



SKILLED WORKER JUSTICE ALLIANCE

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"We followed the rules; we did not expect the rules to stop following us."

Briefing Note 01

Briefing for the APPG on Migration: Earned Settlement Proposals Affecting Existing Skilled Worker Visa Holders

Topic: Addressing the Earned Settlement Policy (CP1448)

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1. Core Concern: The Earned Settlement framework may *substantively redefine the conditions relied upon by existing Skilled Worker visa holders, with retrospective effect.*

2. Who They Are: Skilled Worker visa holders are people who keep the country functioning: Sustainability & ESG consultants delivering net-zero projects and environmental strategies. Carers and pharmacy dispensers sustaining healthcare infrastructure. Engineers securing energy and infrastructure. Media producers employing British talent and securing the UK's global cultural hub. Logistics staff moving food and medicines. They are not simply labour — *they are participants in the UK's Growth Mission.*

3. Real-Life Effects

Work, Progression & Economic Stability

- Sponsorship trap and career stagnation: Promotions often trigger re-sponsorship and significant new costs. Employers therefore avoid advancing Skilled Workers, making visa status — not capability — the barrier to progression.
- Structural pay ceilings: Many sectors operate within objective pay ceilings. *A pay ceiling is an economic reality, not a personal failure.* Linking settlement to a *shifting* salary threshold undermines workforce stability in essential roles.
- Prolonged insecurity and *"guest-worker" risk*: Extending settlement to 10–15 years leaves Skilled Workers in long-term insecurity, where a serious illness or family emergency can jeopardise years of lawful contribution.

Housing, Credit, Family, Children & Education

- Many landlords refuse tenants with less than six months' leave • Mainstream banks prioritise mortgages for settled residents; those with limited leave face structurally fewer options and higher costs.
- Repeated extensions create cycles of insecurity through Right to Rent barriers



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- *An estimated additional cost of around £80,000 per child* based on a 3-year undergraduate degree tuition fee at international rate.
- If a parent cannot renew a visa, children forced to leave the only country they know.

4. The Existing System Is Already “Earned”

- Requires genuine sponsorship and continuous lawful employment
- Must meet skill and salary thresholds
- Settlement after five years is not automatic – it depends on ongoing compliance, contribution and subject to NRPF throughout.

This is not a shift from automatic → earned. It is a shift from earned → rewritten.

5. Rule of Law & Predictability

- Retrospective application would alter the legal and economic expectations of compliant residents.
- The Immigration Rules are being used to alter the consequences of decisions made in reliance on published policy, with *limited parliamentary scrutiny*. Settlement risks becoming *a carrot that is visible yet never reachable*.

6. A Limited and Reasonable Request: allowing those on the existing route to remain on it is the minimum necessary to preserve trust.

1. *Explicit assurance that new rules will not apply retrospectively to existing Skilled Workers and their dependants;*
2. *Clear transitional / grandfathering provisions in the Immigration Rules.*

Fact Box— Existing Skilled Worker Visa Holders

Status and Conditions

- Admitted through genuine employer sponsorship
- Must remain in continuous lawful employment and meet skill and salary thresholds
- Subject to NRPF throughout – fully self-sufficient, not welfare-reliant

Nature of the Settlement Pathway

- The five-year route has never been automatic
- Settlement is conditional on ongoing compliance and contribution
- The current system is already an earned model, not a guaranteed entitlement

Role in the UK Economy

- Embedded in critical sectors etc. digital infrastructure, logistics and local services
- Many roles operate under structural pay ceilings reflecting industry realities



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- Provide foundational value essential to economic resilience and public services

Reliance on Existing Rules

- Families have made irreversible decisions based on the established pathway
- Commitments undertaken lawfully under NRPF conditions
- These decisions create a legitimate expectation grounded in a stable published framework

Implications of Retrospective Change – Consequences

- Would amount to substantive retrospective adjustment for existing residents
- Risks to workforce retention and stability in key industries
- Risks to family economic security and social integration
- Undermines confidence in the predictability of UK rules
- Converts an already earned pathway into a commitment open to post-hoc revision

The current route is already contribution-based; The proposal redefines the goalposts rather than introducing conditionality.

Suggested Parliamentary Questions

To assist the Group in scrutinizing this policy effectively, we have drafted the following Parliamentary Questions. We respectfully invite Members to consider tabling these questions. To ask the Secretary of State for the Home Department, the following:

1. **Legal Certainty & Transitional Protection:** whether any changes to settlement policy will apply to existing Skilled Worker visa holders and their dependents, and what transitional or grandfathering protections will be provided to respect the legitimate expectations of those who entered the UK under the current five-year route to settlement.
2. **Economic Security & Workforce Retention:** what assessment has been made of the cumulative impact on UK industrial productivity and economic security arising from the retrospective application of extended settlement requirements, particularly in relation to workforce retention in strategic sectors such as energy, engineering, technology, local service and healthcare.
3. **Family Stability:** what assessment has been made of the impact of the proposed changes on family stability and day-to-day security of existing Skilled Worker visa holders, including access to housing and credit, the education and wellbeing of children, and the employment prospects of partners.

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