

# Brexit and immigration

## What it means for employers and EU workers

Immigration has played a key role in helping to address the skills gap in FM, with migrant workers filling one in four jobs in some sectors.

After the end of the Brexit transition period on 31 December 2020, the ending of free movement of people from the EEA (EU countries plus Iceland, Norway and Liechtenstein) plus Switzerland, coupled with the Government's proposed new immigration policy, will have profound consequences for employers needing to fill vital roles at all skills levels in cleaning, security, catering, construction and across the whole profession. Indeed, the number of migrant workers coming to the UK has dropped by almost three-quarters since the 2016 referendum.

Here we outline the key forthcoming changes to immigration rules, the dates when they come into effect and how they will affect the 3.6 million EEA citizens already living in the UK as well as those looking to come here to work.

<b>Brexit and Government immigration policy</b>	
<p><b>During transition period</b></p> <ul style="list-style-type: none"> <li>• EU Settlement Scheme for EU citizens already living in the UK by 31 December 2020 who wish to continue living and working here</li> <li>• UK and EU still in talks on post-Brexit trade deal with implications for immigration rules</li> <li>• Legislation to implement new immigration rules and end free movement of people from 1 January 2021 approved by Parliament</li> </ul>	<p><b>New post transition immigration system</b></p> <ul style="list-style-type: none"> <li>• New points-based system comes into force from 1 January 2021 (visa application processes are already open)</li> <li>• Points criteria include: having a job offer at the appropriate skill level, the ability to speak English and meeting the applicable job salary threshold (£26,300 for FMs)</li> <li>• Single approach for highly skilled and skilled workers</li> <li>• Exemptions may apply through international treaties and trade deals, with other countries</li> <li>• Employer sponsorship remains</li> <li>• New Digital Checking Service</li> <li>• No cap on numbers and no labour market test for skilled workers (down to equivalent of A Levels)</li> <li>• No route for 'low skilled' workers; specified roles in this category include facilities supervisor, cleaning supervisor and security officer</li> </ul>

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<b>Brexit and immigration – what happens after the transition period?</b>	
<b>UK leaves with a deal</b> <ul style="list-style-type: none"><li>• Freedom of Movement ends 31 December 2020</li><li>• EU Settlement Scheme closes 30 June 2021<ul style="list-style-type: none"><li>– EU nationals need to apply for right to remain living in UK</li><li>– Successful applicants will be granted 'settled status' (if have lived in the UK for a continuous 5-year period), or 'pre-settled status' (if have less than 5 years' continuous residence)</li></ul></li></ul>	<b>UK leaves without a deal</b> <ul style="list-style-type: none"><li>• Freedom of Movement ends on 31 December 2020</li><li>• EU Settlement Scheme closes 31 December 2020</li><li>• EU and non-EU citizens arriving in the UK after 31 December 2020 must apply for the right to remain within 3 months</li></ul>

## **Actions employers can take to support EEA and Swiss workers with EU Settlement Scheme applications:**

- Download the scheme's [employer toolkit](#); communication materials and information to share with employees
- Provide access to technology for applications, e.g. Smartphone with compatible technology for phone app
- Consider opening an information centre at larger sites

## **Helpful materials including toolkits:**

[EU settlement Scheme: introduction for employers](#): Government information on supporting EU workers and their families applying to the scheme

[EU Settlement Scheme](#): step-by-step Government guidance for EU citizens and their families

[EU Londoners Hub](#): information for EU nationals about living in London after Brexit

[Immigration White Paper](#): the UK's post transition skills-based immigration system

[Immigration Rules](#): the latest changes to the UK's immigration rules

[Living in the UK post transition](#): Government advice for EU, EEA and Swiss citizens

[the3million](#): campaign organisation for EU citizens in the UK with advice on protecting pre-settled and settled status

Any queries about the contents of the policy please contact our Policy team.

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