

University and College Union (UCU)

Submission to the Government Consultation on Earned Settlement

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1. Introduction

1.1 The University and College Union (UCU) welcomes the opportunity to respond to the Government's consultation on earned settlement.

1.2 UCU represents staff working across higher education, further education, adult and community learning, prison education and research institutions. Migrant workers are integral to these sectors, delivering teaching, research, skills development, student support, and essential public services.

1.3 This submission reflects extensive concerns raised by UCU members, including through the Union's Migrant Member Committee¹. It is aligned with, and should be read alongside, the Trades Union Congress (TUC) submission, which sets out the broader labour market, equality and workers' rights implications of the proposals². UCU strongly endorses the TUC's opposition to extending the qualifying period for settlement and its call for meaningful engagement with trade unions before any reforms are implemented.

2. General concerns about the earned settlement model

2.1 UCU shares the TUC's strong opposition to extending the baseline qualifying period for settlement from five to ten years (or longer). Such an extension would create prolonged insecurity for migrant workers and their families, and would significantly damage recruitment and retention across education and research.

2.2 Many UCU members entered the UK under clear and legitimate expectations of a five-year route to settlement. Retrospective application of new rules to those already on qualifying routes is fundamentally unfair, undermines trust in public institutions, and risks long-term reputational damage to the UK as a destination for global talent.

¹ [UCU - Migrant members](#)

² [Migration | TUC](#)

2.3 One UCU member working in higher education stated:

“Before coming to the UK, we committed to working and living in this country with our families, expecting to be able to apply for Indefinite Leave to Remain after five years and investing the savings of our families in this endeavour. If applied to people already here, this law retroactively punishes them for making the choice of coming to the UK.”

2.4 Another member explained:

“I moved to the UK to teach in 2021. These changes mean that halfway through my route to settlement, the rules have changed in a way that could push me out of the country entirely.”

2.5 A US national working at a UK university on a Skilled Worker visa stated:

“These proposals have thrown all of that into uncertainty... Moving the settlement requirement to ten years would force me to renew my visa, doubling my costs... Many of the proposed ‘earned settlement’ criteria already apply to migrants, while others would privilege wealth. It is impossible to convey the anxiety of living without secure status.”

2.6 As the TUC highlights, prolonged visa dependency entrenches power imbalances, increases vulnerability to exploitation, and actively pushes skilled workers to leave the UK. UCU members report that these dynamics are already visible in post-16 education, where workload pressures, fixed-term contracts and sponsorship dependency intersect.

3. Impact on education and research employers

3.1 Universities, colleges, adult education providers and research institutes rely heavily on international recruitment in shortage areas including engineering, digital skills, healthcare education, construction, mathematics, modern languages, ESOL and prison education.

3.2 Extending routes to settlement will increase employer costs through repeated visa renewals, Immigration Health Surcharge payments and compliance requirements. These costs are particularly acute in post-16 education, where margins are tight and funding has been eroded.

3.3 Increased turnover disrupts course continuity, research programmes, doctoral supervision and student support, while increasing recruitment and training costs.

3.4 Across sectors longer routes to settlement will exacerbate existing recruitment and retention crises. In education, where retention is already poor and workloads are high, additional precarity will further destabilise institutions and degrade learning provision³.

4. Economic contribution and fiscal impact

4.1 Migrant workers in education and research make a net positive contribution to public finances through income tax, National Insurance and VAT. Many also subsidise the system through visa fees and the Immigration Health Surcharge.

4.2 UK visa costs are among the highest internationally, with upfront costs far exceeding administrative expenses⁴. Extending settlement routes multiplies these costs and risks pushing working families into hardship.

4.3 Increased churn, administrative burden and skills loss reduce the net fiscal benefit migrants provide and undermine productivity growth.⁵

4.4 The assumption that restricting settlement will drive rapid domestic training ignores the time-lag required to train teachers, lecturers, researchers and specialist educators. In post-16 education, this lag can be several years and requires sustained public investment.

4.5 International students contribute approximately £41 billion annually to the UK economy and cross-subsidise domestic education and training. Policies that deter migrant staff and students undermine the very systems that support skills development and economic growth.

5. Impact on migrant households and children

5.1 UCU members report severe and cumulative financial burdens arising from visa fees and NHS surcharges over extended qualifying periods.

5.2 One member stated:

“If I have to pay visa fees and NHS fees for another five years, that will cost my family around £20,000–£25,000, about half of a year’s salary.”

³ [Migration Advisory Committee: annual report, 2024 - GOV.UK](#)

⁴ [Q&A: Immigration fees in the UK - Migration Observatory](#)

⁵ [Migration Advisory Committee report on net migration - GOV.UK](#)

5.3 Extended routes to settlement will have profound impacts on children's education and integration. Children who arrive in the UK at a young age may be unable to secure settled status before applying to university, forcing them to pay overseas fees without access to student loans.⁶

5.4 This directly undermines access to higher education, social mobility and long-term integration, particularly for families who have already invested heavily in the UK.

6. Integration and language requirements

6.1 Integration is framed as an individual obligation rather than a shared social process supported by public policy.

6.2 Conditioning faster settlement on language proficiency while failing to reinstate public funding for ESOL is unfair and counterproductive. Many ESOL programmes are delivered by migrant educators themselves, often in under-resourced settings.

6.3 The financial and time costs of reaching higher language thresholds—particularly for dependants—risk deepening inequality and hardship rather than promoting integration.

7. Contribution requirements and fairness

7.1 UCU rejects additional “long-term contribution” tests. Migrant workers already contribute through work, taxation, teaching, research, care, and community life.

7.2 Linking settlement speed to income risks discriminating against lower-paid but socially essential educators, including FE lecturers, ESOL teachers, prison educators, researchers on fixed-term contracts and early career academics.

7.3 Proposals to require unpaid volunteering would disproportionately exclude those with caring responsibilities, demanding workloads or limited financial resources, and risk coercive unpaid labour.

7.4 One UCU member stated:

⁶ [300,000 children face 10-year wait for settled status under UK plans, says IPPR | Immigration and asylum | The Guardian](#)

“I already work evenings and weekends unpaid. It’s deeply dispiriting that this contribution is invisible in these proposals.”

8. Sponsorship, enforcement and workers’ rights

8.1 UCU endorses the TUC’s analysis that extending settlement routes entrenches sponsorship-based power imbalances and cuts directly against the intent of the Employment Rights Act 2025.

8.2 In post-16 education, sponsorship dependency interacts with casualisation, fixed-term contracts and funding insecurity, increasing risks of exploitation and silencing workers who fear visa loss.

8.3 UCU supports the TUC’s call to reform the visa system, including consideration of models such as a Workplace Justice visa and sector-wide approaches that reduce employer control over immigration status.⁷

9. Framing and rhetoric

9.1 Moralising rhetoric around migration fuels hostility, racism and division, including within workplaces and classrooms.

9.2 Such rhetoric undermines integration, damages wellbeing, and weakens trust in institutions. Responsible policymaking must be evidence-based and grounded in fairness and social cohesion.⁸

10. Recommendations

UCU’s recommendations are aligned with those set out in the TUC submission and should be implemented as a coherent package:

10.1 **Retain the five-year route to settlement** for all workers on Skilled Worker and related visas, including those in education and research.

⁷ [Nurses’ families fear being torn apart in UK immigration crackdown, survey says | Immigration and asylum | The Guardian](#)

⁸ [\[2509.14197\] Framing Migration: A Computational Analysis of UK Parliamentary Discourse](#)

10.2 **Do not apply settlement reforms retrospectively** to individuals already on qualifying routes.

10.3 **Pause implementation immediately** and introduce transitional arrangements to allow meaningful consultation with trade unions on sectoral impacts.

10.4 **Reject income-based or unpaid “contribution” criteria**, including mandatory volunteering or subjective behavioural assessments.

10.5 **Recognise the full economic, educational, research and social contributions** of migrant workers, including those in lower-paid but essential post-16 roles.

10.6 **Reform sponsorship arrangements** to reduce exploitation risks, including consideration of sector-wide or workplace justice models.

10.7 **Invest in ESOL and integration services**, rather than using language requirements as punitive gatekeeping mechanisms.

10.8 **Publish full economic, equality and sector-specific impact assessments**, including impacts on FE, HE, adult education, prison education and research.

10.9 **Align settlement and visa policy with industrial strategy, skills policy and education funding**, recognising the time-lags inherent in training domestic workforces.

11. Conclusion

UCU urges the Government to reconsider proposals that would entrench insecurity, weaken workers’ rights and undermine the stability of the education and research workforce. Extending routes to settlement will exacerbate labour shortages, increase exploitation risks and damage integration outcomes.

Settlement policy should promote fairness, security and long-term contribution. For post-16 education, that means valuing migrant staff as integral to the UK’s skills base, research capacity and social infrastructure—not subjecting them to prolonged precarity and exclusion.