

HOME OFFICE

Immigration (Work & Settlement)

The Minister of State for Immigration (Damian Green): The Home Office is today publishing a consultation on employment-related settlement, Tier 5 of the Points Based System and overseas domestic workers. A copy will be placed in the House Library.

Immigration has enriched our culture and strengthened our economy, but it must be controlled so that people have confidence in the system. This Government has already introduced a limit on non-EU economic migrants entering the UK; reshaped Tiers 1 and 2 of the Points Based System to increase selectivity and skills requirements; and announced changes to Tier 4, the student visa system. These policies will result in a downward trend in net migration and a reduction in abuse, but we need to take further action to ensure we reach sustainable levels.

This consultation is the next stage in our immigration reforms. We intend to break the automatic link between coming to the UK to work and settling here permanently.

In 1997, there were fewer than 10,000 employment-related grants of settlement; by 2010, that number had risen to over 84,000. We need to be more selective about who we allow to stay. The consultation considers how we do that. Its starting point is that we need to be clearer in our labelling of temporary and permanent migration routes to enable migrants and the public to better understand the immigration system. We propose to reposition Tier 2 as a temporary route, predominantly a means of filling short-term skills shortages in the UK labour market. Most Tier 2 migrants should expect to leave the UK after a maximum of five years in the UK. In future, only a tightly controlled minority will be permitted to stay permanently, where it is in the interests of the UK to do so. We are seeking views on how to achieve this in a way which enables the best outcomes for the economy. Alongside the public consultation, the Home Secretary is also commissioning advice from the Migration Advisory Committee on the economic effects of removing or restricting settlement rights, and on criteria for identifying the most economically important migrants for settlement.

We have already announced reforms to the Tier 1 investor and entrepreneur categories, including the possibility of accelerated settlement for these high value migrants. We will be consulting, however, on whether Tier 1 exceptional talent migrants should have an automatic route to settlement and whether we should remove the ability of all Tier 1 migrants to apply for further leave to remain after five years in the UK. To aid integration and social cohesion, we are also considering the introduction of an English language requirement for the dependants of economic migrants who signal their intention to apply for settlement.

The consultation also sets out proposals for reform of Tier 5 of the Points Based System and the overseas domestic worker routes.

The Government does not plan any reforms to the Tier 5 (Youth Mobility) category. We do, however, want to consider restricting leave under the Tier 5 (Temporary Worker) categories

to 12 months, to reinforce the temporary nature of the route, which is intended to be primarily for non-economic purposes, such as scientific exchange and artistic and cultural activities. The consultation asks whether it is right that migrants in these categories should be able to be accompanied by dependants and whether those dependants should have open access to the UK labour market. We will also consider raising the threshold for entry to the Government Authorised Exchange sub category of Tier 5 so that the skills requirement is at graduate level, bringing it into line with the revised Tier 2 arrangements. Our intention is that the UK Ancestry route should remain unchanged.

Finally, the consultation considers the two routes by which overseas domestic workers may enter the UK to accompany or join their employer's household. Currently, there are two routes: one for domestic workers in private households and one for private servants working in diplomatic households. Both allow for extended periods of temporary leave (five years and six years respectively) and both enable the domestic worker to apply for settlement after five years. This is exceptionally generous, and sits ill with an immigration system focused on meeting identified skill shortages and securing the brightest and best migrants. We are also conscious that overseas domestic workers may be vulnerable to abuse and exploitation. The National Referral Mechanism provides an effective means of protection and support for victims but we are considering tackling the problem at source. So as well as seeking views on restricting leave to a maximum of six or 12 months, which would allow domestic workers to accompany their employer for a short period only, and removing the right to bring dependants, we also want to consider whether we should close the private households route altogether. This would oblige those wanting domestic workers to recruit instead from the UK labour market, with the rights and protections that affords.

Details of the public consultation can be found on the Home Office website and copies will also be placed in the library of the House.

The consultation will run for three months, until 9 September and we will announce our firm plans in due course. As the Home Secretary announced in February, we intend the settlement reforms will affect those workers who entered economic migration routes under the Immigration Rules in force from 6 April this year and who, under the current system, could have expected to apply for settlement in 2016. The timing of reforms to Tier 5 and the overseas domestic worker routes will depend on the outcome of consultation, but we would anticipate them taking effect during 2012.

A further consultation document will be published later this year, considering the rules applying to those who come to the UK for family reasons such as marriage.