

UNISON's Fair Visa Campaign

Introduction

UNISON is the UK's largest union with 1.3 million members working in public services. UNISON's Fair Visa campaign highlights the crucial role migrant workers play in health and social care and makes a compelling case for measures to protect these vital frontline workers and avert a deeper health and social care crisis.

Following UNISON's mass lobby of Westminster in December 2025, migrant workers and their allies are rallying at both the Scottish and Westminster Parliaments on 10th June. This briefing sets out why Scotland needs Fair Visas – and the steps you can take to support workers, service users, providers and the wider community.

Background - Care & the Crucial Role of Migrant Workers

Migrant workers were recruited when the health and social care staffing crisis deepened in 2021/22 under the dual pressures of Brexit and the Covid pandemic. According to Oxford University, the recruitment of non-EU workers surged from 1,598 in 2012 to 73,128 in 2022.

Research by the NHS's BME Network estimates that one in five of NHS staff are of international origin. Scotland now employs around 32,000 migrant workers across health and social care.

The reliance on international workers is particularly strong in social care where the employer body, Scottish Care, reports that migrant workers now account for over 25% of all staff. Some contracted providers of residential elderly care report far higher employment rates at 75% or more.¹

In plain terms, international workers answered the UK Government call for help after the dual challenges of Brexit and Covid. Migrant workers were invited to the UK to avert a staffing crisis. At great expense to themselves, they left their people to care for ours. The care crisis has not been resolved, so, it is imperative that the promises made between 2022 and 2025 should be honoured now.

Migrant Workers in UNISON

As the largest union in health and social care, thousands of migrant workers joined UNISON in the period 2022 to 2025. In addition to severe Home Office restrictions, many migrant workers faced specific workplace problems and sought help from UNISON:

- Many workers were charged illegal recruitment fees,
- Many were employed by bogus agencies placing their immigration status at immediate risk,

¹ Social Care Immigration Survey, Scottish Care Policy Brief 2025

- Workers were often ‘enslaved’ under debt bondage arrangements with severe penalties for changing jobs in the UK.
- In addition to unfair work and workplace racism, many workers reported being coerced into unsafe work arrangements under threat that visa sponsorship would be terminated.²

The 50,000 migrant workers who turned to UNISON developed and led the union’s Fair Visa Campaign launched in April 2025. UNISON litigated individual cases and collated the information to share with a Scottish Government taskforce tackling exploitation. These experiences also informed UNISON’s input to the Adult Social Care Ethical Commissioning review. The statutory consultation is now imminent.

Elected representatives from the group have been in productive discussion on devolved measures to safeguard migrant workers in social care and the group is hopeful those discussions will bring practical benefits across Scotland in 2026. The position under UK immigration law is less positive.

UK as an Island of Strangers?

The UK Government announced a range of regressive immigration law changes in May 2025. Although the Prime Minister backtracked on his initial comment, Keir Starmer endorsed those changes by stating “without strong immigration rules, we risk becoming an island of strangers”. The language may have softened, but the strict new rules remain. They include:

- Closure of the Health and Social care visa leading to an 88% fall in the number of visas granted in 2025.
- The qualifying period for the standard route to ‘Indefinite Leave to Remain in the UK’ (ILR) was extended from five years to 10 or 15 years with additional conditions relating to behaviour, literacy and solvency.
- The new ILR qualifying time of 10-15 years has been applied retrospectively to workers recruited under the promise of a five year wait for residency rights.
- The strict ban on recourse to public funds adversely affects key rights to welfare and housing. In 2025 the No Recourse to Public Funds (NRPF) rule was extended to remain in place after leave to remain is granted.
- The minimum hourly rate for migrant workers was increased, sharply, to £12.82 per hour. The ‘going rate’ in many Scottish services was only £12.60 per hour at the time. This pay gap created tension between groups of workers. It also made migrant workers financially unattractive to employers.

The combined effect of the 2025 measures was to block new arrivals and make the retention of existing workers unattractive to employers - legally, administratively and financially.

UNISON believes that Scottish Government, commissioners, providers, service users and workers are united in the view that migrant workers stand between Scotland and an unmanageable crisis in social care with inevitable knock-on effects on delayed hospital discharge, corridor care and gridlocked emergency admissions.

Impact on workers

UNISON now employs a team of advisers and experts dealing with a constant stream of requests to resolve difficulties arising from the new immigration rules. Workers are regularly displaced and deported, or placed in direct competition for a diminishing number of visa renewals.

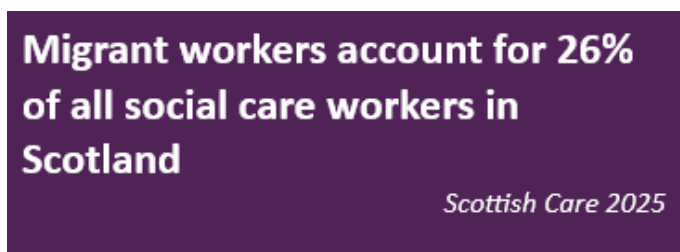
² “Tackling Enslavement, Coercion & Deportation of International Workers” UNISON 2025

UNISON works closely with employers and the NHS Centre for Workforce Supply to protect displaced workers with support in seeking redeployment under new sponsorship. To enhance this service, UNISON sponsors a database recording the diminishing list of Scottish employers who offer sponsored employment in the care sector. Again we make a joint call to Government and commissioning bodies – Scotland needs to build capacity in the system by maximising the number of Fair Work employers licensed to offer visa sponsorship.

This joint work has great value and reflects the sector consensus that migrant workers play a vital role in precarious services. However, it can only mitigate the impact of Home Office policy - faced with uncertainty and financial risk, many workers who invested heavily to join Scotland's care service have simply left. Scotland needs a strong, united call for Fair Visas.

Impact on Services and Service users

Although the number of employers offering visa sponsorship is declining, the two principal employer bodies have been resolute in their defence of migrant workers and the need for a Fair Visa system.



Scottish Care undertook a major survey of employers offering sponsorship. This report reveals the devastating impact of Home Office policy on care service providers and the citizens they support.

- Published in May 2025, the Scottish Care Survey covered 43,000 workers employed by 223 separate care services – a statistically important body of evidence from the frontline.
- On average, 26% of the workers covered by the survey respondents (11,294) were employed under Home Office visas.
- 14 organisations (7%) report that international workers make up over 90% of their total workforce. These services are at severe risk.
- 29 organisations (14%) have international workers making up over 75% of their total workforce. These services are also at severe risk.
- 25 organisations (11%) report international staff making up 50-75% of their total workforce.

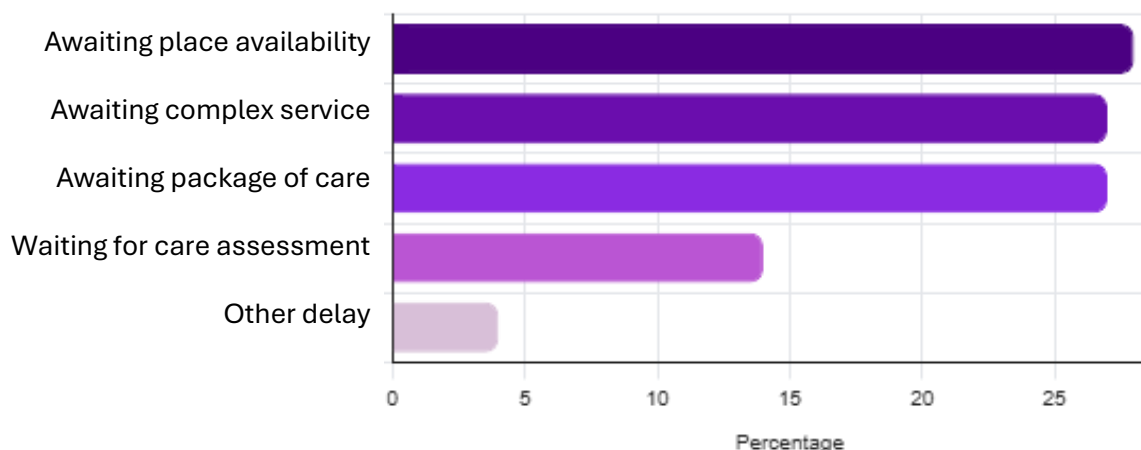
The Scottish Care conclusions from the survey are worth reading in full. In summary, employers report that white UK citizens are reluctant to work in care, and international workers are a 'lifeline' that keep many care services operating.

Delayed discharge

Often mislabelled as “winter pressures”, delayed discharge is a recurring avoidable failure of the health and social care system. The reasons are well known and 82% relate to system capacity.

Hospital patients commonly experience deconditioning, higher infection risks, reduced mobility and loss of independence when trapped in hospital. New admissions are delayed or receive care in clinically inappropriate settings such as corridor care. Ambulances and paramedics are removed from frontline care when they become stuck in long queues for emergency admissions. All because Scotland cannot attract and retain the staff required to maintain “flow” in the health and social care system.

Reasons for Delayed Discharge



This crisis will recur and deepen as the Home Office plan for deportations gathers momentum. Scotland's growing population of elderly and vulnerable patients need the care our Migrant workers provide.

Economic impact

The damage to care services and service users is sufficient to demonstrate the need for Fair Visa reform. Sadly, the adverse impact spreads beyond the care sector.

Carers UK estimate that 15% of workers juggle careers with care for dependent relatives. They adjust working patterns accordingly, with many opting to reduce working hours.

It is inevitable that a significant reduction in the capacity of the care system will adversely impact the wider economy as families adapt to cover the gaps.³

Equality & human rights.

UNISON's international members disrupt their family lives and typically spend thousands of pounds when they commit to work in Scotland's care system. In addition to providing vital social care, these families settle in local communities with children attending schools, integrating in communities and working towards exams.

"Deporting vital workers and crashing the care system will not enhance public confidence in the Home Office and the integrity of the immigration system"

When the Home Office deports one of our essential care workers the correspondence routinely acknowledges "a degree of disruption" to the right to family life, education and other human rights. The Home Office position is that this disruption is proportionate to the public interest in maintaining effective immigration control.

In addition to trivialising the human rights impact on workers, the Home Office also overlooks the wider human rights impact of Government policy. The autonomy, independence, dignity and

³ [Juggling work and unpaid care | Carers UK](#)

wellbeing of service users rely heavily on the contribution of migrant workers. Those service user rights are human rights. As a human rights duty bearer, the Home Office is compelled to have regard for the impact on service users arising from UK immigration policy.

In truth, the harm caused to service users, families and migrant care workers is disproportionate to the Home Office's skewed interpretation of public interest. The contribution of migrant workers is a planned and heavily regulated response to the assessed needs of vulnerable people. Deporting vital workers and crashing the care system will not enhance public confidence in the Home Office and the integrity of the immigration system.

The adverse human rights impact on service users, workers and the families linked to care greatly outweighs any interest the Home Office believes it has in responding to public perceptions of the immigration system.

The Steps Scotland Can Take

Pledge Support for Visa reform

Scotland needs health and social care visas that reflect the needs of service users, families and workers. Pledging support for Fair Visas sends a powerful united voice to the Home Office and protects vulnerable people in Scotland.

Pledge Support for Greater Care capacity

Workers are frequently displaced and placed at risk of deportation. Supporting our call for an increased number of licensed services and certificates of sponsorship enables employers and unions to keep displaced workers in Scotland.

Pledge Support for Leave to remain

The retrospective doubling of the qualifying time for leave to remain in the UK is dishonourable, discriminatory and hugely damaging to social care in Scotland. Supporting UNISON's call to preserve the qualifying time at five years helps retain skilled and experienced care workers in vital care services.

Pledge Support for Fair Work in Care

Building the capacity and quality of care in Scotland helps every citizen in every community. The same applies to Fair Work in care. Supporting Fair Work in care reduces the risk of workers being displaced. Fair work has a wider benefit for all workers and service users as the sector finally becomes a career of choice for all Scots regardless of their country of origin.

Please attend the rally and pledge support for the Fair Visa Campaign

Use your influence to promote Fair Visas and Fair Work by writing to the Home Office, Scottish Government, MPs, MSPs and local authorities that commission care.

For further information please contact:

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***Fair Visa Campaign Rally
11.30 am, 10th June
Scottish Parliament***

