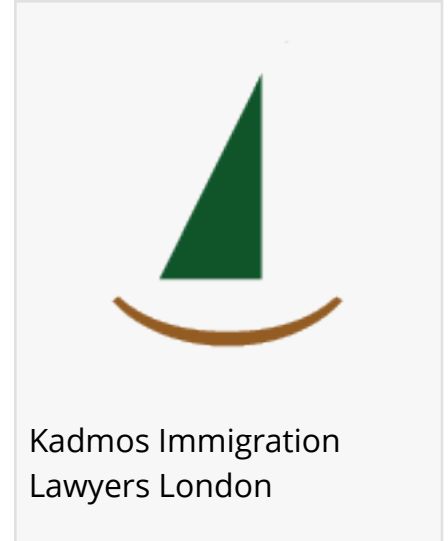


What's changing in UK family immigration

Discussion of the proposed changes in UK immigration rules aimed at reducing eligibility for a UK visa of family members of British and non-British sponsors

LONDON, LONDON, UNITED KINGDOM, January 17, 2024 /EINPresswire.com/ -- In the attempts to reduce legal migration, the UK government is concentrating their efforts on reducing the number of family members eligible to join their partners in the UK. This will affect both partners of British citizens and settled persons and partners of people with a temporary immigration status, such as sponsored workers, students and recent graduates.



The [new policy was outlined](#) in very general terms and lots of details are still to be added to the picture, but what we know so far is the plan to raise the minimum income threshold for the [UK spouse visa](#) applicants and to exclude the option of bringing dependants for care workers and students.

Changes to the partner visa minimum income threshold

Minimum income threshold, currently set at £18,600 a year, is to rise incrementally, initially to £29,000, then to £34,500 and eventually to £38,700 in 2025.

The announcement did not elaborate on any changes to the amount of capital required for a successful application if the financial requirement was to be met on the basis of savings. At present, the figure is set at £62,500 for a dependent partner, plus additional £9,500 if there is one non-British dependent child. The amount increases further by £6000 for every additional dependent child who is not a British citizen. British children are not included in the equation.

If the amount of savings required for a visa application is calculated using the same formula after the minimum income threshold rises to £29,000, the amount of capital required for the application by the partner of a British citizen, excluding any children, will be £112,750.

How this will affect family immigration

There will be a large sector of people in less affluent circumstances who may be unable to meet the new threshold in the foreseeable future. In fact, a number of professions will be outright

excluded from eligibility to sponsor a partner. This will include many professionals in catering, education and care, academics at an early stage of career, small business owners, government employees at lower bands, and support workers of every kind. It will also make it particularly difficult for people with childcare commitments to sponsor a partner.

The way around it, of course, will be to apply for a work-related, rather than a family visa – the most common option being the skilled worker route.

How the skilled worker route will be affected by the proposed changes

So far, all we know is that the minimum salary requirement for the skilled worker route is to be raised from the current £26,200 to £38,700. What we do not know is whether the lower paid jobs will be totally excluded, or there will be a concession for jobs on the shortage occupation list and how big this concession will be.

Skilled worker route embraces a number of occupations where the going rate (roughly equivalent to an average salary paid to a local worker) will not be anywhere near £38,700.

It may work out that some occupations would still have to be supported by the skilled worker route even if paid below the proposed minimum pay threshold.

It is indicative that care workers have been singled out for restrictions on bringing dependent family members. Most likely, this means that the minimum pay threshold will not apply to care workers – otherwise why would they be restricted? Will they be the only profession to be exempt from the minimum pay requirement and thus ineligible to bring over dependent family members?

In fact, a more plausible scenario would allow some flexibility on the level of pay with a minimum salary threshold below which dependents will not be allowed. This is likely to work across all sectors, not just health and care professionals.

Dependent family members of international students and recent graduates

At present, only graduate students have the right to bring over their dependent partners and children. The proposal to restrict family immigration to post-graduate students will certainly reduce the number of mature students coming to the UK to continue their education.

Graduates are only allowed to have their family members with them if they were admitted as dependents on their student visa. Thus, no changes to the immigration rules will be necessary to reduce the number of graduates eligible to sponsor dependents.

It is difficult to image a positive effect these restrictions might have on the British economy, especially when all low paid jobs will have to be carried out by settled workers or youth mobility

migrants from the Commonwealth.

Will the changes apply retrospectively?

It is very unlikely that changes to the minimum pay thresholds will require anyone who has already lawfully entered the UK, to leave. Most likely there will be endless tiers of migrants for whom the rules will be determined by the date of their initial application for entry clearance or permission to stay.

For example, [immigration lawyers anticipate](#) that a person who enters the UK as a fiancé of a settled person with an income meeting the £18600 requirement will be permitted to switch into the spouse route on the same basis.

Families should not be split due to changes in legislation, but the changes will make it more challenging for people on modest income to establish their family life in the UK.

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