# UK Immigration White Paper 2025 - Scottish Government Proposals

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Scottish Government
Riaghaltas na h-Alba

## Introduction: The Scottish Government's approach to Migration Policy

The Scottish Government has set out four priorities: eradicating child poverty; growing the economy; tackling the climate emergency; and ensuring high quality and sustainable public services. In order to deliver these priorities, we need to ensure that we have a workforce with the skills and experience to grow the economy and deliver the public services that we need.

It is the view of the Scottish Government that framing migration solely as a discussion about whether numbers go 'up' or 'down' is unhelpful. Instead, our shared focus should be on the needs of both Scotland and the whole of the UK's economy, public services and communities, acknowledging that in certain economic and demographic contexts, including the one in which Scotland finds itself, migration can support those needs.

The Scottish Government has seven principles which underpin its approach to migration policy. It is the ask of the Scottish Government that these principles are paid due regard in the development of the UK Government's Immigration White Paper.

i. Migration policy should address the needs of all of Scotland, including those areas most at risk of depopulation.

ii. Migration policy should encourage and enable long-term settlement in Scotland, welcoming people with the range of skills we need to work, raise families and make a positive contribution to society.

iii. Scotland should be able to attract talented and committed people from Europe and across the world to work and study here without excessive barriers, and our migration policy should support mobility, collaboration and innovation.

iv. Migration policy should support fair work, protecting workers' rights, pay and access to employment and preventing exploitation and abuse.

v. People who are entitled to live in Scotland – both international migrants and UK citizens – should be able to bring close family with them and migrants should have access to services and support to encourage integration into communities.

vi. The migration system should be easy to access and understand and focused on what a prospective migrant can contribute, not on their ability to pay – therefore fees and charges should be proportionate.

vii. Migration should be controlled to deter and prevent abuse, fraud and criminal activity, including terrorism, human trafficking and other serious offences.

We consider that these principles align with some of the principles that the UK Government has suggested for future migration policy, especially those relating to community cohesion and fairness.

## Net Migration

The UK Government has set out its commitment to reducing net migration. The Scottish Government's view is that rather than focusing solely on whether numbers go up or down it is more helpful to focus on the needs of our economy, our public services and our communities and then consider how migration can support those needs. We recognise that any consideration of need may lead to differential conclusions on both a sector and a geographical basis and therefore the immigration system should support those differential approaches.

## Link between work and skills

The Scottish Government supports the focus on skills development. However, it is important that any such approach recognises the demographic context for such an approach. In some communities there are increasing opportunities for growth often linked to green skills, but because of wider demographic change, a declining working age population and high local employment levels in these areas. Any focus on skills therefore needs to recognise this context and that migration needs will differ not just by sector but also by geography.

## Fairness

The Scottish Government is absolutely clear that migration policy should support fair work, protect workers' rights, pay and access to employment and preventing exploitation and abuse. We are concerned that there some elements of existing visa routes that place the individuals on those routes at greater risk of exploitation and abuse. In any consideration of fairness it is important to consider how routes are designed to minimise the potential for abuse and exploitation.

## Community Cohesion

The Scottish Government considers it important that migration policy encourages and enables long-term settlement in Scotland, welcoming people with the range of skills we need to work, raise families and make a positive contribution to society. Community cohesion is enhanced when individuals who come to this country are able to bring their families with them and can see a path to being able to stay here and make a positive contribution.

## Delivering for Scotland within the existing immigration system

The proposals outlined in this paper do not seek to devolve control of the immigration system to Scotland, and are presented with the intention of being fully deliverable within the existing UK immigration system.

There is scope for the existing immigration system to deliver better outcomes for the various countries and regions of the UK; partly through redesign, with increased nuance and flexibility within existing routes; and partly through the introduction of new tailored migration routes, with both approaches reflecting the difference in need which face different parts of the UK.

The immigration system as currently designed does not work for Scotland. Too many visa routes have conditions which have increasingly disincentivised or acted as a barrier to migration to Scotland, and are not reflective of the financial or demographic landscape beyond London, the South-East of England, and a selection of other major cities.

There has been a wealth of correspondence from the Scottish Government to both the current and previous UK Governments on the various challenges that the immigration system in its current form poses to Scotland's ambition to promote economic and demographic growth. A high-level selection of these issues are included within this paper.

The Immigration White Paper represents a clear opportunity to redress the imbalances within the current system, and, through meaningful engagement with national and regional administrations, create a system which is flexible and forward-thinking in its design, and well-placed to promote economic growth across the whole of the UK. Failure to take this opportunity, however, would serve to suggest that the only way for Scotland and other devolved governments to ensure that the immigration system is reflective of their needs would ultimately be through the devolution of those powers.

Scotland is an attractive place to live, work and study for those who were born in Scotland; those who choose to move to Scotland from the rest of the UK and international migrants. However, it is dealing with a structural legacy of outmigration which has meant that Scotland lost not just those individuals but also their descendants. This legacy means that in addition to retaining population there is a need to attract individuals to communities to grow our economy and deliver our public services.

**‘Controlled immigration’ and ‘capped’ Visa routes**

The Scottish Government recognises that previous correspondence on the subject of tailored migration routes has yielded valid questions around ensuring that the terms of a geographically restrictive visa are adhered to, and not abused or exploited by those entering the UK on any such route.

It is also reasonable of the UK government to seek to ensure that its own stated aim to reduce net migration to the UK would not be compromised through the creation of geographically tailored routes to particular countries or regions.

The Scottish Government agrees that migration should be controlled to deter and prevent abuse, fraud and criminal activity, including terrorism, human trafficking and other serious offences, and that this should be reflected in the design and delivery of visa routes.

Latest immigration figures from ONS show that Scotland is the only country within the UK to have experienced positive net migration from other parts of the UK; i.e., more people have chosen to move *to* Scotland from elsewhere in the UK than to *leave* Scotland for another UK country. This provides evidence against an oft-stated concern that a tailored migration route to Scotland would be abused by people immediately crossing the border to settle in England. This evidence underpins Scotland’s position as an attractive and welcoming country.

In order to ensure that the geographically tailored migration routes proposed in this paper are mutually beneficial to both the Scottish and UK Governments (meeting Scotland’s demographic needs whilst not hampering the wider UK stated aims to reduce net migration), each route would initially be designed and implemented as a ‘capped’ route, similar to routes for Seasonal Agricultural Workers, Youth Mobility routes, and geographically tailored routes in other international examples such as Canada and Australia.

We believe that given the difference in population size of England compared to that of Scotland, it would be possible to establish a cap which could be seen to be mutually beneficial to both governments.

Given that Scotland’s population makes up 8% of the overall UK population, with England accounting for 85%, a clear argument can be made that the introduction of capped, tailored routes to address specific demographic and economic needs in Scotland could be introduced without significantly offsetting any continued measures to curb inward migration to England.

According to ONS estimates for 2023, published in 2024, over 88% of international migration into the UK was into England. Only 7% of inward migration into the UK was into Scotland. Even if Scotland was to more than double its share of inward international migration through the introduction of Scotland specific tailored migration routes, this would be comfortably offset by actions taken by the UK Government to reduce the volume of migration into England alone.

Through a combination of Scotland-specific residency requirements, tying individuals to the Scottish Tax Code, and agreed caps for all tailored migration routes, the Scottish Government are optimistic that agreement can be reached with the UK Government that changes to the immigration system which better meet Scotland's needs can be delivered in a controlled and sustainable manner. It has been suggested that individuals may seek to move to Scotland with the aim of making a subsequent move to England. However, the evidence is clear that individuals want to move to Scotland, given that Scotland is the only part of the UK with positive net migration from other parts of the UK.

## Overview of immigration system-related issues facing Scotland

### Scotland's Demographic Challenge

The latest population projections for Scotland, published in January 2025, show that although Scotland's population is expected to continue to rise until mid-2047 (increasing by 6.2% compared to 2022's baseline), all of this population growth is expected to be driven by inward migration, with the number of deaths continuing to outweigh the number of births in Scotland each year, as is already the case.

In the same period, the number of children in Scotland is projected to decrease at a faster rate than for the UK as a whole, while the number of people of pensionable age in Scotland is simultaneously projected to increase substantially.

Whilst the projections show that the number of working age people in Scotland is projected to increase, this is at a slower rate than the UK as a whole, and is again driven solely by inward migration, with NRS data showing that the majority of international migrants moving to Scotland are aged between 16 -34. Positive net migration therefore is essential for supporting the size of the working-age population in Scotland, which is crucial for economic growth, public service planning, and community cohesion.

Crucially, the projected figures for levels of migration do not take into consideration steps taken by the UK Government over the last 12 months to significantly reduce net migration which could, without mitigating action, reduce net migration to Scotland to such an extent that the population begins to decline as a consequence. Latest Home Office data shows that UKG measures to curb net migration are already having a significant impact on the number of applicants for multiple visa routes.

Scotland's population, and importantly, its working-age population, will only continue to grow if migration to Scotland is maintained at the current rates. Steps taken by the Home Office to curb overall migration to the whole of the UK are likely to hamper Scotland's economic prospects and the sustainability of its communities.
It is for this reason that our proposals for the White Paper seek to outline proportional, deliverable changes to the immigration system which ensure that Scotland continues to be able to attract and retain migrants whilst the UK Government pursues its strategy to reduce overall migration to the UK as a whole.

While there has under previous Governments been a narrative about the potential negative impact of migration on housing and public services, this does not align with the evidence and the experience of communities across Scotland, particularly in our rural and island communities. In many of these communities migration is essential to the delivery and sustainability of public services and to growing the economy. An underpinning narrative which fails to reflect this experience risks delivering a migration system which will only deliver for certain parts of the UK.

**Linking Skills and Migration: the limitations of this approach in Scotland, a country with a population which is projected to decline without continued significant inward migration.**

The Scottish Government stands ready to play its role in supporting the UK Government's strategy to improve skills planning in the UK to better reflect the needs of the labour market, recognising that this is a vital step in delivering positive change for the prospects of people in the UK and growing the economy.

The Scottish Government have repeatedly engaged with the UK Government, including the Migration Advisory Committee (MAC), the Home Office, and the Department for Education in a bid to ensure that the 'quad' structure is set up to accurately reflect the skills and labour market requirements of the whole of the UK.

However, it must be acknowledged that in Scotland, continued rural depopulation and the continued decline of the domestic population at a national level (as outlined above), mean that work to align skills planning with labour market challenges must be delivered in conjunction with the continuation of tailored migration solutions. Even with robust, targeted, skills and labour market planning, Scotland will lack sufficient numbers of working age individuals to deliver the economic growth that both the Scottish and UK Government are eager to achieve through this approach.

The importance of the use of the immigration system to address local population shortages can be acutely felt in 'Green Skills' planning for 'Green Energy' infrastructure projects in Scotland.

Research conducted by Highlands and Islands Enterprise (HIE) and the Highlands and Islands Regional Economic Partnership (HIREP), published in May 2025, has identified significant economic and green energy opportunities for the UK, particularly in offshore wind, green hydrogen, hydro, and other renewable energy projects based in Scotland. The report can be accessed here: Regional Transformational Opportunities research | HIE.

These projects are expected to generate £76.6 billion in Gross Value Added (GVA), comprising £41.7 billion in direct GVA and £34.9 billion in indirect economic benefits. The construction phase alone is projected to create 16,000 jobs annually at peak construction periods. By 2040, 18,000 operational and maintenance jobs are anticipated to be required to support this new sector.

The challenge for those developing these essential Green Energy projects is the need for a substantial workforce uplift to meet demand. The research estimates a peak temporary increase of 16,250 workers by 2027, with a long-term increase of 12,750 workers by 2040. The existing regional construction workforce will not be able to meet this demand.

These projects are being developed and delivered in communities which are most significantly impacted by the structural legacy of outmigration. The demographic challenge for these communities is not about an inability to retain their current population. Like in all communities, there are ebbs and flows within the population, but the demographic structure of these regional communities means that in-migration

is required to maintain the working age population. The opportunities which have been identified require an increase in the working age population to fully realise them. Skills planning alone will not sufficiently address projected workforce needs, as the population base to address these vacancies is too limited in size.

It is clear that in order to deliver economic growth and increase the UK's Green Energy opportunities, the 'linking' of skills, labour market policy, and migration must take into account Scotland's distinct requirements of the immigration system in its design, offering a flexibility of approach to meet the differing needs of countries and regions across the UK.

**Policy Area / Sector issues relating to the current design of the UK immigration system.**

The following section outlines problems that the current structure of the immigration system is contributing to within Scotland, and presents brief, high-level proposals for distinct solutions to each of these problems. The Scottish Government stands ready to further explore and engage on any of the topics outlined.

**Immigration and Visa fees**

Problem: The UK Government's revenue raising model for immigration fees results in some of the highest charges internationally, making Scotland less attractive for skilled workers. The Immigration Health Surcharge (IHS) rose from £624 to £1,035 per year in 2024, with a further £41 increase under review, disproportionately impacting essential workers.

Solution: The Home Office should lower visa and immigration fees to a fair level, ensuring they do not act as a barrier to recruitment. The IHS should be scrapped to prevent double payment for healthcare services. Immigration should be based on an analysis of the skills and expertise that our economy needs rather than the ability to pay and in a competitive market for skilled workers it is not in our interests to make the UK a less attractive destination. The Scottish Government consider that fees should be proportionate and based on cost.

**Seasonal Agricultural Worker Visa**

Problem: The Seasonal Worker visa is the only legal route for migrant workers in the UK's horticulture sector, but annual visa allocations are set to decrease. Smaller producers may struggle with the costs of automation, risking disruption to Scotland's agriculture, food, and drink sectors.

Solution: The UK Government should ensure the number of visas issued meets seasonal demand and consider financial assistance for automation in the sector.

**Health and Social Care Workforce**

Problem: Health and Care Worker visa applications fell by 81% between May 2024 and January 2025, following the removal of dependent visas for care workers. Proposed changes to the IHS reimbursement scheme could exclude healthcare support staff, hospital administrators, and other essential non-registered roles.

Solution: The Home Office should restore dependent visas for care workers in Scotland to improve recruitment and retention. The Department of Health and Social Care should ensure IHS reimbursement covers all frontline health and care workers, regardless of registration status.

## Universities, Higher Education, and Research Sectors

### International Student Numbers

Problem: The number of EU students at Scottish universities has dropped by 81% since 2016, from 4,625 to 880, due to Brexit and changes in fee support. Non-EU international student numbers increased to 70,840 in 2022/23, but recent UK immigration restrictions risk making the UK a less attractive destination – the impact of these restrictions has been seen in recent data. The College sector has expressed concern that the study visa does not recognise the changing delivery model for the sector, making it more difficult for them to recruit and retain international students.

Solution: The UK Government should reconsider the ban on dependants for most international students studying in Scotland, in order to maintain Scotland's appeal as a global education hub. Visa policies should support international students who contribute to Scotland's economy and research excellence and should align with the delivery model for the sector.

### International Graduate Retention

Problem: Scotland faces long-term skills shortages and population challenges. We know that many international graduates want to stay in Scotland, and they have the skills and expertise that employers need. However, there is concern that the recent increase in the Skilled Worker Visa salary threshold makes it difficult for international students to stay in Scotland. There is a risk that individuals will either leave the UK or leave Scotland for London, thus increasing the geographic imbalance within the immigration system.

Solution: The UK Government should enhance post-study work visa opportunities, such as the proposed 'Scottish Graduate Visa', to better enable international graduates to stay and contribute to Scotland's workforce. Our engagement with the sector and with international students suggest that providing individuals with more time to enable them to reach the salary threshold for the Skilled Worker Visa is key to enabling them to stay in Scotland. We have proposed an additional 2-year visa, focused on graduates in Scotland, to bridge the gap between the Graduate Visa and the Skilled Worker Visa. This will enable students to see a pathway to a Skilled Worker Visa, and linking it specifically to a Scottish tax code would ensure that people stayed in Scotland making a positive fiscal contribution to public finances and to our economy. Collaboration between universities, colleges, and employers should be supported to integrate graduates into key sectors facing shortages.

### International Research

Problem: Scotland is a world leader in research, with nearly one-third of its research directly supporting the UN's Sustainable Development Goals. Increasingly restrictive immigration policies risk hindering international collaboration. In 2022/23, 49% of research staff at Scottish universities were non-UK nationals, making them vital to research success.

Solution: The UK Government should ensure visa policies attract and retain top international researchers, supporting Scotland's position as a leader in global innovation. Immigration rules should facilitate international research partnerships to drive solutions to global challenges.

**Research and Innovation**

Problem: International researchers struggle to commercialize their work due to limited visa options, with the Innovator Founder visa having a success rate below 30%. Universities, which previously endorsed researchers for visas, can no longer do so, creating further barriers.

Solution: The UK Government should reinstate universities as endorsing bodies for the Innovator Founder visa to support high-growth start-ups.

**Cultural Mobility and Touring Artists**

Problem: The end of free movement and lack of mobility agreements in the UK-EU Trade and Cooperation Agreement (TCA) are damaging Scotland's cultural sector. Increased costs, administrative burdens, and legal confusion are preventing creative professionals from touring and collaborating internationally.

Solution: The UK Government should negotiate new mobility arrangements with the EU to allow artists and performers to travel and work freely.

**Youth Mobility**

Problem: The end of freedom of movement has reduced opportunities for young people to live, work and study in other countries. The Scottish Government has long advocated that better opportunities should be created for young people to enjoy the opportunities offered by mobility, including the opportunities to live, work and study in other countries.

Solution: The UK Government should respond positively to the Commission's initiative and seek to secure an agreement which will provide enhanced opportunities for young people. There is strong public support for a UK/EU youth mobility visa agreement.

**Family Visas**

Problem: The current rules on the family visa both in relation to the narrow definition of family and the financial thresholds are preventing those entitled to live in Scotland from having their family members living with them. This results either in family separation or individuals not being able to live in Scotland.

Solution: The UK Government should review their definition of immediate family to bring it into line with the entitlement to bring family members to the UK for those with Settled Status through the EU Settlement Scheme. Scottish Government has produced detailed evidence of the impact of the current financial threshold for the

family visa in Scotland which we have submitted to the Migration Advisory Committee.

**Address Exploitation and Abuse in the Immigration System**

Problem: Certain routes within the current immigration system place migrants at risk of exploitation.

Solution: The Scottish Government is clear that migration policy should support fair work, protect workers' rights, pay and access to employment and prevent exploitation and abuse. Making an individual's right to stay in the UK entirely dependent on their employer creates a distorted power dynamic. The UK Government should review the Seasonal Worker and Health and Care Visa routes to consider whether there are sufficient safeguards in place to protect individuals from exploitation and abuse. Individuals should be provided with clear information about their rights both before and after arrival in the UK.

**Home Office data sharing with Devolved Governments**

In engagement with the Home Office, the topic of immigration data is regularly raised, but there have been limited improvements in the willingness of the Home Office to share this data.

Better access to Scotland-specific immigration data would enable the Scottish Government to better understand and respond to the immigration landscape within Scotland.

**Data sharing / Scotland's Migration Service**

Scotland's Migration Service supports people to move to and settle in Scotland. It also supports Scotland-based employers and inward investors to use the immigration system in order to hire international workers and grow their businesses. The Service therefore contributes to efforts to grow the Scottish economy, maximise our existing talent pool, and attract more individuals to Scotland to address skills shortages and demographic challenges.

Scotland-specific immigration data would greatly assist the Scotland's Migration Service team in promoting the service to target user groups and assessing the Service's efficacy. This would help to drive best value for public money, to the benefit of the UK as a whole.

Specifically, the Scotland's Migration Service team would benefit from access to data in relation to:

- How many people with a home address in Scotland applied for a new visa or an extension (broken down by visa type).
- How many visas (new visas and extensions) were granted to people with a home address in Scotland (broken down by visa type).
- The number of Scotland-based organisations which applied for a sponsor licence (broken down into the different sponsor licence types).

- The number of Scotland-based organisations which hold a sponsor licence (there is a register available at Register of licensed sponsors: workers - GOV.UK (www.gov.uk) but it's not easy to filter by location).

**Immigration system feedback from Scotland's Migration Service Delivery Partners**

The service is delivered by two operational delivery partners: Citizens Advice Scotland and a law firm called Seraphus. These partners have shared the following feedback with Scottish Government, based on the experience of service users:

**Seraphus**

The UK lacks a visa route for self-employed workers. This is compounded by broader challenges Scottish employers face, particularly the high salary thresholds associated with the Skilled Worker visa, which is not reflective of average wages employers can offer and different economic conditions that exist in Scotland.

Employers, particularly smaller and medium businesses and those in rural areas, often find it difficult to meet sponsorship requirements or justify the costs and administrative challenges involved. This presents a structural disadvantage for Scotland employers in attracting and retaining international talent.

Solution: Introduce greater regional flexibility in the immigration system to support Scottish businesses, and also help address demographic challenges and skill shortages, particularly in sectors and regions that do not align with London-centric wage expectations. This could include:

- Exploring a dedicated visa route for self-employed or freelance workers;
- Revisiting and adapting the former Start-up or Innovator visa routes to better serve regional economies; and
- Introducing regionally adjusted salary thresholds that reflect local economic realities, ensuring that employers in Scotland and other parts of the UK are not unfairly excluded from accessing international talent.

**Citizens Advice Scotland**

Problem: Many employers are unwilling to sponsor international workers due to high costs and administrative obligations. The 60-day visa curtailment period is too short, which does not give skilled individuals enough time to secure new employment. This results in them leaving the UK, taking their valuable skills and experience elsewhere.

Solution: The Home Office should extend visa curtailment periods. It should adjust salary thresholds and sponsorship fees to make it easier for businesses to hire international workers.

**Right to work**

Problem: The safe and legal routes available for people to seek safety in the UK are insufficient. This only supports the business model of human traffickers who exploit

people forced to flee their homes due to war or persecution. For those who can claim asylum, slow decision making and harsh restrictions on individual's ability to earn while they are await a decision on their future hampers their ability to rebuild their lives and contribute their skills to the economy.

Solution: The Home Office should increase the availability of safe and legal routes like the Displaced Talent Mobility pilot, or visa routes like the British Nationals Overseas visa which give people the opportunity to use their skills and contribute to the economy while recognising the need for additional support as a result of their circumstances. There should also be flexibility within the system to allow those who need protection to have the ability to use their skills and rebuild their life here. This should include meaningful engagement and consideration of the proposals by the Scottish Government and other stakeholders in the UK on providing Asylum seekers the right to work and increasing access to available safe and legal routes. The Asylum process should not risk pushing people into destitution as a result of restrictive conditions.

## Tailored Migration Proposals

### Scottish Visa

### Evidence Base

The original full publication, which details the evidence base and rationale for the Scottish Visa proposal, can be accessed online here: Migration: Helping Scotland Prosper

### Rationale / High-level overview

Countries including Canada and Australia have successfully used regional immigration schemes to allow states and provinces to attract and retain people with the skills and attributes needed to benefit specific local economies and communities. Learning from these international models has helped the Scottish Government to develop a tailored proposal for migration to address the distinct needs of Scotland, in the form of a 'Scottish Visa'.

The conditions of the Scottish Visa would allow migrants to enter the UK in order to live and work in Scotland. Holders of the visa would need to have a Scottish tax code.

A Scottish Visa would present an additional option for people who want to live, work and eventually settle in Scotland. The Scottish Visa would be an additional route within the UK immigration system, and the Scottish Government would work in partnership with the UK Government to deliver this Visa route.

The Scottish Visa route would give greater flexibility to the Scottish Government in its bid to attract and retain international migrants than the Rural Visa or Scottish Graduate Visa routes, whilst still ensuring that inward migration to the UK would be targeted to where its impact would provide benefit, i.e., Scotland, through its intrinsic link to the Scottish Tax Code.

If the UK Government was to deliver a Scottish Visa route, this could potentially be achieved through one of the following four methods, all of which the Scottish Government would be willing to engage on with the Home Office:

### Potential Delivery Models for the Scottish Visa

Model 1: The UK Government creates an additional route for migration to Scotland, where the Home Office defines the criteria and rules, receives and assesses applications, and issues a visa to successful applicants.

Model 2: The Scottish Government considers and proposes criteria for an additional route for migration to Scotland for the UK Government to establish, with the Home Office receiving and assessing applications, and issuing visas to successful applicants.

Model 3: The Scottish Government defines the criteria for an additional route for migration to Scotland, receives and assesses applications, and then nominates successful applicants to the UK Government, where the Home Office receives and assesses the application at this second stage, and issues a visa to successful applicants.

Model 4: The Scottish Government has powers to establish additional routes for migration to Scotland and define eligibility criteria, it receives applications and assesses them, and then refers applications to the UK Government, where the Home Office will verify for identity and security only, before then issuing visas to successful applicants.

**Visa Sponsorship**

Endorsement and sponsorship are established concepts in the UK immigration system, and nomination in this way would be similar to those processes, albeit the nominating body would be the Scottish Government rather than an employer. The proposed Scottish Visa would not have a sponsorship role for employers, removing a significant burden from the small and medium enterprises which make up a higher share of the economy in Scotland than in the rest of the UK.

**Residence in Scotland as a requirement**

A condition for admittance on a Scottish Visa route should be residence in Scotland. Residence is already the basis of existing obligations and entitlements. For example, the Scottish tax code is based on residence, as is eligibility for many public services and benefits delivered by the Scottish Government and local government in Scotland.

The Scottish Government would consider carefully what compliance framework would need to be put in place to ensure proportionate, risk-based control for the requirement that holders of this visa stay in Scotland, including information and data sharing arrangements with UK authorities; particularly Immigration Enforcement, but also other bodies such as HMRC who are responsible for the Scottish tax code. In the majority of cases, a requirement to ordinarily reside in Scotland would likely also mean an individual would be working in Scotland. Therefore, the Scottish Government is not proposing additional restrictions on working within the UK – although this could be discussed with the UK Government if required.

**Salary Threshold**

There would be no salary threshold associated with this visa route, although earnings could be part of the selection process. This could encourage highly skilled people to take up quality jobs in Scotland but not exclude anyone solely on the basis of salary alone.

**Length of Stay and Permanent Settlement**

The Scottish Government wants to ensure that there would be a pathway from the Scottish Visa to Indefinite Leave to Remain (ILR). It is currently intended that

someone holding a Scottish Visa would make an application for ILR to the UK Government. This would be for leave to remain in the UK, or alternatively and if deemed to be an agreeable compromise between the Scottish and UK Governments, an arrangement for permanent settlement in Scotland could be considered.

If, in line with other visa routes offering a route to ILR, five years' residence on the Scottish Visa was required to apply for ILR, the visa could be offered for five years at the outset (or five years and three months, to allow a window for ILR application). Alternatively, a shorter initial visa term could be offered, with a renewal point required to reach five years, for example, three years plus three years. This would potentially include a caseworker review of compliance with the residence requirement, complementing ongoing monitoring. A six-year period of immigration control overall would allow a full year toward the end of the visa term to apply for ILR.

**Predicted Outcomes**

A route which would maintain the option to promote migration to Scotland despite the varying policy positions regarding immigration to other areas of the UK.

An opportunity to provide a route within the existing UK immigration system which promotes migration to a specific part of the UK where it is actively welcomed.

An opportunity to better control the distribution of migrant workers upon arrival in the UK with visa conditions which prevent migration to areas where the UK government do not believe it to derive a benefit, instead ensuring that migrant workers and their dependants remain in Scotland, where they are welcome, needed, and are part of communities which stand to gain from their contributions.

## Rural Visa Pilot

### Evidence Base

The original full publication, which details the evidence base and rationale for the Rural Visa Pilot (RVP) proposal, can be accessed online here: Rural visa pilot proposal: September 2022 - gov.scot

### Rationale / High level overview

The Scottish Government has repeatedly emphasised the urgency of the challenge for remote and rural communities, with restricted immigration following the ending of free movement threatening the economic and social viability of many areas. Many of these areas are particularly dependent on migration, but very few job roles in remote and rural geographies meet the required salary thresholds or other criteria to recruit through existing visa routes.

The MAC accepted in 2019 that the 'current migration system is not very effective in dealing with the particular problems remote communities experience' and recommended the UK Government pilot a scheme to attract and retain migrants in remote areas. The then-Home Secretary, Sajid Javid, accepted that recommendation to develop a pilot scheme in a Written Ministerial Statement on 23 July 2019.

Following consultation with the Expert Advisory Group on Migration and Population, rural and island Scottish local authorities, and other business partners, the Scottish Government has developed the 'Rural Visa Pilot' as the best response to address the needs of Scotland's remote and rural communities.

The over-arching and long-term goal of the RVP would be to deliver improved outcomes at a community level in remote and rural areas facing depopulation and/or skills shortages, by attracting migrants with the skills and profile that would best address the social and economic challenges created by population decline.

The RVP would be a community-driven, employer-based migration route, operating within the UK immigration framework. The approach would spread the benefits of immigration to smaller remote and rural communities in Scotland, enabling migration – based upon genuine employment opportunities – which have the best fit for the economic needs and service delivery of that specific community (either in respect to acute shortage, potential for future growth/regeneration, or for maintaining crucial local services and ongoing viability of communities).

### Delivery

Participating employers within identified geographic areas referred to as the 'community' would be able to advertise for vacancies (using bespoke entry criteria). Those employers would assess prospective candidates, before recommending chosen candidates to the Home Office for security checks and final decision. Once a decision was approved, the migrant would be sponsored by their employer.

Through the course of their pre-arrival and arrival, community partners - including the employer along with local services and third sector partners - would offer a package of integrated settlement support services for newcomers.

Participating employers, in collaboration with Scottish Government and UK Government organisations, would have responsibility for ensuring that terms and conditions of the scheme continued to be met.

Users of the scheme would be required to adhere to clear conditions of employment within the community as set out across the duration of the pilot. These conditions would be gradually eased over a period of four years, with a route to permanent residency with no mobility restrictions upon completion.

**Locations**

It is anticipated that decisions about the geographic size and boundaries of a participating ‘community’ would need to be taken in a shared forum between the UK Government, Scottish Government, MAC, and local authorities. However, this proposal makes an initial suggestion that participating ‘community’ areas could be drawn using ‘Travel to Work Area’ (TTWA) geographic units to ensure appropriate size and configuration.

Whilst the Scottish Government have made the offer to pilot a ‘Rural Visa’, the route could be expanded to include rural areas facing demographic challenges across any of the four nations of the United Kingdom, and the Scottish Government would be willing to engage in any discussions around a shared pilot approach.

**Duration of Pilot phase**

It is anticipated the scheme should establish between 3 and 5 pilot communities across remote and rural areas of Scotland, trialled over an initial period of 5 years. This will enable comparisons between different areas during an ongoing evaluation of the pilot. Following the 5-year period, a review could be undertaken to establish whether the pilot should be extended or be formalised into a wider program.

**Scale**

Caps or quotas on migrants entering the scheme would need to be discussed during the design phase. However, it is suggested that an initial cap of 300 migrants per designated Community Pilot Area would be permitted to enter via the scheme across the pilot’s duration.

**Predicted Outcomes**

The overarching and long-term goal of the RVP would be to deliver improved outcomes at a community level in remote and rural areas facing depopulation and/or skills shortages, by attracting migrants with the skills and profile that would best address the social and economic challenges created by population decline.

The approach would spread the benefits of immigration to smaller remote and rural communities in Scotland, enabling migration – based upon genuine employment opportunities – which have the best fit for the economic needs and service delivery of that specific community.

The proposal was endorsed in the Scottish Parliament by 79 votes, with 29 against. Scottish Labour and the Scottish Lib Dems voted in favour alongside the SNP and Scottish Greens. Only the Scottish Conservatives voted against. However, they also remarked that they supported the principle of the Rural Visa Pilot proposal.

## Scottish Graduate Visa

### Evidence Base

The original full publication, which details the evidence base and rationale for the Rural Visa Pilot proposal, can be accessed online here: Migration - Meeting Scotland's Needs - gov.scot

### Rationale / High-level overview

International students have a positive economic impact on Scotland. We want to attract and retain international students in Scotland. However, the restrictions on dependents and the significant increase in the salary threshold for the Skilled Worker Visa are significant disincentives to making this a realistic or attractive proposition for international students. The retention of the Graduate Visa within the existing immigration system is welcome, but there are significant challenges for international students in gaining a role which meets the salary threshold for a Skilled Worker Visa immediately following completion of their studies, especially students outside of London.

We therefore propose the establishment of a Scottish Graduate Visa which would act as a bridge between the existing Graduate Visa and a Skilled Worker Visa, giving international students in Scotland an additional 2 years to develop their career to meet the salary threshold.

### Delivery

To be eligible, individuals would need to have completed, and been awarded, a relevant qualification through a Scottish institution, such as a degree, Master's degree or PhD. They would need to currently be in the UK on a Graduate visa, and intend to live and work in Scotland for the duration of their Scottish Graduate Visa. As with the Scottish Visa, the Scottish Graduate Visa would be linked to a Scottish tax code and be based on a requirement to live and work in Scotland.

### Eligibility Criteria

Applicants for this visa route would be required to have:

- completed and been awarded a relevant qualification though an eligible Scottish institution, including a Higher National Diploma, UK recognised undergraduate degree, Master's degree or PhD;
- currently be in the UK on a Graduate visa;
- have lived in Scotland for "an appropriate period of time" whilst studying;
- intend to live in as well as seek and take employment in Scotland (including self-employment) – linked to a Scottish tax code.

### What a successful applicant would be able to do

- work in most jobs in Scotland (no salary requirement)
- be self-employed – to recognise and encourage entrepreneurship

- live in Scotland with a partner and/or children.

**Cost**

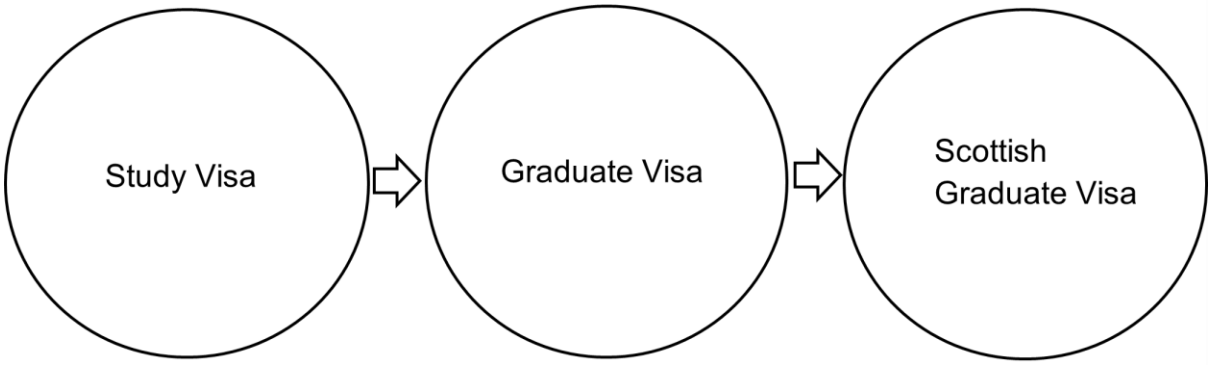
Individuals would need to pay an application fee, in line with existing fees for Graduate visa routes.

**Duration**

A Scottish Graduate Visa would be granted for up to 2 years. The Scottish Graduate Visa would provide a further opportunity for individuals to gain the professional experience required to qualify for roles on the Skilled Worker Visa route, as the current salary threshold for this visa route is a barrier to access for graduates in many locations and sectors. Whilst living and working in Scotland on the Scottish Graduate Visa, individuals would then be able to apply for other visas, such as a Skilled Worker Visa.

**Possible Visa Pathway**

- individual applies for, and is awarded, a Student visa or Tier 4 (General) student visa
- following completion of their studies an individual is eligible to apply for a Graduate Visa
- a Graduate Visa lasts for 2 years or 3 years for those with a PhD or other doctoral qualification
- an individual who applied for, and secured, a Graduate Visa could then apply for a Scottish Graduate Visa as a further step after their Graduate Visa
- a Scottish Graduate Visa would last for 2 years.




**Predicted Outcome**

A ‘Scottish Graduate Visa’ would act to ensure that international talent is not lost to the UK due to the cliff-edge transition from the existing Graduate Visa to a Skilled Worker Visa due to the increased salary requirements of the Skilled Worker Visa. The conditions of the visa would ensure that users of the route live and work in Scotland, contributing to Scotland’s economic and demographic challenges without compromising the UK Government’s own immigration targets.

**‘Scottish Exemptions’ for existing visa routes**

**‘Scottish Exemption’ to the ban on dependents for Student and Health and Care Visa routes**

Home Office data shows the impact that the restrictions on dependent visas for most international student and social care visa applicants is having on application numbers.

The Scottish Government accepts that the UK Government has a commitment to ‘drive down net migration’, and that the restriction on dependent visas is designed to contribute to this aim.

However, Scotland’s differentiated economic and demographic requirements to England, especially when compared to London and the South-East of England, means that it risks being impacted particularly negatively by the reduction in numbers of people arriving to the UK as either students or social care workers.

The tailored migration proposals presented in this paper are representative of the fact that different countries and regions within the UK have different needs of the immigration system.

To that end, the Scottish Government believes that it would be proportionate and appropriate for the UK government to introduce a ‘Scottish Exemption’ to the ban on dependents for Student and Health and Care Visa routes.

Given the significant difference in the number of universities (19 vs 109) and subsequent international student places in Scotland compared to England, it is rational that an exemption route for Scottish Universities which allows international students to have associated dependents also be granted a visa would not significantly impact the efficacy of the English dependent ban, whilst also granting a needed and popular concession to the Scottish University sector.

Similarly, whereas the establishment of support hubs in England to provide relocation assistance to displaced social care workers on the Health and Care visa is demonstrative of the fact that in England, there is a difficulty to match demand for care workers with supply, this is not the case in Scotland, where stakeholder engagement continues to tell of difficulties in recruiting sufficient numbers of care workers to meet the needs of the sector in Scotland.

Given the population difference between England and Scotland (and therefore the estimated total numbers of people in Scotland requiring care vs the total in England), allowing workers sponsored by Scottish employers to bring dependents with them would again meet the Scottish sectors needs without significantly impacting on the wider aim to reduce overall levels of migration which would be achieved through continuing to maintain the dependants ban in England.

This differential approach to the ban in England and Scotland would also encourage a refocussing of where migration would be targeted, encouraging a shift away from England and encouraging migration to Scotland. This would be mutually beneficial to

both England and Scotland, serving to disincentivise migration to England, where a reduction in net migration is sought, whilst incentivising migration to Scotland, where immigration is an essential lever to bolster local communities and economies.

**‘Scottish Exemption’ to the Family Visa financial requirements**

The Scottish Government’s response to the MAC’s call for evidence on Family Visa financial requirements provides strong evidence that the current minimum income threshold of £29,000 required to bring a partner or family member to the UK is a barrier to people moving to Scotland, especially in those areas which are most at risk of depopulation.

The threshold as it currently stands prohibits between 40-50% of Scotland’s working adults, rising to over 50% for working women, from being eligible to bring a family member into the UK on a Family Visa.

Were this threshold to increase again, as outlined by the previous Conservative Government to £34,500 and then £38,700 by ‘early 2025’, 60-70% of working adults, and 75-80% of women, would be unable to meet the income requirement, highlighting the equalities issues associated with the current salary threshold.

Given the divergent ambitions of the Scottish and UK Governments in regard to migration, an ‘exemption’ or alternative, lower financial threshold for the Family Visa route for applicants who choose to settle in Scotland would serve the demographic interests of both Scotland and the rest of the UK, promoting migration to Scotland as an accessible alternative to the more restrictive current UK-wide Family Visa route.

Assurances to ensure compliance with the condition to settle in Scotland included in a salary ‘exemption’ or alternative could be upheld in the same manner as other proposals within this paper, including linking visa holders to a Scottish Tax code.

The Scottish Government look forward to engaging with the UK Government and the MAC to discuss the findings and recommendations of the review of financial requirements for the family visa once it has been completed.

**‘Scottish Exemption’ to the Skilled Worker Visa salary threshold**

In April 2024 the baseline minimum salary to be sponsored for a Skilled Worker visa increased from £26,200 to £38,700, while the ‘going rate’ minimum salary specific to each job also went up significantly. The list of jobs for which it is possible to sponsor someone for a Skilled Worker visa at a reduced minimum salary was made shorter and renamed the Immigration Salary List.

London and the south-east of England attracts disproportionately more skilled workers than the rest of the UK. Analysis by the Migration Observatory found that between 2016-2020, 44% of skilled workers with certificates of sponsorship were working in London, demonstrating the distorting effect that London has on the overall migration landscape for the UK.

Engagement across a variety of sectors, including work undertaken with Scottish Universities in the development of the ‘Migration: Meeting Scotland’s needs’ paper (see link in Tailored Migration proposal #2), has highlighted that the current Skilled Worker salary threshold of £38,700 is a barrier to individuals being able to move to or take up employment in Scotland.

While our ‘Scottish Graduate Visa’ proposal is an attempt to reduce the ‘cliff edge’ that this threshold creates for those attempting to transition from student or graduate visas onto the Skilled Worker Visa, a more effective, fair, and flexible solution to the challenges posed by such a high threshold could be addressed through the implementation of a lower threshold for Scotland.

This again would increase the feasibility and attractiveness of migration into Scotland, where employers, communities, and public services are eager to make the most of the immigration system to address issues which can’t be solved via domestic means. This approach, as with all of the proposals outlined in this paper, would better serve Scotland without limiting the efficacy of the threshold in reducing the number of Skilled Worker Visa holders in England.

A Scottish ‘exemption’ to the Skilled Worker Visa could also be seen to serve to address the disproportionately high number of migrants using the route to move to London, ensuring a redistribution of inward migration to the UK towards areas where it is required and away from regions seeking to reduce further inward migration.

## The Scottish Government Position on the UK's current approach to Asylum and protection

Scotland already plays its part in supporting refugees and people seeking asylum and safety in the UK. In recent years, Scotland has welcomed people fleeing conflict and war around the world, including from Syria, Afghanistan and Ukraine. Continuing global instability and the impact this has on people demonstrates the need for international cooperation and domestic flexibility on the issues of migration and humanitarian protection.

Asylum is currently recognised to be a separate matter from immigration, with the focus being on a person's need for humanitarian protection, rather than a choice to travel to another country. People seeking asylum have often fled their homes suddenly, due to war or persecution, leaving everything behind. They may arrive in the country in which they are seeking safety by chance, with little forethought or preparation.

Scottish Government firmly believes it is possible to deliver a more effective and humane asylum system that treats people with dignity and respect. The UK needs an asylum system that is effective, efficient and delivers for people who may be highly vulnerable. Asylum policy and legislation decisions made at UK level impact local authorities, public services and communities; it is important that appropriate coordination and funding are in place to ensure people can be supported at all stages.

The Scottish Government believes there is an opportunity to take innovative and imaginative approaches to supporting those who are seeking safety in the UK. Increasing the availability of complementary pathways in the UK immigration system reduces the need for people to find dangerous alternatives and breaks the business model of human traffickers who exploit people forced to flee their homes due to war or persecution. Although such routes can be delivered as part of the immigration system rather than as a function of the asylum system or resettlement schemes, people taking up a complementary route should be afforded additional support in recognition of trauma they have suffered.

## Scottish Government Proposals to deliver positive change to Asylum and protection

The Scottish Government wants to work with the UK Government, local authorities and support services to address asylum and protection challenges and improve support for people seeking asylum and protection and Scotland's communities.

### Improve speed and quality of asylum decision making

The Scottish Government welcomes steps that have already been taken to restore the right to asylum in the UK through amendments to the Illegal Migration Act 2023. It is important that a new backlog is not allowed to persist or grow. Practical operational matters can also support both people's access to asylum and the efficiency of the system, including access to suitably qualified legal advice (broader legal aid eligibility is provided in Scotland but there remain common challenges in

legal capacity). Consideration of the locations where people can submit claims, as well as interview locations which support access to legal advisers and interpreters would be welcome, particularly as dispersal widens.

**Return to community-based asylum accommodation**

This would better support integration and reduce costs of temporary hotel accommodation. Local authorities, Scottish Government and key public services must have a role in asylum dispersal planning and continue to be engaged within any development of the place-based approach or alternative approaches to dispersal.

**Ensure asylum support rates are adequate**

People seeking asylum should not have to choose between essentials, and support rates should properly reflect the costs of daily life, which will vary across Scotland and is likely to be higher in rural areas. Digital access and travel costs should be properly accounted for in support to enable access to essentials, either through increase in support rates or separate provision to ensure people can access information, services and support they need while awaiting a decision.

**Extend the move-on period to a minimum of 56 days**

Scottish Government has long been calling for an extension to the move on period for newly recognised refugees and welcomes the temporary extension to 56 days. The statutory 28 day move-on period for newly recognised refugees is not sufficient for people, who have not been permitted to work while awaiting a decision on their asylum application, to find a job or apply for Universal Credit, as well as find their own accommodation. Increasing the move-on period permanently would enable better coordination between asylum accommodation providers, local authorities and newly recognised refugees to help manage the process, ensure people understand their rights and how to access accommodation.

**Right to work for people**

Right to work for people seeking asylum should be granted if they have been waiting six months for a decision, and without restriction to roles on the Immigration Salary List. There should be clarity on right to work policy, including how processes operate in relation to any impact on asylum accommodation and support, with a presumption that working should not make people worse off and recognition that continuing support during a transition into work may be required.

Scottish Government's Scottish Asylum Right to Work proposal was published in November 2024 and can be accessed online here: Scottish Asylum Right to Work Proposal - gov.scot

**Resettlement and Safe Routes**

Rather than operating multiple programmes with different rights and entitlements as the system currently does, support should be delivered on an equal basis as far as possible.

To supplement resettlement programmes, flexibility in the system could provide opportunities for refugees and displaced people to come to the UK under safe and legal routes. This would make the system fairer and more straightforward for those who have to use them, as well as providing better value for money by not having to run parallel support systems.

**Simplify the complexity of status and associated rights and entitlements being granted through resettlement and relocation schemes**

This will reduce burden on services trying to help people navigate rights and entitlements and provide greater parity in support for people arriving in the UK through these schemes. Greater use of the UK Resettlement Scheme would assist with this and still be responsive to humanitarian response priorities as they arise.

**Wraparound support for people arriving through UK refugee resettlement or relocation schemes**

Wraparound support needs to be properly costed and take account of requirements and operation of services in devolved areas. It should not be presumed that models designed within a context of provision in England can be used in devolved areas and statutory requirements in relation to devolved policy matters, for example education, should be considered. There also needs to be clear expectations in relation to temporary accommodation and final settlement locations, including assessment and mitigation of risks which will cause disruption to service access and integration.

**Improve refugee family reunion**

Reform the refugee family reunion application process in light of the substantial number of successful appeals. Consider widening the family dependents who can access family reunion, including to allow separated children to sponsor family members. Make it easier for people accepted under family reunion to travel to the UK and ensure that they are provided with information to ensure that they can engage with public services to access support, both to prepare for arrival where possible and to support integration. There is also a need for local authorities to be informed at the earliest possible opportunity when people are arriving through family reunion, in order that housing and homelessness pressures are mitigated as far as possible.

**Complimentary pathways**

The Scottish Government would welcome greater availability of safe and legal routes for people in need of protection. Where such routes are delivered through the immigration system rather than asylum or refugee resettlement programmes, people on complementary pathways should be afforded additional support in recognition of

trauma they have suffered. We welcome further collaboration from the Home Office on their approach to complimentary pathways and see this ongoing work, and the engagement of Devolved Governments in this process as a model example of how we can work together to deliver positive change.

**Displaced Talent Mobility**

This pilot is an example of how successfully complimentary pathways can help us achieve objectives to better link migration to skills. This scheme currently helps address specific skills shortages within Scotland's economy, providing an untapped pool of highly-skilled talent for employers, and providing displaced people and their families with the opportunity to rebuild their lives and continue their careers while contributing to Scotland's future.

The Scottish Government has funded Talent Beyond Boundaries to support displaced people into work in Scotland through this pilot scheme. Over 20 displaced individuals have secured the opportunity to relocate to Scotland in this way. The Scottish Government is committed to supporting displaced talent and, noting the ongoing Community Sponsorship Review, we hope that we can take a more collaborative approach across the UK to benefitting from this scheme, building on the successes from the pilot period and looking forward to permanence in future.

**Funding**

**Vulnerable Migrants**

The Scottish Government is committed to supporting groups of vulnerable migrants, including displaced people who are seeking safety in Scotland and looking to rebuild their lives here. Taking a collaborative approach across the UK will ensure a consistent package of support is available, allow us to share best practice and avoid duplication of funding where it isn't necessary. A coherent, collaborative and co-ordinated approach to supporting vulnerable migrants across the UK, including in Scotland, will provide more effective use of the public purse.

**Resettlement and Relocation**

Resettlement and relocation schemes funding is complex and the variation between different schemes, when combined with varying rights for people depending on the scheme they are supported under, results in disparity in access to support. For newly recognised refugees granted asylum this is even more acute.

**Integration Resource**

Resource to support integration across the UK should be distributed fairly and enable decisions to be made at appropriate devolved levels to support local areas. Integration policy is devolved and changes in Westminster's spending on devolved services should be reflected in the block grants.

### Long-term funding commitments for local authorities

Long term commitment of asylum related funding is needed to enable local authorities to plan and use resource effectively to support integration. The Scottish Government welcomed the introduction of some funding for local authorities in 2022, but this has only been committed annually and often confirmed well into the financial year. This limits opportunities for local authorities to plan support services or develops systems which could make significant improvements for people seeking asylum accommodated in their area and communities.

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