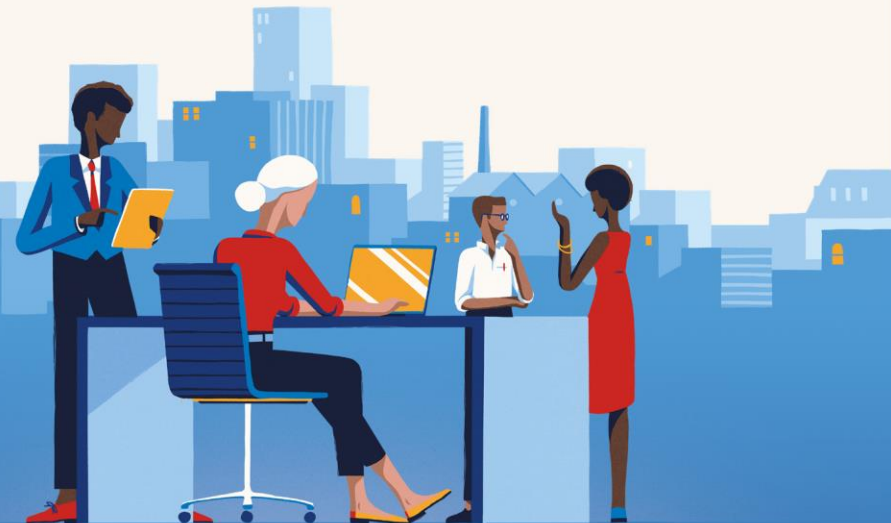




Home Office

# The UK's Points-Based Immigration System

November 2020



# Overview

- The policy statement on the UK's Points-Based System published on 19 February 2020 set out the overall parameters for the new system.
- On 13 July 2020 the Home Office published an additional statement which provides **further details** to applicants, employers and educational institutions on the draft requirements and conditions underpinning the key immigration routes.
- The routes described cover **the main economic migration routes for those wishing to apply to work or study or set up a business in the UK**. It also set out our provisions for visitors.
- On 22 October the Home Secretary **laid changes to the Immigration Rules** that will underpin the new Points-Based System that will replace freedom of movement. They also introduced the new Hong Kong British National (Overseas) route for a BN(O) citizen who wants to live and work in the UK and will extend the Afghan interpreter ex-gratia scheme.



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# The UK's Points-Based Immigration System

## The skilled worker route and sponsorship



# Skilled worker route

The points-based system will include 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

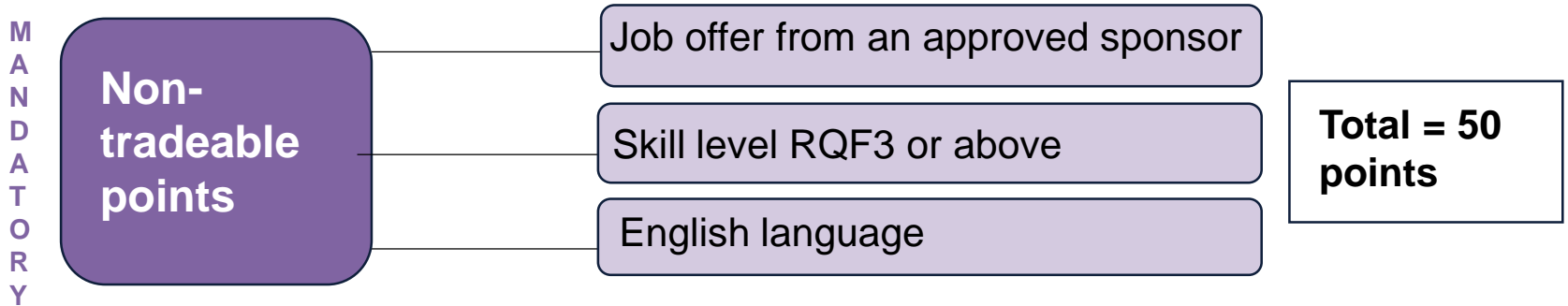
Expanded skills threshold – now RQF3 (equivalent to A-level) and above

Tradeable points – points for certain characteristics will be tradeable against salary

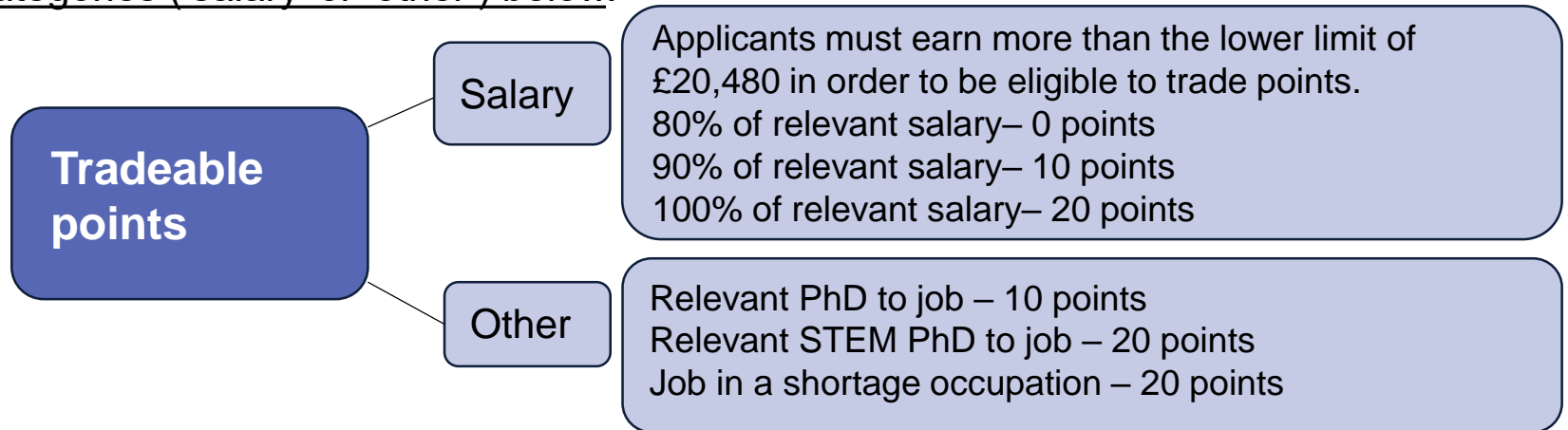
The 12-month “cooling off period” and six-year maximum length of stay in the route are being removed

# 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

Elise wants to come to the UK to work and has been offered a job as a Civil Engineer for a salary of £28,350. She meets all the mandatory criteria under the Points-Based System, scoring 50 points.

Elise’s salary is below the £35,000 going rate for Civil Engineers. However, Elise’s salary is above 80% of the going rate for her occupation, and it is higher than £20,480, so she is eligible to score 20 tradeable points elsewhere to be eligible for a visa.

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

	Characteristic	Points	Total
<b>Mandatory</b>	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	
<b>Tradeable</b>	Salary at least 80% of the going rate	0	20
	Job in a shortage occupation (as designated by the MAC)	20	
<b>Total</b>		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.

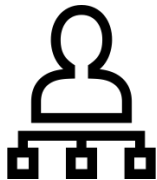
In this instance Gina scores the 20 extra points by having a job offer in a shortage occupation.

	Characteristic	Points	Total
<b>Mandatory</b>	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	
<b>Tradeable</b>	Salary at least 80% of the going rate	0	20
	Job in a shortage occupation (as designated by the MAC)	20	
<b>Total</b>		70	

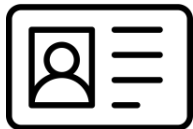
# Employing a worker- sponsorship



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.**





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# The UK's Points-Based Immigration System

## Students, visitors and other routes



# Highly skilled workers- overview

**For January 2021** we will extend 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, will be 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 are being 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 is being expanded.
- A points assessment is being introduced in line with the introduction of the points-based system.

**Longer term**, we will create a new **broader unsponsored route**. This would allow a small number of the most highly skilled workers to come to the UK without a job offer. We will explore this with stakeholders in the coming year.

# Those who don't meet skills and salary thresholds

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



Shift away from a reliance on labour from Europe



Greater flexibility for employers with changes to salary and skills thresholds



Over 4.26 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 will provide 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 will be 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.

# 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. **The UK Government has already said that its intention is for citizens of the EU, EEA and Switzerland to 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

## For January 2021

For a number of the main economic routes the main change that will be implemented for January 2021 is 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.

# Next Steps

- The Immigration Bill has completed its journey through Parliament.
- The Immigration and Social Security Co-Ordination (EU Withdrawal) Act 2020 received Royal Assent on 11<sup>th</sup> November.
- This act ends the freedom of movement in the UK on the 31<sup>st</sup> December at 11pm.
- Immigration routes will open for applications later this year for those wishing to come to the UK from 1 January 2021. The first routes, the student and child student routes, opened on 5 October.
- EU citizens and their family members who are 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 Future Points Based System Podcast

- **Acast:**
- <https://play.acast.com/s/intelligencesquared/businessandthefutureofimmigrationin2021>
- **Apple Podcasts:**
- <https://podcasts.apple.com/ie/podcast/intelligence-squared/id708371900#episodeGuid=c6a89f3e-838a-460c-9dc4-8f7c651d3958>
- **Spotify:**
- <https://open.spotify.com/episode/4ljr2e4D0NeYmDToPBykds?si=p83RqzWtTG6y73WX2TeRPQ>

We have shared the links via Home Office Facebook, Twitter and LinkedIn accounts

- **Twitter:**
- <https://twitter.com/ukhomeoffice/status/1329454063780569088>
- **LinkedIn:**
- [https://www.linkedin.com/posts/the-home-office\\_listen-to-our-new-podcast-on-the-points-based-activity-6735222304210468864-6fn](https://www.linkedin.com/posts/the-home-office_listen-to-our-new-podcast-on-the-points-based-activity-6735222304210468864-6fn)
- **Facebook:**
- <https://fb.watch/1SkTNcRUqZ/>

The podcast discussion covers everything an employer needs to know if they are thinking of hiring anyone from outside the UK after the transition period (1 January 2021). Please share throughout your network to help them take the necessary steps to prepare their business.