

UK IMMIGRATION UPDATE – TOUGHER TIMES AHEAD

In advance of the introduction of the first stages of the new UK Points-Based Immigration system in the early part of 2009, there have already been ominous signs that the British Government is tightening up its immigration policy, particularly in the area of skilled workers.

Although there have been no official changes to the Work Permit Guidelines, many Work Permit applications which would have been granted without difficulty 2 years ago are being refused, allegedly because the positions are not sufficiently skilled. The hospitality and healthcare industry are particularly affected by these changes, with the positions of chefs and careworkers under particular threat.

In addition, the Prime Minister in a recent speech announced that he intends to widen the requirement for applicants for residents in the UK to show English language skills before their applications can be approved. Currently, this requirement only applies to highly skilled applicants and applicants seeking to obtain permanent residence rights after 5 years of residence. It is proposed that the English language requirement will extend to the skilled worker category presently covered by the Work Permit Scheme. Of 95,000 applications granted last year, the British Government estimates that 35,000 would not have been granted if there had been an English language requirement. The Prime Minister's intention is clearly to encourage the UK and EC labour force to take up these job opportunities. Once again, it is individuals in the hospitality industry who will suffer the most. For example, a Thai chef with no English language skills, who would previously have qualified and been able to work happily in a Thai speaking kitchen, will no longer qualify. It is not clear why the British Government has decided to attack the hospitality industry, and also the healthcare industry in the field of senior careworkers, as these are all sectors in which the local labour force is reluctant to work.

However, it is clear that there is an ongoing trend of tightening up and further information will be provided as matters develop.

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