



Home Office

The UK's Points-Based Immigration System

May 2021





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The UK's Points-Based Immigration System

Overview of key routes and resources



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

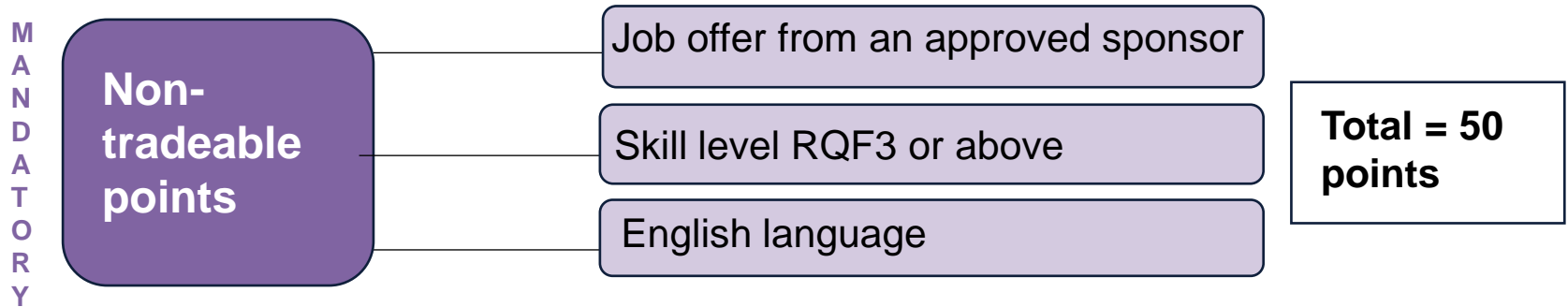
Expanded skills threshold – now RQF3 (equivalent to A-level) and above

Tradeable points – points for certain characteristics are tradeable against salary

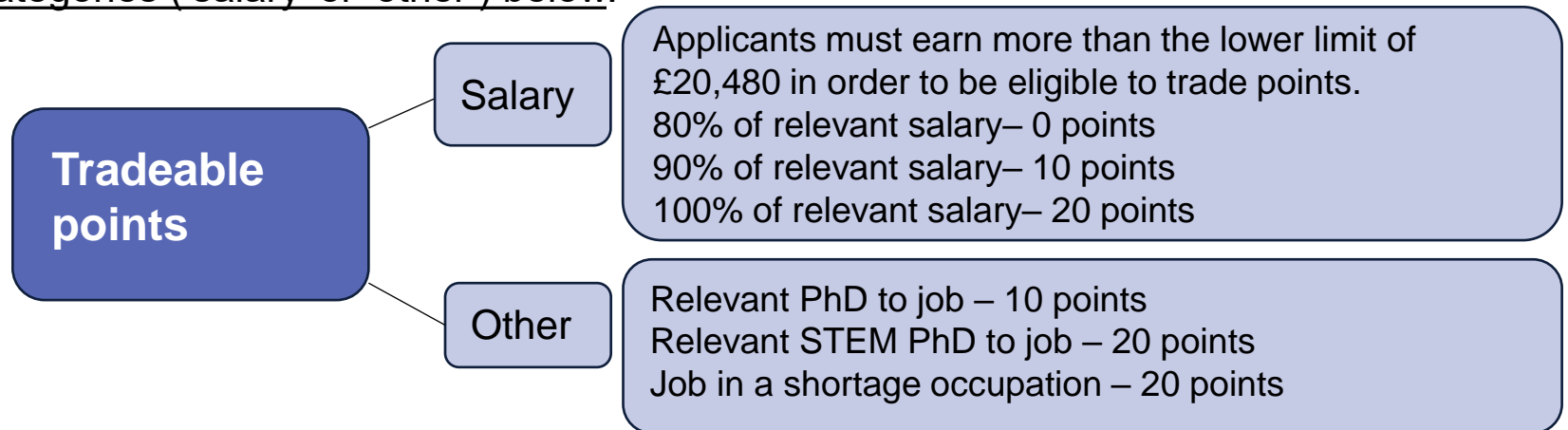
The 12-month “cooling off period” and six-year maximum length of stay in the route are being removed

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	

Skilled worker route – case study

Gina wants to come to the UK to work and has been offered a job as a veterinarian for a salary of £26,750. She meets all the mandatory criteria under the Points-Based System, scoring 50 points.

Gina's salary is higher than the £25,600 general salary threshold; however, it is below the £32,500 going rate for veterinarians, so she does not score 20 points for her salary. Gina's salary is just above 80% of the going rate for her occupation, therefore while she scores no points from her salary, she is eligible to score 20 tradeable points elsewhere to be eligible for a visa.

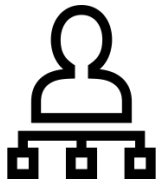
In this instance Gina scores the 20 extra points by having a job offer in a shortage occupation.

	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 at least 80% of the going rate	0	20
	Job in a shortage occupation (as designated by the MAC)	20	
Total		70	

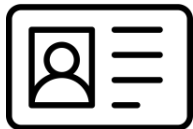
Employing a worker- sponsorship



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-EU nationals (including those from the EU) will need a visa and your sponsorship to work at your organisation.



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Other routes



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 5.3 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

Graduate Route

Core application principles



Graduation



2/3 years leave



No sponsorship required



Fees



Biometrics

Intra-company visas

There are two Intra-Company routes:

- Intra-Company Transfer: this is for established employees who are being transferred by their overseas employer to do a skilled job for a linked employer in the UK
- Intra-Company Graduate Trainee: this is for employees taking part in a structured graduate training programme who are being transferred by their overseas employer to a linked employer in the UK

To qualify for an Intra-company visa, an applicant must:

- Be an existing employee of an organisation that's been approved by the Home Office as a sponsor have a 'certificate of sponsorship' from issued by the employer with information about the role they've been offered in the UK
- Do a job that's on the list of eligible occupations
- be paid at least £41,500 for an Intra-company Transfer visa or at least £23,000 for an Intra-company Graduate Trainee visa

The specific [eligibility requirements](#) depend upon the role. The sponsor must adhere to the [published guidance](#)

T5 (Temporary Worker) International Agreement Worker

This is a temporary visa for various purposes including our Mode 4 commitments on Contractual Service Suppliers.

- Must have been employed for 12 months outside the UK for a business with no commercial presence in the UK
- Employer must have a contract with a UK business to supply services as set out in GATS or a similar trade agreement
- Required to hold degree or equivalent level qualification (exemptions apply) and relevant professional qualification or registration
- Must have at least 3 years professional experience in sector services will be supplied in
- No salary requirement
- No switching in or out
- No labour market testing
- Not subject to annual limits
- No English language requirement
- Stays of up to 12 months (depends on the agreement)
- No settlement

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.

Visitors – more information

If you're visiting for tourism or leisure

You can visit the UK to:

- spend time with friends and family
- take a holiday
- do a recreational course of up to 30 days, for example a dance course
- volunteer for up to 30 days with a registered charity
- take part in a school exchange programme

If you're visiting on business

You can visit the UK for many different business reasons, including attending meetings, conferences, trade fairs or negotiating contracts. You can do certain business activities with UK employees of the company you work for overseas, for example provide training or share knowledge on internal projects.

Check the [Visitor Rules](#) for the full list of business activities you can do as a Standard Visitor and any additional eligibility requirements.

If you're being paid by a UK organisation to visit as an expert in your profession, you should apply for a [Permitted Paid Engagement visa](#).

If you're visiting to study

You can visit the UK to study for up to 6 months at an accredited institution, this includes English language courses.

You can also do:

- a short piece of research that's relevant to your course overseas
- an 'elective' - an optional additional placement, if you're studying medicine, veterinary medicine and science, or dentistry

If you want to study longer, you'll need to apply for a:

- [Student visa](#) (if your course is run by a [licensed sponsor](#))
- [Short-term study visa](#) (for English Language courses up to 11 months)

If you're visiting as an academic

If you're from an academic institution overseas, you can:

- take part in formal exchange arrangements with UK counterparts
- carry out your own research during a sabbatical

If you're a senior doctor or dentist you can also:

- take part in research
- teach (as long as it is not a permanent teaching post)
- undertake clinical practice (as long as it's not a permanent position)

Seasonal Worker route

The Seasonal Worker route is a pilot scheme enabling workers aged 18 or over to come to the UK to undertake seasonal employment in the edible horticultural sector.

Workers can be sponsored for a maximum period of 6 months' employment in the UK. Workers cannot stay in the UK for longer than 6 months in any 12-month period on this scheme. Seasonal Workers are not permitted to bring their family members to the UK on this route.

To sponsor a worker on this scheme, you must be an approved scheme operator which administers the scheme and acts as the licensed sponsor for any workers on the scheme.

Any work or activity carried out by individuals on the Seasonal Worker scheme must be in a seasonal role with an employer in the edible horticultural sector, assigned by an approved scheme operator. This pilot scheme is subject to an annual quota of 30,000, set by the Home Office, and split between the scheme operators.

Hong Kong British National (Overseas) Visa

This new Visa recognises our historic and commitment to BN(O) citizens in Hong Kong, giving them the option to live in the UK if they decide that is an appropriate choice for them. The Home Office is putting in place a simple, streamlined application process. There will be no quota on numbers

Individuals can apply for the Hong Kong BN(O) Visa from 31st January 2021.

The Hong Kong BN(O) Visa will give BN(O) citizens the choice to apply for up to five years' leave to remain with the right to work or study.

Following the payment of the Immigration Health Surcharge, successful applicants will have access to NHS services and children of eligible BN(O) citizens will be able attend school if they are under 18.

As set out in our [impact assessment](#), we estimate between 258,000 and 322,400 BN(O)s and their dependants coming over five years.

Those with a Hong Kong BN(O) Visa do not require sponsorship to work in the UK.

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.

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
- 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.

Right to work checks

Right to work checks for EEA citizens will not change until after 30 June 2021. Until then, EEA citizens can use their passport or national identity card to evidence their right to work.

During this time, employers will not be expected to differentiate between EEA citizens who arrived before the end of the transition period (31 December 2020) and those arriving afterwards, in the grace period from 1 January to 30 June 2021.

EEA citizens with status under the EU Settlement Scheme (EUSS) or the points-based immigration system may choose to use the Home Office online service to evidence their right to work.

During the grace period employers cannot refuse to accept a passport or ID card from an EEA citizen or insist they use the Home Office's online checking service to prove their right to work during this period.

Right to work checks

The leaflet Understanding your right to work: EU, EEA and Swiss citizens can assist you to provide information to EEA citizen job applicants about the Right to Work process and their responsibilities.

There is no mandatory requirement for employers to undertake retrospective checks on EEA citizens who were employed on or before 30 June 2021. Employers will maintain a continuous statutory excuse against a civil penalty in the event of illegal working if the initial right to work check was undertaken in line with right to work legislation and published guidance.

New guidance on how to conduct right to work checks on EEA citizens after 30 June 2021 will be provided in advance of this date.

Queries about the Right to Work Scheme can be sent to:
RighttoRentandRighttoWork@homeoffice.gov.uk,
or please contact; The Employer Enquiry helpline on 0300 790 6268

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.