

The UK's Future Immigration System

By Robbie Lammas | Office of Stephen Metcalfe MP



Summary

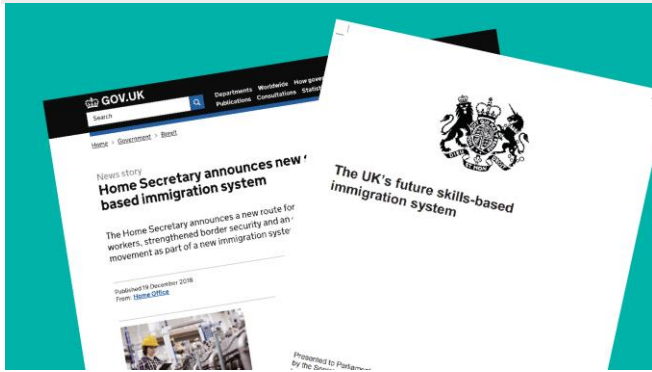
- Freedom of Movement will end.
- New UK immigration rules will apply to EU and Non-EU nationals alike in a single system from 2021.
- Immigration will shift from quantity to quality.
- Cap on highly-skilled workers increased.
- No numerical cap on skilled workers.
- A Levels to be counted for skilled-workers.
- £30,000 salary threshold to manage skilled migration.
- Low-skilled immigration to reduce.
- Graduate stay-time after studies increased.
- The Government will consult on immigration changes through 2019.
- Immigration Bill required to implement changes.
- No sudden immigration changes under a 'No Deal'.

Robbie Lammas
Parliamentary Researcher
The Office of Stephen Metcalfe MP
House of Commons
London SW1A 0AA
robbie.lammas@parliament.uk

A Single Skills-Based Immigration System

1. The Government published a White Paper outlining their ambition for the UK's future skills-based immigration system on 19 December 2018 alongside a year-long public consultation.
2. The white paper is based on the UK leaving the European Union (EU) and regaining full control over immigration and border systems. **Freedom of Movement will end.**
3. EU citizens and their family members who wish to remain in the UK after the end of the Implementation Period must apply for the EU Settlement Scheme.
4. From 2021 new UK immigration **rules will apply to EU and Non-EU nationals alike** in a single system which will discriminate on skill, security risk and international or bilateral agreement.
5. Government views are largely, but not exclusively, in line with the Government commissioned Migration Advisory Committee (MAC) report on the impact of EEA migration in the UK (published 18 September 2018) which recommended a shift from quantity to quality migration and a reduction in low-skilled immigration to help boost productivity, increase domestic work force investment and rise wages.
6. The current plan is to legislate for and implement immigration system changes in a phased way starting from the end of the Implementation Period – 2021.
7. To ensure this the Government must introduce a **Immigration and Social Security Co-ordination (EU Withdrawal) Bill**. Due to the current political climate, the Leader of the House has revised when this will be brought forward to prevent potential wrecking amendments.
8. The European Union (Withdrawal Act) 2018 will preserve the regulations that implement the EU Free Movement Directive on the UK statute book. Therefore, until the regulations are repealed and replaced by new law, the freedoms enjoyed by EU nationals today remain. **There is no risk of sudden immigration changes under a 'No Deal' scenario.**

Key Changes



1. **All applicants will pay a fee** and be subject to stricter criminal records checks.
2. **The number of Tier 1 unsponsored immigration places for highly-skilled workers (top scientists) will be increased** (to compensate for EU nationals who currently work in the UK under Freedom of Movement).
3. **No cap on the number of skilled workers** who can come to work in the UK.
4. **The resident labour market test will be scrapped.** Employers will no longer need to advertise the job to UK nationals first.
5. **Skill threshold for skilled workers to lowered to include RQF levels 3-5 (A Level).**
6. To manage immigration sustainably, a **salary threshold will be introduced.** The Government plans for this to be the MAC recommended amount of **£30,000**, but will 'consult extensively' on the final set amount.
7. A **new Start-Up visa route will be created for the digital technology sector** (under Exceptional Talent) to support tech businesses who maybe unable to pay salaries over £30,000 initially.
8. The **Shortage Occupation List (SOL) will be reviewed** by MAC in spring 2019. This list allows for a lower salary threshold to apply to skilled workers in high demand. Scotland already has a separate SOL.
9. **No cap on the number of international students educational institutes can recruit.**
10. **The time permitted for graduates to stay in the UK** to find work following the completion of their studies will be **increased** to 6 months for bachelors and masters graduates, 1 year for PhD graduates.
11. If they secure work, university students will be able to switch their student visas to the skilled-workers route from three months before the end of their course (when in the UK), up to two years after their graduation (if applying from outside of the UK).

12. **Low-skilled immigration will be reduced** to stop businesses who are reliant on lower skilled workers from the EU for certain jobs. The Government will not provide a dedicated route to support low-skilled immigration.
13. The Government does not intend to open sectoral labour schemes, except potentially for seasonal agricultural work alongside an agricultural minimum wage. They will run a small-scale pilot scheme for agricultural workers in 2019.

Implementation and Compliance



1. **Transitional route for temporary short-term workers:** to help with transition for sectors highly dependent on low-skilled immigration such as construction and social care, temporary short-term workers can initially come to the UK for a maximum of 12 months, followed by 12 months cooling off period. Entitlements under **this transitional route to be severely constrained** to prevent long-term working under this route, with no settlement right, ability to bring dependents or access to public services. The transition route will be subject to review and will only be open to nationals of specified countries.
2. The Government is modernising digital enforcement and compliance through a **new online checking service** to make better use of data across Government departments to reduce the compliance burden on employers.
3. **Electronic Travel Authorisation (ETA)** will be a universal 'permission to travel' requirement will be broadly similar to the USA's ESTA system.
4. At border gates certain low-security risk nationals **will be treated as non-visa nationals: Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA.**
5. There will be no change to the Common Travel Area (CTA) with Ireland.