

Business immigration update 2025

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46 OUTSTANDING
RECOMMENDATIONS IN
NATIONAL LEGAL GUIDE



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Today's agenda

1. Welcome & introduction
2. Right to Work Checks
3. Changes to UKVI guidance – July 2025
4. Skilled Worker – Minimum Skills Requirements
5. Skilled Worker – Salary Requirements
6. Transitional Rules
7. Recently Announced Changes
8. Settlement in the UK – A look into the future
9. Q&A

Right to Work Checks

Right to Work Checks

Prevention of illegal working

Importance of right to work checks

- A duty to prevent illegal working in the UK
- Applies to all employers whether employing immigrant workers or not
- Correct right to work checks → statutory excuse

How to establish a statutory excuse?

- Conduct a right to work check BEFORE employing individual
- Follow UKVI guidance and codes of practice
- Carry out follow-up checks where necessary

Right to Work Checks

Establishing statutory excuse

Manual right to work check

- Original identification documents

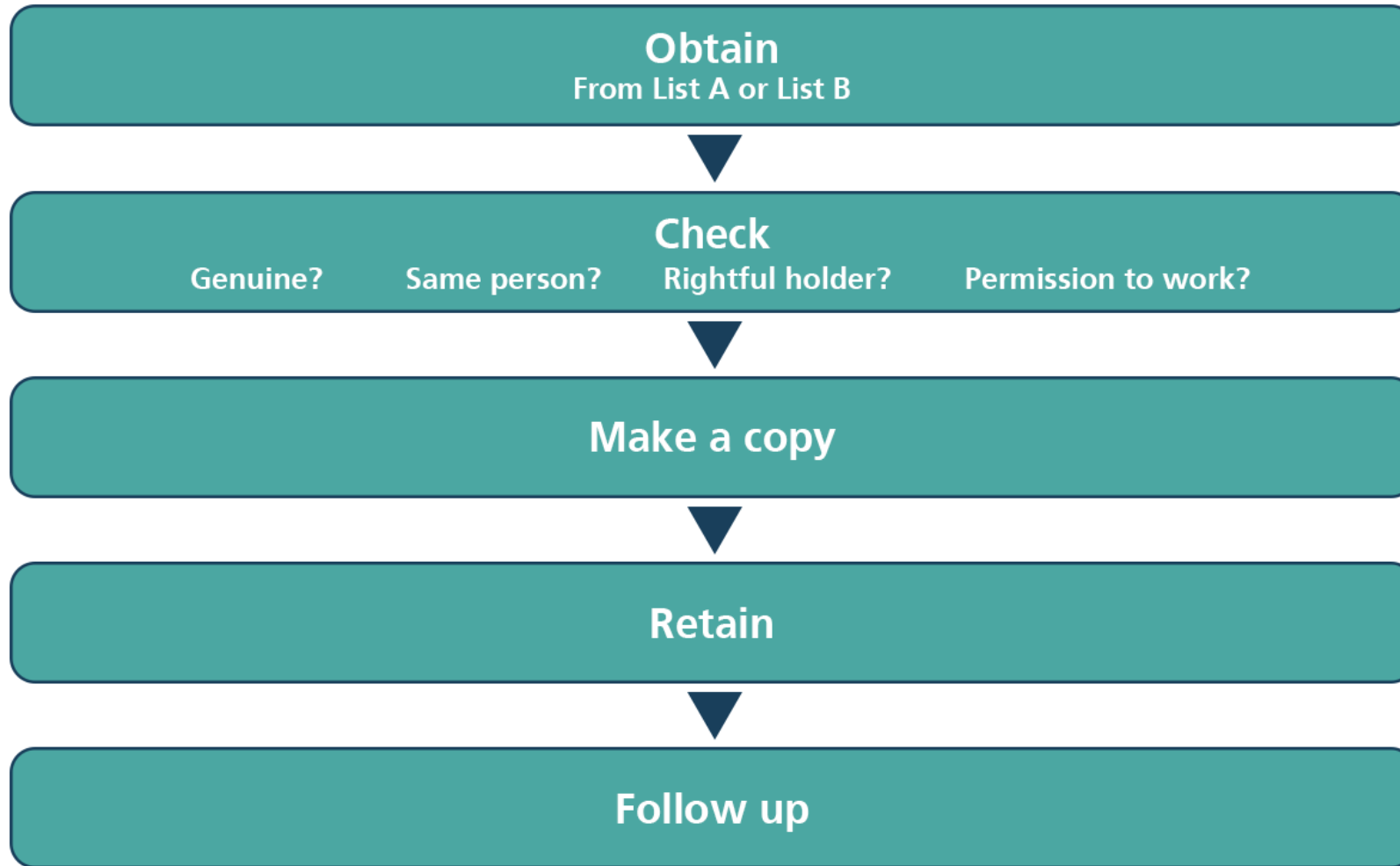
Home Office online right to work check

- UKVI online checking service
- Mandatory for eVisas, Biometric Residence Permits, Biometric Residence Cards and Frontier Worker Permits

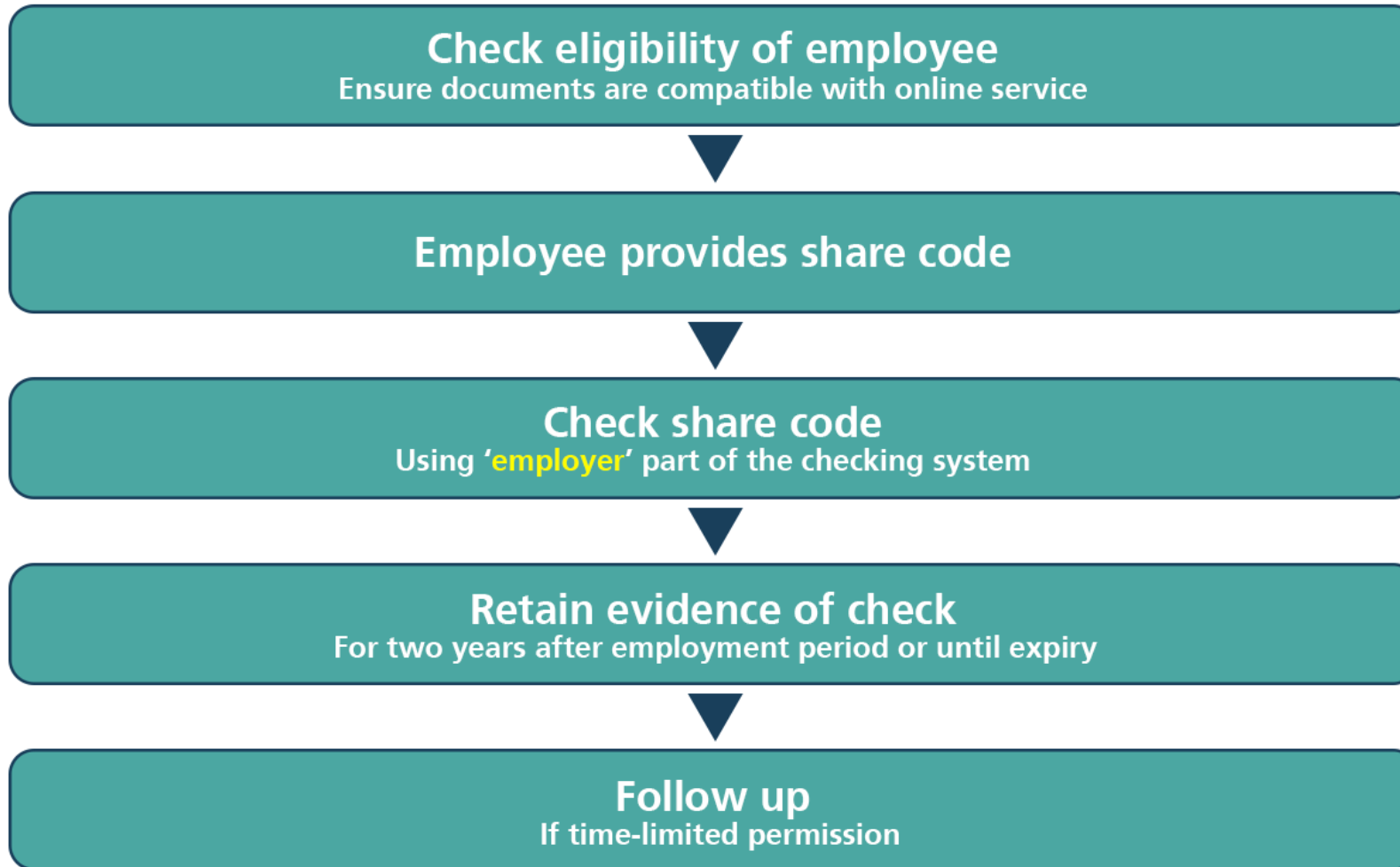
Digital check using a Digital Verification Service (DVS)

- Done by IDSP provider that offers Identity Validation Technology ('IDVT')

Manual Right to Work Check



Online Right to Work Checks



Using a Digital Verification Service (DVS)

Digital check using a Digital Verification Service (DVS)

- Available from 6 April 2022
- **ONLY** – The right to work checks for **British and Irish** citizens with:
 - A valid passport
 - A valid Irish passport card
- Continuous statutory excuse
- Liability stays with the employer in certain circumstances

Right to Work Checks

Civil penalties have risen significantly in the last couple of years

First violation

- The current rate = up to £45,000 per migrant worker

Repeated violations

- The current rate = up to £60,000 per migrant worker

RTW obligations vs. Equality Act 2010

Examples of direct discrimination

- Rejecting job applicants because they're not British/other specified nationality
- Refusing to consider non-British job applicants
- Not interviewing candidate of a certain nationality to avoid right to work checks
- Only carrying out right to work checks on candidates with certain name, skin colour, etc.

Examples of indirect discrimination

- Requirement that all job applicants have period of 5 years continuous residence in UK
- Requirement that right to work is permanent
- Only accepting right to work checks undertaken in a certain way
- Only accepting evidence of right to work within a certain time frame

Changes to UKVI guidance – July 2025

Skilled worker route – July 2025

Key changes that took effect on 22 July 2025

1. Reduction in the list of eligible occupations
2. Increase in minimum salary thresholds
3. Introduction of the Temporary Shortage List
4. Closure of the route for adult social care workers

In place since 22 July 2025!

Skilled Worker – Eligible Occupations

Skilled worker route – Eligible occupations

Significant reduction in the list of eligible occupations

- UKVI increased the skills requirement threshold to RQF Level 6
- Approximately 180 occupations removed from the main list of eligible occupations
 - Higher Skilled
 - Medium Skilled
- UKVI introduced the **Temporary Shortage List**
- Certain transitional provisions introduced (legal advice recommended).

Skilled worker route – Temporary Shortage List

Temporary Shortage List

- Some RQF level 3–5 occupations remain temporarily eligible
- Interim measure (due to lapse 31 December 2026)
- Subject to review by MAC (exp. mid-2026)
- No dependants (unless transitional protection applies)
- No automatic salary discount
 - Minimum salary requirements apply
 - Discount only if Skilled Worker discount option requirements are met

Skilled worker route – Immigration Salary List

Immigration Salary List

- Stands alongside Temporary Shortage List
- Interim measure (due to lapse 31 December 2026)
- Automatic salary discount (80% of the route's usual minimum)
- Always check both lists

Skilled worker route – Considerations

What should Sponsors do?

- Review current list of migrant workers:
 - Are all the positions eligible?
 - Will any of your migrant workers need an extension?
 - If so, do they need to meet the new salary requirements?
 - If so, will they? If not, what are the alternatives to consider?
- Review of recruitment strategy (remain vigilant to duty not to discriminate!)

Skilled worker route – Considerations

What should Sponsors do?

- When considering sponsorship for a new hire:
 - Is the position eligible?
 - Does the salary meet the requirements?
 - Which salary requirements the migrant worker in question needs to meet?
 - If medium skilled, is it on TSL or ISL?

Skilled Worker – Salary Requirements

Skilled worker route – Minimum salary thresholds

What has changed?

- General salary threshold increased from £38,700 to **£41,700**
- Salary thresholds assume a 37.5-hour work week:
 - If hours exceed 37.5, pro-rata applies!
 - 48-Hour Rule: Only first 48 hours count
- **REMINDER:** You must pay **the higher of:**
 - a) The general minimum salary or
 - b) The job's standard 'going rate'.

Skilled worker route – Other considerations

Different minimum salary thresholds

- Migrant workers sponsored since before 4 April 2024
 - Lower minimum salary requirements may apply
 - Check the lists!
 - Other rules apply the same

Skilled worker route – Discounts

When can migrant workers be paid less?

- New entrants
- PhD holders
- Certain postdoctoral roles
- Jobs on ISL
- Certain roles in Health and Education
- Transitional provisions

Skilled worker route – Minimum salary thresholds

Salary threshold	Since 22 July 2025
General salary threshold	£41,700
Option B (PhD, etc.)	£37,500
Option C (STEM-PhD)	£33,400
Option D (ISL)	£33,400
Option E (New entrant)	£33,400
Option F	£31,300
Option G	£28,200
Options H-K	£25,000

Transitional Provisions

Skilled worker route – Transitional provisions

Existing migrant workers

- Those sponsored in roles RQF 3-5 role can:
 - Extend their visas
 - Switch employers
 - Apply for settlement until 22 July 2028
- Those sponsored on SW prior to 4 April 2024:
 - Different minimum salary requirements

Transitional provisions remain under review.

Other Changes

Other Upcoming Changes

Immigration Skills Charge (ISC)

- ISC to increase by 32%
- Small sponsors – increase to approx. £480
- Large and medium sponsors – increase to approx. £1,320
- Expected to be in place before the end of the year

English language requirement

- Increased from B1 to B2 (similar to A-level standard)
- Required for skilled worker routes
- To impact individuals applying on or after 8 January 2026 (SW, High Potential Individual or Scale Up route)

Other Upcoming Changes

Graduate visa route

- Period of permitted stay post-study to reduce from 24 down to **18 months**
- Will affect applications made on or after 1 January 2027
- PhD graduates will continue to have a 3-year period

Closure of the senior health care route

- Current sponsored workers can still extend visa, switch employers, or apply for settlement
- BUT must have been employed by sponsor at least 3 months before being assigned a new COS
- These arrangements are valid until 22 July 2028 – **then complete closure**

Other Upcoming Changes

High Potential Individual route

- List of institutions expanded by around 50%, which is set to increase the number of workers entering via this route
- Limited to 8,000 per year

Student Visa route

- After course completion – student visa holders to be allowed to establish a business if switching to the Innovator Founder route
- To be implemented on 25 November 2025.

Settlement in the UK – A look into the future

UKVI's proposal

Potential future changes

- Intentions to double the qualifying period for settlement and citizenship from five to **ten** years
- Earned Settlement and Citizenship consultation is expected later this year
- Nothing yet implemented
- Impact on current migrant workers not yet determined.

Q&A session

Next event coming up

10 December 2025 - **Law in Focus: AI in the workplace from an employment and GDPR perspective**

In person seminar in Cheltenham

8.30am-9:30am – [register now](https://www.willans.co.uk/events) or go to our website at www.willans.co.uk/events



Law in Focus - AI in the workplace from an employment and GDPR perspective

10 DECEMBER 2025 @ 08:30

A bitesize look at how AI is being used in the workplace and how businesses can manage these risks

Next webinar & news updates

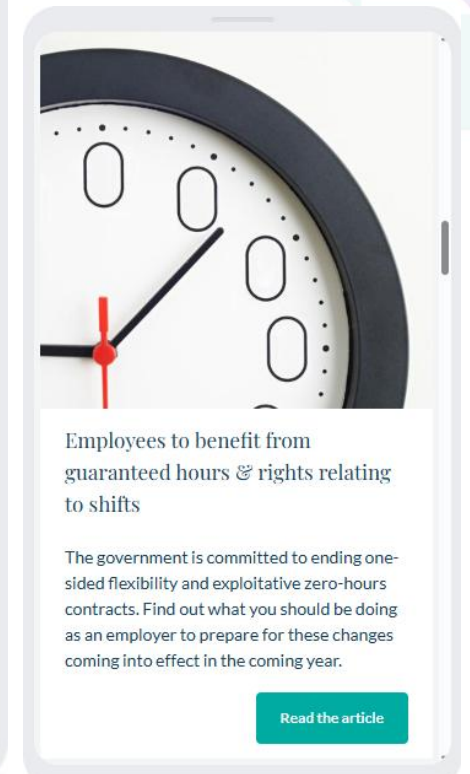
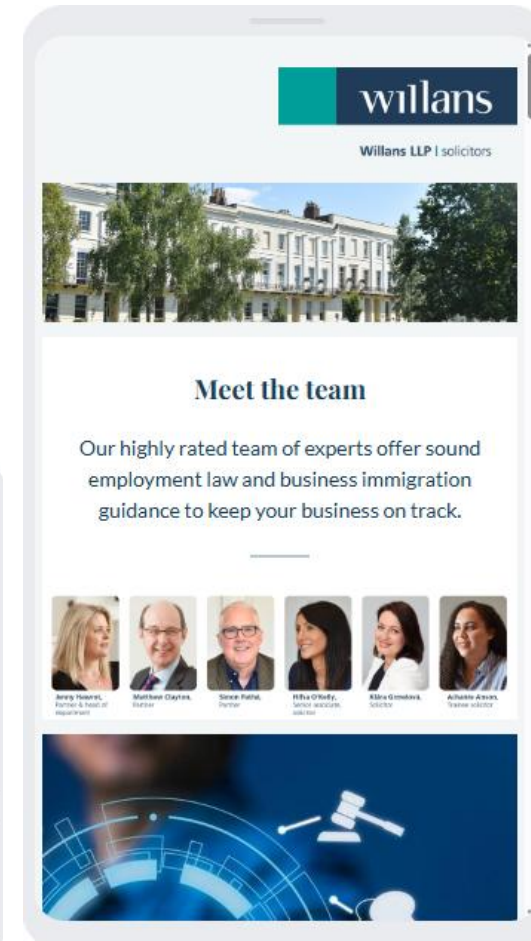
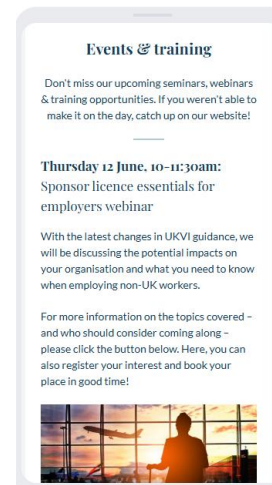
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