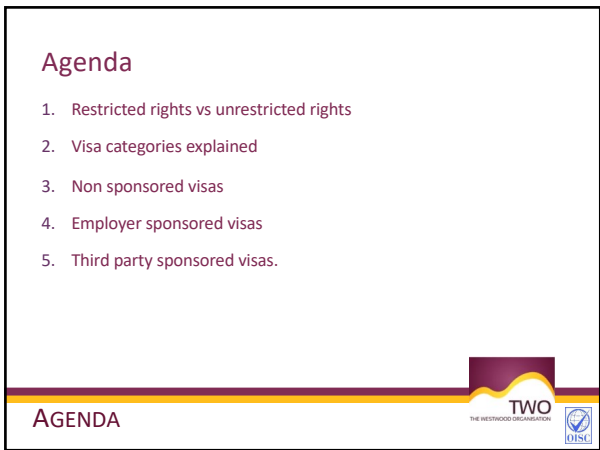
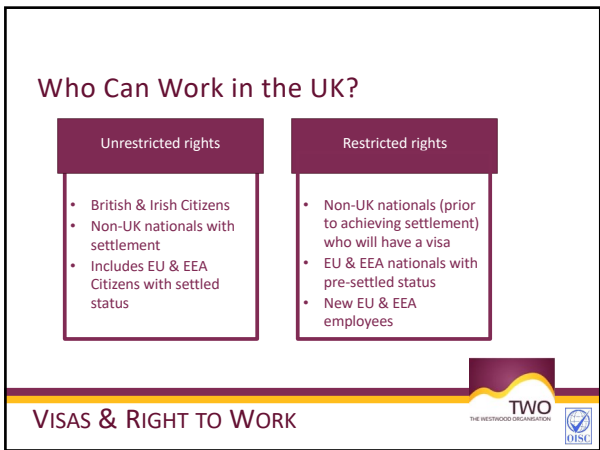


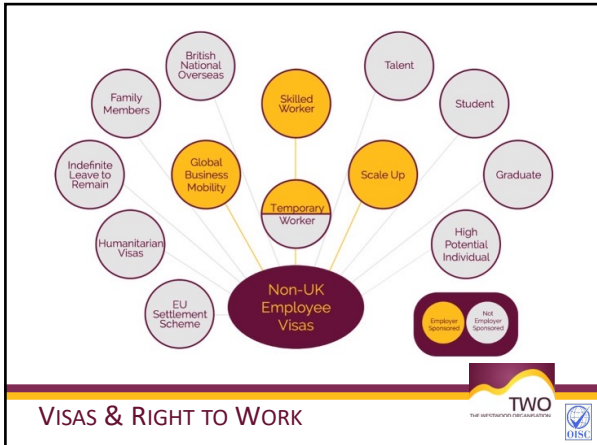
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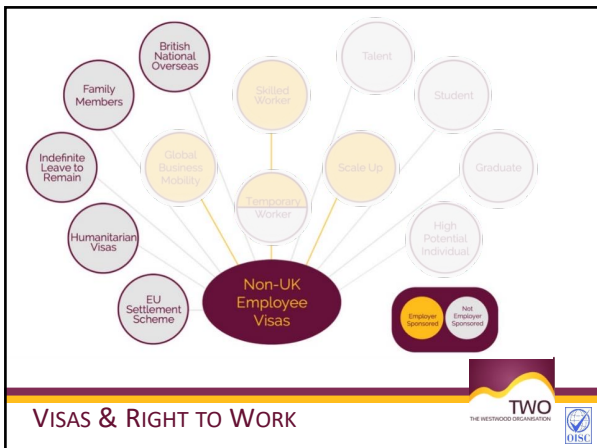
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European Nationals

- **EU:** Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.
- **EEA:** All EU plus Iceland, Liechtenstein, Norway.
- **Switzerland.**
- All treated same in terms of right to work (*).

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EU Settlement Scheme

Pre Settled Status

- EEA national in UK & working before 31 December 2020
- Electronic permit valid 5 years
- After 5 years residency, need to apply for Settled Status.

Settled Status

- EEA nationals who have been in the UK more than 5 years
- Electronic permit valid indefinitely
- No future application needed but can apply for citizenship after 12 months.

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Europeans and Right to Work: 3 Scenarios

1. Existing European Staff - employed before 31 December 2020

- RTW based on situation at time of recruitment
- No obligation to check existing staff – optional (beware discrimination)

2. Recent/future European Staff – arrived in UK before 31 Dec 2020

- Start date 01 Jan – 30 Jun 2021: grace period & EEA passport/ID card sufficient
- Start date 01 July onwards: need to check for EUSS status via share code
- You must monitor expiry of pre-settled status

3. Recent/future European Staff – arriving in UK from 1 Jan 2021

- Start date 01 Jan – 30 Jun 2021: grace period & EEA passport/ID card sufficient
- Start date 01 July onwards: new rules apply & sponsorship required
- You must monitor expiry of visa.

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Humanitarian Routes



Check application remains in progress with UKVI through the Employer Checking Service

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Ukraine

- Ukraine nationals require a visa
- Right to work is dependent upon visa category
- Schemes specific to Ukraine nationals fleeing war. These allow work:
 - Ukraine Family Scheme
 - Ukraine Home Scheme
 - Ukraine Extension Scheme
- Ukraine nationals not on one of these schemes would require sponsorship.

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Indefinite Leave - ILR

Achieved after lawful residence in UK



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Hong Kong – BN(O)

- New visa category from 21 Jan 2021 for BN(O) citizens only
- 5-year electronic permit (like pre settled status)
- Permanent residency available after 5 years in UK
- Can work for any employer in any job



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Family Visas

Types

- Ancestry
- Spouse or Partner *
- Dependant *

* Risk Management

- Is the visa still valid?

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Visas & Right to Work: Sponsored Visas

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Points Based System (PBS)

Covers all primary work routes into UK

Points assessment:

- Sponsorship (self, employer, education institution)
- Language
- Maintenance (financial)

Right to work depends upon visa category and sponsor.

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PBS Changes – 01 Dec 2020

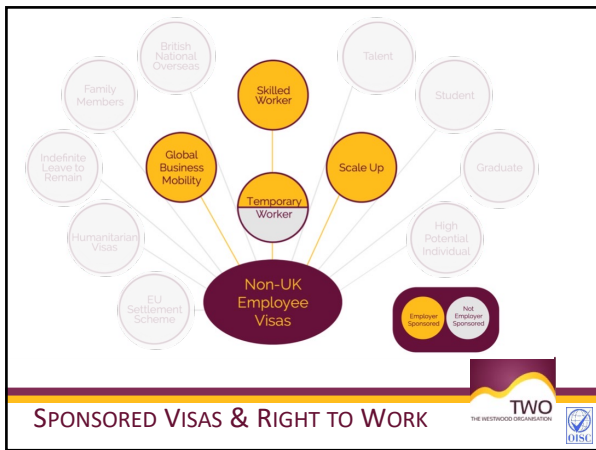
- Will elaborate on each visa in terms of rights to work in coming slides

Previous PBS Visa Name	New PBS Visa Name
Tier 1	Talent or Start Up Visa
Tier 2	Skilled Worker
Tier 4	Student
Tier 5	Temporary Worker: e.g. Government Authorised Exchange Scheme; International Agreement; Youth Mobility Scheme

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Skilled Worker Visa

- Employer must be licenced sponsor
- Recruited to fill a genuine vacancy
- Role must meet criteria for sponsorship (Appendix Skilled Occupations)
- Individual is sponsored for specific role & specific employer
- Supplementary work allowed (must still be doing sponsored job):
 - 20 hours/week
 - Either same occupation code as main job, or shortage occupation.

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Global Business Mobility

- New PBS category April 2022
- Sponsored by employer (licenced sponsor)
 1. Senior or Specialist Worker (ICT)
 2. Graduate Trainee
 3. Secondment Worker
 4. Expansion Worker
 5. Service Supplier.

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Scale Up Visa

- Opened 22 August 2022
- Specifically for fast growing businesses; international recruitment necessary for growth
- Company registers for route:
 - Annualised growth (turnover or staffing) 20% previous 3-year period
 - Min 10 employees start of 3-year period
- Occupations:
 - RQF level 6
 - Salary > £33,000 or SOC minimum
- No skills surcharge.

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Temporary Worker Categories

Several subcategories (former Tier 5). Most relevant are:

- **International Agreement:** sponsored by an employer to provide a service covered by international law. *Can work for sponsor.*
- **Government Authorised Exchange:** sponsored by a GAE scheme provider for work experience, training, academic research or a fellowship. *Can work for any employer, as per placement.*
- **Youth Mobility Scheme:** self sponsored individuals from AUS; CAN; HKG; JPN; ISL; KOR; MCO; NZL; SKO; SMR; TWN; aged between 18 and 30. *Can work for any employer.*

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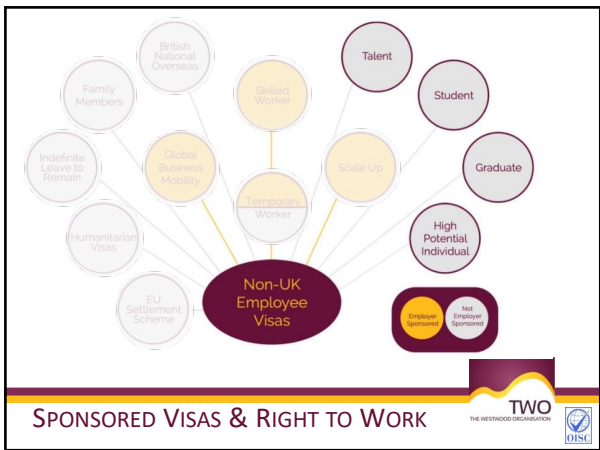
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Talent Visa

- Can work for any employer
- Criteria:
 - Won an eligible award OR
 - Endorsement to prove leader/potential leader in particular field:
 - Academia or research
 - Arts & culture
 - Digital technology.

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PBS Students & Employment

- 10 / 20 hours per week (term time) as written on BRP
- Full time in holidays – need term dates
- Proof of ongoing enrolment/ registration/ attendance
- Contact with education provider for evidence (before employment starts)
- Visa dates.

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PBS Students & Employment

- From 6th April 2022
- Full time employment can commence if pending visa application:
 - Skilled Worker: up to 3 months before course completion date
 - Graduate: upon successful completion of studies
- Or, if no further visa application, can work full time upon completion of studies - up until student visa expires.

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Graduate Route

- Opened 1st July 2021
- Reintroduces Tier 1 Post Study Work (abolished 2012)
- Rebranded Graduate Immigration Route
- No caps on numbers
- Allows students to look for work in UK, for up to 2 years following end of course (3 years for post-docs)
- No requirement for sponsorship/job offer to apply
- No minimum salary
- At end of their 2 or 3 years, graduates then able to switch into skilled worker route (or another category) & remain in UK.

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High Potential Individuals (HPI)

- Opened 30th May 2022
- No job offer required
- Recent graduate from non-UK universities
 - PhD within last 3 years/ Masters or Bachelors within last 5 years
 - 'Global Universities List' only
- English language & maintenance requirements
- 2-year visa duration (3-years for PhD)
- Time on HPI will not lead to settlement.

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Temporary Worker (Reminder)

Mentioned earlier – within Points Based System section

- **International Agreement:** Can work for sponsor
- **Government Authorised Exchange:** Can work for any employer, as per placement
- **Youth Mobility Scheme:** Can work for any employer.

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