

Breakfast Briefing:

Immigration and Labour's skills policy update

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Agenda

- What changed in 2024?
- 2025: What's new?
- 2025: What's to come?
- What else could be changing?
- What does this mean?

What changed in 2024?



What's already changed in 2024?

Key changes:

- **Students:** Students can no longer bring dependants with them on their student visa.
- **Care workers:** Care workers were also banned from bringing dependants. Sponsors in England must be registered with the Care Quality Commission.
- **Visitors:** Permitted activities for visitors were widened.
- **Illegal working:** Increase in fines for illegal working – up to £60,000 fine per illegal worker.
- **Youth Mobility:** New countries added, some visas lengthened
- **Increased fees:** Eg Immigration Health Surcharge = £1,035

What's already changed in 2023/24?

Sponsorship:

Skilled Worker:

New minimum general salary = £38,700 (or the newly increased 'going rate', whichever is higher). Complex transitional arrangements for legacy employees.

Global Business Mobility:

Senior / Specialist Worker new minimum general salary = £48,500 (or the increased going rate).

Redefining roles capable of sponsorship:

New list of roles eligible for sponsorship - some roles are no longer eligible.

Shortage Occupation List removed:

Replaced with the vastly reduced Immigration Salary List (and 20% salary discount only applies to the general minimum, not the going rate).



Digitalisation

The introduction of the Electronic Travel Authorisation scheme “ETA”

What is it?

- Digital permission to enter the UK
- No ETA = no entry

Who does it apply to?

- All non-visa nationals
- **Note** – EU nationals (bar Irish nationals) need an ETA

How does it work?

- Online application - £16
- Submit information
- Linked to passport for up to 2 years

Does it give permission to work?

E-Visas and Digitalisation

The end of Biometric Residence Cards and Permits

- Stopped being produced in October 2024
- All visa holders should have or create a UK Visas and Immigration account
- Aim to create a fully digital border and immigration system for all = safer / easier to prove status
- Holders of BRPs with immigration permission can use their BRP for travel up to 1 June 2025.

Action point for employers – encourage all employees to create an account.

2025:
What's new?



Most recent changes

Changes impacting sponsors

- Sponsors banned from passing sponsorship costs onto employees under the Skilled Worker route
- Home Office has banned the use of sponsor licence to sponsor worker in a personal capacity
- Updated key personnel requirements
- Deductions from a sponsored employee's pay count toward salary minimum, unless they're optional benefits like salary sacrifice.
- Only recognised professional qualifications in the UK can be used for the 'New Entrant' salary discount.
- Minimum salary threshold for Skilled Workers will increase to £12.82/hour or £25,000

Most recent changes — April 2025

Changes affecting the Health and Care Sector

- Care providers who want to recruit a new worker from overseas will have to prove that they have attempted to recruit from England
- Health and education occupations will see their minimum rates increased to reflect latest national pay scales

Most recent changes

Further fee increases

	Current fee	New fee
Certificate of Sponsorship	£239	£525
ETA	£10	£16
Sponsor licence application fee (large organisations)	£1,476	£1,579
Small organisations	£536	£574
Standard Visitor Visa (6 months)	£115	£127

2025: What's to come?



Changes expected to Right to work Guidance

Introduction of checks on gig economy workers etc

- Current guidance that employers are only required to check the visa status of employees and workers.
- Guidance states you are “strongly encouraged” to conduct RTW checks on anyone in your supply chain
- New guidance coming where employers must carry out RTW checks on workers who are not direct employees (gig economy and zero-hour workers)
- Does this include contractors?
- The scope and definition of ‘Gig Economy’ workers?
- How will businesses do the checks?

Digitalisation

EES

- Automated IT system for registering travellers from non-EU countries, each time they cross borders into/out of EU
- Latest reports estimate October 2025, but nothing confirmed

ETIAS

- Latest reports say this will come in last quarter of 2026
- Any non-EU travellers planning to visit Europe for tourism, business or transit purposes will need an ETIAS
- EU equivalent of the ETA

What Labour have said so far

Labour's Plans for Immigration Policy

- Labour plan to '*end the long-term reliance on overseas workers*' by bringing in workforce training plans
- Linking immigration with skills policy.
- Clamp down on illegal working continues
- Net migration in 2023 – 900,000+ (728k in June 2024)
- Migration set to decrease to 350,000 anyway following Tory 5-point plan – unclear if/how Labour policies will reduce this further.
- Increased audits and inspections
- Stricter penalties for non-compliance

What Labour have said so far

Labour's Plans for Immigration Policy

- Creation of Skills England – to work with the MAC, unions and Industrial Strategy Council – develop training plans.
- Sector based skills improvement programmes.
- Workforce plans and fair pay agreements for sectors that rely on migrant workers.
- Ban on companies applying for sponsor licences if they don't comply with these measures.
- Removing roles from the Immigration Salary List if the sector does not engage with the work force plan.

What Labour have said so far

Labour's Plans for Immigration Policy

White paper expected 'imminently'.

- “Restrictions” on work visas? Caps planned – details TBC.
- Review of minimum salaries by MAC?

Further detail expected on the changes that have been implemented with effect from 9 April and the forthcoming changes to right to work checks for gig economy workers.

New Sponsor Management System expected.

Review commissioned by MAC

Migration Advisory Committee

- Home Secretary commissioned a review in July 2024 on the UK's reliance on recruitment in IT, Telecoms and Engineering.
- This sector is in the UK's top 10 most depend on international recruitment.
- Review is to understand why UK employees rely on international recruitment and sponsored immigration work routes to fill skills shortages.
- Expected to be released in April/May 2025.

The position from Europe

Youth Mobility Agreement with the EU?

- Labour previously had a firm stance that it has no plans for an EU Youth Mobility Scheme, however...
- The PM visited Brussels in February 2025 to meet with EU leaders
- The EU's proposed bloc-wide scheme is that 18-35 year olds would be able to move and work freely between countries for up to 2 years
- So far, the government have rejected any EU plans
- UK has previously suggested that it is open to extending the existing Youth Mobility Scheme visa to individual EU member countries, rather than throughout the EU
- Issue expected to be on the EU's agenda for the first summit of 2025

*What else could
be changing?*



Our predictions

Potential changes

- Further review of **business visitor route**?
- **Recommendations** by the MAC following reviews – regional based approach?
- No further increases to family visa income threshold?
- More detail needed on reform to points based system

What does this mean?



Labour's Plans for Immigration Policy

What it means

- Unlikely there will be any relaxation of immigration rules.
- Recruiting internationally remains difficult.
- “Reform” of the points based system could make things harder.
- Current immigration policy likely to increase gaps in labour market and frustrate recruitment, at least for the short term.
- Is upskilling the UK labour market the solution?
- What will be the true impact on the economy?
- How does Labour's strategy tie in with future plans for higher education sector?

What should Employers do?

- Make sure you have robust right to work checking processes in place.
- Make sure you are compliant with employment laws (in particular NMW and Working Time).
- Engage with industry bodies to contribute towards MAC reviews.
- Stay on top of proposals and changes – immigration rules can be changed with immediate effect.
- Assess your recruitment strategies – can they cope with sudden changes to immigration policy?
- What is your current approach to checking right to work for non employees/workers?

Talk to us

Capital's Employment & Immigration team has a team of experienced immigration lawyers who can advise and support you as you prepare for these significant changes.

Thank you.
Any Questions?



Capital's HR Consultancy Services

Alongside our full range of legal employment support, we also offer HR Consultancy services.

Our HR Consultants can assist with all aspects of the employee lifecycle, providing practical HR Solutions to support the day-to-day operations to ensure your business is compliant.

Acting as an extension of your team, we provide flexible, bespoke support to meet your specific needs and will support you as you prepare for the upcoming changes.

Contact our HR Consultancy Team:



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**Capital
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Upcoming
Breakfast Briefings





Breakfast Briefing:

**Stress, anxiety and depression is on the rise —
managing these issues and their interaction
with disability discrimination laws**

**Tuesday 20th May
9:00am – 10:00am**



Get in touch



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