

Paying the price:

The social and economic cost of increasing salary thresholds for family joiners

December 2023

This briefing sets out the potential impacts of the increased salary threshold on families who do not meet the financial requirements of the Immigration Rules but who may be recognised as having a human rights based claim to enter or remain in the UK. Below, we set out what we know about the planned policy change, the risks for people who cannot meet the new threshold, and our recommendations to government.

WHAT HAS THE GOVERNMENT ANNOUNCED?

In early December, Home Secretary James Cleverly announced the government's latest five-point plan to curb legal migration. A renewed effort to significantly reduce net migration, the plan includes more than doubling the minimum income required for a British citizen to bring their partner to the UK, from £18,600 to £38,700.

There are a number of policy details that are yet to be clarified by the government. For instance, currently the salary threshold increases when bringing children too. For the first child, it increases by £3,800 for the first child, and then by a further £2,400 per child for additional children. The government has not provided any information as to how the new policy will account for dependent children.

Another missing detail is regarding cash savings requirements. Currently, an individual can also demonstrate they meet income requirements through having a minimum of £62,500 readily available in savings. The government has not yet indicated whether or by how much this would increase, however, based on the current methodology, the savings requirement for a partner with no children would increase to £112,750.¹

WHAT WILL THIS POLICY CHANGE MEAN FOR FAMILIES?

With most working people [earning less](#) than the new threshold,² we expect a significant number of families, including those already in the UK and those currently living abroad,

¹ Required cash savings are [calculated](#) through taking the minimum income requirement (£38,700 for a partner), multiplying it by 2.5 (the number of years of leave granted), and adding £16,000 (the level of savings at which a person generally ceases to be eligible for income related benefits).

² According to the [ONS](#), median gross annual earnings for full-time employees in the UK was £34,963 in April 2023.

will be unable to meet the new income requirement. If the government decides to apply this policy change to families already in the UK, there is a real risk that they may be split up either temporarily or permanently, as the non-UK national partner is forced to leave the country, or will be left with no choice but to relocate entirely.

The implementation of the £18,600 minimum income requirement over the last ten years has forcibly separated some families. In February 2023, an inquiry by the Justice and Home Affairs Committee into family migration, found that separated families have experienced distress, poor physical and mental health, and destitution caused by crippling financial costs. They also specifically highlight the negative impact of separation on children's development and mental health. The report concludes that migration policies are "at odds with the government's commitment to family life." It [recommended](#) that the financial requirement should be made more flexible to take account of likelihood of future income of the family unit, and that "the threshold should not increase."

WHAT PROTECTIONS ARE IN PLACE?

For families unable to meet the new salary threshold, the [Home Office](#) has noted that there are protections available to prevent families being split up, in the form of provision for exceptional circumstances where refusal of a visa would result in "unjustifiably harsh consequences for the applicant, their partner, a relevant child or another family member". Home Office [guidance](#) indicates that this is a 'high threshold', and caseworkers are asked to consider whether or not the UK partner can go or remain overseas in order to maintain their family life, and whether it is proportionate to expect a family to separate or for existing separation to be maintained.³

What is not spelled out in these (partial) assurances is that the price of receiving such a protection would, we believe, involve people being moved onto a longer and more costly route to settlement. Currently, a partner or spousal visa holder is typically placed on a five-year route to settlement, meaning that - after five years and two visa applications - they can apply for 'indefinite leave to remain' (ILR) and stay in the country permanently. However, those who *do not* meet the requirements set out in the immigration rules - such as the minimum income requirement - but who *are* recognised by the government as having a legitimate right to be in the country based on their human right to a family life, are placed instead on a 10-year route to settlement. This means that they can only apply for ILR once they have accrued 10 years of continuous lawful residence, involving four costly visa applications.

³ [Relevant factors](#) to consider in the context of 'exceptional circumstances' include:

- The best interests of a relevant child
- Ability to lawfully remain or enter another country
- The nature and extent of the family relationships
- The circumstances giving rise to the applicant being separated from their partner and/or child in the UK
- The likely impact on the applicant, their partner and/or child if the application is refused
- Serious cultural barriers to relocation overseas
- The impact of disability or serious illness which requires ongoing medical treatment
- The absence of governance or security in another country.

IS THE POLICY CHANGE LIKELY TO APPLY TO THOSE ALREADY IN THE UK?

Since the announcement, there has been a [lack of clarity](#) regarding whether the new salary threshold would apply to those already in the UK. Initial briefings from a Number 10 spokesperson indicated that this change would apply to visa renewals for people currently in the UK. However, [government spokespeople](#) have later indicated that the policy will not apply retrospectively and that there will be “transitional arrangements” for British citizens and their foreign partners already in the country. The [Home Office](#) writes that they are “establishing the specifics of the policy”, with more details expected in due course.

If the government were to decide that those already in the UK on a family visa need to meet the new salary threshold, it is likely that many people would – if they could prove unjustifiably harsh consequences - move onto the 10-year route to settlement.

HOW WILL THIS CHANGE AFFECT THOSE MAKING A VISA APPLICATION OUTSIDE THE UK?

This policy change will also have a significant impact on those looking to join British family members from outside the UK. Those that are unable to satisfy the rules as set out in the Immigration Rules that govern family migration (Para GEN.3.1 of [Appendix FM](#)), but who can demonstrate that exceptional circumstances would lead to unjustifiably harsh conditions, would also be placed on the 10-year route to settlement.

WHO IS MOST LIKELY TO BE AFFECTED BY THE INCREASED SALARY THRESHOLD?

Analysis from the [Migration Observatory](#) has highlighted that such a policy change would disproportionately impact some groups.

The majority of working Brits do not earn enough to meet the new threshold. Average pay in key parts of the public sector is well below this level, with the average salary for a full-time teacher or nurse starting at £28,000. Under the previous threshold, 25 per cent of British employees earned less than £18,600. This rises starkly under the new income requirement, with just under 70 per cent earning less than £38,600.

These figures rise again for women, with more than 75 per cent earning less than the new threshold. Almost all part-time workers would be unable to meet the increased requirement. [Most](#) part time employment is undertaken by women (38 per cent), compared to 14 per cent of men.

People living outside of London and the South East, where wages are lower, are considerably more likely to struggle to meet the threshold.

A briefing from the [Migration Observatory](#) about the previous threshold also notes that any increase would particularly affect young people. Analysis shows that 72 per cent of young people aged 20-29 earn less than £23,565.

Taken together, these statistics indicate that there is the potential for a significant increase in numbers of people unable to meet the income requirements. Many of those are likely to make the case for having exceptional circumstances that would lead to unjustifiably harsh conditions should their family be separated or have to leave the UK.

As such, we can expect that there will be significantly increased numbers of people moving onto the 10-year route to settlement.

WHAT IS THE PROBLEM WITH MORE PEOPLE MOVING ONTO THE 10-YEAR ROUTE TO SETTLEMENT?

As a previous [study](#) by IPPR, Praxis and GMIAU found, many people on the 10-year route experience insecurity, precarity and profound hardship.

The high cost of visa renewals, combined with their frequency (every 2.5 years), leads many to experience severe financial difficulty and poverty. Sixty-two per cent of those we surveyed were unable to meet the cost of utilities, while 57 per cent were struggling to meet the cost of food. Many people had been forced into debt as a result of trying to meet the cost of visa renewals. A fifth of people responding to the survey had experienced homelessness or severe housing difficulties, such as sofa-surfing or being unable to meet rental payments.

These costs are set to amplify, following the government's introduction of increased visa fees across a range of immigration and nationality applications. Limited Leave to Remain fees – including 10-year route renewals – are expected to increase by 20 per cent in the coming months.⁴ The Immigration Health Surcharge – the fee that all visa holders must pay in order to access the NHS – will also rise by 66 per cent in early 2024. This will further entrench the extreme financial difficulties that people on this route face.

As a consequence of such eye-watering fees, many people are at risk of losing their legal immigration status. Of those responding to our survey, almost half said that the costs associated with applying for leave to remain meant they had decided not to renew their own, or another member of their household's, visa. This leaves people at real risk of facing the harms of the hostile environment, including facing restrictions working legally, renting a home, and accessing free healthcare and other key services.

Being on the 10-year route, many people found it harder to keep a job or find a job – which, particularly in a cost-of-living crisis, both drives poverty and places people at risk of exploitation.

Unsurprisingly, as a result of such extreme insecurity and hardship, many people experienced a worsening of their physical and mental health. Respondents described how the route led them to experience severe anxiety and depression, which was particularly acute around the time when they needed to renew their visa.

This is a route that harms families, and the impact on children was of particular concern to those we surveyed. Around 60 per cent of respondents described how their children's health and wellbeing had suffered, as well as their education and future prospects. For instance, one respondent described how instead of being able to take her children out, she was forever saving money for Home Office fees.

Finally, this route harms people's sense of belonging and what they believe is possible in the future – holding people back from achieving all they could for their families, and for wider society.

⁴ An [explanatory memorandum](#) regarding increased fees indicates that Limited Leave to Remain fees will be increased in 'due course', once 'technical arrangements' have been 'put in place'.

In addition to the impacts on families and communities, it is also worth noting that more people on a 10-year route will also increase the volume of renewals that an already-overstretched Home Office is required to process. A further leave to remain application for those on a 10-year route should, according to the Home Office's own service standards, take [12 months](#) for the Home Office to process, though in practice immigration advice providers are experiencing waits of 15-18 months for decisions currently.

In the pursuit of reducing net migration, the government intends to deter people from moving legally to the UK or force them to leave if they're already here. It is not clear how far this policy change will actually reduce numbers, given that family migration makes up such a small share of current immigration. However, what is clear is that this policy change has the potential to significantly impact the course and quality of the lives of many who are already living, or may wish to live, in the UK with their loved ones. It will have a severe cost on people who have a legitimate and recognised right to live in the UK, and will place people living in our communities in circumstances of severe hardship and poverty.

RECOMMENDATIONS

The most effective way to prevent the problems outlined above would be to scrap the minimum income requirement in its entirety, or, at the very least, maintain it at its current level. In the meantime:

- The government needs to urgently clarify its position regarding whether the increased salary threshold will apply to those already in the UK when they come to renew their visa.
- The government must also urgently clarify when this change will take effect, to provide certainty to thousands of affected families. Furthermore, clarity regarding dependent children and cash savings must also be provided.
- For a change that may affect the lives of tens of thousands of British citizens every year, an equality impact assessment should be urgently undertaken.
- In line with our [previous report](#), we recommend that the 10-year route to settlement should be capped at five years.

ABOUT IPPR

IPPR, the Institute for Public Policy Research, is the UK's leading progressive think tank. We are an independent charitable organisation with our main office in London. IPPR North, IPPR's dedicated think tank for the north of England, operates out of offices in Manchester and Newcastle, and IPPR Scotland, our dedicated think tank for Scotland, is based in Edinburgh.

Our primary purpose is to conduct and promote research into, and the education of the public in, the economic, social and political sciences, science and technology, the voluntary sector and social enterprise, public services, and industry and commerce. Other purposes include to advance physical and mental health, the efficiency of public services and environmental protection or improvement; and to relieve poverty, unemployment, or those in need by reason of youth, age, ill-health, disability, financial hardship, or other disadvantage.

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The contents and opinions expressed in this paper are those of the authors only.

ABOUT PRAXIS

[Praxis](#) is a human rights organisation that has been supporting people who have been marginalised by their immigration status since 1983. It does this through immigration advice and welfare support, building solidarity and community, providing training and capacity building, and campaigning for change, so that everyone can live with dignity and respect, no matter where they come from.

ABOUT GMIAU

Greater Manchester Immigration Aid Unit ([GMIAU](#)) was set up in 1989 as a community response to racist immigration laws affecting people in our communities. We provide immigration legal advice and representation as well as support services to people affected by immigration control across the North West.