This briefing examines migrant settlement, which is when a migrant is granted the right to live indefinitely in the UK. It looks at how many non-EU migrants settle in the UK, and discusses the post-Brexit EU Settlement Scheme.

**Key Points**

Since 2004, between 20% and 30% of any non-EU migrant cohort had settled in the UK by the end of 2019, with most settling within five years after receiving their initial visa.

Settlement rates of non-EU citizens more than halved from 2004 to 2014.

Family migrants are more likely to settle permanently than work migrants or students.

Half of all migrants granted settlement in 2019 had been in the UK on a temporary visa for between five and seven years.

Over a quarter (29%) of those granted settlement in 2019 were initially granted study visas or were dependants of a student, though most of these students arrived in the mid-2000s before restrictions on students’ transition to work were introduced in 2012.

In 2019, settlement grants were around 40% of their peak annual level in 2010.

The cost of an application for settlement for non-EU citizens has almost tripled since 2010, standing at £2,389 in 2020.

The share of EU citizens who had applied under the EU Settlement Scheme by the end of May 2020 varied widely by nationality.

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**Understanding the policy**

A grant of settlement from the British government confers the right to live permanently in the UK. People granted settlement are also free to work or study in the UK; access state benefits; use the NHS; sponsor an immigration application, such as that of a spouse wishing to join them; and register their UK-born child as a British citizen.

A grant of settlement is not the same as being given citizenship. British citizenship entitles the recipient to a British passport and to vote in general elections, while settlement does not. Settlement is also known as indefinite leave to remain (ILR) or settled status.

Nationals of European Union countries are not subject to immigration control while the UK remains a member of the EU, and so have not needed to apply for settlement to stay long-term. However, after the Brexit transition period, which ends on 31 December 2020, EU citizens will be subject to immigration control and so will require either settlement – which if they arrived before 1 January 2020 they can apply for under the EU Settlement Scheme (EUSS) – or a temporary status granted by the government in order to live in the UK (see below). This briefing refers to the ‘EU’, but the same rules on movement and settlement apply to Switzerland and the European Economic Area, which includes the EU countries plus Iceland, Liechtenstein, and Norway. Irish citizens are allowed to live and work in the UK through separate arrangements that will not be affected by Brexit. They are considered to be settled from the day they arrive in the UK (Parliament, 2020).
For non-EU citizens to be eligible for settlement, a person must have lived in the UK with a qualifying temporary visa for a certain period of time, usually five years. Time spent on some visas, such as student visas or intracompany transfer visas, does not count towards the residence requirement for settlement.

To receive ILR, most non-EU citizens will also have had to pass a 'Life in the UK' test and demonstrate sufficient knowledge of the English language. A person may also qualify for settlement if they have lived in the UK legally for a continuous period of ten years (a route known as 'Long Residence').

In recent years, several policy changes have made access to settlement for non-EU citizens more difficult. Some noteworthy examples affecting asylum-, family-, and work-related routes to settlement include:

1. In August 2005, the practice of immediately giving indefinite leave to remain to people granted asylum was ended. Thereafter, almost all refugees are given permission to live in the UK for five years, after which they may apply for settlement.
2. In April 2010, the route to settlement for non-EU migrants admitted to the UK on Tier-2 (Intra-company Transfer) visas was closed.
3. In July 2012, the residence requirement for a partner of a British citizen or settled resident was increased, from two years to five years. At the same time, immediate settlement for migrant partners who had lived together for at least four years abroad was abolished.
4. In April 2016, a minimum salary threshold of £35,000 per year was implemented for those with a General work visa (Tier 2) applying for settlement, with exemptions for shortage and PhD-level occupations. A Home Office Impact Assessment (2012) estimated that around 16% of Tier 2 migrants would no longer qualify for settlement because of this salary threshold. The level of £35,000 reflected the median pay for UK workers in Tier 2 level jobs. From 6 April 2019, the threshold level has been £35,800 and no further increases are currently planned.

Although the trend has been towards greater restriction, there have been some liberal changes to settlement, such as the Global Talent route leading more quickly to settlement than the Exceptional Talent route it replaced (Gbikpi, 2020).

In addition to more enduring policy changes, settlement figures are also affected by one-off government programmes. A notable example, announced in July 2006, aimed to resolve within five years a backlog of cases involving unsuccessful asylum applicants who were still living in the UK, some of whom were granted settlement.

**EU Settlement Scheme: settled and pre-settled status**

EU citizens and their families, which can include non-EU family members, can apply to the EU Settlement Scheme to continue living in the UK after 30 June 2021. This scheme was launched fully on 30 March 2019. A successful applicant will get ‘settled status’ if they can show that they have lived in the UK for a continuous period of at least five years. This permits them to stay in the UK indefinitely and to apply for British citizenship. If the successful applicant has lived in the UK for less than five years, they will usually receive pre-settled status, which allows the applicant to stay for another five years, after which they must apply again for settled status. Both statuses enable EU migrants to travel in and out of the UK, work or study in the country, and use public services such as healthcare, although it is harder to claim welfare benefits with pre-settled status (see Piletska, 2020). ‘Settled status’ is, in legal terms, the same as settlement or ILR, although people who apply under the EU Settlement Scheme will have some additional rights that most non-EU citizens do not have (such as the ability to leave the country for five years instead of two without losing their status).
Understanding the evidence

Data on settlement come from the Home Office, as part of its Migration Statistics Quarterly Report. These data take account of the appeal and reconsideration of cases.

EU citizens are not, at the time of the publication of this briefing, subject to immigration control and so are not included in the main settlement figures (although there are separate statistics on the EU Settlement Scheme and on permanent residence documents issued). When a country joins the EU, its nationals are no longer included in the main settlement statistics (i.e., the non-EUSS statistics). Hence nationals of EU-8 countries are not included in settlement statistics from 2004 onwards, and Bulgarian and Romanian nationals are not included from 2007 onwards. Swiss nationals have not been included since June 2002.

This briefing relies primarily on Home Office data on the visa status of non-EU migrants over time, also known as ‘Migrant Journey’ data. This information provides the immigration status of an annual cohort of new entrants at the end of each calendar year after their arrival, and is used to calculate the proportions of those granted a visa in a given year who have received a grant of settlement (or citizenship, which requires settlement) in subsequent years, especially within five or ten years (Home Office, 2020b). This briefing sometimes groups people who hold either settlement or citizenship together, because a grant of citizenship requires settlement. Data on people issued visas in each route also include their dependent family members. Thus, for example, dependants of work migrants will generally be included in the ‘work’ settlement figures, not in ‘family’.

Changes in the number of people granted settlement are not solely the result of changes in the level and composition of migration to the UK and the applications of migrants for settlement. Settlement grants are also affected by changes in government policy, most notably substantial changes to the Immigration Rules, and by the capacity of the Home Office to process settlement applications.

Statistics on the EU Settlement Scheme come from the Home Office (2020a). These are classed as ‘Experimental Statistics’, which conveys a lower degree of reliability. They include data from when testing of the scheme began on 28 August 2018 through to 31 May 2020.
Since 2004, between 20% and 30% of any non-EU migrant cohort had settled in the UK by the end of 2019, with most settling within five years after receiving their initial visa.

The longer that migrants have lived in the UK, the more likely they are to have acquired settlement. For non-EU migrants issued an initial visa in 2004 (i.e., the 2004 cohort), 20% had settled by the end of 2009 (i.e., within five years), and 31% by the end of 2014 (i.e., within ten years). These numbers are lower for later annual cohorts, which means that rates of settlement are declining. For example, of the 2009 cohort, 15% had acquired settlement within five years, and 22% within ten (Figure 1).

Most migrants who go on to acquire settlement do so within five years of first receiving their initial visa to come to the UK, and almost all of those who go on to settle do so within ten years.

Figure 1
Share of non-EU citizens issued an initial visa in 2004 to 2014 with settlement or valid leave to remain in subsequent years

Settlement rates of non-EU citizens more than halved from 2004 to 2014

From 2007, there has been a downward trend in the share of migrants who had received a grant of settlement by the end of the fifth year after receiving their initial visa to come to the UK (Figure 2). Of the roughly 350,000 non-EU migrants issued an initial visa in 2014 to enter the UK within the four main categories of leave – work, family, study, or as a dependant – 8% had settlement or British citizenship by the end of 2019, down from 20% for the 2004 cohort. However, an additional 18% still had valid leave to remain, and so might be eligible to go on to settle in the UK. The gradual decrease in settlement seen over the past ten years has coincided with several changes to the immigration system that have made gaining settlement more difficult (see Understanding the Policy).
Family migrants are more likely to settle permanently than work migrants or students

The share of migrants that go on to receive settlement is highly dependent on the type of their initial visa (Figure 3). Of non-EU citizens granted a family unification visa in 2014, 46% had been granted settlement within five years (i.e., by the end of 2019), compared with 10% for those entering on a work visa, and close to 0% for student visa entries.
Figure 3

The share of migrants issued an initial family visa in 2014 who had settlement within five years is considerably lower than for cohorts issued their initial visa from 2004 to 2012. This is due primarily to the July 2012 policy change, which for family visas increased the period of residence required for settlement from two years to five years (Home Office, 2020b, p. 16). Thus some family members on a five-year route to settlement will not yet have received it by the end of the fifth year, which is reflected in the higher number of family members with valid leave to remain in 2013 and 2014 (for more information on the settlement of family migrants see the Migration Observatory briefing, Family Migration to the UK).

For migrants issued an initial work visa in 2014, 10% had been granted settlement by the end of 2019. This is down from 18% for the 2004 cohort. Some of the decline from 2011 onwards may be attributable to the minimum salary threshold for settlement, which after April 2016 will have prevented migrants on Tier 2 visas who earn less than £35,000 from being eligible for settlement (for a breakdown of the settlement of work migrants by type of work visa see the Migration Observatory briefing Work visas and migrant workers in the UK). Another source of the fall may have been the closure in April 2010 of the settlement route for migrants on Tier 2 (Intra-company Transfer) visas.

For migrants issued an initial study visa in 2014, the share that had been granted settlement after five years was close to 0%, because study does not provide a direct route to settlement. To settle, students would normally have to switch to another route, like work, which would make them eligible for settlement more than five years after the issuance of their initial visa (Home Office, 2020b, pp. 8–11).
Half of all migrants granted settlement in 2019 had been in the UK on a temporary visa for between five and seven years

The time it takes for a migrant to be granted settlement is also highly dependent on the type of visa on which they first came to the UK (Figure 4). While family and work migrants are most commonly on a five-year route to settlement, the most common duration for student migrants was ten years.

Looking at all migrants granted settlement in 2019, 50% received their initial visa in 2012, 2013, or 2014 (Figure 4, All visas). Around one quarter (24%) took ten years or more to gain settlement (i.e., received their initial visa in 2009 or earlier). Around 14% received a grant of settlement in under five years, while 8% received their initial visa in the same year they were granted settlement or citizenship (i.e., in 2019). This last group will have either been granted settlement on arriving in the UK, known as ‘indefinite leave to enter’ (ILE), or “had a grant of settlement in the UK (ILR) as their earliest record” (Home Office, 2019, p. 16).

During the 2020 Covid-19 pandemic, there has been concern that non-EU migrants, who are generally not allowed to access most benefits (known as No Recourse to Public Funds or the NRPF condition) might fall into destitution. Applications can be made to remove this condition. If the application is successful, the applicant is moved from a five-year route to settlement onto a ten-year route, essentially doubling the amount of time it will take for them to receive indefinite leave to remain.
Over a quarter (29%) of those granted settlement in 2019 were initially granted study visas or were dependants of a student, though most of these students arrived in the mid-2000s before restrictions on students’ transition to work were introduced in 2012.

Of the roughly 95,000 migrants granted settlement in 2019, 29% initially entered the UK on a study visa; 25% on a work visa; 21% initially came on a family visa; 13% had a grant of leave in relation to an asylum claim; 6% entered on an entry clearance visa for immediate settlement (ILE); and 3% came as a dependant (of a temporary migrant) (Figure 5).

The share of settlement grants going to former international students may decline in the coming years because of policy changes that have made it harder for international students to stay on after their studies to work, mostly notably the closure of the post-study work route in 2012. A post-study work route will be reintroduced from the 2020/21 academic year onwards. The effects of this will not be seen for many years after 2020/21, because time spent on the post-study work route will not itself count towards settlement. To be eligible for settlement, people on the post-study work route will need to switch onto a regular work visa and remain in the UK on that route for five years (for more about the reintroduction of a post-study work route, see the Migration Observatory briefing, International student migration to the UK).

In 2019, settlement grants were around 40% of their peak annual level in 2010.

A longer view of settlement in the UK shows that throughout the 1990s, settlement grants were relatively stable. The average annual number of grants for the decade was around 60,000. From 2000 to 2009, the average annual number of grants rose to around 140,000 – alongside higher overall non-EU long-term immigration (Figure 6). Settlement grants are considerably lower than non-EU long-term immigration because most non-EU citizens who migrate to the UK do not stay permanently.
The number of settlement grants in a given year is not a simple reflection of either immigration levels a few years earlier or policy on settlement. These are just two of the several factors that determine how many people receive settlement in any given year. Another factor that influences the number of settlement decisions is the allocation of resources within the Home Office (Home Office, 2020c). For example, in 2010, there were around 240,000 grants of settlement, the highest level since comparable records began in 1960. This was an outlier, driven in part by a government programme to clear an asylum backlog that resulted in grants of settlement to asylum applicants. The fall in settlement grants in 2016 and 2017, and the increase in 2018 and 2019, were due primarily to a 2012 policy change that lengthened the residence requirement for family migrants from two to five years and thus delayed some settlement grants that would otherwise have been made in 2016 or 2017.

In the first quarter of 2020 (1 January to 31 March), the number of settlement grants was up 3% on the first quarter of 2019. The Home Office notes that this increase is unlikely to be related to Covid-19, because grants of settlement have steadily increased from 2016 to 2019, and because most applications are made by people already in the UK (2020c).

Figure 6

Non-EU long-term immigration to the UK and number of settlement grants (broken down by type) per year, 1990 to 2019

There are no visas for the purpose of seeking asylum. However, people granted settlement on the basis of asylum can be separately identified by looking at whether they had an asylum-related type of leave immediately prior to being granted settlement. Asylum settlement grants for main applicants and their dependants peaked in 2005 at 67,810, before falling to a low of 2,824 in 2008. This decline resulted from two factors: a fall in the number of asylum seekers from 2003 to 2010 (see the Migration Observatory briefing, Migration to the UK: Asylum and Refugees); and the August 2005 rule change, which ended automatic settlement for those granted asylum, replacing it with permission to stay in the UK for five years, after which the person would be eligible for settlement. Thus, new refugees granted five years’ leave to remain in 2006 would not be eligible for settlement until 2011 – the year in which asylum settlement grants began to rise, reaching their highest level since 2010 in 2018, at 25,787 (Figure 6).
The cost of an application for settlement for non-EU citizens has almost tripled since 2010, standing at £2,389 in 2020

In 2003, a fee of £155 was introduced for an application for indefinite leave to remain. Since then, the application fee has been increased several times. By April 2010, an in-country postal application cost £840. In 2020, it costs £2,389, excluding the compulsory biometric enrolment fee of £19.20 (Figure 7). This fee also applies to each dependant of a non-EU citizen applying for settlement. Therefore, a family of four who are all applying for ILR would need to pay £9,556 in settlement application fees alone.

From 2016, the government has published the estimated actual cost of processing immigration applications. The estimated actual cost to the government of processing an application for ILR in 2020/21 is £243 (UK Visas and Immigration, 2020).

Figure 7

Fee level for an application for indefinite leave to remain in the UK, 2002 to 2020, and the actual cost to the government to process an ILR application, 2016 to 2020

For a main applicant applying in the UK; not adjusted for inflation; dates indicate when a new fee came into force

Sources: For fee levels, the following legislation: The Immigration (Leave to Remain) (Fees) Regulations 2002; The Immigration (Leave to Remain) (Fees) (Amendment) Regulations 2005; The Immigration and Nationality (Fees) Regulations 2007, 2009, and 2010–2016; and Home Office immigration and nationality fees: 20 February 2020. For the actual cost to the government of processing an application for indefinite leave to remain: Visa fees transparency data.

Note: Does not include the £19.20 fee for biometric enrolment. Prior to 2012, this analysis uses the fees for applications made by post or courier, which is the most common way in which people applied.
The total cost in immigration fees is higher if one includes prior immigration applications and other fees that must be paid before a person can apply for ILR. For example, based on current fee levels, a partner on a five-year route to settlement would pay just under £7,000 in fees, while a skilled worker with one dependant would pay over £11,000 (Table 1).

Table 1

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<th>Minimum cost of three common routes to settlement, as at 6 April 2020</th>
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<td>Excludes legal fees, biometric enrolment, and priority services</td>
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<td><strong>Partner on five-year route</strong></td>
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<td>Initial visa application (outside the UK)</td>
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<td>Extension after 2.5 years</td>
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<td>Immigration health surcharge</td>
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<td>Indefinite leave to remain (settlement)</td>
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<td>Life in the UK test</td>
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<td><strong>Total</strong></td>
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<td><strong>Partner on ten-year route</strong></td>
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<td>Immigration health surcharge</td>
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<td>Indefinite leave to remain</td>
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<td>Life in the UK test</td>
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<td><strong>Total</strong></td>
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<tr>
<td><strong>Migrant on Tier 2 (General) work visa, with a partner</strong></td>
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<td>Main applicant visa application (outside UK)</td>
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<td>Dependant visa application (outside UK)</td>
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<td>Main applicant extension visa application</td>
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<td>Life in the UK test</td>
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<td><strong>Total</strong></td>
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Source: Home Office immigration and nationality fees; 20 February 2020.
Note: This table does not include the fees for biometric enrolment (£100), which must be paid at every stage of the route unless the applicant is from outside the UK. The table also excludes other potential fees such as: professional document translation, which is required if relevant documents are not in English or Welsh; English language tests; the use of an immigration lawyer; and the higher costs of the priority and super priority services.

The share of EU citizens who had applied under the EU Settlement Scheme by the end of May 2020 varied widely by nationality

The government’s EU Settlement Scheme is intended to provide EU (as well as EEA and Swiss) citizens and their families with a route to settlement in the UK despite the country’s departure from the European Union (for more information on the EU Settlement Scheme see the Migration Observatory reports, Unsettled Status? Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit? and Not Settled Yet? Understanding the EU Settlement Scheme using the Available Data).

On 31 May 2020, the total number of EUSS applications that had been received was 3,612,400 (rounded to the nearest hundred), of whom 6,300 were Irish (Irish nationals can apply to the EUSS, but usually do not have to because they are protected separately by the Common Travel Area arrangements), and 189,800 were the non-EU family members of EU citizens. This means that the total number of EUSS applications exceeds ONS’s estimate of non-Irish EU citizens in the UK: 3,435,000 (Office for National Statistics, 2020).

Of all the applications that had been received, 92% (3,319,000) had been concluded, of which 57% (1,907,500) conferred settled status, and 41% (1,367,500) pre-settled status. The remaining 1% of applications were not granted status, which includes refused applications (900) on eligibility or suitability grounds; withdrawn or void applications (28,900), where applications were withdrawn at the applicant’s request, or were from British citizens who are ineligible for settled status; and invalid applications (14,100), where the required proof of identity and nationality or other essential information was not provided.
The estimated share of EU citizens resident in the UK who had applied to the scheme up to 31 May 2020 varied widely by nationality (Figure 8). These percentages should be treated with caution, because for several nationalities there have been more applicants than the total estimated population in the UK. This is because the estimates of countries’ nationals in the UK is based on a survey with margins of error. The percentages shown in Figure 8 are based on the central estimates of the populations of each EU country’s citizens in the UK.

The most recent Home Office statistics on the EU Settlement Scheme are available [here](#).

**Evidence Gaps and Limitations**

The impacts of policy changes on settlement are often difficult to determine. It takes several years for policy changes to work their way through the system, since changes are generally introduced only for newly arriving people.

*With thanks to Nicolas Rollason for providing valuable feedback on the 2019 version of this briefing, and CJ McKinney of freemovement.org.uk for help updating this latest version.*

**References**

BRIEFING: Migrant Settlement in the UK


Related material

Migration Observatory briefing – *Migration to the UK: Asylum and Refugees*.

Migration Observatory briefing – *Non-EU Family Migration to the UK*.

Migration Observatory briefing – *Immigration by Category: Workers, Students, Family Members, Asylum Applicants*.

Migration Observatory briefing – *International student migration to the UK*.

Migration Observatory briefing – *Work visas and migrant workers in the UK*.

Migration Observatory commentary – *Here today, gone tomorrow? The status of EU citizens already living in the UK*.

Migration Observatory report – *Unsettled Status? Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit?*
**The Migration Observatory**

Based at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford, the Migration Observatory provides independent, authoritative, evidence-based analysis of data on migration and migrants in the UK, to inform media, public and policy debates, and to generate high quality research on international migration and public policy issues. The Observatory’s analysis involves experts from a wide range of disciplines and departments at the University of Oxford.

**COMPAS**

The Migration Observatory is based at the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford. The mission of COMPAS is to conduct high quality research in order to develop theory and knowledge, inform policy-making and public debate, and engage users of research within the field of migration.

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**Recommended citation**