

Proposed Changes to Settlement: What you need to know and how you can respond to the “Earned Settlement” consultation.



This brief guide is to help anyone who wishes to share their views on some very significant changes the UK Government is proposing on the way permanent residence – often called “settlement” – in the UK is obtained.

What changes are being proposed?

“Settlement”, also known as Indefinite Leave to Remain, is a type of immigration status which allows someone to live, work, study, and access public funds in the UK permanently. In November 2025, the Home Secretary announced plans to radically change how people can obtain settlement in the UK, introducing an “earned settlement” framework. The Government is justifying this proposal on the basis that applications for settlement from people living and working in the UK are expected to rise in the coming years.

It is important to understand that the UK Government would like to apply these new proposals to people who already live in the UK, and not just people who arrive in the UK in the future. We think this is very unfair. People living legally in the UK were told by the UK Government when they arrived that they can obtain settlement according to one set of rules, and now the UK Government is changing its mind with very little notice.

Some of the proposed changes are:

- To introduce an “earned settlement” model, where people would need to show they are “deserving” of settlement, even if they have lived in the UK for many years and have no criminal record. To qualify, applicants would need to meet some new, mandatory requirements around Good Character, Integration, and Contribution. We know from our casework that these requirements will be difficult to meet, particularly for more vulnerable groups of migrants;
- Most people who would currently be eligible to apply for settlement after 5 years of lawful residence may have to wait 10 years to apply for settlement.
- The length of time people will have to wait to apply for settlement may increase or decrease depending on certain factors. In some cases, people might have to wait 30 years before obtaining settlement under these proposals.

We know the proposed changes will have a drastic impact on most people with permission to live in the UK. We are very concerned about how these proposals will affect the communities we work with, including refugees, survivors of trafficking, children, families and other vulnerable individuals.

These proposals have been highly criticised by other organisations supporting migrants in the UK, see [here](#) for a good summary of the concerns.



What is the “Earned Settlement” consultation?

The “Earned Settlement” consultation is a way for members of the public and organisations to respond to certain proposed changes. Although not all proposed changes are subject to consultation, we believe it is important for anyone who is able to respond to share their views.

The consultation can be completed online via this link:

<https://www.gov.uk/government/consultations/earned-settlement>.

The online form can only be completed in English.

You can also find all the questions at the end of the pdf introducing the proposal here:
https://assets.publishing.service.gov.uk/media/691edda450b16caf978153d8/Command_Paper_final_-_reviewed7.pdf

The consultation is a mix of closed, multiple-choice type questions and open questions with a **200-word limit**. The multiple-choice questions can be hard to answer because they are written in an inaccessible way, with some questions difficult to fully understand. Some of these questions do not offer the opportunity to completely disagree with the question as the framing is unclear.

There are up to 57 questions, depending on who is filling out the consultation, but it does not take long to complete (an estimate of 15/20 minutes). It's not mandatory to answer each question; you also have the option to respond by selecting “Don’t Know” or “Prefer not to Say”.



The first set of questions are about who is filling out the consultation, and whether you are an individual or an organisation. You will not be asked for your name, and if you don't want to disclose certain information about yourself, like your age, you can select "Prefer not to Say".

You are then asked your views about "**Earned Settlement**", if you think the proposed changes are clear, and if you agree with them.

The next set of questions is about the new **Character Requirements** that may be introduced. These questions ask for your views on how a person's integration and contribution to the UK should be assessed.

Following this, there are questions are about the proposed changes to the **Residence Requirements** and how residence should be considered. There are also questions about **Eligibility and Equalities**, where you are asked about the changes to settlement in relation to specific groups.

Finally, if you are filling this consultation out on behalf of an organisation, you will be asked to evaluate the impact of the changes on your organisation.

The deadline for submitting your answers is **11.59pm on 12 February 2026**.



Legal Advice

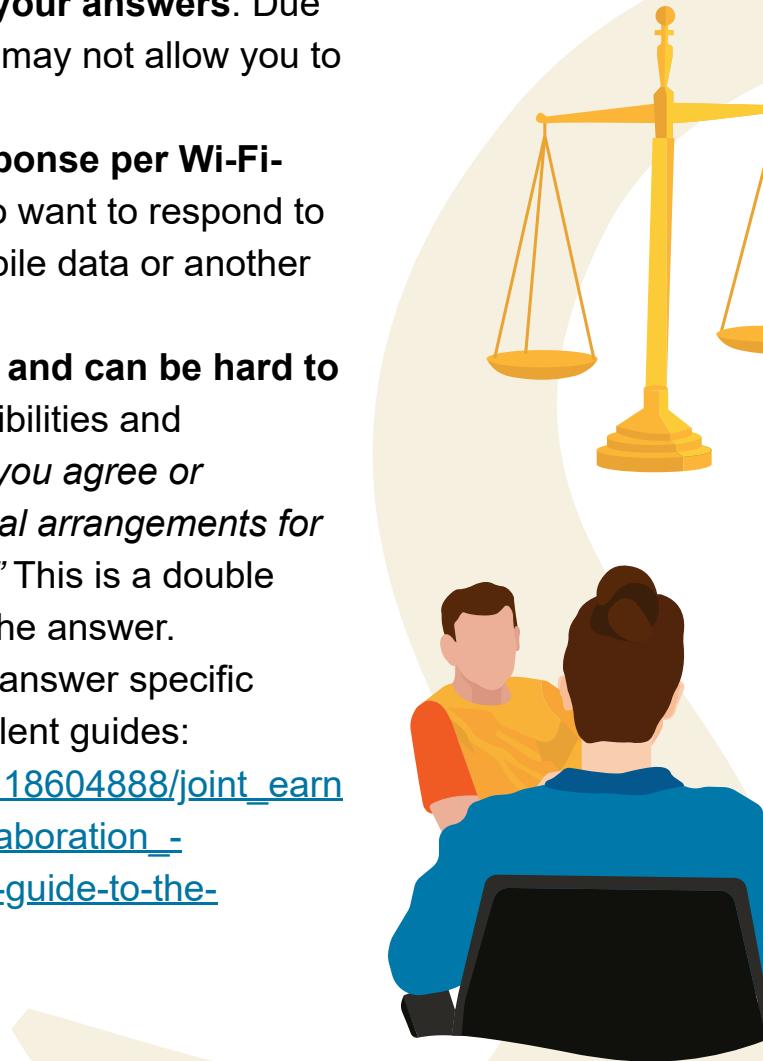
If you are worried about how the changes may affect you, we would recommend seeking legal advice.

Although, at the moment, it is unclear which changes will be implemented and who changes will apply to, your solicitor can provide you with advice specific to your circumstances. You can find immigration solicitors through the Law Society of Scotland's website:

<https://www.lawscot.org.uk/find-a-solicitor/>. You can choose "immigration and asylum" from the drop-down menu.

Practical Tips for filling out the consultation

- **Look at the questions before you complete the consultation so you can think and plan your answers.** Due to the way the website tracks responses, it may not allow you to go back to earlier questions.
- **You may only be able to submit one response per Wi-Fi-connection.** If the people you live with also want to respond to the consultation, they should try to use mobile data or another Wi-Fi connection.
- **Some of the answers are poorly worded and can be hard to understand.** Beware of Question 3 on Eligibilities and Equalities, which asks: *"To what extent do you agree or disagree that there should not be transitional arrangements for those already on a pathway to settlement?"* This is a double negative, and it can be confusing to know the answer.
- **You can find further guidance** on how to answer specific questions in the consultation in these excellent guides:
https://www.ramfel.org.uk/uploads/1/1/8/6/118604888/joint_earned_settlement_consultation_guidance_collaboration_-_final_version.pdf, <https://gmiau.org/gmiau-guide-to-the-earned-settlement-consultation/>.



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