

Immigration Update

April 2022

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

Book now for the latest Right to work training including all you need to know about IDSPs delivered on site or via Microsoft teams/Zoom. [Click here for further information.](#)

Introduction

2022 has already brought in lots of changes. The most significant of late have related to Right to Work and how UKVI have embedded technology in the entire process and removed the ability for employers to manually check Biometric permits. Please see more details below, we will continue to use these updates to inform you of the immigration news and policy updates that will most impact you as employers or education providers.

We appreciate that this continues to be an exceedingly challenging time for businesses and many of you will have been impacted by the tragic events in Ukraine. Should you need any advice or support with anything, please do not hesitate to contact us.

Inside this month's update

Working in the UK

[Right to Work checks: updated guidance for employers](#)

[Sponsoring a Skilled Worker – updated guidance](#)

[Keeping records for sponsorship \(Working in the UK\)](#)

[Updated guidance on applying for a sponsor licence](#)

[Ukrainian nationals: working visas](#)

Studying in the UK

[Keeping records for sponsorship \(Studying in the UK\)](#)

[Ukrainian nationals: student visas](#)

Other Immigration news

[Coronavirus \(Covid-19\) – updated information for visa applicants and temporary residents](#)

[Biometric Residence Permits for overseas nationals – alternative arrangements for collection of BRPs](#)

[Changes to right to rent checks](#)

[Visa routes for Ukrainian nationals](#)

[UK Immigration Fee changes](#)

Veristat Services

[Immigration training](#)

[Sponsor licence applications](#)

[Immigration audits/inspections](#)

[Immigration Advice/Support](#)

Working in the UK

Right to Work checks | Updated guidance for employers

The Home Office (UKVI) have published updated guidance for employers on conducting right to work checks. This guidance relates to checks conducted on or after 6th April 2022.

The following key changes have been made to the guidance:

- Employers can no longer accept a physical BRP, BRC or Frontier Worker Permit as evidence of right to work, and they must instead prove their right to work by conducting an online right to work check.
- The lists of acceptable documents (Annex A) has been updated to reflect the following:
 - The removal of current documents issued by the Home Office to a family member of an EEA or Swiss citizen, which indicated that the holder had permission to stay in the UK.
 - Amendments to List A and B (Group 1) to remove Biometric Immigration Documents (Biometric Residence Permits) issued by the Home Office.
 - Amendments to List B (Group 2) to remove Frontier Worker Permits issued under regulation 8 of the Citizens' Rights (Frontier Workers)(EU Exit) Regulations 2020.
 - Addition to List B (Group 2) of a Certificate of Application (CoA) digital or non-digital confirming a valid application to the EUSS on or after 1st July 2021 together with a Positive Verification Notice (PVN) from the Employer Checking Service (ECS).
 - Amendments to List B (Group 2), document no.3 to include an application for leave to enter or remain under Appendix EU to the Isle of Man Immigration Rules and removal of reference to applications submitted on or before 30th June 2021.
- Information on sponsored work and student categories has been added in Annex C.
- Amendments have been made and further guidance has been added to enable employers to use Identity Service Providers (IDSPs) to carry out digital identity verification as part of right to work checks (Annex D).
- Confirmation of the extension of Covid-19 temporary adjusted right to work checks until 30th September 2022 (Annex E).

The updated guidance can be viewed [here](#). Further information about the introduction of the digital identity checking process for employers can also be viewed [here](#).

The Home Office (UKVI) have also published an updated list for employers to check if their staff have the right to work in the UK. The right to work checklist explains the types of documents that are acceptable for checking an employee's right to work in the UK and how long the check is valid for.

The right to work checklist was updated on 6th April 2022 as some acceptable documents have been removed from the list and new information has also been added about Identity Service Providers. The updated Right to Work checklist can be viewed [here](#).

We are offering training for employers and their staff on the changes that were introduced on 6th April 2022. This includes the new digital identity verification process for right to work checks. If you are interested in booking this training, please get in touch at enquiries@veristat.co.uk for further information and a quote. This training is in high demand, so please do get in touch at the earliest convenience should you wish to book this.

<https://www.gov.uk/government/news/new-digital-identity-checking-for-landlords-and-employers-to-tackle-immigration-abuse>

<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>

<https://www.gov.uk/government/publications/right-to-work-checklist>

Ukrainian nationals and right to work checks

The Home Office (UKVI) have published additional guidance to employers on carrying out right to work checks for Ukrainian nationals. Further information can be viewed [here](#).

The key points are as follows:

- Those with a stamp or a visa in their valid Ukrainian passport, granting permission to stay under the Ukrainian Schemes, have a time-limited right to work. If an employer manually checks this document as outlined in the guidance and records it correctly, this will give them a time-limited statutory excuse. These endorsements are already included in the acceptable documents for a manual check under Annex A of the Employers Guide to Right to Work checks (List B, Group 1, Number 1). Employers should carry out a follow-up check for those with time-limited permission to work in the UK, as with all other time-limited permission.
- Any prospective employee who is a Ukrainian national, who has not applied for permission to stay in the UK, will not have a right to work. Employers should not employ them until action has been taken to regularise their status in the UK.
- If a Ukrainian national does not have a valid passport, they will need to provide their biometric information at a Visa Application Centre (VAC) and be provided with an entry clearance vignette attached to a 'Form for Affixing the Visa' (FAV). Shortly after arrival, a BRP is available for collection, and this can be used to access the Home Office online checking service to prove right to work. Where necessary, individuals can use the FAV documents as proof of right to work, in conjunction with confirmation from the Home Office Employer Checking Service (ECS) in the form of a Positive Verification Notice (PVN).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1068174/Ukrainian_nationals_and_right_to_work_checks.pdf

Sponsoring a Skilled Worker – Updated sponsor guidance

The Home Office (UKVI) have updated their guidance for sponsors on sponsoring a Skilled Worker.

The following key changes have been made:

- Paras. SK5.13 and SK7.13 have been updated to reflect amendments to going rates for occupation codes listed in Table 2 of Appendix Skilled Occupations, published on 15th March 2022. Minor cross-referencing errors in para. SK7.13 have also been corrected.
- Para. SK11.11 has been amended to reflect the fee concession for Certificates of Sponsorship assigned to CESC nationals ended on 26th February 2022.
- A note has been added to para. SK12.12 advising sponsors to include information about weekly working hours when requesting a Defined CoS. If a particular worker has not been identified when applying for a defined CoS, you cannot assume the worker you eventually assign it to will be eligible for tradeable points under Options B (relevant PhD), C (relevant PhD in a STEM subject), or E (new entrant), unless you can provide a clear justification for this. Additional information can be added in the 'Summary of job description' text box to confirm this justification. If the number of weekly hours is subject to negotiation or final agreement, you should enter the number of hours you would normally expect employees in a similar role to work each week, and enter "to be confirmed" (or a similar phrase) in brackets. The correct number of hours can be entered when you assign the CoS to a worker.

The updated sponsor guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/workers-and-temporary-workers-sponsor-a-skilled-worker>

Applying for a sponsor licence

The Home Office (UKVI) have made changes to their guidance on applications made for a sponsor licence to reflect the introduction of the new Global Business Mobility routes. The updated guidance can be viewed [here](#).

Sponsor guidance Appendix A: supporting documents for sponsor applications. Further information can be viewed [here](#). Table 3 has been updated to reflect the introduction of the new Global Business Mobility routes, and specify the evidence required for these routes. Other minor housekeeping changes have also been made.

<https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-part-1-apply-for-a-licence>

<https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>

Keeping records for sponsorship (*Working in the UK*)

The Home Office (UKVI) have updated their guidance for sponsors on the sponsorship documentation that must be retained.

The following key changes have been made:

- The introduction, Part 3 and Part 5 have been updated to include references to the new Global Business Mobility routes.
- The headings for Parts 1 to 4 have been simplified.
- Part 1, paragraph a (formerly paras. a, c and d) has been simplified and combined to align with published guidance on conducting right to work checks; subsequent paragraphs in this part have been renumbered accordingly.
- A minor clarification has been made to Part 1, para. b on when it is necessary to check a sponsored worker's date of entry.
- A minor amendment has been made to Part 1, para. c to reference online right to work checks.
- A minor amendment has been made to Part 1, para. h to reference the Sporting code of practice.
- A new paragraph has been added (Part 1, para. j) specifying evidence that must be retained by sponsors on the Global Business Mobility – Secondment Worker route in relation to a contract for goods or investment; subsequent paragraphs in this part have been renumbered accordingly.

The updated *Appendix D: keeping records for sponsorship* can be viewed [here](#).

<https://www.gov.uk/government/publications/keep-records-for-sponsorship-appendix-d>

Ukrainian nationals: Working visas

The Home Office (UKVI) have confirmed that Ukrainian nationals who are currently in the UK on a Skilled Worker visa that is due to expire can apply to extend their leave or apply for settlement if they meet the Immigration Rules. Further information can be viewed [here](#).

Ukrainian nationals who are in the UK on a Seasonal Worker visa can extend their visa to 31st December 2022. They must continue working in a job permitted by the Seasonal Worker route, with the same Scheme Operator (their sponsor). They do not need to do anything. UKVI will work with their Immigration Sponsor to progress their visa extension. They'll receive a notification from the Home Office that this concession applies to them.

<https://www.gov.uk/guidance/ukrainian-nationals-in-the-uk-visa-support>

Global Business Mobility routes

The Home Office (UKVI) has published the annual going rates for jobs that are eligible for certain Global Business Mobility visas: Senior or Specialist Worker, Graduate Trainee, and UK Expansion Worker. The going rates for Global Business Mobility visas can be viewed [here](#).

The Home Office (UKVI) has also published guidance for their immigration staff for how they will consider applications to enter or remain in the UK on the new Global Business Mobility routes. You can view the caseworker guidance [here](#).

<https://www.gov.uk/government/publications/global-business-mobility-going-rates-for-eligible-occupations>

<https://www.gov.uk/government/publications/global-business-mobility-routes-caseworker-guidance>

Updated Sponsor Guidance for Seasonal Workers

The Home Office (UKVI) has published updated guidance for employers on sponsoring a seasonal worker. The updated guidance can be viewed [here](#).

The key changes are as follows:

- The concession for ornamental horticulture has been removed, as these roles are now incorporated within the Immigration Rules for this route.
- All references to haulage driving have been removed as these workers are no longer eligible for sponsorship.
- SE6: this section has been amended to remove references to assigning a CoS before 6th April, and to clarify that only guaranteed basic gross pay is included in the pay requirement.

<https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-sponsor-a-seasonal-worker>

Youth Mobility Scheme | Updated caseworker guidance

The Home Office (UKVI) has published updated guidance for their staff on considering applications under the Youth Mobility Scheme category. This guidance has been updated to reflect additional clarity introduced in the Spring rules changes.

The guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/points-based-system-tier-5-youth-mobility-scheme>

Sponsoring Ministers of Religion or Religious Workers

The Home Office (UKVI) have published updated guidance for those sponsoring a Minister of Religion or Religious Worker. The updated guidance can be viewed [here](#).

The following key changes have been made:

- Reference to transitional provisions have been deleted as they are no longer required.
- Sections MRW3 and MRW4 of the previous version have been combined into a new section MRW3, with all subsequent sections renumbered accordingly.
- Section MRW7.6 (formerly MRW8.6) has been amended to reflect the fee concession for Certificates of Sponsorship assigned to CESC nationals ended on 26th February 2022.

The Home Office (UKVI) has also published updated guidance for their staff in relation to those who have been sponsored to perform a key leading role within a faith-based organisation or religious order in the UK. The guidance has been updated to reflect the amendments to the paragraph numbers in Appendix T2 Minister of Religion in the Immigration Rules. The updated caseworker guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/t2-minister-of-religion-caseworker-guidance>

Sponsoring a Creative Workers

The Home Office (UKVI) has published updated guidance for those sponsoring a Charity Worker.

The following key changes have been made:

- Para. CRW1.18 has been amended to reflect the introduction of the Global Business Mobility: Service Supplier route.
- Para. CRW5.6 has been amended to reflect the fee concession for Certificates of Sponsorship assigned to CESC nationals ended on 26th February 2022.
- Paras. CRW6.6, CRW6.27 to CRW6.29 have been amended to make minor clarifications to cover Creative Workers undertaking consecutive engagements.

The updated sponsor guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/worker-and-temporary-workers-guidance-for-sponsors-sponsor-a-creative-worker>

Sponsoring an International Agreement Worker

The Home Office (UKVI) has published updated guidance for those sponsoring an International Agreement Worker

The following key changes have been made:

- The route definition has been amended to reflect that the provisions for contractual service suppliers and independent professionals have been replaced by the new Global Business Mobility – Service Supplier route from 11th April 2022.
- References to previous transitional arrangements have been deleted.
- Paras. IAW1.1, IAW1.2, IAW2.4, IAW3.1 have been amended to reflect that contractual service suppliers and independent professionals are no longer covered by this route.
- Text on grant periods have also been redrafted for clarity and to remove references to contractual service suppliers and independent professionals.

You can view the updated sponsor guidance [here](#).

<https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-sponsor-an-international-agreement-worker>

Sponsoring a Government Authorised Exchange Worker

The Home Office (UKVI) has published updated guidance for those sponsoring a Government Authorised Exchange Worker.

The following key changes have been made:

- References to transitional provisions have been deleted as they are no longer required.
- Para. GA5.6 has been amended to reflect the fee concession for Certificates of Sponsorship assigned to CESC nationals ended on 26th February 2022.
- Other minor housekeeping changes have been made.

You can view the updated sponsor guidance [here](#).

<https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-sponsor-a-government-authorised-exchange-worker>

Sponsoring a Charity Worker

The Home Office (UKVI) has published updated guidance for those sponsoring a Charity Worker.

The following key changes have been made:

- References to transitional provisions have been deleted as they are no longer required.
- Para. CHW4.6 has been amended to reflect the fee concession for Certificates of Sponsorship assigned to CESC nationals ended on 26th February 2022.

The updated sponsor guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-sponsor-a-charity-worker>

Studying in the UK

Keeping records for sponsorship (*Studying in the UK*)

The Home Office (UKVI) have updated their guidance for sponsors on the sponsorship documentation that must be retained.

A minor clarification has been made to Part 5 of the guidance on checking a sponsored student's right to study. In relation to copying a sponsored migrant's current passport, if the applicant has been issued a vignette in their passport for travel, this must show the migrant's entitlement to study with the licensed sponsor in the UK.

The updated *Appendix D: keeping records for sponsorship* can be viewed [here](#).

<https://www.gov.uk/government/publications/keep-records-for-sponsorship-appendix-d>

Ukrainian nationals: Student visas

The Home Office (UKVI) have confirmed that Ukrainian nationals who are currently in the UK on a Student visa that is due to expire can apply to extend their leave, switch to a Graduate visa, or switch to another type of visa if they meet the Immigration Rules.

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

<https://www.gov.uk/guidance/ukrainian-nationals-in-the-uk-visa-support>

Other Immigration News

Right to Rent document checks: user guide

The Home Office (UKVI) has published updated guidance for landlords and tenants on how right to rent checks should be carried out and which documents are acceptable. The guidance has been updated with the changes in the way in which BRP/Cs and Frontier Worker Permit (FWP) holders evidence their right to rent using the Home Office online service only. Landlords can no longer accept or check a physical BRP, BRC or FWP as valid proof of right to rent, even if it has a later expiry date.

The updated guidance for right to rent document checks be viewed [here](#).

<https://www.gov.uk/government/publications/right-to-rent-document-checks-a-user-guide>

UK visa support for Ukrainian nationals

The Home Office (UKVI) has published guidance on support available to Ukrainian nationals and their family members. Further information/guidance can be viewed [here](#).

This includes information about the following schemes:

- Ukraine Family Scheme
- Ukraine Sponsorship Scheme (Homes for Ukraine)
- Other visas

It also provides information for Ukrainian nationals already in the UK with a visa and how they can extend their stay or switch into another immigration route, where eligible, even if their visa does not normally allow them to do so.

A Statement of changes to the Immigration Rules has also been laid down in Parliament to introduce changes in relation to the Ukraine Family Scheme, the Homes for Ukraine Sponsorship Scheme and the minor technical changes which came into effect on 30th March 2022. Further information can be viewed [here](#).

The Home Office (UKVI) has also published guidance detailing concessions for those employed in Ukraine by the Foreign Office, the British Council and contractor TLS, which can be viewed [here](#).

<https://www.gov.uk/guidance/support-for-family-members-of-british-nationals-in-ukraine-and-ukrainian-nationals-in-ukraine-and-the-uk>

Biometric Resident Permits for overseas applicants

Following input from larger sponsors and representatives, the Home Office have developed two alternatives for customers collecting their Biometric Residence Permits (BRPs) at Post Office branches selected during the visa application process. These alternatives are now extended to a wider range of users and some of the initial constraints have been removed.

There are two types of Alternative Collection methods:

- **Alternative Collections Locations:** Organisations can request to be an ACL subject to meeting the requirements set out in the guidance. It allows BRP cards to be sent directly to the ACL to distribute to their students, clients or employees. It negates the need to attend a Post Office branch to collect their BRP and is often more convenient.
- **Standing Authority:** This enables a person(s) from a particular organisation to collect BRPs from a Post Office branch or on behalf of individuals who may be students, clients or employees of that organisation.

This guidance provides information and instructions for institutions, organisations or employers wishing to apply to become an approved ACL operator or to apply for Standing Authority.

The guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/biometric-information>

Coronavirus (Covid-19): advice for UK visa applicants and temporary UK residents

The Home Office (UKVI) have updated their advice for UK visa applicants and temporary UK residents in light of coronavirus (Covid-19). The updated advice can be viewed [here](#).

The key changes are as follows:

- The guidance has been updated to include an extension to 30th June 2022 of the concession allowing applications to be submitted at any Visa Application Centre (VAC) if your VAC is closed due to coronavirus restrictions.
- The guidance has been updated to highlight that the date of the exceptional assurance has been extended to 30th April 2022.

<https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents>

Support for vulnerable applicants to the EU Settlement Scheme

The Home Office has announced further funding to help vulnerable EU, EEA and Swiss citizens and their family members apply to the EU Settlement Scheme (EUSS).

£2.5 million additional funding will go to a network of 68 grant funded organisations located throughout the UK which will help people to apply to the EUSS who have vulnerabilities such as language barriers and IT support.

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

<https://www.gov.uk/government/news/support-for-vulnerable-applicants-to-the-eu-settlement-scheme>

Dependent family members in work routes

The Home Office (UKVI) has updated their guidance for staff on considering applications from people who wish to enter or remain in the UK as a dependent family member.

Changes have been made to the guidance to reflect the expansion of Intra-Company routes to Global Business Mobility routes.

The updated guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/dependent-family-members-in-work-routes-immigration-staff-guidance>

UK visa fees for applications made from outside and within the UK

The Home Office (UKVI) have published updated immigration and nationality fees for all applications made from outside and within the UK.

You can view the latest UK visa fee tables [here](#).

<https://www.gov.uk/government/publications/visa-regulations-revised-table>

Veristat Services

Training on IDSPS, the Skilled Worker or Student routes/Right to Work/Forgery

We provide comprehensive training on all aspects of immigration, including; IDSPs, the Student route, the Skilled Worker route, Right to Work and the identification of fraudulent documents.

We can also deliver a session simply focusing on the recent changes being brought about by the new points-based immigration system and how employers and education providers can be prepared moving forwards.

The new routes have brought about significant changes for sponsors and our training outlines these changes and helps prepare employers and education providers for sponsoring employees and students under these routes.

All training can be provided in person on the client's site or remotely via Microsoft teams/Zoom.

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 call us on 01344 624016 or email us as above.

Sponsor licence applications

With the introduction of the 2021 immigration system, employers or education providers wishing to employ EEA/EU nationals or non-EEA nationals who do not have right to work need to apply for a Sponsorship licence.

We provide a comprehensive advice and support package to employers and education providers applying for a licence. This can include preparation for a Home Office (UKVI) visit and training on the new Skilled Worker or Student routes and the SMS system, as well as assistance with applying for

Certificates of Sponsorship (CoS) or Confirmation for Acceptance for Studies (CAS) and a step by step guide for completing the application itself.

Please email us at enquiries@veristat.co.uk or by telephone on 01344 624016 for further details and/or a quote for helping you with your application.

Audits and Inspections

Veristat is hugely experienced in providing compliance audits across all immigration routes. We have worked with hundreds of employers, ranging from small family businesses to multi-nationals, high street retailers and professional sports/football clubs. In the education sector, we have 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. It is based on sound practical experience of UKVI's policies, culture and approach.

- For employers, we offer on-site Skilled Worker or ICT compliance inspections (with staff aware or unaware to simulate an announced or unannounced 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 student route activities, assessing compliance with UKVI requirements and sharing best practice. We also offer targeted inspections covering specific issues, such as BCA, Skilled Worker 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 beneficial to reassure management that recommendations have been implemented.

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

Please note we are also now offering remote audits and inspections- please contact us for more details.

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.

Advice/Support packages

We offer advice/support packages on either a fixed rate monthly retainer basis or on a fixed-hourly basis, which can include a number of our services, such as: acting as your Level 1 user, issuing of CoS/CAS, immigration audit, etc. If you do not require ongoing retainer advice/support, we offer either 5 or 10 hour annual support packages 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.

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