CARE ENGLAND
The voice of care

Immigration and settlement

Changes affecting international care workers

A Briefing for Care England Members

November 2026

MEMBER BRIEFING · November 2026

01 Five-year settlement route retained for eligible care workers

The Home Secretary confirmed on 2 November that qualifying international care workers who joined the care route before the May 2025 Immigration White Paper will retain a five-year route to indefinite leave to remain (ILR). The Government had previously proposed a wait of up to 15 years for these workers.

For workers who have spent months uncertain about their future, this is an important concession. It is not, however, a blanket exemption. Eligibility will depend on earnings, immigration history and other settlement conditions. The Government has announced its approach, but detailed Immigration Rules and operational guidance are still needed.

02 What has changed

Five-year route for eligible existing workers. The Government says qualifying care workers who entered or switched into the relevant route before 12 May 2025 can retain a five-year settlement pathway, provided they meet the applicable earnings, sponsorship and employment requirements. The Home Secretary has identified earnings of at least £25,000 a year. The wider proposed settlement conditions include B2 English, a more restrictive criminality requirement, the Life in the UK test, no outstanding government debt and evidence of contribution. The final criteria and any exemptions will depend on the Immigration Rules.

A further five-year visa for some. Workers who do not meet the settlement requirements after five years will be able to apply for a further five-year Health and Care Worker visa, restricted to genuine employment in the sector, giving them another opportunity to qualify for settlement. They will continue to have no recourse to public funds during this additional period. The Home Secretary estimated that around a quarter of the relevant 2022–25 cohort could require this alternative pathway.

This could mean further visa and sponsorship costs, continued immigration restrictions and additional uncertainty for workers and employers. Importantly, failing to meet the settlement requirements does not necessarily mean that a worker has deliberately breached their visa conditions. Some workers have experienced interrupted employment or difficulties arising from sponsor failure.

Workers who joined later. Care workers who entered or switched into the relevant route after 12 May 2025 are expected to fall under the standard ten-year settlement pathway, subject to the final Immigration Rules. This cut-off predates the closure of new overseas care worker recruitment on 22 July 2025. The Government has also proposed general settlement requirements relating to earnings, English, character and other conditions, which may apply to these workers.

Workers who lose their sponsor. The Government has announced additional time for eligible care workers who lose their employment following sponsor licence revocation. From 1 February 2027, the proposed arrangements will provide up to 120 days to secure a new job offer, followed by a further 60 days to regularise immigration and employment status.

The Government has stated that workers who do not secure an offer within 120 days, or resolve their status within 180 days, will have their visas curtailed and will be required to leave the UK. These measures are intended for the relevant pre-May 2025 care-worker cohort, with further operational detail still required.

Sources: Home Secretary's statement to Parliament, 2 November 2026 and Government response to the earned settlement consultation, Chapter 8.

03 The £25,000 salary requirement and existing sponsored workers

The Home Secretary has announced that eligible international care workers earning at least £25,000 annually will retain access to the five-year settlement route. This matches the current minimum annual sponsorship salary threshold for care workers and senior care workers on the Health and Care Worker visa, alongside the applicable hourly rate of £12.82. It is therefore likely that the settlement condition is intended to align with the applicable sponsorship salary requirements, although the Home Office has not confirmed precisely how the tests will interact.

Some workers sponsored in earlier years were granted permission under lower salary thresholds and may have complied fully with their immigration conditions without earning £25,000. The Home Office has not yet confirmed whether the £25,000 settlement condition will operate as a fixed earnings test, how transitional salary protections will apply, or what period of earnings evidence will be required. Providers should not assume that a historic lower rate automatically satisfies the proposed settlement condition.

04 Existing sponsorship salary requirements

Under current Home Office guidance, increases in sponsorship salary thresholds do not automatically require employers to increase the salaries of workers already sponsored under previous requirements.

Paragraph SK5.9 of the Home Office's *Sponsor a Skilled Worker* guidance explicitly states:

> *"If any of these rates are increased, this does not affect Skilled Workers you are already sponsoring for the duration of their current permission."*

The same paragraph explains that updated salary rates may apply to subsequent applications for permission to stay or settlement, depending on the transitional provisions in force.

In practice, a worker sponsored in 2023 under a lower salary threshold may continue to be lawfully employed under the requirements applicable to their existing permission, provided all relevant sponsorship and employment obligations continue to be met.

Salary thresholds are not automatically reassessed every year simply because the Home Office increases its rates. A worker's salary will be assessed against the applicable requirements when they make a relevant new immigration application, including an extension or change of employer. Transitional provisions may allow different thresholds to apply.

Health and Care Worker visas can be granted for up to five years, although shorter periods are common. This process is separate from the employer's sponsor licence, which generally no longer requires renewal every four years. It is the individual's immigration application, rather than renewal of the provider's licence, that determines when new application requirements must be considered.

05 What is confirmed, and what remains unclear?

Question	Current position
Is £25,000 the current sponsorship salary threshold?	Yes, for care workers and senior care workers on the relevant Health and Care Worker route, alongside the £12.82 hourly minimum, subject to applicable provisions.
Is £25,000 also the announced settlement condition?	Yes. It matches the current sponsorship rate and is likely to be related to that requirement, but the Home Office has not confirmed how existing and transitional salary rates will be treated.
Must every existing sponsored worker now earn £25,000?	No immediate universal increase has been announced. Workers must continue meeting the requirements applicable to their existing immigration permission.
When are salary requirements reassessed?	When a worker makes a relevant new immigration application, including an extension or change of employer. Transitional provisions may affect the required salary.
Must workers have earned £25,000 throughout all five years?	Not confirmed. The Home Office has not specified whether £25,000 must have been earned throughout the five years or the period of evidence immediately before settlement.
Will the £25,000 settlement condition increase if sponsorship thresholds rise?	Not confirmed. No automatic link has been announced.
Has a deadline been set for existing workers to reach £25,000?	No universal deadline has been announced. Providers should plan ahead for ILR applications, taking legal advice where salaries are below £25,000.
Should providers plan for a pay increase before ILR?	Yes, where a worker currently earns below the likely settlement threshold. Care England recommends planning for any necessary adjustment at least three months before the intended application as a precaution, not a confirmed Home Office rule.
What if the worker does not meet the ILR salary condition?	Settlement could be delayed. Some workers may qualify for the proposed further five-year visa, but this is not an automatic outcome for every applicant; the final rules and individual circumstances will determine options.

06 What Care England is seeking clarification on

The Government's published response raises an important question about workers who were sponsored under previous salary requirements.

On page 38, the response identifies £25,000 annually as the applicable salary condition for eligible care workers retaining the five-year settlement route. However, its worked example on page 41 describes a worker who entered the UK in 2023 and has remained in genuine sponsored employment, stating that they must meet:

> *"the applicable salary and other requirements of their existing settlement route."*

The worked example suggests that existing settlement-route requirements remain relevant, but does not expressly establish that workers sponsored under earlier salary thresholds can qualify for settlement while still earning below £25,000. Care England understands, following discussion with its legal advisers, that a worker earning below the required settlement rate may need to move to that rate before applying for ILR and demonstrate it through recent pay records. The final rules must confirm the precise requirement and the evidence period.

For example, a worker sponsored in 2023 may have complied fully with the salary requirements of their existing permission while earning less than £25,000. If they are approaching five years of qualifying residence, their employer should check the worker's prospective settlement date and current salary and plan ahead for any necessary increase. As a precautionary planning measure, Care England recommends allowing at least three months between an appropriate salary increase and the anticipated ILR application, so that evidence can be reflected in payroll records. Three months is not a confirmed Home Office evidential requirement, and it may not be sufficient under the final rules.

Care England is seeking confirmation from the Home Office on whether the £25,000 settlement rate will be tied to the sponsorship salary requirements, how historic and transitional salary rates will be recognised, what earnings assessment period and documentary evidence will be required, and whether the threshold will change in future. The Government has not specified a universal deadline by which every existing sponsored worker must reach £25,000.

The announcement does not, in itself, require an immediate increase to £25,000 for every existing sponsored worker. Until the Home Office publishes and brings into force further rules, providers must continue to comply with the requirements applicable to each worker's existing permission, alongside employment law obligations. However, providers should not wait until an ILR application is imminent before assessing whether a pay adjustment may be necessary.

Members should remain vigilant and maintain a forward plan of each sponsored worker's current salary, applicable sponsorship threshold, visa expiry date and earliest potential ILR application date. Where a worker is earning below £25,000 and may apply for ILR in the foreseeable future, employers should consider the timing and affordability of a lawful salary adjustment and obtain regulated immigration advice. Care England recommends a three-month planning lead time as a precaution, not a guarantee of eligibility. Failure to meet settlement conditions may delay ILR and could mean an additional period of temporary permission, potentially under the proposed further five-year visa. It does not automatically mean that every worker will have to wait a further five years.

The current five-year settlement rules remain in force until amended Immigration Rules take effect. Workers and providers should not postpone necessary applications based solely on proposals. Individual eligibility and evidence requirements should be checked with a regulated immigration adviser.

Sources: Home Office, Sponsor a Skilled Worker guidance (SK4.38 and SK5.9); A Fairer Pathway to Settlement: Government response (Chapter 8); House of Commons Library briefing (3 November 2026); and LIFTED, Earned Settlement: What's Changing for Sponsored Care Workers (November 2026). LIFTED is a sector summary and not authoritative Home Office guidance.

07 What providers should do now

The Government's announcement provides greater certainty about the intended settlement arrangements, but detailed Immigration Rules and operational guidance are still to follow. In the meantime, Care England recommends the following approach:

Plan ahead for settlement and salary requirements. Providers should identify each sponsored worker's current salary, the sponsorship requirements applicable to their existing permission, their visa expiry date and when they may become eligible for ILR. Where a worker's salary is below £25,000, employers should assess whether an increase may be needed before settlement and, as a precaution, aim to implement any necessary adjustment at least three months ahead of the intended application. This is a prudent planning period based on legal advice, not a confirmed Home Office requirement. Keep payroll and contractual evidence and review plans when the final rules and guidance are issued.

Check wider ILR eligibility. Pay is only one part of the planned settlement tests. Providers should signpost eligible workers to regulated immigration advice on qualifying residence, the proposed B2 English standard, the Life in the UK test, character and other requirements. Workers who may be eligible under the current rules should not delay applications simply because future changes have been announced.

Continue operating under existing sponsorship requirements. Providers should maintain their usual right-to-work checks, reporting arrangements and employment records. The announcement does not introduce an immediate requirement to issue replacement Certificates of Sponsorship or make changes to existing visas.

The requirements applicable to individual workers will continue to depend on their immigration permission and the relevant sponsorship rules until otherwise stated. Existing visa expiry dates and application requirements remain unchanged, and providers should not delay necessary sponsorship or immigration processes while awaiting further Home Office guidance.

Provide reassurance to international staff. Following months of uncertainty, many workers will understandably have questions about what the announcement means for their future. Providers should explain that the Government has confirmed its intention to retain a five-year settlement route for eligible workers, but detailed eligibility criteria and supporting Home Office guidance are still to be published.

Until these are available, providers should avoid making definitive statements about individual eligibility, including whether a worker will qualify for settlement after five years or need to complete a further five-year period.

Ensure legitimate changes in earnings and working arrangements are properly documented. Care England has seen cases in which reduced earnings have prompted Home Office concerns about underpayment, despite there being legitimate explanations.

Providers should continue keeping appropriate evidence of sickness absence, statutory family leave, changes in working hours and other relevant circumstances, alongside any reporting required under existing sponsor guidance. A reduction in earnings does not automatically establish a sponsorship breach, and the circumstances must be considered before conclusions are drawn.

However, providers should not assume the Home Office will take a flexible approach. Care England has seen increasingly stringent enforcement, with even relatively minor payroll discrepancies attracting scrutiny and potentially leading to sponsor licence suspension or revocation.

The Court of Appeal's ruling in *Prestwick Care Ltd v Secretary of State for the Home Department* (2025) confirmed that, where a mandatory ground for sponsor licence revocation is established, the Home Secretary is not generally required to undertake a separate assessment of the impact on the provider, its workforce, residents or the wider care sector before revoking the licence.

This does not remove the Home Office's wider obligations to act lawfully and fairly when making enforcement decisions. However, it reinforces the importance of accurate records, clear supporting evidence and timely responses to compliance concerns, given the potentially serious consequences for providers, workers and residents.

Raise difficult cases with Care England. Members encountering problems involving interrupted employment, sponsor licence action, changes of sponsor or uncertainty about the announced earnings condition are encouraged to contact the Care England policy team. These examples will inform our representations to the Home Office as we seek clarification on the new requirements and safeguards.

For detailed guidance on employer record-keeping, reporting duties and sponsor compliance, members can refer to Care England's Immigration Briefing (August 2026).

08 Support for displaced workers

The Government's commitment to giving displaced care workers more time to find alternative employment is an important step, but it must be supported by practical assistance.

The 15 regional partnerships funded by the Department of Health and Social Care have played an important role in connecting displaced workers with new employers, supporting recruitment and helping individuals access immigration and other specialist advice.

However, the current programme, supported by up to £7.5 million in 2026/27, is due to end on 31 March 2027.

With the Government now promising greater protection for displaced workers, Care England is seeking urgent clarification on how this support will be maintained beyond March, who will be responsible for delivering it and how it will be funded.

The proposed extension of the period available to find a new sponsor will only provide meaningful protection if workers can access legitimate employment opportunities and the practical assistance needed to navigate the sponsorship process. This is important given the Government's stated intention to curtail visas where workers cannot secure alternative employment within the prescribed period.

Further information: Government guidance on the International Recruitment Regional Fund.

09 What the consultation showed

Alongside the announcement, the Home Office published the findings of its earned settlement consultation, which received **204,667 responses**, including 202,241 from individuals and 2,426 from organisations.

The results highlight substantial opposition among respondents to the original proposals and reinforce many of the concerns raised by Care England and others across the sector.

Of those responding, **84% of individuals and 79% of organisations opposed the proposed changes**, while **68% of individuals and 73% of organisations supported transitional protections** for people already progressing towards settlement.

Respondents raised concerns about the impact of retrospective changes on workers' lives, families and confidence in the immigration system.

The findings also demonstrate the potential consequences for employers. Among organisations responding:

- **71%** anticipated difficulties attracting suitable candidates.
- **71%** expected difficulties with workforce planning.
- **70%** anticipated problems retaining existing migrant workers.
- **73%** expected additional administrative pressures.

Respondents also questioned the use of earnings thresholds that could disadvantage workers in lower-paid but essential occupations, including health and social care.

Source: Home Office, Earned Settlement Consultation Findings, 2 November 2026.

10 Care England's position

Care England has consistently raised concerns about the proposed retrospective changes to settlement requirements, working closely with members to highlight the potential consequences for international care workers, providers and the people they support. This has included consultation responses, extensive engagement with ministers and officials, parliamentary representations and direct support for members facing immigration and sponsorship difficulties.

Most recently, on 29 October, Care England joined other organisations and cross-party parliamentarians in a joint letter to the Home Secretary and Health Secretary, calling for protection against retrospective changes for international health and care workers and their families.

This announcement is an important development, and Care England wishes to thank members for everything they have contributed throughout this process. Many have shared their experiences, provided evidence, raised individual cases and supported our engagement with Government. Their involvement has enabled Care England to present a clearer picture of the potential consequences for workers, providers and care services.

There is still work to do. Care England will continue engaging with the Home Office and Department of Health and Social Care on the outstanding questions around earnings requirements, transitional arrangements and support for displaced workers. We will keep members informed as further details become available.

Members with relevant cases or concerns are encouraged to contact the Care England policy team. Please avoid including sensitive personal information in initial correspondence.

> This briefing provides general information and Care England's interpretation of the latest information available as at 6 November 2026, including announcements, published material and Care England's discussion with legal advisers. It does not constitute legal advice or advice on any individual immigration case. The position is subject to change, as detailed Immigration Rules and Home Office guidance are still to be published, and this briefing will be updated as and when appropriate. The three-month salary planning period is a precautionary recommendation, not a confirmed Home Office rule. Members should take regulated immigration advice on individual circumstances.

CARE ENGLAND
The voice of care

For more information:

careengland.org.uk
policy@careengland.org.uk
08450 577 677