JUSTRIGHT SCOTLAND

Proposed UK Settlement Requirements for Refugees

Based on the Government's response: A Fairer Pathway to Settlement (November 2026)

The UK Government proposes different settlement routes for refugees depending on how they came to the UK, whether they move into work, education or training, and whether they entered the UK by irregular means. Refugees will continue to receive protection if they need it, but settlement will no longer be granted on a largely automatic basis after 5 years. These changes have been announced by the Government, **but they are not in force yet**.

The Government has said that some refugees may not be affected by the changes. This could include young people who came to the UK as unaccompanied children and claimed asylum before they turned 18.

Once the changes come into effect, it is important to get immigration advice based on your individual circumstances.
This factsheet will be kept up to date as changes take effect.

Key Principles

Most refugees seeking settlement will need to meet the same core requirements as other migrants, including:

- **Good character** and suitability – will include any custodial sentence, discharges, conditional cautions, court-imposed fines, community sentences etc.
- Meeting **English language** requirements – A2 or B2 (depending on route).
- Demonstrating knowledge of **life in the UK** (where required).
- Meeting **financial** contribution requirements – at least £12,571 for at least 3 years.
- **Public funds** requirements – no claims on public funds in the five years before applying, unless applying after 20 years' lawful residence.
- Meeting **debt-repayment** obligations where applicable.
- **Compliance** with immigration rules – when over 18, if a person overstayed a visa, breached a condition, used deception in an application, or took action to frustrate immigration controls, then this results in an automatic route of 20 years to settlement.

Refugees Arriving Through Safe and Legal Routes

Who is included?

- People arriving through UK Resettlement Scheme and other designated resettlement and sponsorship routes.
- A person who entered the UK on another visa route and later claimed asylum **does not qualify** as arriving through a Safe and Legal Route for settlement purposes.

Settlement After:

5 Years

Requirements:

Requirement	Position
English language	A2 English for UK Resettlement Scheme refugees; generally B2 for other designated routes
Life in the UK test	UK Resettlement Scheme refugees exempt until an A2-level version becomes available
Public funds restriction	Exempt from the requirement to have avoided public funds during the previous 5 years
Criminality and character	Must satisfy general settlement requirements
Contribution requirement	Must meet route requirements

Refugees Granted Protection After Claiming Asylum in the UK

These refugees will usually be placed on **Core Protection**. The UK Government has stated that people who hold Refugee Status (5 years or 2.5 years) at the moment will be treated as having Core Protection going forward.

Settlement After:

20 Years

Requirements:

Requirement	Position
English language	B2 English
Life in the UK test	Must pass
Public funds restriction	If wish to settle in less than 20 years (see below) then must have avoided public funds during the previous 5 years, subject to safeguards for vulnerable groups
Criminality and character	Must satisfy general settlement requirements and if required to repay asylum-support costs, then must either repay them in full, or comply with an agreed repayment plan

JUSTRIGHT SCOTLAND

Refugees Who Move into Work, Education or Training:

Protection Work and Study Route

Refugees on Core Protection can earn faster settlement if they move into sustained work, education or training. This is a new route which is going to be created called **Protection Work and Study** (PWS).

Settlement After:

10 Years on Protection Work and Study route

Requirement	Position
English language	B2 English
Life in the UK test	Must pass
Public funds restriction	Must have avoided public funds during the previous 5 years, subject to safeguards for vulnerable groups
Criminality and character	Must satisfy general settlement requirements and if required to replay asylum-support costs, then must either repay them in full, or comply with an agreed repayment plan
Work, education or training	If relying on work, earn at least £12,571 for at least 5 of the previous 7 years

Important Note

If claimed asylum **after** 2 March 2026, then the 10-year period starts **when the person moves onto Protection Work and Study**. Time previously spent on Core Protection does **not** count towards the 10 years.

If claimed asylum **before** 2 March 2026, then the time spent with Refugee Status **does** count towards the 10 years to settlement on Protection Work and Study.

JUSTRIGHT SCOTLAND

Refugees Who Entered the UK by Irregular Means

The Government proposes that irregular entry will normally result in an **additional 10-year waiting period** before settlement.

If they move onto Protection Work and Study:

- 10 years on Protection Work and Study
- plus 10 extra years for illegal entry
- **Total: 20 years** before settlement.

If they remain on Core Protection:

- 20-year Core Protection route
- plus 10 extra years for illegal entry
- **Total: 30 years** before settlement.

Exception:

The additional 10 years will **not apply** where the individual is protected by **Article 31 of the Refugee Convention**, which protects certain refugees from penalties for illegal entry where specified conditions are met, e.g. they have travelled directly to the UK. We do not know how the UK Government is planning on applying this exception.

JUSTRIGHT SCOTLAND

English Language and Integration Requirements:



Refugee Group	English Requirement	Life in UK Test
UK Resettlement Scheme	A2 (basic)	Exempt until suitable A2-level test available
Other Safe and Legal Routes	B2	Required
Core Protection	B2	Required
Protection Work and Study	B2	Required

Asylum Support Debt



Where a refugee has received asylum support and repayment is required:

- Settlement applicants must either:
  - repay the amount owed in full; or
  - maintain an agreed repayment plan.

JUSTRIGHT SCOTLAND

Summary Table:

Refugee Category	Minimum Settlement Period	Key Requirements
UK Resettlement Scheme	5 years	A2 English; no public funds restriction
Other designated Safe and Legal Routes	5 years	Route requirements; generally B2 English
Protection Work and Study	10 years on route	Work/education/training; B2 English; Life in UK; contribution requirements
Core Protection	20 years	B2 English; Life in UK; meet standard settlement requirements
Protection Work and Study after illegal entry	20 years	Protection Work and Study requirements plus 10-year penalty
Core Protection after illegal entry	30 years	Core Protection requirements plus 10-year penalty

Source:
https://assets.publishing.service.gov.uk/media/6ae90b0e5b14ba0182a272a4/A_Fairer_Pathway_to_Settlement_-_Government_response_to_the_consultation.pdf

JustRight Scotland JustRight Scotland is a Scottish Charitable Incorporated Organisation (SC047818) which provides legal services through its limited liability partnership, JustRight Scotland LLP which trades as JustRight Scotland (SO305962). This firm has been authorised to act as solicitors by the Law Society of Scotland (Registered No 53703).

1st Floor, Robertson House, 152 Bath Street, Glasgow, G2 4TB

JUSTRIGHT SCOTLAND
WE DEFEND AND EXTEND PEOPLE'S RIGHTS

