

## **Royal College of Nursing Briefing: Westminster Hall debate – E-petitions 727360 and 727356 relating to the qualifying period for indefinite leave to remain.**

*The Royal College of Nursing (RCN) is the largest professional body and trade union for nursing staff in the world. We represent around half a million members who are registered nurses, midwives, students, and nursing support workers across the United Kingdom and beyond.*

### **1. Background**

- 1.1. More than 160,000 people have signed a petition to keep the 5-year indefinite leave to remain (ILR) pathway for existing Skilled Worker visa holders.<sup>1</sup> Being granted ILR means that an individual no longer requires a visa to remain in the UK, no longer has to pay fees to the Home Office or be sponsored by an employer, and gains access to a wider range of public benefits.
- 1.2. This petition comes following the publication of the Government's immigration white paper<sup>2</sup> which proposed increasing the standard qualifying period of ILR from 5 to 10 years. Government has suggested that "high-skilled, high contributing individuals" such as "nurses, doctors, engineers and AI leaders" could be fast-tracked for settlement.<sup>3</sup> However, it is unclear what this will mean in practice, and this has created uncertainty for RCN members.
- 1.3. Government has suggested that lengthening the qualifying period would both deter people from coming to the UK and encourage those already in the UK to leave, rather than decide to settle permanently.<sup>4</sup> To deliver on the ambitions of the NHS 10-Year Plan, the UK must grow the nursing workforce, but immigration rule changes that risk triggering an exodus of international staff will undermine this.

### **2. Indefinite leave to remain**

- 2.1. The RCN position is that internationally educated nurses should be granted indefinite leave to remain granted upon arrival to the UK to support the recruitment and retention of international staff. Individuals without ILR have limited labour market mobility, an increased risk of exploitation, the burden of exorbitant fees for themselves and their families, and no access to crucial safety nets. Our internationally educated nurses are vital to the nation's health; the UK must honour its promise of a 5-year route to settlement for these essential workers.
- 2.2. The RCN is calling upon the UK Government to make ILR more accessible by reducing both the qualifying period and the application costs. The high cost of ILR applications (around £12,000 for a family of 4) presents a barrier to internationally recruited health personnel from applying for settlement and therefore a barrier to their retention in the UK health and care workforce.
- 2.3. Without ILR those on Skilled Worker visas cannot access vital public safety nets in the form of public funds. According to recent RCN research, around 1 in 5 nurses with visas that are subject to a no recourse to public funds (NRPf) condition are struggling to buy basic necessities.<sup>5</sup>

2.4. As well as facing an increased risk of destitution, those without ILR are also more vulnerable to exploitation. Those on the Skilled Worker visa route are required to be sponsored by a licenced employer. The RCN is aware of migrant health and care workers who have continued working within exploitative conditions out of a fear that their employment will be terminated, which would jeopardise their immigration status. In some cases, employers have weaponised removal of sponsorship to silence and control migrant workers.

2.5. As one RCN member has told us, *“Securing ILR is the point at which many of us finally gain the freedom to move between jobs, access equal opportunities, and achieve stability for ourselves and our families.”* The same member told us, *“Applying this proposed change retrospectively to those of us already in the UK would be particularly unjust. We made life-altering decisions based on the existing rules. Changing the requirements now feels like moving the goalposts halfway through the process”*.

### **3. Retention of the internationally educated nursing workforce**

3.1. Any increase to the qualifying period for ILR would be disastrous for the retention of internationally educated nursing staff and without a robust domestic pipeline to offset the impact of this it would deepen the current nursing workforce crisis. More than a quarter of nurses and dual registrants on the Nursing and Midwifery Council (NMC) register are internationally trained, but evidence is growing that the UK is facing a retention crisis of our internationally educated nursing workforce. It is imperative that Government ensure that those who come to this country to work in our health and care systems are encouraged to stay and settle.

3.2. Latest registration data from the Nursing and Midwifery Council revealed that internationally trained nurses are leaving the profession earlier than domestically trained nurses. 43.7% of international nurses who left the NMC register between October 2024 and March 2025 had been on the register for less than 5 years. By contrast, only 7.6% of domestically trained nurses leaving the register in this period had been registered for under 5 years.<sup>6</sup>

3.3. In May 2025, the RCN published a report which found that 42% of the 3000 respondents told the RCN that they were planning to leave the country, with two-thirds of those intending to move planning to relocate to a country other than their home country in search of higher pay and an improved quality of life. Of those who planned to leave, 40% said immigration policy would be an important factor.

3.4. Many respondents expressed the perception that other countries such as Australia, Canada and New Zealand were more welcoming to internationally educated nurses, with favourable immigration offers and routes to settlement. As one RCN member told us, *“[Other countries offer] permanent residency on arrival, and this helps [workers] to make decisions and plan their life appropriately without the fear of losing visa rights.”*

- 3.5. The survey also found that nearly half (46%) of international nursing staff had experienced racism since arriving in the UK. These staff are valuable members of communities and workplaces across the entire health and care system in the UK. There has been a deeply concerning trend of increases in threats toward international nursing staff across the country. Employers have a duty of care to keep their staff safe at work and government must provide robust action to stamp out discrimination faced by migrant healthcare workers.
- 3.6. In a survey conducted in August 2025, internationally educated nursing staff were asked for their views on government's proposals to extend the qualifying period for ILR:
- *"It really hurts. Some of us came during covid, worked hard, with the believe that we would be able to settle in 5 years. This feels like a betrayal. We are being made scapegoats to appease the anti-immigration sentiments in the UK. You needed us 3 years ago, now we are the problem?"* – Registered nurse from Nigeria
  - *"If the Government decides that the ILR qualifying period moves to 10 years then I will be relocating to Australia)... It's not only the case of mine, in the unit I am working currently I know at least 30-40 nurses who already have the Australian registration and will consider moving if the ILR period changes"* – Registered nurse from India

#### **4. Suggested questions to ask the Minister**

- 4.1. What immediate steps is the government taking to protect migrant healthcare workers from racism and discrimination in the workplace and in their communities?
- 4.2. What assessment has the government made on the nursing workforce staffing levels based on changes to the ILR?
- 4.3. What assessment has the government made of the proposed changes to the ILR in the development of the forthcoming NHS Long-Term Workforce Plan update?
- 4.4. What steps is the government taking to reduce economic hardship experienced by internationally educated nursing staff who hold visas that have no recourse to public funds?

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<sup>1</sup> [Keep the 5-Year ILR pathway for existing Skilled Worker visa holders - Petitions](#)

<sup>2</sup> [Restoring control over the immigration system: white paper - GOV.UK](#)

<sup>3</sup> [Prime Minister unveils new plan to end years of uncontrolled migration - GOV.UK](#)

<sup>4</sup> [Restoring control over the immigration system: technical annex \(accessible\) - GOV.UK](#)

<sup>5</sup> [Unreciprocated Care: why internationally educated nursing staff are leaving the UK | Publications | Royal College of Nursing](#)

<sup>6</sup> [Registration data reports - The Nursing and Midwifery Council](#)