Changes to UK visa rules

Introduction

1. In March 2023, the government amended the Immigration Rules, making notable changes affecting some visa routes, after official statistics revealed in 2023 that net migration had reached an all-time high. This briefing explores the new visa rules and what possible impacts there may be for stakeholders.

Overview of policy background

2. In January 2021, the UK launched a new points-based immigration system in the wake of its departure from the European Union, effectively implementing the end of the freedom of movement between the UK and EU for EU nationals. This reformed visa system was adapted to enable EU nationals along with all other foreign nationals to apply for a visa to come to the UK to work or study. In April 2021, the Seasonal Worker visa scheme, which allows foreign nationals to apply to come to the UK as temporary workers to address labour shortages in the agricultural sector, was also expanded to include EU nationals.

3. Despite the UK leaving the European Union over three years ago, migration has continued to play a central role in British politics with the government implementing various new items of legislation, policy, and operational practices in order to reform the immigration system amid increased levels of immigration.
4. In May 2023, as international students accounted for the largest group of arrivals, the government announced changes affecting this group as part of efforts to reduce net migration levels. These came into effect from January 2024, notably removing the ability of most international students to bring dependant family members with them to the UK.
5. In November 2023, the Office of National Statistics published figures regarding long-term migration to the UK. It revealed that net migration was at record levels, Net migration for the year ending June 2023 was 672,000. While in this period 1.2 million people arrived in the UK, the majority (968,000) were arrivals of non-EU nationals. The ONS' analysis revealed that around one third of this figure consisted of migrants who had arrived in the UK to work, and this proportion had notably increased from the previous year partly because of the development of the Health and Care Worker visa. In 2023, 146,000 people arrived with a Health and Care Worker visa making it the most popular visa under the Skilled Worker route. Among the top nationalities for arrivals were India, Nigeria, and Zimbabwe. You can read our connecting briefing on the Health and Care Worker visa here.

6. In December 2023, the Home Secretary announced new measures to reduce net migration by bringing in several major changes to visa rules affecting arrivals under the Skilled Worker route and the family migration route...
7. These new rules came into force in March and April 2024.

What are the new measures affecting visas?

8. There are several key changes or actions that have been introduced:

- The minimum income requirement to sponsor family members on the family migration route has increased. Sponsors must now earn a minimum of £29,000 per year as of April 2024. This is up from £18,600 and is set to increase further to £38,700 in 2025.
- Changes to salary thresholds on the skilled worker route. The minimum salary threshold for jobs increased from £26,200 to £29,000 in April 2024. This is the first stage of a phased increase as the salary threshold is set to further increase to £38,700 in 2025. There have also been individual increases applied to specific jobs. The Health and Care Worker visa route is however exempt from this increase.
- Visa holders on the Health and Care Worker visa are no longer able to sponsor dependants to join them in the UK as of March 2024.

- Tighter rules for employers to register as sponsors on the Health and Care Worker route including the requirement that they are regulated by the Care Quality Commission (CQC).
- The Shortage Occupation List has been replaced by an Immigration Salary List. This contains a list of roles that can be undertaken at a salary rate lower than the standard rate. The new Immigration Salary List has fewer roles than the previous list. The Migration Advisory Committee was commissioned to undertake a rapid review of the Immigration Salary List (ISL), published in February 2024. In its report, the committee questioned what the government's objectives are regarding the ISL, stating that it needs this clarity in order to carry out a full, and more meaningful review.
- The Migration Advisory Committee was tasked with carrying out a review of the Graduate visa route, published in May 2024. The review concluded that its impact on net migration was difficult to quantify, while also finding no evidence of abuse of the route, despite government claims.

What are the possible impacts of these changes?

9. Reduced immigration? While it is difficult to know whether these new measures will be effective in reducing net

migration, early analysis of the recent changes affecting international students suggests that some measures could have a significant impact. In the first quarter of 2024, there has been an 80% decrease in arrivals under the student visa route. As early indicators suggest this move is successfully contributing to the decline in the number of arrivals, it’s reasonable to expect that the change removing the ability to bring dependants under the Health and Care Worker route could have a similar effect.

10. Less exploitation, more destitution? Implementing stricter requirements for sponsors on the Health and Care Worker visa route could reduce the risk of exploitation and destitution. However, some migrants may still find themselves in precarious situations due to sponsorship breakdowns, such as those on the Skilled Worker route, as finding a new job meeting the increased salary threshold could be very challenging, potentially leading to destitution or visa curtailment. Local authorities will need to be vigilant of the risks individuals and families face regarding financial hardship and potentially insecure immigration status. Although visas include a no recourse to public funds condition, councils may be obligated to intervene when statutory duties arise under the Children Act or Care Act.
11. Family separation? The increase in the minimum income requirement for families could permanently separate many families, which ultimately hinders integration. It could also lead to an increase in the number of people, including British citizens, permanently relocating overseas to be with

their families, potentially contributing to higher emigration. Media coverage has extensively highlighted the impact of these changes on families and couples, with the government facing significant criticism for its decision. An inquiry into family migration by the House of Lords in 2023 emphasised that facilitating family migration enhances economic contributions. The inquiry recommended that the minimum income requirements under the family migration route should be more flexible, focusing on the 'likelihood of future income for the family unit rather than solely on the sponsor's past income'.

12. Exacerbated skill shortages? Some sectors could see labour gaps created if they are unable to fill positions with appropriately skilled workers because of fewer people arriving. Some major companies in the finance sector have already withdrawn offers to foreign nationals as the vacancies no longer meet the minimum income threshold. The health and care sector has indicated there could be difficulty filling essential roles should the inability to bring family members deter some from applying for positions in the UK. This could have impacts on the availability and quality of healthcare provision from public and private services. Moreover, the increase in salary thresholds makes it more difficult for applicants to find suitable roles that meet the requirements which will likely reduce the number of visa applications. The Migration Advisory Committee has warned that the government needs to review whether these measures to reduce net migration are beneficial to the

economy.

13. Token right to work for asylum seekers? Replacing the Shortage Occupation List with a more stringent list of approved job roles means there are fewer opportunities for people to find work in the UK. This will especially affect asylum seekers granted permission to work after waiting for more than a year for an initial decision. Their right to work is permitted only for roles included on this list. This list was already criticised for being restrictive, and there will now be even fewer employment opportunities available to this group.
14. Economic impacts from the loss of student spending? The earlier changes affecting international students have already resulted in fewer arrivals from the group in early 2024, and many commentators, including UK universities and the Migration Advisory Committee have warned that this could have a negative impact on the UK economy as well as the financial stability of universities. As universities are financially dependent on international students, fewer arrivals could result in budget cuts or job losses. Relatedly, fewer student arrivals could also impact the economy in other ways, such as the private rental market, service sector, and local shops and businesses who benefit from spending by this group.

Key information

Changes to legal migration rules for family and work visas in 2024. House of Commons Library. May 2024.

Graduate route: rapid review. Migration Advisory Committee. May 2024.

Home Secretary underlines commitment to cut net migration. Home Office. January 2024.

Home Secretary unveils plan to cut net migration. Home Office. December 2023.

Immigration statistics year ending December 2023. Home Office. February 2024.

Long-term international migration, provisional: year ending June 2023. Office for National Statistics. November 2023.

New measures to tackle student visa abuse. Home Office. January 2023Rapid review of the Immigration Salary List. Migration Advisory Committee. February 2024.

Reducing net migration factsheet. Home Office. February 2024.

Tough government action on student visas comes into effect. Home Office. January 2024.

About this briefing

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