

Immigration Update

March 2019

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Veristat specialises in providing immigration advice, support and other services to employers and education providers, as well as individuals applying for leave to enter/remain in the UK.



****NEW** Hourly retainer advice/support packages for employers and education providers. Call 01344 624016 for further details and a quote.

Immigration News

EU Settlement Scheme

The UK Government has published statement of changes to the Immigration Rules that confirm that they intend to go ahead, as planned, with the full opening of the EU Settlement Scheme for resident EU citizens and their family members from 30 March 2019.

The scheme will also be open from the date, as planned, to resident citizens of the other EEA countries (Iceland, Liechtenstein and Norway), and of Switzerland, and their family members.

You can view the statement of changes to the Immigration Rules published on 7 March 2019 [here](#).

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UK Visas and Immigration (UKVI) have published a step by step guide to applying for settled status or pre-settled status under the EU Settlement Scheme.

The step-by-step guide can be viewed [here](#).

For any European nationals who have already applied under the EU Settlement Scheme but need to advise UKVI of changes to either their name, identity document, email or mobile phone number, they can do so [here](#).

We provide full application advice and support to European nationals and their family members applying under the EU Settlement Scheme. For further details and a quote, please email us at enquiries@veristat.co.uk or call 01344 624016.

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1919-7-march-2019>

<https://www.gov.uk/eusettledstatus>

Family members of EEA nationals

UK Visas and Immigration (UKVI) have updated their guidance on applications for a document to confirm a right of residence in the UK for a family member of a European Economic (EEA) national.

Changes have been made to reflect the Immigration (European Economic Area) (Amendment) Regulations 2018 and Regulation (EU) 2016/1191 on the Simplification of Public Documents, as well as minor administration amendments throughout.

The updated guidance can be viewed [here](#). In addition, the guidance on free movement rights: retained rights of residence have also been updated and can be viewed [here](#).

<https://www.gov.uk/government/publications/processes-and-procedures-for-eea-documentation-applications>

<https://www.gov.uk/government/publications/family-members-of-eea-nationals-who-have-retained-the-right-of-residence>

Changes to the Immigration Rules (Other)

The UK Government has announced several changes to the Immigration Rules in respect to Tier 1 of the points-based system.

Other key changes are as follows:

- Changes are being made to the provisions for family members of relevant Points-Based System migrants to include the same provisions for family members of migrants in the new Start-up and Innovator categories in Appendix W.
- Partners and children (under age 18) will be able to apply as dependants of Start-up and Innovator applicants. They will have the same requirement to show they have maintenance funds and will have the same ability to work without needing to have a sponsoring employer.

You can view the statement of changes to the Immigration Rules published on 7 March 2019 [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1919-7-march-2019>

English Language tests

The list of English Language tests and test centres approved by UK Visas and Immigration (UKVI) to show that applicants have the required level of English for their visa has been updated.

The current list of approved English language tests/test centres can be viewed [here](#).

<https://www.gov.uk/government/publications/guidance-on-applying-for-uk-visa-approved-english-language-tests>

Migration Statistics Quarterly Report: February 2019

The *Office for National Statistics* (ONS) have published their *Migration Statistics Quarterly Report* for February 2019.

Other key findings were as follows:

- Net migration continues to increase the population of the UK as an estimated 283,000 more people moved to the UK with an intention to stay 12 months or more.
- 627,000 people moved to the UK (immigration) and 345,000 people left the UK (emigration).
- Immigration to the UK has fall to its lowest level since 2014, following a fall in the number of EU citizens arriving to work.
- More EU8 citizens (Central and Eastern Europe) left the UK than arrived during this period, as the numbers arriving fell and the numbers leaving increased.
- Non-EU net migration was at its highest since 2004, allowing for a gradual increase in immigration of non-EU citizens over the past five years for both work and study.
- For year ending December 2018, there were 7,636 grants of asylum (+160 or +2%) with notable changes in grants to Turkish (+332), Iranian (-381), Eritrean (-358) and Sudanese (-315) nationals.

- For the same period, there were 2,449 grants of an alternative form of protection, which has more than doubled compared to the previous year, which is driven predominantly by an increase of 1,042 grants of humanitarian protection, particularly to Libyan nationals (+907).
- 5,806 people were provided protection under resettlement schemes (7% decrease than previous year).

The full report can be viewed [here](#).

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/february2019>

Immigration statistics, year ending December 2018 (Other)

The Home Office has published their Immigration statistics for the year ending December 2018.

This includes information about passenger arrivals, total visas granted, nationality breakdowns, family visas granted, and number of people offered protection in the form of grants of asylum, alternative forms of protection and resettlement. If this is of interest to you, you can view the full report and findings [here](#).

<https://www.gov.uk/government/statistics/immigration-statistics-year-ending-december-2018>

Working in the UK

Changes to the Immigration Rules (Working in the UK)

The UK Government has announced several changes to the Immigration Rules.

The key changes in relation to *working in the UK* are as follows:

- The exemption for minimum salary threshold for Tier 2 (i.e. £30,000) for nurses, medical radiographers, paramedics and secondary school teachers in mathematics, physics, chemistry, computer science and Mandarin was due to end in July 2019 but is being extended and will be reviewed as part of the introduction of the future border and immigration system.
- Updates are being made to the appropriate salary rates in the codes of practice in Appendix J, using the latest salary data for each occupation.
- Introduction of new Start-up and Innovator categories for those coming to the UK to set up a business, replacing the Tier 1 (Graduate Entrepreneur) and Tier 1 (Entrepreneur) categories. Applicants of both these new categories will need to be endorsed by UK trusted bodies – such as business accelerators, seed competitions and government agencies, as well as

higher education providers. These bodies will assess applicants' business ideas for their innovation, viability and scalability.

- The Tier 1 (Start-up) category will be an expanded version of the Tier 1 (Graduate Entrepreneur) category. This category will be for those starting a new business for the first time in the UK. Applicants will not need to be graduates and will not need to have secured any initial funding. Successful applicants will be granted 2 years' leave (doubled from 1 year) and will be able to progress into the Innovator category to continue developing their businesses in the UK after that time.
- The Tier 1 (Innovator) category is intended for more experienced businesspeople. As well as an endorsement, applicants will need £50,000 to invest in their business from any legitimate source (reduced from £200,000 for more applicants in the current Tier 1 (Entrepreneur) category. The funding requirement will be waived for those switching from the Start-up category who have made significant achievements against their business plans. This category may lead to settlement in the UK.
- The Tier 1 (Graduate Entrepreneur) and Tier 1 (Entrepreneur) categories will be closed as the new categories are introduced. Transitional arrangements will be put in place.
- Reforms are also being made to the Tier 1 (Investor) category to protect better against financial crime and ensure investments are of greater benefit to the UK economy.
- Tier 1 (Investor) applicants are currently asked to provide evidence that they have held the funds that they will invest in the UK for at least 90 days or, if they have not held them for 90 days, to provide evidence of the source of those funds. This 90-day requirement is being extended to a 2-year requirement, to provide greater assurance of the provenance of applicants' funds.
- Additionally, Tier 1 (Investor) applicants are currently required to open a UK bank account for the purpose of making their investment before making a Tier 1 (Investor) application. This requirement is being tightened to make explicit that the bank must carry out all required due diligence checks and Know Your Customer enquiries, and confirm that these have been done.
- Additional changes are also being made to increase the economic benefits of qualifying investments to the UK.

You can view the statement of changes to the Immigration Rules published on 7 March 2019 [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1919-7-march-2019>

Restricted Certificates of Sponsorship (RCoS)

UK Visas and Immigration (UKVI) have published their restricted Certificates of Sponsorship (RCoS) allocation for February 2019.

All valid applications received by 5th February were successful if they scored at least 21 points.

A total of 1,580 restricted certificates were granted in February 2019. The total number of certificates available for allocation in March 2019 is 1,921.

Further information can be viewed [here](#).

Please contact us on 01344 624016 or by email at enquiries@veristat.co.uk for advice or guidance on any aspect of Tier 2 sponsorship or the recruitment of migrant workers.

<https://www.gov.uk/government/publications/employer-sponsorship-restricted-certificate-allocations>

Illegal working penalties – quarterly figures

UKVI have published their quarterly report showing the total number of fines (civil penalties) for illegal working given to employers in each region of the UK. You can view the quarterly report of illegal working penalties [here](#).

The report confirmed that during the period of 1 April 2018 to 30 September 2018, there were 320 illegal working penalties issued and 454 illegal workers were found. The gross total value of penalties issued was £5,505,000 (recoverable value may be reduced due to adjustments made following any objections or appeals).

<https://www.gov.uk/government/publications/illegal-working-penalties-quarterly-totals>

Sponsorship transparency data: Tier 2/5

UK Visas and Immigration (UKVI) have published their transparency data on sponsorship activities during the fourth quarter (Q4) of 2018.

The key points in relation to *Tier 2/5* were as follows:

- A total of 27,519 Tier 2 and 3,867 Tier 5 sponsors were on the register during this period.
- During this quarterly period, new licence applications were received from:
 - 1,432 Tier 2 sponsors
 - 2 Tier 2/4 sponsors
 - 34 Tier 2/5 sponsors
 - 85 Tier 5 sponsors
- The average length of time to process a sponsorship application was 22.42 days.
- 8,310 Tier 2/5 sponsor notifications in potential non-compliance categories were received.
- A total of 158 Tier 2/4/5 pre-registration visits were conducted.

- During this quarterly period, follow-up visits were conducted for:
 - 271 Tier 2 (65 unannounced)
 - 3 Tier 5
 - 5 Tiers 2/4
 - 8 Tiers 2/5
 - 3 Tiers 4/5
- A total of 99 Tier 2/5 sponsors were suspended and 71 Tier 2/5 sponsor licences were revoked.
- 8,605 sponsor notifications received for Tiers 2 & 5 required curtailment action.

You can download the Q4 2018/2019 sponsorship transparency data [here](#).

We provide advice and support to Tier 2 and 5 sponsors on all aspects of sponsorship, so please call 01344 624016 or email enquiries@veristat.co.uk if you require any support with this.

<https://www.gov.uk/government/publications/sponsorship-transparency-data-february-2019>

Migration Statistics Quarterly Report: February 2019 (Working in the UK)

The Office for National Statistics (ONS) have published their *Migration Statistics Quarterly Report* for February 2019.

The key findings in relation to *working in the UK* were as follows:

- Immigration to the UK for work-related reasons was estimated at 231,000 in the year ending September 2018.
- Long-term immigration to the UK for work has fallen to its lowest level since 2014.
- The decrease in work-related immigration over the last two years can be largely accounted for by the recent fall in the number of EU citizens arriving with a definite job and the previous decrease in the number of EU citizens looking for work.
- In the year ending September 2018, there was an estimated 70,000 EU citizens who arrived in the UK with a definite job. This number was back to a level that was last seen in 2013.
- The number of EU citizens coming to the UK looking for work has stabilized over the last year, with an estimated 34,000 arriving in the year ending September 2018.
- For the period October to December 2018, there was an estimated 2.27 million EU nationals working in the UK, which is 61,000 fewer than the previous year.
- For the same period, there was an estimated 1.29 million non-EU nationals working in the UK, which was 130,000 more than a year earlier.
- There was an increase in the number of Certificates of Sponsorship (CoS) used in applications for Tier 2 (Skilled) work in the human health and social work sector (+54% in 2018), which was due to the removal of highly-skilled doctors and nurses from the Tier 2 visa cap.

The full report can be viewed [here](#).

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/february2019>

Immigration statistics, year ending December 2018 (*Working in the UK*)

The Home Office has published their Immigration statistics for the year ending December 2018.

This includes information about total work-related visas granted, nationality breakdowns, number of certificates of sponsorship (CoS) issued, and breakdown per sector.

If this is of interest to you, you can view the full report and findings [here](#).

<https://www.gov.uk/government/statistics/immigration-statistics-year-ending-december-2018>

Studying in the UK

Changes to the Immigration Rules (*Studying in the UK*)

The UK Government has announced several changes to the Immigration Rules.

The key changes in relation to *studying in the UK* are as follows:

- The list of countries in *Appendix H*, which sets out the different documentary requirements under Tier 4 of the Points Based System is being updated following the latest annual review of which countries meet the criteria for inclusion. Brazil, Kazakhstan, Mauritius, Oman, Peru and Tunisia have met the criteria for inclusion. Argentina, the Maldives, and Trinidad and Tobago are being removed from the list.
- A clarification is being made to the time limits for study at degree level or above to confirm that time spent studying below the age of 18 will not count towards the limit.
- A change is being made to *Appendix C* to make provision for Tier 4 (General) students, who are using funds from a financial institution which are being provided to them in the form of a loan, to meet the maintenance requirements. A further provision is being made for Tier 4 (Child) students to confirm funds are held or being provided to them by a foster carer or close relative.
- A change is being made to *Appendix E* to make clear that dependants of Tier 4 applicants, who rely on student loans or funds from official financial sponsors, are not required to demonstrate that the funds have been held for a period of 28 consecutive days.
- A further change is being made to *Appendix E* to clarify that both the dependant and main Tier 4 applicant must hold a nationality listed in *Appendix H*, in order for the dependant to

qualify for the reduced documentary requirements. The main applicant and dependent do not need to be of the same *Appendix H* nationality.

You can view the statement of changes to the Immigration Rules published on 7 March 2019 [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-1919-7-march-2019>

Sponsorship transparency data: Tier 4

UK Visas and Immigration (UKVI) have published their transparency data on sponsorship activities during the fourth quarter (Q4) of the 2018 year.

The key points in relation to Tier 4 were as follows:

- A total of 1,212 sponsors were on the register of Tier 4 sponsors during this quarterly period.
- New licence applications were received from the following during this period:
 - 13 Tier 4 sponsors
 - 2 Tier 2/4 sponsors
- During this period, the percentage of Tier 4 sponsors with full 'Tier 4 Sponsor' status was 93.4%.
- The average length of time to process a sponsorship application was 22.42 days.
- 21,382 Tier 4 sponsor notifications in potential non-compliance categories were received.
- A total of 7 Tier 4 sponsors had pre-registration visits.
- Follow-up visits took place for 26 Tier 4, 5 Tiers 2/4 sponsors and 3 Tiers 4/5.
- 1 Tier 4 sponsor received 'intention to revoke' action and 1 Tier 4 licence was revoked.
- 11,521 sponsor notifications were received for Tier 4 that required curtailment action.

You can download the Q4 2018/2019 sponsorship transparency data [here](#).

We provide advice and support to Tier 4 sponsors on all aspects of sponsorship, so please call 01344 624016 or email enquiries@veristat.co.uk if you require any support with this.

<https://www.gov.uk/government/publications/sponsorship-transparency-data-february-2019>

Migration Statistics Quarterly Report: February 2019 (Studying in the UK)

The Office for National Statistics (ONS) have published their *Migration Statistics Quarterly Report* for February 2019.

The key findings in relation to *studying in the UK* were as follows:

- The overall number of people arriving in the UK to study has increased to an estimated 217,000 in the year ending September 2018.
- Long-term student immigration is at its highest level since 2011 with most students arriving from outside of the EU.
- Non-EU student immigration has risen in the last year after remaining broadly stable from 2013 to 2017.
- There was a 10% increase in the number of study visas issued over the year. This increase was driven by visas issued to Chinese and Indian nationals.
- The university sector accounts for the majority of all sponsored visa applications.

The full report can be viewed [here](#).

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/february2019>

Immigration statistics, year ending December 2018 (*Studying in the UK*)

The Home Office has published their Immigration statistics for the year ending December 2018.

The key statistics in relation to *studying in the UK* were as follows:

- In 2018, there were 241,054 (Sponsored study) visas granted (including dependants), which was an 8% increase of 17,793 compared to previous year. This was the highest level since 2011.
- Sponsored applications for the Higher education (university) sector increased by 10% to 194,861. This is the highest level on record.
- 97% of Tier 4 (Sponsored study) visa applications were granted.
- There were notable increases in the number of Tier 4 (Sponsored study) visas granted to Chinese nationals (up 13% to 99,723) and Indian nationals (up 35% to 19,505). This was the largest number of grants to Indian students since 2011.
- In 2018, there was an 8% increase in the number of sponsored Student visa applications (main applicants). There were particular increases in the Higher education (university) sector, which increased by 10% to 194,861, which is the highest on record.
- The Higher education sector accounted for 85% of all sponsored study visa applications.
- There were 114,202 Short-term study visas granted, a 7% increase compared to previous year.

You can view/download the Home Office Immigration statistics [here](#).

<https://www.gov.uk/government/statistics/immigration-statistics-year-ending-december-2018>

Veristat Services

Advice/Support packages

These packages can either be on a fixed rate monthly retainer basis, which can include a number of services, such as: acting as your Level 1 user, issuing of CoS/CAS, immigration audit, etc. Alternatively, you can purchase an annual package of either 5, 10, 15 or 20 hours' advice/support per year at reduced rates.

If you are interested in discussing our retainer or hourly advice/support packages further, then please contact us on 01344 624016 or email us at enquiries@veristat.co.uk.

Training for employers and education providers

We provide bespoke training on all aspects of immigration matters, including Right to Work, Tier 2 sponsorship, Tier 4 sponsorship, and identification of fraudulent documents.

These training sessions are conducted on the client's premises for a standard half-day rate for up to 12 persons per session.

If you think your organisation would benefit from training in any of these areas, please contact us for a quote by emailing us at enquiries@veristat.co.uk. If you would like to discuss the contents of our training packages or require a bespoke training package to be delivered, please contact us by telephone on 01344 624016 or email us as above.

Audits and Inspections

Veristat is hugely experienced at providing compliance audits across all immigration tiers. We have worked with hundreds of employers, ranging from small family businesses to multi-nationals, high street retailers and professional sports clubs. In the education sector, we have also worked with over 30 universities and a significant number of colleges and schools.

Our audit/inspection service is fully flexible and can be tailored to individual requirements, and is based on sound practical experience of UKVI's policies, culture and approach.

- For employers, we offer on-site Tier 2 compliance inspections (with staff aware or unaware to simulate a surprise UKVI visit). We also offer right to work compliance visits.
- For education providers, our service ranges from a "lite" health-check to a comprehensive review of Tier 4 activities, assessing compliance with UKVI requirements and sharing best practice. We also offer targeted inspections covering specific issues, such as BCA, Tier 2 compliance, policies, student unions, relationships with partner institutions, etc.

On completion, we provide a comprehensive, evidence-based report, together with an assessment of how compliant the business or institution is with UKVI's requirements. We will support the introduction of change if required and offer a 'spot check' follow up service at a later date if required to reassure management that recommendations have been implemented.

If you're interested in booking an audit/inspection, please call us on 01344 624016 or email us at enquiries@veristat.co.uk.

File Inspection Days

If you're unsure whether you require a full compliance audit or specific training but would like an independent check of your files to ensure they are fully compliant with Home Office requirements, we can provide a UKVI file compliance inspection of either your staff or student files.

Depending on the number of employees/students you have, we would either check all files or an agreed sample. After the inspection has taken place, we would provide a written report outlining any risks, feedback and recommendations.

For further information or a quote for our file inspection days, please call us on 01344 624016 or email us at enquiries@veristat.co.uk.

Presentations for European nationals (Brexit)

We provide sessions targeted at European nationals currently living and working in the UK. We can come to your premises and speak directly to your EU/EEA and Swiss employees, outlining their position now, and the likely situation they may find themselves in following Brexit. These practical sessions are designed to clarify the situation and more importantly their options moving forwards.

If you're interested in booking a session for the European nationals working for you, please call us on 01344 624016 or email us at enquiries@veristat.co.uk.

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