



Home Office

The UK's Points-Based Immigration System and the EU Settlement Scheme

January 2021

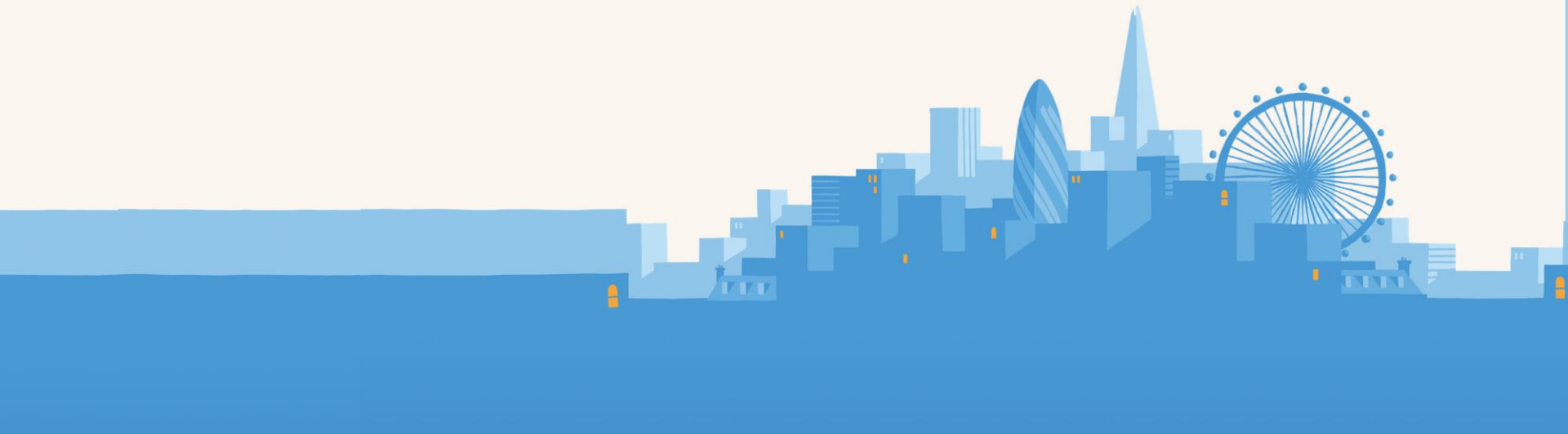




Home Office

The EU Settlement Scheme

Key information and resources



Recap : EU Settlement Scheme



EU citizens living in the UK by 31 December 2020 are eligible to apply to the EU Settlement Scheme and have until 30 June 2021 to make an application.



During that period employers, landlords and public service providers will continue to accept the passports and national identity cards of EU citizens as evidence of permission.



There have now been more than 4.48 million applications to the EUSS with over 4.28 million grants of status. *

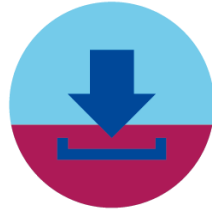
*as of 30/11/20

Further Resources



Support

- Settlement Resolution Centre helpline for organisations supporting applicants
- EUSS events and briefings



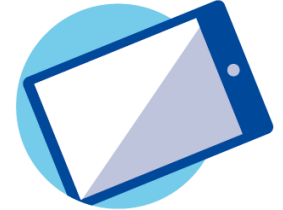
Shareable assets

- Stakeholder toolkits with:
 - Posters
 - Social media assets
 - Videos
 - Presentations



Bespoke guidance

- Translated guidance in 26 languages
- Employer, local authority and community group toolkits



GOV.UK

- Visit the website [gov.uk/eu-settled-status](https://www.gov.uk/eu-settled-status) to:
 - Get email alerts
 - Get more details on the EU Settlement Scheme
 - Find out about next steps and citizenship



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The UK's Points-Based Immigration System

Overview of key routes and resources



Overview

On the 1st December 2020 the Government launched a number of routes under the UK's new points-based immigration system, including the Skilled Worker route for those wishing to work in the UK from 1st January 2021

This was the culmination of year of activity for the Home Office which included ;

- The publication of an initial policy statement on the UK's Points-Based System in February 2020 followed by an additional statement, which provided **further details** to applicants, employers and educational institutions on the draft requirements and conditions underpinning the key immigration routes in July 2020
- On 22 October the Home Secretary **laying changes to the Immigration Rules** that underpin the new Points-Based System to replace freedom of movement.
- Over **200 engagement events** being delivered to over 10K business stakeholders to support these changes.
- The Student route opened first on 5th October with other key routes opening on 1st December in time for the **ending of Free Movement** which occurred at 23.00 on 31st December 2020.

Skilled worker route

The points-based system includes a route for skilled workers, both EU and non-EU citizens, who meet the following requirements:

Job offer from HO approved sponsor

Skill level
RQF3 (A-level and equivalent) and above

Relevant salary
-Either the general salary threshold or going rate, whichever is higher

Speak English

Criminality threshold

What's new for the skilled worker route?

No cap on numbers

No Resident Labour Market Test

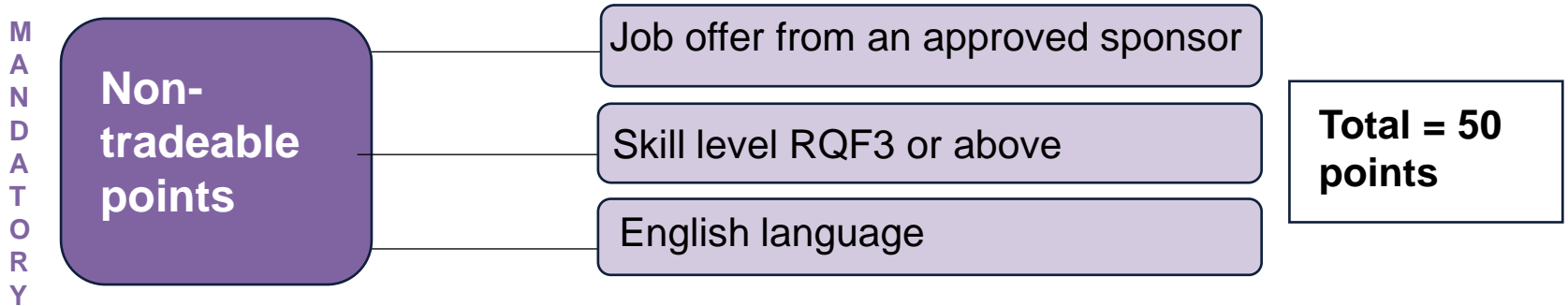
Expanded skills threshold – now RQF3 (equivalent to A-level) and above

Tradeable points – points for certain characteristics are tradeable against salary

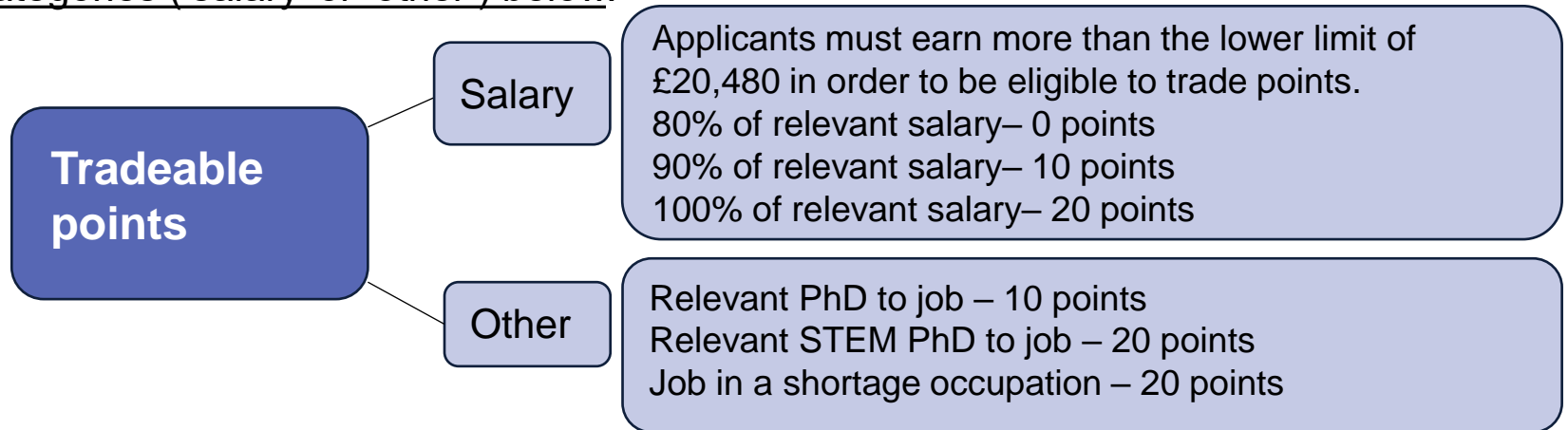
The 12-month “cooling off period” and six-year maximum length of stay in the route are being removed

Skilled worker route

Every applicant must score at least **70 points** to be eligible for the skilled worker route. **50 of these points** must come from meeting the **mandatory** criteria below.



The remaining 20 points can be made up by trading points in one entry from each of the two categories ('salary' or 'other') below.



Skilled worker route – case study

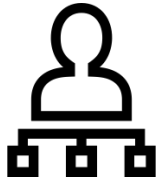
Freya wants to come to the UK to undertake skilled work and has been offered a job as a lab technician for a salary of £21,000. She meets all of the mandatory characteristics under the Points-Based System, scoring 50 points. Lab technicians need to meet the general salary threshold of £25,600 as this is a higher than the going rate for the profession. As Freya’s salary offer of £21,000, she does not score any points for her salary. It is still above the minimum of £20,480, so she can still score 20 tradeable points elsewhere to be eligible for a visa. In this instance Freya does get the 20 extra points by having a relevant STEM PhD in biochemistry.

	Characteristic	Points	Total
Mandatory	Offer of a job by an approved sponsor	20	50
	Job at an appropriate skill level	20	
	English language skills at level B1 (intermediate)	10	
Tradeable	Salary of £20,480 - £23,030.99	0	20
	Education Qualification: PHD in a STEM subject relevant to the job	20	
Total			70

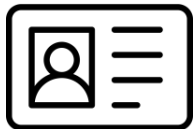
Employing a worker- sponsorship



A streamlined, faster process with **no Resident Labour Market Test**, **suspending the current cap on Tier 2 visas** and **no monthly panel to apply for Certificates of Sponsorship**. This will mean time savings for employers of initially up to 8 weeks.



Employers need to apply to be a sponsor if they want to recruit workers from outside the resident labour market.



Employers do not need to be a sponsor to employ someone from the resident labour market with an existing right to work in the UK. This includes EU citizens with settled or pre-settled status.



We will allow most migrants to apply to switch from one immigration route to another without having to leave the UK. However, there will be no relaxation of the qualifying criteria for the route being switched into.

There will be longer term reforms to the design and user interface of the sponsorship process in 2022, which we will test with stakeholders.



Employers guide to becoming a licensed sponsor of skilled migrant workers

1. Check your organisation is eligible

- Check the people you want to hire are eligible to come to the UK under the new **points-based immigration system**
- Ensure you are able to provide the **necessary supporting documents** for your sponsor licence application, e.g. details of your organisation and intended jobs you wish to fill
- To get a licence, you cannot have unspent criminal convictions for immigration offences or certain other crimes, such as fraud or money laundering

2. Ensure your organisation can manage its licence

- You need to appoint people within your organisation to manage the sponsorship process when you apply
- They will be responsible for ensuring your organisation remains compliant within the requirements of the licence
- You will need to **keep record of your staff that you sponsor** for reporting to UKVI (UK Visas and Immigration)

3. Apply - allow 8 weeks

1. **Apply online and pay the fee**
 2. The fee is dependent on the type of licence(s) you are applying for and the type and size of your organisation. It will either be £536 or £1,476
 3. Send your supporting documents to UKVI
 4. Confirm how many staff you plan to recruit through the sponsorship system for the current financial year
 5. Each staff member sponsored costs £21 or £199, in addition to the usual visa application fees
- ✓ If successful, your licence will be valid for 4 years

4. Sponsor a worker - 15 days*

1. Once you have selected a candidate, they must make a **visa application** to work in the UK
 2. You must first endorse your prospective employee's visa through your sponsor licence account by requesting then issuing an electronic 'certificate of sponsorship'
 3. Pay the Immigration Skills Charge. This is £1,000 for the first year of work in the UK plus £500 for each additional 6 months, or £364 and £182 respectively for small businesses or charities
 4. The employee must then submit a visa application under the same category as your licence
- ✓ If the prospective employee's visa application is granted, they may travel to the UK and start working



*If sponsoring a migrant worker from outside the EU in 2020 you must normally advertise to the UK labour market for 28 days. If recruiting from 2021, you may immediately advertise globally and non-UK nationals (including those from the EU) will need a visa and your sponsorship to work at your organisation.



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The UK's Points-Based Immigration System

Students, visitors and other routes



Highly skilled workers- overview

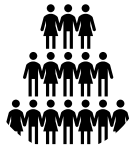
We have now extended the current **Global Talent route** to EU citizens on the same basis as non-EU. Under the Global Talent route, the most highly skilled workers who can achieve the required level of points, are able to enter the UK without a job offer if they are endorsed by a Home Office recognised endorsing body.

The main changes to the Global Talent route announced on 22 October are:

- The criteria for consideration of senior appointments has been revised, so that the route caters for emerging leaders as well as those at a more advanced stage of their career.
- The definition of the types of academic and research roles that qualify has been expanded.
- A points assessment has been introduced in line with the introduction of the points-based system.

Those who don't meet skills and salary thresholds

The UK Points-Based Immigration System **does not include a route for those who do not meet skills and salary thresholds**



Focus on UK resident labour market



Greater flexibility for employers with changes to salary and skills thresholds



Over 4.48 million EU nationals have already applied to stay in the UK
An estimated 170,000 non-EU citizens in lower-skilled occupations



Seasonal workers pilot provides employers in the agricultural sector with further flexibility

Students

No limit on the number of international students who can come to the UK to study. The Government has an ambition to increase the number of international students in higher education to 600,000 by 2030.

Students are covered by the Points-Based System. If they can demonstrate that they have an offer from an approved education institution, speak English and are able to support themselves during their studies, then they will have the requisite number of points.

The Student and Child Student routes were simplified and revised, with changes taking effect from October this year. On 22 October further changes were made to put maintenance levels in line with the current home student maintenance loans. We have also removed the restriction on working as a postgraduate doctor or dentist in training.

A new Graduate route will be launched in summer 2021 to provide international students the opportunity to stay in the UK to work or look for work after they graduate. Undergraduate and masters degree students will be able to stay for two years under the route, whilst PhD students will be able to stay for three years.

Health and Care Visa

The Health and Care Visa ensures that individuals working in eligible health occupations with a job offer from the NHS, social care sector or employers and organisations which provide services to the NHS, who have good working English, are able to come to the UK.

Key aspects

Open to all nationalities who have a confirmed job offer in one of the defined healthcare professions within the NHS, the social care sector or for NHS commissioned service providers.

The main applicant must meet the requirements of the skilled worker route, including the relevant skill and salary threshold.

Fast-track entry, with reduced application fees and dedicated support regarding the application process. Eligible individuals are able to bring their families.

Exemption from the Immigration Health Surcharge for both applicants and their families.

Visitors

Anyone can apply to visit the UK. They must **either apply for a visa before arrival or seek leave to enter at the UK border**. Visa nationals can apply anywhere outside the UK. Non-visa nationals can apply at the UK border. **Citizens of the EU and Switzerland do not require visas to visit the UK.**

In most cases, visitors can come to the UK for up to six months. A visitor may enter the UK multiple times, but they may not live in the UK by means of repeat visitors. They may not work or access public funds.

We have simplified the visitor rules to:

- Permit study of up to six months under the standard visit route. All non-recreational study must be undertaken at an accredited institution, except recreational courses undertaken for leisure that last no longer than 30 days.
- Remove the requirement for volunteering to be incidental to the main reason for the visit.

Other immigration routes

January 2021

For a number of the main economic routes the main change that has been implemented is the bringing EU citizens into the current non-EU routes. Examples of these include:

- Start-up and Innovator
- Intra-Company Transfers
- Youth Mobility Scheme
- Sporting
- Creative
- Charity
- Ministers of Religion and Religious Workers
- Government Authorised Exchange
- International Agreement
- UK Ancestry

Simplification

Underpinning these routes and the Points-Based System as a whole will be simplified rules and guidance. We will make the best use of technology and implement the recommendations of the Law Commission to streamline and simplify the immigration system.

Seasonal Workers Pilot

The Seasonal Workers Pilot, originally launched in 2019, has been extended and expanded for an additional year with 30,000 visas available for those wanting to come and work on UK farms for a period of up to six months, up from 10,000 visas in 2020.

The workers will play a vital role in helping horticulture growers pick and package their produce in 2021, whilst reducing their reliance on migrant labour as we exit the EU.

The expansion of the scheme follows a long period of close working with the National Farmers Unions and the Association of Labour Providers, across all parts of the UK and in particular recognition of the need for additional seasonal labour in Scotland to support local rural economies and the renowned soft fruit growers.

Frontier Workers Permit Scheme

The Withdrawal Agreement protects the right of frontier workers to continue to come to the UK to work following the end of free movement on 31st December 2020.

- A protected frontier worker must:
 - be a **citizen of the EU, Switzerland, Norway, Iceland or Liechtenstein**
 - **live outside the UK** (and therefore not be primarily resident in the UK)
 - **Have been employed or self-employed in the UK on or before 31 December 2020 and continue to work in the UK**

On 10th December 2020, the Government opened the frontier worker permit scheme so protected frontier workers can apply for and be issued with a permit.

Applications are **online, free of charge**, and can be made from **within or outside the UK**.

Until 1 July 2021, protected frontier workers can continue to enter the UK for work using a valid passport or national identity card. **From 1 July 2021** non-Irish frontier workers will be required to hold a valid frontier worker permit in order to enter the UK for work.

Next Steps

- Freedom of movement ended on the 31st December at 11pm.
- Immigration routes opened on 1st December for applications for those wishing to come to the UK from the EU from 1 January 2021. The first routes, the student and child student routes, opened on 5 October.
- The new Graduate route opens in summer 2021.
- Work continues on the reform of the Sponsorship process and improving the overall customer experience.
- EU citizens and their family members who were resident in the UK before the end of the transition period continue to be eligible for the EU Settlement Scheme. The deadline for applications is 30 June 2021.

Available GOV.UK resources/assets

Guides

EU citizens guide



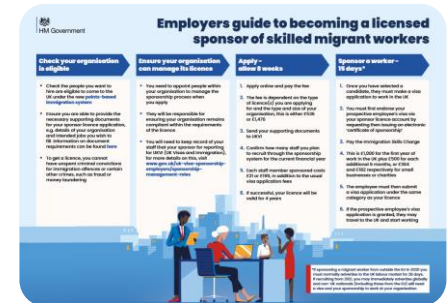
EU students guide



Employers Guide



Sponsor Guide



Social assets

EU citizens



EU students



Sponsoring a worker



Hiring outside of the UK



Available GOV.UK resources/assets

UKVI toolkits

Global Talent visa



Skilled worker visa



Graduate Immigration Route



Useful links

New immigration system: what you need to know:

<https://www.gov.uk/guidance/new-immigration-system-what-you-need-to-know>

UK points-based immigration system: employers and EU citizens

<https://www.gov.uk/government/collections/uk-points-based-immigration-system-employers-and-eu-citizens>

Recruiting people from outside the UK from 1 January 2021

<https://www.gov.uk/guidance/recruiting-people-from-outside-the-uk-from-1-january-2021>

Home Office Podcast available on Apple, Acast and Spotify

<https://open.spotify.com/episode/4ljr2e4DONEYmDT0PBykds?si=p83RqzWtTG6y73WX2TeRPQ>

The UK's Points-Based Immigration System

Any questions ?