migration-advisory-committee>

Endnotes