

The future of UK immigration law under the new Labour government

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After a landslide victory, the Labour party have won the general election. Our immigration team take a look at what changes the new government could bring into force and the effect this could have on UK businesses.

Skilled Worker visas

The Labour party's view is that the UK has become "overly dependent on workers from abroad to fill skills shortages" so they intend to reduce net migration through a reform of the points-based system and cracking down on the abuse of the visa system. Key changes to this visa category will include:

- Reforming the apprenticeship levy to skill/upskill domestic workers in key sectors such as health and social care, construction, engineering and IT.
- Requiring government departments and employers in the above sectors to draw up "skills improvement plans" to train UK-based workers.
- They are also reportedly considering reintroducing the "resident labour market test," which requires employers to show that they have tried to recruit in UK before hiring from overseas.
- Lengthening sponsor licence bans for employers who breach employment

- or immigration law.
- Strengthening the Migration Advisory Committee (MAC) and linking it to skills bodies UK-wide, the Industrial Strategy Council and the Department for Work and Pensions.
- Asking the MAC to review the impact of raising the Skilled Worker salary threshold to £38,700.

Businesses working in the above sectors should stay alert to any changes which could impact their future hiring processes. Sponsor Licence holders should continue to ensure that their businesses are operating legally and that they have a robust system in place to carry out their sponsor licence duties effectively.

Health and Care visas

The Labour party intend to investigate the exploitation of migrant workers in the care sector and establish a new enforcement body to oversee the employment rights of care workers. Businesses in this sector should be aware that they are more likely to be audited by the Home Office and that this could lead to Sponsor Licence suspension or revocation if it is found that they are failing to comply with their sponsor duties.

The Labour party do not intend to reverse the ban on dependant visas in this category.

Student visas

A spokesperson for the Labour party has said that they will also retain the ban on dependant visas in the student visa category.

Family visas

The Labour party have expressed real concerns about the increase in the minimum income requirement to £38,700 for family visas, so it has been reported that they will ask the MAC to review this change.

Illegal migration and the Rwanda policy

With regards to illegal migration, it is thought that the controversial Rwanda policy is likely to come to an end under the new government.

Concluding remarks

The Labour party pursues a similar narrative to its predecessor of reducing migration and cracking down on the abuse of the visa system. Whilst it was hoped that the new government, who have traditionally been more pro-immigration, would reverse some of the recent changes implemented by the Conservative party, such as the hike to the minimum salary requirement for Skilled Worker visas, their manifesto remained silent on this issue. Migrants moving to the

UK and the businesses that employ them can therefore expect the complex and, at times, hostile immigration system to remain in place for the foreseeable future.

If you have any questions following this update, or require a review of your immigration compliance, please do not hesitate to reach out to us.

With acknowledgement to Francesca Baker.

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