



Priorities for UK Immigration

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Net Migration

Figure 2.13: UK net migration by nationality group, years ending June (thousands)



Source: Provisional estimates of long-term international migration, August 2020, November 2022. Yearly figures use mid-year (June) estimates.

Note: the ONS changed its method for estimating international migration in August 2020, meaning estimates before and after this point are not strictly comparable.

Net Migration

Table 2.16: Visas granted in the year ending June 2022

Route	Main	Dependant	Ratio	Total
Worker	119,000	103,000	0.86	222,000
Skilled Worker	52,000	35,000	0.68	87,000
Health & Care Worker	47,000	49,000	1.04	96,000
Global Business Mobility*	18,000	18,000	0.99	36,000
Other	2,000	1,000	0.28	3,000
Temporary Worker	70,000	2,000	0.03	73,000
Seasonal Worker	40,000	0	0.00	40,000
Youth Mobility Scheme	13,000	0	0.00	13,000
Other	17,000	2,000	0.13	19,000
Other work visas	29,000	2,000	0.06	30,000
Overseas Domestic Worker	17,000	0	0.00	17,000
Investor/Business/Talent	3,000	3,000	0.91	6,000
Other temporary visas				37,000
Sponsored study	406,000	81,000	0.20	487,000
Family				36,000
BN(O) Route	45,000	30,000	0.67	76,000
Ukraine schemes				144,000
Ukraine Family Scheme				44,000
Ukraine Sponsorship Scheme				100,000

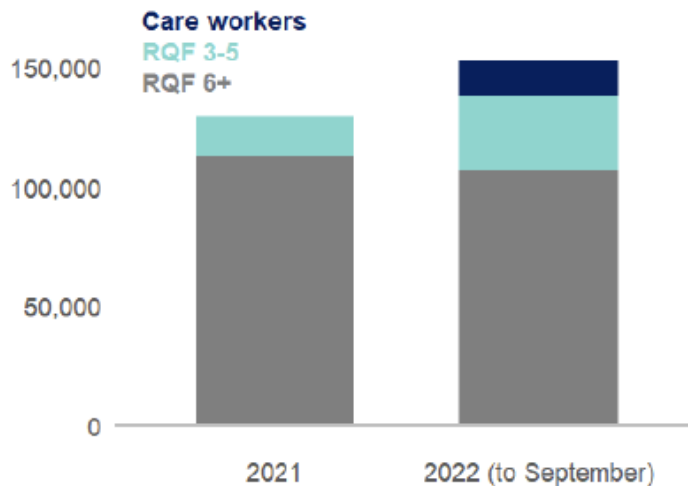
Source: Home Office immigration statistics year ending November 2022, issued entry visas.

Notes: Dependant ratio calculated as dependants divided by main applicants. *Includes Senior or Specialist Worker (Global Business Mobility) and Intra-company Transfers only. Other Global Business Mobility routes counted under Temporary Worker.

Skilled Worker (SW) Route



Figure 2.15: Skilled Worker visa applications by RQF level, January 2021-September 2022



Source: Home Office Management information January 2021-September 2022.

Notes: Used CoS. CoS is assigned to a migrant by their sponsoring employer and the migrant can then use the certificate number to make an application.

- In 2022, 10% of work visas went to EEA workers.
- Much lower share than under FoM – unclear what the long-run share will be.
- India was the largest nationality – accounting for 33% of work visas.

Health & Social Care



- In 2022, Health & Social Care accounted for 54% of Skilled Worker visas – compared to about 14% of employment.
- This over-reliance on immigration is not new, but is getting increasingly severe. It is caused, among other things, by the lack of an adequate workforce plan for the NHS and a lack of ambition to pay care workers properly.
- The Government must ensure that there does not appear to be one rule for private sector employers and another for the public sector.

Social Care



- MAC reported to Parliament and Government in April 2022 on Social Care and Immigration.
- Main recommendation was a starting £1 per hour premium to NLW for care workers where care is provided by public funds.
- Immigration recommendations included Care Workers on SOL and removing ISC and Settlement Fees for H&CW visas.
- No response from Government in 12 months.

Shortage Occupation List



- We are currently conducting a major review of the SOL.
- An interim review for construction and hospitality was published on Budget Day and recommended a number of additions to the list for construction.
- No job will be allowed to pay below the ‘going-rate’.
- Jobs not normally eligible for SW visas (only short training required) can be included – but the bar is set high.
- Call for Evidence closes on 26th May.

Immigration System and top visa routes

French Chamber of Commerce of Great Britain

Bénédicte Viort de La Batie

17 May 2023

**Browne
Jacobson**

Preliminary remarks

A brief overview of the immigration routes

- The immigration system is a Point based System which is designed to attract :
 - **talented individuals**
 - **innovative business/entrepreneurs**

The system is a **country blind system** to control immigration and meet the needs of the UK economy.

Difference of perspective

- **an expensive barrier with restrictions** for EU citizens/companies
 - **a relaxation** of the rules (for non-EU) : no more Resident Labour Market Test/ lower salary threshold and skill level
-
- Generally there is less and less reluctance to use the system
 - companies need stability and transparency/predictability to engage more efficiently

Sponsored routes and unsponsored routes

- **Unsponsored** – based on **individual talent** or capacity to develop an **innovative business**
 - High Potential Individual : based on a degree from eligible university
 - Global talent visa : leader in research, art, technology
 - Youth mobility : time-limited, limited list of countries
 - Graduate : time-limited visa – for graduate who were previously sponsored in the student route
 - Innovator Founder visa based on endorsement
- **Sponsored** – based on the **relationship between the individual and its sponsor**
 - **“employer- employee”**
 - Skilled Worker route – most popular based on figures
 - Global Mobility : Senior or Specialist Worker, Expansion Worker (temporary)
 - **“student- education provider”**
 - Student route – from an employer perspective it leads to the Graduate Visa (unsponsored)

Main sponsored routes for employers

Sponsorship System: a 3-step process

Applicants must be **sponsored**:

Key steps

1. the employer must be a **sponsor licence holder**
2. the employer must assign a valid **Certificate of Sponsorship** to the applicant
3. the applicant applies for a **visa**

Key actions for employers

- **Anticipate** the process
- **Understand** the system and
- **comply** with their sponsor duties

01

Anticipate: why applying for a Sponsor Licence ?

Recruitment agility: are you ready ?

Examples of enquiries

- **sponsor your selected candidate**

“we found the right candidate, he told us he is on a limited leave Can we provide sponsorship ?”

- **answer your clients needs**

“We need to have three engineers on site in 2 weeks; How long and how expensive will it be ?”

- **retain valuable your staff**

“One of our employee was a student working part-time during term-time on a specific project. She is a very valuable member of the team : what should we do ? Can we sponsor ?”

- **Set up or expand a new business in the UK**

“our plan is to expand in the UK, we have already a subsidiary created a few years ago. Can we send a Business Developer now?”

Time frames: do you have a sponsor licence in place ?

With a licence

A few days to about 8 weeks

- From a few days to 8/9 weeks
- Possibility to assign a CoS immediately (if available allocation)
- Visa application 3 to 8 weeks reduced to a few days if use of priority service

Without a licence

Up to 18 weeks, sometimes more...

- Preparation time
- Sponsor licence application :8 weeks
- Priority service not always available
- Visa application : 3 to 8 weeks

Cost of the licence

Large company: £1,476

Small company: £ 536

Priority service: £500

02

**Be in control :
understanding options and
costs**

Understand your options

Popular routes : Skilled Worker v Global Mobility

- **Skilled Worker**

- appropriate skill level **RQF 3 (A level)**;
- salary which equals or exceeds a general salary threshold **£26,200** or the ‘going rate’ for the occupation;
- **Skill charge** paid by the sponsor :
exemptions?
- **English language to at least CEFR Level B1** (equivalent to IELTS 4.0)

- **Global Mobility route : Senior or Specialist Worker**

- appropriate skill **level RQF 6 (Graduate)**;
- Salary: equal or higher than **£45,800** per year or the going rate; or **£73,900 when less than 12 months within the group**
- Employed **by a business linked** to the UK sponsor by common ownership or control;
- Possible exemption of the **Immigration Skill Charge**
- **No English exam**

Understand the costs of your options

- **Skill Charge**

- Small Company :£364 per year
- £1,092 (3y)- £3,120 (5y)
- Large Company : £1,000 per year
- £3,000(3y) - £5,000 (5y)

- **Immigration Health Surcharge**

- £ 624 per year
- £1,872 (3y) - £3,120 (5y)

- **Visa fees**

- £625 (3 y)/£1,235 (5 y)
- £719/ (3y) / £1423 (5y)

- **Recruitment (not included licence fees) based on 3 years visa**

- About £4,000 for a small company
- About £6,000 - £7,000 for a large company

- **Practical point:** the visa fees and the Immigration Health Surcharge can be paid by the employee/ no obligation to reimburse
- Reduces costs but issue of attractiveness

Case study

Skilled Worker v Global Mobility?

- Milk & Dairy is a German company operating worldwide. They would like to reinforce their staff with a small team in their UK subsidiary to launch of a range of vegan products - Their HR department struggles to identify suitable candidates.
- Potential options include:
 - **relocation : Sven (Swedish) or Eduardo (Argentinian)** both senior employees working in Germany
 - **external recruitment (outside the group)** : they have interviewed Francois a Skilled Worker working in France
 - **promotion of their existing staff** : promotion of Jagan an Indian student working part-time in the UK on biological molecules? Is this possible ?

Factors to consider....

- **Salary level** : multiple factors to understand how much is required ?
- **The job** : identify the correct code (SOC); what is the level of skill ?
 - RQF 3 or RQF 6 : if RQF3 only Skilled option available
- **Costs : Skill charge exemption available ?**
 - **Global Mobility 3 years exemption** : Global Mobility route – **only for EU**
 - **Specific “student” exemption** : Switching from student to Skilled Worker visa ?
 - **Specific soc codes ?** Ex: Biochemist/biological scientist
- **Time frames**
 - Certificate of sponsorship availability, visa application /use of ID app or biometrics ?
- **Settlement/ temporary relocation ?**
- **English exam ?**
- **Family /dependants ?**

03

Be compliant

Be compliant

Your sponsor duties : know your duties

- Reporting duties
- Record- keeping duties
- Knowledge of immigration law
- Right to Work Checks

Review your procedures and train your staff !

- Right to Work Checks
- Monitoring visa expiry and time-limited leave including pre-settled status
- Mock audits – be ready

04

Experiences and feedback

There is not always a solution ☹️

- **Short-term assignment /flexible pattern of work**

- Global Mobility : requirements can not always been met – sometimes inflexible for short stay
- Visitor rules : does not to allow “short- term assignments”

Visit policy does not allow work but only permitted activities

- **No option for Self-Employed**

- **Setting up a business in the UK : may seem as a challenge for EU companies after the end of the free movement**

- **Innovator Founder** : limited to innovative business, endorsement
- **Expansion Worker route** : long, administrative, no priority service available – limited to mature business in country of origin (3 years trading)
- **Skilled Worker route** : start-up requirement difficult to meet; bank account in the UK/key personnel in the UK

It's working well...😊

– **A lot of things are working really well and have improved process significantly.**

- Sponsorship Licence applications timeframe
- Skilled Worker route
- Priority services... but lack of predictability
- ID app – visa application online – easy straightforward
- Certificate of Sponsorship

Contact us



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