



Home Affairs Select Committee Call for Evidence on: *Routes to Settlement*

Unite the Union Response

December 2025

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

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

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

Our submission examines the proposed changes to routes to settlement and includes recommendations which we believe, based on our considerable knowledge of workplaces and industries, will protect jobs, the economy and the wider community.

Executive Summary

Unite the Union firmly opposes proposals to extend, restrict, or tie “earned” pathways to Indefinite Leave to Remain (ILR), especially if applied retrospectively to migrants who entered since 2021 and without transitional arrangements. International evidence demonstrates that longer, conditional routes increase the risk of labour exploitation, hinder integration, destabilise migrant households, and place disproportionate burdens on vulnerable workers.

We recommend that any settlement system ensures secure, non-employer-dependent, predictable access to indefinite leave to remain (ILR), safeguards victims of abuse or trafficking, and explicitly exempts lower-paid and essential workers from punitive “contribution-based” criteria.

Unite urges the Government to work with unions and employers to develop a sustainable immigration policy that benefits workers and communities.

Unite calls on the Home Affairs Select Committee to recommend:

1. That any ILR path must disconnect from employer sponsorship, migrant workers must be free to change roles without jeopardising their status.
2. Prohibit the retrospective application of stricter ILR rules.
3. Immediate, unconditional routes to permanent status for verified victims of trafficking, forced labour, or exploitation.
4. Align immigration policy with anti-exploitation objectives, ensuring secure status for vulnerable workers and call for safe, anonymous reporting mechanisms to be guaranteed, with a separation (“firewall”) between labour enforcement and immigration enforcement.
5. Exemptions from “earned settlement” criteria must include survivors of abuse.
6. Enforcement must be strengthened, and “rogue” employers must provide compensation to their victims, and there must be free legal representation for exploited workers to access legal representation in immigration and employment law procedures.

7. Recognise a broad definition of contribution, including social and care contributions.

8. Carry out a comprehensive equality impact assessment before introducing any “earned settlement” measures.

Part A: Potential Impact of Changes to Pathways to Settlement

1.1 Evidence on the effects of pathways to settlement on immigration and rates of settlement

Unite believes that extending or making routes to settlement more complex is likely to deter valuable migrant talent, decrease retention, and harm both migrant workers and the UK’s ability to benefit from their economic contributions.

According to the Migration Advisory Committee (MAC), in 2022/23 the average migrant worker on a skilled worker visa made a fiscal contribution to the public purse of around £16,000, after taxes and minus public spending on services and benefits.¹ In comparison, the average British-born national contributes £800 per year.²

Furthermore, economic research across advanced economies, such as the UK, finds that high and low-skilled migrant labour increases GDP per capita in the long term.³.

The proposed earned settlement length differentiates between higher-skilled and lower-skilled (lower-paid) workers, with a baseline of 10 years for the former and up to 15 years for the latter. Unite rejects any attempt to categorise workers as ‘low-skilled’ or ‘high-skilled’ under these proposals. This fosters blatant inequality and shows a lack of regard for essential

¹ Migration Advice Committee: Policy paper Net migration report. Published 13 May 2025. Link: https://www.gov.uk/government/publications/migration-advisory-committee-report-on-net-migration/net-migration-report-accessible?utm_source=chatgpt.com

² Ibid.

³ CEPR: **Immigration and economic prosperity**. Link: https://cepr.org/voxeu/columns/immigration-and-economic-prosperity?utm_source

workers in lower-paid roles who keep our communities and public services functioning.

Penalising these workers by assigning them longer routes to settlement because they are 'lower-skilled' or on lower pay fails to consider their potential skills, aspirations, and the systemic barriers they have faced. This approach risks continuing a cycle of vulnerability and economic instability, denying these workers the opportunity for settlement despite their significant contributions to the economy.

Furthermore, it overlooks the fact that many lower-paid workers still carry out essential tasks and often show considerable skill, even if their roles do not match traditional 'higher-skilled' classifications.

Unite findings

In gathering evidence for this submission, Unite surveyed our members who registered as migrant workers; the survey received over 1300 responses from migrant workers across all sectors of industry (Figure 1 lists all sectors represented in the survey).

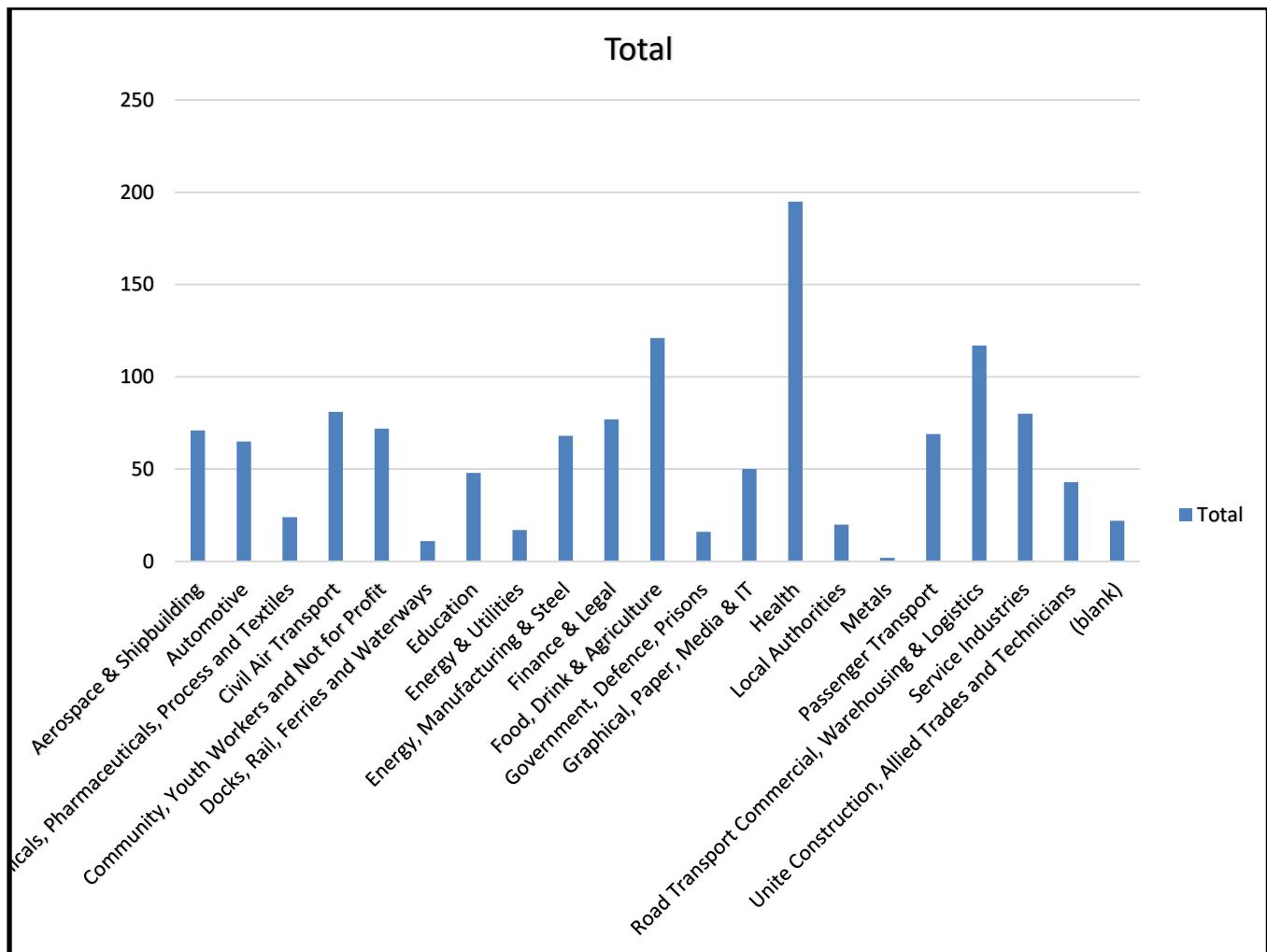


Figure 1: Survey responses by Sector

When asked how the proposed changes made them feel:

- 49% **felt much less secure** about their future in the UK;
- 29% **are considering leaving the UK** because of the proposed changes;
- 20% **felt less secure** about their future in the UK.

Regarding how the proposed changes affected their feelings about their rights at work:

- 59% **felt much less secure** about their rights at work.
- 31% **felt less secure** about their rights at work.
- 4% haven't felt any different about their rights at work.
- 45% have felt **pressured or exploited because of their immigration status**.

- Only 1% felt more secure about their rights at work.

Unite is already noting a significant impact on our members' well-being, with many reporting they now feel psychologically unsafe in the workplace and their communities. Our survey received numerous testimonies from migrant workers about increasing racism and discrimination at work, affecting their pay, working conditions, and access to promotion. This will undoubtedly influence their ability to increase wages, advance in their careers, and even remain employed, which will affect their capacity to apply for ILR under the new proposals.

In relation to an increase in racism at work, Unite's survey revealed:

- 46% **experienced increased racism.**
- 42% **didn't report racism and discrimination.**
- 23% **felt they had been unfairly treated due to racism.**

The quotes below are from our survey and reflect common experiences of racism, xenophobia, and discrimination that were frequently shared by our migrant worker members.

“I am often cut short by managers with questions of concern when trying to express myself. I feel marginalised at my workplace, and I'm not recognised in pay or promotion.”

“You cannot see this unless you work there. They always take advantage of us (migrant workers), even when we earn the same money, and they always put more on our shoulders than anyone else. But when it comes to promotions and rewards, we're the last to be considered, even if our results and improvements are better than others.”

“Passed up for promotion and paid significantly less for more work based on race.”

“Yes, I have personally experienced some forms of unfair treatment while working in the UK. Despite holding a university degree and possessing a highly skilled profile, I've observed a lack of career advancement opportunities. I have also encountered subtle discrimination related to language and communication styles, as well as situations influenced by nepotism, which have restricted equal access to professional growth.”

“Harassment at work and segregation in promotion make me feel discriminated against, and I fear losing my job or position at any time.”

“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 you worked nights, weekends, bank holidays, etc., whereas people on contracts earn more.”

“I worked there for many years, and everything was fine initially, but after a few years, I was promoted to supervisor, and all the problems began. My manager was giving me different targets than the other white British supervisors. I was blamed for mistakes and delays, which weren't my fault. When I explained this to the managers, the supervisor automatically became hostile towards me. Eventually, I resigned because the work environment was unbearable. It doesn't matter where you go—whether it's the workplace, shop, park, or street—there will be someone who clearly doesn't like people from other countries in the UK. The law can prevent physical or verbal aggression, but it won't change people's attitudes.

“Absolutely, I have! Continuously since I arrived here, from public shaming inside the warehouse, in front of 35 colleagues and one supervisor, yelling and cursing at me for no reason. I have an audio recording of this incident. Violent threats, wage theft, and finally being dismissed completely and utterly unfairly, then being reinstated by the Union. However, they still insisted on a Final Warning so they could fire me later, which they barely managed to pull off.

“Not in my current organisation, but in previous employers. One organisation employed British people for management, white Europeans for customer-facing roles, and BAME staff for the lowest-paid work behind the scenes. Another employer openly discriminated against BME job applicants in front of the existing staff. It's rife.

“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.”

“I was excluded from diversity training despite all other employees received it. My manager said I would receive the same training later, but it never took place. I was available and at work during the training, yet I was excluded solely because I was seen as 'exotic' and 'already knowledgeable about these issues.'”

“I will call the immigration forces to take you out of the country,’ a duty manager said to me, pretending it was a joke. Everything started last summer when I asked for days off to renew my passport (which was about to expire) and update my pre-settlement status. I explained to them that I do not have any other identification documents (like a driver’s licence), so I needed to travel to my country to renew my passport at the embassy, which would take a long time, and to send them my passport. I told them that being an immigrant without any ID makes me anxious! They just laughed at me, and they never understood my worries. Being low-paid and with just pre-settlement status is very stressful.”

“UK-born colleagues were first choice when it came to promotion, and due to our nationality, are sometimes treated like second-class citizens.”

“Not racist, but xenophobic comments. My husband is a bus driver, and many times he has had arguments with white British passengers who don’t want to pay their fare and yell at him to go back to his country or to learn the language, even though he speaks fluent English, but with an accent, of course.”

“Yes, I have noticed an increase in racism, and I believe part of it originates from the government’s own narrative around immigration. As skilled workers, we pay over £1,000 in visa-related fees each year, in addition to the same taxes as everyone else. Yet the government continues to portray migrants as a burden, despite knowing that we have no access to public funds or benefits. This kind of messaging fosters misconceptions among the public and unfairly fuels resentment towards people who are contributing positively to the country.”

“I’ve heard people at work joking about my immigration status.”

“Over the past six months, racism and racist slurs have risen considerably. We are experiencing humiliation and living in fear.”

Unite remains deeply concerned about the widespread systemic racism experienced by Black and Asian Ethnic Minority (BAEM) individuals in the workplace. This issue manifests in various forms, such as discrimination in hiring practices, unequal opportunities for career advancement, and underrepresentation in leadership positions. Unite calls for comprehensive measures to tackle and eliminate these injustices, ensuring a fair and equitable working environment for all employees.

Unite has launched the “Race Forward” campaign aimed at addressing and eradicating race and racial discrimination in the workplace. This initiative is overseen by Unite's British and Asian Ethnic Minority (BAEM) structures, which ensure diverse perspectives are incorporated into the campaign's strategies. The “Race Forward” campaign outlines specific, actionable steps that all workplaces can implement to foster an inclusive and equitable environment for employees of all backgrounds.

These actions aim to raise awareness, promote diversity, and foster accountability, ultimately creating a workplace culture that values and honours every individual.

- Close the ethnic minority employment gap.
- Tackle the pay gap for black workers.
- Fight for equality of opportunity in promotion.
- Deal effectively with racial harassment, discrimination and bullying.
- Promote fairness for Black women workers.
- Negotiate for Union Equality representatives.
- Ensure fair treatment of migrant workers.
- Organise and recruit BAEM workers into the union.
- What to do if the employer will not monitor or conduct an audit.

Unite urges the Government to prioritise policies that protect workers from racism and discrimination, including safe reporting mechanisms such as whistleblower protections. We also call for all front-line workers to be included in the amendment of the Crime and Policing Bill, introducing a

standalone offence against all forms of assault, including racial abuse, covering all workers. Additionally, employers should be required to collect data on reported assaults.

Unite is concerned that the proposed 10-year route to settlement will make the UK less attractive compared to other high-income countries that offer quicker routes to settlement. Unite warns that without the long-term incentive of settlement after 5 years, vital migrant talent will be discouraged from applying to work in the UK.

Unite is concerned that the Immigration White Paper and subsequent proposals have failed to provide transitional support, and that retrospective changes are causing significant stress to those already engaged in the process. Unite opposes the proposal to extend the 5-year settlement period to 10 years or more, and we strongly oppose the retrospective application of the proposed rules. These retrospective changes do not align our British values for equality and fairness.

“Our lives have been plunged into turmoil and uncertainty; we don’t know if we will be able to live in the house we’re purchasing in the near future. We are not just immigrants; we are real people.”

“I know of colleagues who are planning to have children, and they have had to put those plans on hold.”

“I’m on ICT. As far as I know, I can apply for ILR after 5 years. There were changes at work in the middle of my 5 years. My company did not inform me of the change, and now my tenure on the ICT has been reset, and I have to go back to a skilled worker visa to restart it. Also, I have no access to public funds. Now, my daughter cannot go to university as she is considered an international student (she has been here for 3 years).”

“After the Brexit referendum, I was told at work to pack my bags. A manager in 2014 compared my accent to her stepdaughter’s, who has cerebral palsy.”

“We were invited to the country to strengthen our public services, our defences, but the consultation doesn’t look at this; it focuses on the money we earn. This is a betrayal of thousands of people who have given up other

opportunities to come to the UK. Our lives have been changed; that is why we must have transitional protections.”

1.2. Impact on businesses and employers, including international recruitment of higher-skilled workers?

Employers rely on predictable and secure settlement routes to attract international talent. If the UK expands these routes (or links them to “earned” status), it risks losing potential recruits to countries like Canada, where obtaining permanent residence is simpler and more accessible.

Recruiting migrant talent in the UK is becoming increasingly vital across sectors such as healthcare, social care, STEM, hospitality, logistics, and higher education, where domestic shortages are long-standing and structural. Under the proposed routes to settlement rules, employers will face rising costs, including higher salary thresholds, visa fees, Immigration Skills Charges, and legal and sponsorship compliance expenses, which can add thousands of pounds per worker and disproportionately affect smaller organisations and publicly funded sectors.

The process will also become more complex, with stricter sponsorship rules, longer settlement periods, and policy changes that require dedicated HR and compliance resources. Increased visa renewals, compliance checks, and administrative tasks will significantly raise recruitment and retention costs. Consequently, in sectors that depend on international workers to maintain service levels, growth, and innovation, the administrative and financial hurdles of hiring from overseas will create barriers, making it more difficult for employers to fill essential roles and plan their workforce sustainably.

Under the proposals, there will be a substantial rise in visa sponsorship costs for skilled worker visas, likely totalling £ 16,000 over a 10-year span (paid by the employer in most cases). As covering dependants is at the employer's discretion, skilled workers might have to pay £ 16,000 for each dependant. This will undoubtedly decrease the talent pool available to employers.

Unite is also concerned that the earnings threshold of over £25,000 will affect the NHS. The entry point for band 3 workers in the NHS is £24,937,

which is £63 below the threshold. Band 3 includes medical laboratory assistants, healthcare support workers, patient transport staff, control centre operators, security officers, various community roles, administrators, and phlebotomists. This will also disproportionately impact women, who are overrepresented in part-time roles.

Additionally, while nursing roles have rightly been exempted, non-clinical band 6 NHS staff such as engineers, IT specialists, and administrative managers remain subject to the 10-year pathway. These roles are vital contributions to public service; the NHS is a system that extends beyond frontline care, and technical and administrative staff are essential. Exempting nurses but not engineers, IT specialists, and other non-clinical staff risks destabilising the health service and undervalues their work, which is crucial to supporting patient care. Without them, effective delivery of patient care cannot be achieved. For instance, band 6 Senior Data & Voice Engineers maintain secure communications and digital infrastructure that frontline care relies on. The NHS already faces shortages in technical and support roles, and this situation worsens an ongoing staffing crisis. All NHS workers should be recognised equally for their public service.

Overall and across all sectors, Unite warns that more extended visa periods will increase turnover risk, and Unite is concerned that migrant workers may leave the UK or decline to stay if their long-term security is uncertain.

“As an individual, this is likely to discourage higher-skilled workers. Why would a higher-skilled worker who significantly contributes to the economy, paying into the system, want to come to the UK, where the proposed changes are comparatively worse than in other European countries?” – Anon Unite member (migrant worker)

2. Impact on Migrant Households Already in the UK

2.1 Financial and economic impact, including access to benefits

A longer temporary status could delay or limit access to benefits and social support, placing a burden on low- and middle-income migrant families. However, it is important to note that access to benefits does not include skilled migrant workers, as their visas require earnings of over £41,000, which exceeds the benefit thresholds. Additionally, fewer than 2.7% of

universal credit claimants are immigrants with ILR; in comparison, 83% of benefit claimants are British and Irish nationals, and 9.6% are EU citizens.

The Government has announced that the proposed rules will be applied retrospectively to those who entered the UK after 2021. Those who are currently close to their qualifying period have not financially planned for having to extend the potential 10-year extension. For those who have dependants, this will mean paying additional fees for their dependants' visas. If they have children in university, this will also entail paying extra overseas student fees.

Furthermore, the health surcharge, which exceeds £1300 annually, will total £21,000 for a couple with two children when applying for dependent visa extensions. The overall cost of living will be significantly and disproportionately higher for those on skilled worker visas compared to other groups of workers in the UK. Our members who are migrant workers see this as a complete betrayal of the psychological contract they entered into with the UK when they first applied to work here.

Unite members on skilled worker visas voiced the following concerns:

“My wife is on a dependent visa, and we had no foresight that this government would change the routes to settlement. As a result, we haven’t financially planned, so essentially, I will not be able to fund this, and my household would be torn apart.”

“People on skilled worker visas pay higher mortgage rates and car loans, so if you have less than 2 years left on your visa, you end up paying higher interest rates on any loan, especially on mortgages.”

“Based on the current laws, I served 4 years and should be able to apply in April. Now, the goalposts have been moved. I work excessively long hours for a crisis team supporting people with significant mental health needs. After these announcements, my own mental health is suffering.”

“The Home Secretary has stated that ILR is an earned right, and I do believe we have earned it during the time we have been here.”

“Colleagues have expressed how difficult it was to come here; most arrived during COVID. We now feel exploited and no longer needed. No society prospers when those who contribute are made to feel disposable.”

2.2 The personal and social impact.

Unite is concerned that the growing uncertainty about immigration status, following announcements of the proposed changes to settlement, is causing destabilisation in entire households and leading to chronic stress, anxiety, and difficulties in planning for the future (e.g., housing, family planning, children’s education). Retrospective changes would be particularly damaging, as those who entered the UK under certain expectations would find those promises broken. Migrant workers have a psychological contract with the host nation, and these proposals completely break that contract.

“We do the work and follow the laws; we are honouring the end of our agreement, but it feels like the Government doesn’t recognise our contributions. The uncertainty of not knowing what will happen to me in the next five years is deeply stressful.”

“Since these proposals were announced, very few migrant workers in my workplace feel psychologically safe.”

“I know people who are closer to settlement, and were planning to have children, but now, after announcements of the longer route to settlement, they have had to stop because they don’t know where their child will grow up or if they even have the financial stability to have a child.”

“People who are buying a house are uncertain whether they will have the right to live in it next year when their visa expires. Longer routes to settlement, especially if applied retrospectively, create an environment with absolutely no psychological safety.”

Unite is also concerned that, under the new proposals, migrant workers may face limited job mobility because changing employers could jeopardise future settlement, creating a barrier to career progression and higher pay and undermining the Government’s commitment to addressing the pay gap.

Testimony from a Unite member working as a health professional:

I am a public relations professional specialised in health promotion. I was hired by an NHS provider directly from London upon graduating from a leading public health institute. Disease awareness, ill-health prevention, stigma reduction. A rare specialism in PR and a core priority of the NHS long-term plan.

Last week, I found myself in this very awkward situation after the proposal announcement, where all my routes leading to settlement were either abolished or unexpectedly extended to a decade-long. The abolition of the Long Residence route (page 23) and the extra doubling time required for existing skilled workers may just mean that, from under 2 years, it becomes another 7 years.

The details grew sadder as I read the paper: As a clerical public servant, that is, a non-clinical professional, I am seemingly excluded from the proposal's public service occupations. It only specified doctors and nurses to remain on the existing 5-year path, with no mention of other professionals.

Then, the earning requirement: the paper proposes £50k to be eligible for salary-based time reduction. I am on Agenda for Change, the present national public pay scale, which is significantly lower than the private sector rates.

Many extremely valuable public service workers like me have found ourselves left behind or falling through the cracks under this new proposal, as if our situations had not been taken into account. I don't know. Had I known, perhaps I would've stayed in the private sector, but that's not the point. Because I wouldn't have known, and I do like working for our public services.

Newcomers to the country would then have an informed choice. They could decide whether to come here still or contribute elsewhere accordingly. Yet communities on existing paths are robbed of that choice to remake that life decision.

Those years, we arranged our lives, resources, and logistics with hope and dedication to join this country, where we were promised a future.

And those futures which we entered on and are looking forward to, however non-feasible they might be now, are still on the website at this very moment.

Ten years is not a short time; it is the prime, golden age of my youth, of which I've spent since university in this country I now call home. Now that the Long Residence route is also gone in the same proposal, my years of education might not count. It would also affect many highly educated people, many of whom are on postgraduate or PhD programmes, 8 years+ into the route.

I've considered adopting a dog from the shelter this Christmas, but with the looming uncertainty, I don't think I will. I don't have the heart to have the puppy under uncertainty.

And just like many other things that I have postponed in my life, all those years waiting for the settlement were for a sense of stability.

2.3 Potential effect on integration

Unite stresses that stable and predictable access to permanent status fosters integration, including long-term civic participation, social cohesion, and community engagement. Conversely, extended precarity discourages long-term commitment to the UK, as migrant workers may feel they are “on loan” rather than permanent members of society, which reduces their sense of belonging and willingness to engage in community life.

Unite believes that extending settlement routes would hinder, rather than enhance, integration. When immigrants feel they cannot establish roots, they are unable to integrate. Integration is a crucial element in the settlement process, yet these proposals significantly obstruct integration.

Unite members who are migrant workers have told us that being on a visa makes it very difficult to establish roots in a country, and that life often feels very transient, which has significant physical and mental health implications.

“As an immigrant on a visa, you may find yourself in a park enjoying autumn and then think, I may not be here next year; your life feels very temporary.”

International evidence supports a strong link between permanent residence and positive integration indicators. An OECD report on Indicators of Immigrant Integration examined broader patterns of integration for immigrants across various countries. The report found that permanent status is vital for improving immigrants' outcomes in areas such as employment, education, and social inclusion, and discusses the positive relationship between permanent residency and integration indicators like income, housing, and civic engagement.

Similarly, data on *Permanent Resident Status and Integration* by Citizenship and Immigration Canada (CIC) has consistently shown through its longitudinal studies that immigrants with permanent resident status are more likely to succeed in various integration indicators, such as employment, educational attainment, and language proficiency, as the stability that permanent residency provides allows immigrants to pursue long-term goals and contribute more effectively to Canadian society⁴.

2.4 Risks of exploitation, trafficking and severe employer dependency

Unite is concerned that extending the qualifying period for settlement, migrant workers who will trap migrant workers in exploitation for longer due to difficulties in changing to a new sponsoring employer, rendering them second-class citizens and excluding their rights to fair and decent work.

The routes to settlement proposals overlook the complexity of migrant workers' experiences. Many workers from migrant communities, especially those working in agriculture and construction, have been subjected to various forms of labour exploitation^{5,6}, living and working in substandard

⁴ Citizenship and Immigration Canada. "Permanent Resident Status and Integration." 2015. Link: <https://www.canada.ca/en/immigration-refugees-citizenship.html>

⁵ The UK Independent Anti-Slavery Commissioner's 2020 report, "The Nature of Modern Slavery in the UK", discusses migrant workers' vulnerability to exploitation, particularly in sectors such as agriculture, construction, and hospitality. Citing figures from the National Referral Mechanism (NRM), which identified 60% of potential victims of trafficking in the UK in 2020 were non-UK nationals.

⁶ The Anti Trafficking and Labour Exploitation Unit (ATLEU) has brought legal action against the UK Seasonal Worker Visa scheme, citing debt bondage, illegal deductions, and modern slavery. According to ATLEU, workers have faced "trafficking, debt bondage and other forms of abuse" on seasonal visas, and some have been recognised as victims of modern slavery. Link: [https://www.atleu.org.uk/cases-news/drivingexploitationbreachinginternationallaw#:~:text=ATLEU%20has%20sent%20the%20government,including%20for%20poultry\)%20in%202024](https://www.atleu.org.uk/cases-news/drivingexploitationbreachinginternationallaw#:~:text=ATLEU%20has%20sent%20the%20government,including%20for%20poultry)%20in%202024)

conditions and being trapped in low-wage jobs due to limited immigration options.

The Independent Anti-Slavery Commissioner (Eleanor Lyons) has voiced serious concerns about a visa route in the care sector that has facilitated exploitation. Over 470 sponsoring licences have been withdrawn amid reports of coercion, debt, and poor working conditions⁷.

Unite is clear that when settlement depends on continuous employment or employer endorsement, employers hold disproportionate power, which can facilitate coercive practices (passport withholding, threats, underpayment, illegal deductions). This risk is magnified in sectors that already rely on low-paid migrant labour, such as care, agriculture, hospitality, and domestic work.

Additionally, CARE, a UK NGO, has documented a sharp rise in modern slavery indicators in the adult social care sector, correlating with the increase in overseas care visas⁸.

Workers subjected to trafficking or forced labour often endure debt, restricted freedom of movement, fear of authorities, and a lack of safe accommodation. If ILR is made conditional on '*contribution*', these Survivors may be coerced into remaining in abusive employment or may be penalised for gaps caused by exploitation.

Unite warns that retrospective application of settlement rules would risk re-trafficking survivors who had begun to rebuild their lives following exploitation.

⁷ Independent Anti-Slavery Commissioner. "Annual Report 2022: Tackling Modern Slavery and Exploitation in the UK." 2022. Link: <https://www.antislaverycommissioner.co.uk/>

⁸ CARE. "Modern Slavery in Adult Social Care: The Link with Overseas Visas." 2021. Link: <https://care.org.uk/cause/human-trafficking/modern-slavery-in-the-care-sector>

2.5 What evidence is there from other countries on the above issues?

International Evidence – Canada

Canada's Express Entry system for permanent residence, available through 3 main economic and skills-based immigration programs, allows successful skilled worker applicants to acquire permanent residency fairly rapidly (typically 6 to 9 months after submitting an invitation to apply, ITA)⁹.

This system is often praised as a success and recognised for supporting economic and social integration, employment stability, and long-term planning for migrant workers. In its assessment of 2015–2018 data, Immigration, Refugees and Citizenship Canada (IRCC) found that 95% of Express Entry principal applicants had become “economically established,” with high employment rates, and that they out-earned non-Express Entry counterparts by 20%¹⁰. This demonstrates that clear, efficient permanent residence pathways encourage successful settlement and labour market integration.

International Evidence – United States

In juxtaposition, the United States' lengthy delays in employer-sponsored green card processing result in reduced talent retention and greater employer uncertainty, as highly skilled workers relocate to areas with more dependable settlement opportunities.

Public analyses of the US system show that employment-based green-card backlogs reached a record level of roughly 1.8 million pending cases in 2023 (the vast majority of which were employer-sponsored).¹¹

⁹ CICS News :

<https://www.cicsnews.com/?cat=56#:~:text=Express%20Entry%20E2%80%93%20How%20Works%20and%20the%20Ranking%20System&text=Express%20Entry%20will%20manage%20applications,Instructions%20set%20out%20the%205B%E2%80%A6%5D>

¹⁰ Immigration, Refugees and Citizenship Canada (IRCC): Evaluation of Express Entry: Early Impacts on Economic Outcomes and System Management. Published May 2020:

<https://www.canada.ca/content/dam/ircc/documents/pdf/english/corporate/reports-statistics/evaluations/e3-2019-expressentry-accessible-eng.pdf>

¹¹ CATO Institute: 1.8 Million in Employment-Based Green Card Backlog. Published August 29, 2023. Link: [1.8 Million in Employment-Based Green Card Backlog | Cato at Liberty Blog](https://cato.org/blog/1-8-million-employment-based-green-card-backlog)

This system raises costs because employers cannot reliably predict whether a critical employee will obtain permanent residence within a few months or several years. This unpredictability complicates long-term workforce planning (such as succession, timing of security clearances, and project allocation) and makes firms less willing to rely on internationally recruited staff for strategic roles. As a result, companies face recurring incremental costs, including ongoing H-1B sponsorship, legal fees, premium processing (where available), and HR resources to manage immigration compliance, as well as retention costs like paying retention bonuses and other salary premiums, which increase labour costs. This significantly affects smaller firms, resulting in reduced productivity levels when visa-holding employees are required to reduce hours or take leave to deal with immigration issues.

Surveys of employer sentiment and immigration practitioners report these pressures as widespread.¹²

Journalistic and policy analyses document a noticeable outflow of talent from the U.S. or a reluctance to relocate there due to immigration uncertainty. This is more prevalent among highly mobile workers (especially in tech, life sciences and advanced research and development) who consider or accept offers from other countries with faster, clearer routes to PR/citizenship (e.g., Canada, Australia, parts of Europe)¹³.

Academic research shows that immigrant STEM workers positively influence innovation and productivity growth in the UK. Limiting retention through lengthy wait times diminishes these benefits over time. The National Foundation for American Policy and other studies highlight that inflows of skilled migrants have significantly contributed to past productivity gains, and the current prolonged backlog risks undermining that engine¹⁴.

Reflecting on the US system, Unite warns that the proposed changes to routes to settlement will put British firms at a global competitive

¹² ISACA: ISACA Study: 1 in 3 Tech Pros Switched Jobs in Past Two Years, Leaving 74% of Firms Worried About IT Talent Retention. Link: [Press Releases 2025 1 in 3 Tech Pros Switched Jobs Leaving 74 of Firms Worried About IT Talent Retention](#)

¹³ Reuters: Reverse brain drain: governments hope to lure talent after US visa change. Link: [Reverse brain drain: governments hope to lure talent after US visa change | Reuters](#)

¹⁴ National Foundation for American Policy: NFAP Policy Brief: The economic impact of the Trump Administration's immigration policies. October 2025. <https://nfap.com/wp-content/uploads/2025/10/Economic-Impact-of-The-Trump-Administration-Immigration-Policies.NFAP-Policy-Brief.2025-1.pdf>

disadvantage in recruiting talent and negatively impact the wider economy, as this will lead to higher employer costs, loss of talent to other countries, lower retention, and ultimately a risk of diminished innovation and productivity for sectors reliant on immigrant talent.

International Evidence – Australia: A contribution-based system

Australia operates a two-step migration process, often called “temporary first, permanent later.” This means many migrants initially enter on temporary visas (work, student, or graduate routes) and then transition, sometimes gradually or unsuccessfully, to permanent residence.

Similar to the proposals outlined in the UK’s Immigration White Paper, Australia’s visa system depends on strict points thresholds, occupation criteria, English language tests, and income requirements. Here, the occupation lists are updated frequently, point thresholds rise regularly, employer sponsorship is limited to employers who meet complex criteria, and many low-wage or essential roles are excluded from permanent pathways.

A recent review of Australia’s migration system found that the country’s temporary-visa cohort has doubled since 2007 and now “stands at 1.8 million people,” many of whom are effectively “permanently temporary” because of limited or unclear pathways to permanent residence. The review warns that this *“rise in permanent temporary migration has caused considerable harm to migrants, and undermined community confidence in the migration system.”¹⁵*

The review concluded that employer-sponsored and other temporary visa programmes often do not offer realistic routes to permanent residency, leaving many migrant workers in a state of perpetual precarity.

¹⁵ Australia Government, Department of Home Affairs (2023): Review of the Migration System – Final report. Canberra. Cited in the Guardian Newspaper: Australia’s broken migration system leaves 1.8 million workers permanently temporary, review finds. The Guardian 26 April 2023.

Part B: How the new earned settlement rules could work

3.1 How should “long-term contribution” to the UK be defined and quantified, when considering pathways to settlement? This could include how the following elements should be defined and weighted:

- ***social and community contributions; and***
- ***fiscal and economic contributions.***

Social and community contributions

Unite opposes the proposal to mandate volunteering as evidence of ‘social and community contributions’. This contradicts the spirit of volunteering, which is a personal choice. Furthermore, some professionals, such as doctors and healthcare workers, work excessively long hours with limited rest and leisure time, and requiring them to volunteer in their free time is unethical and potentially harmful.

If there is to be a social or community contribution requirement, caring responsibilities (unpaid care), union participation, and community engagement and civic participation should count towards “long-term contribution” just as much as fiscal contributions.

Fiscal and economic contributions

Recognising the significant contributions of migrant workers across all sectors, Unite urges that the new rules prioritise an inclusive economic criterion that concentrates on employment continuity rather than wage thresholds that exclude or extend the application period for essential lower-paid workers. Given that fiscal and economic contribution rules will disproportionately impact women, survivors of modern slavery, and other vulnerable groups, Unite recommends conducting an equality impact assessment before implementing these rules.

Furthermore, more robust measures must be established to prevent exploitation, and workers should not be penalised for reporting misconduct or changing jobs.

Additionally, economic contributions should not be London-centric; individuals working outside London should not be expected to earn London-

centric wages. We urge the Government to recognise that the median UK salary is £37,000.

3.2 *What exemptions should there be to the new rules?*

As discussed throughout this submission, Unite opposes the proposed rules. Should they be implemented, we call for exemptions to be granted for all migrant workers who entered the country prior to these proposed rules, with automatic transitional protections.

As a trade union, Unite considers the proposal to retrospectively alter the qualification rules for Indefinite Leave to Remain as deeply unjust. When people establish their lives in a country—working, studying, raising families—they do so based on the rules that applied when they arrived. These rules are not merely bureaucratic guidelines; they are promises, often referred to as a psychological contract, that shape life decisions, financial choices, and individuals' sense of security.

Changing these rules retroactively shifts the goalposts for those who have respected them in good faith, erodes trust in the system, and fosters fear where there should be certainty.

“Fairness demands that those who relied on the original requirements are protected. A just immigration system must be consistent, transparent, and honour its word. Retrospective changes do not reflect the values of equality or integrity. And that is why it is not only unfair, but profoundly unjust to shift the standards after people have already built their lives around them. This is why we are campaigning as a union against retrospective changes.”

- Alison Spencer-Scragg, Unite Director of Equalities

Unite firmly recommends full exemptions from any “earned settlement” criteria for:

1. Migrants who entered before the implementation of new rules (no retrospective application).
2. Workers in essential sectors (health, transport, social care, food production, logistics, engineering, manufacturing, sanitation, education).
3. Victims of human trafficking and modern-day slavery.
4. Women with caring responsibilities and part-time workers.
5. Migrant children, care leavers, and dependents.
6. Workers with long-term illness or disability, or those unable to work.

This consultation is submitted on behalf of Unite the Union

Requests for further information should be sent to:
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