

Immigration Update

December 2021

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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! Arrange your bespoke Immigration training delivered on site or via Microsoft teams/Zoom. Click here for further information.



Festive greetings

We have very much enjoyed working with you all over the past year and we wish you, your colleagues and your families a happy, healthy, prosperous and peaceful New Year!

We will be available to respond to urgent queries over the festive period, and our office will be open for usual business from Wednesday 5th January 2022.

Festive greetings from all at Veristat!

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Working in the UK

Seasonal Workers

A statement of changes has been laid before Parliament to allow pork butchers for specified pork processing activities to come to the UK on the seasonal Worker immigration route for a limited time. A correction is also being made to the Immigration Rules to correct an error which inadvertently limited the grounds on which applicants can challenge a previous decision. The full statement and explanatory memorandum can be viewed [here](#).

The guidance for sponsors on sponsoring a seasonal worker has also been updated to reflect this temporary change, as well as to make some other minor amendments. The updated guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-803-1-november-2021>

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

Innovator and Start-up visas

The Home Office (UKVI) have updated the guidance for their staff on how applications for an Innovator or Start-up visa are considered. The guidance reflects additions to the validation and cancellation actions taken when endorsing bodies are no longer active or no longer supporting a migrant at the time of consideration. The revised guidance can be viewed at the following links:

Innovator visa caseworker guidance – <https://www.gov.uk/government/publications/innovator-appendix-w-workers>

Start-up visa caseworker guidance - <https://www.gov.uk/government/publications/start-up-appendix-w-workers>

The lists of the authorised bodies/organisations that can endorse applications for an Innovator or Start-up visa have also been updated and can be viewed at the below links:

List of endorsing bodies for Innovator visas:

<https://www.gov.uk/government/publications/endorsing-bodies-innovator>

List of endorsing bodies Start-up visas:

<https://www.gov.uk/government/publications/endorsing-bodies-start-up>

ATAS certificates

All sponsors assigning CoS on the Skilled Worker, Intra-Company, Government Authorised Exchange or International Agreement routes must check and confirm whether the worker needs an Academic Technology Approval Scheme (ATAS) certificate. This applies even if you are not also a Student sponsor. You can check whether a worker needs an ATAS certificate [here](#). Further information can also be found in the 'ATAS requirement' section of the sponsor guidance, which can be viewed [here](#).

<https://www.gov.uk/uk-visa-sponsorship-employers/check-whether-your-worker-needs-an-atas-certificate>



Studying in the UK

Coronavirus (Covid-19): Updated guidance for Student sponsors, migrants and Short-term students

The guidance for student sponsors, migrants and short-term students on the temporary concessions in response to the coronavirus (Covid-19) pandemic. The updated guidance can be viewed [here](#).

The key changes are as follows:

- You can no longer continue to sponsor Students/Child Students (including Tier 4) who are continuing their studies through distance learning, whether they are in the UK or overseas.
- The concessions on Secure English Language Tests (SELTs) giving sponsors an increased ability to make their own assessment of a student's English ability also ended on 27th September 2021 in line with the distance learning concession.
- The concession which permitted Students to apply to study a course that commenced more than 28 days after their current period of permission has also ended.
- Students who are unable to complete their course of study during their current period of permission due to Covid-19 can no longer apply in-country to complete that course. This includes students who need further time to complete an assessment or sit examinations.
- Students who otherwise need more time to complete a course as a result of Covid-19, or need to make a new application, are no longer exempt from demonstrating academic progression.

<https://www.gov.uk/government/publications/coronavirus-covid-19-student-sponsors-migrants-and-short-term-students>



Other Immigration News

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

The Home Office (UKVI) has published updated advice and information to visa applicants and temporary residents in relation to the coronavirus (Covid-19).

The key changes are as follows:

- Visa holders who intend to leave the UK to return to a country or territory but have not been able to do so and have a visa/leave that expires before 31st January 2022 may request additional time to stay, known as 'exceptional assurance'.
- Whilst UKVI continues to accept visit visa applications from red list countries, there has been a pause on assessment of these applications until after travel restrictions have been lifted. If applicants need to travel urgently for compassionate reasons, the application should still be submitted but the applicant will need to clearly explain the compelling or compassionate reasons for their visa on the application form and should also alert the staff at the Visa Application Centre during biometric submission.
- Standard UK visitor visas are currently taking longer than usual to process due to high global demand, so applicants should bear this in mind when making travel arrangements.
- The concessions in relation to loss of earnings due to Covid-19 for those applying to enter the UK or remain on the basis of family or private life only relate to the period before 31st October 2021. Any income loss after this date will not be taken into account within the financial concessions and applicants will be expected to meet minimum income and adequate maintenance requirements as per pre-pandemic levels.

The latest advice and information can be viewed [here](#).

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

Using the 'UK Immigration: ID Check' app

The information provided by the Home Office (UKVI) on using the 'UK Immigration: ID Check' app for visa applicants has been updated to include the use of biometric residence permits (BRPs) to verify identity if their application route allows them to.

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

<https://www.gov.uk/guidance/using-the-uk-immigration-id-check-app>

Proving English Language abilities with a secure English Language test (SELT)

The Home Office (UKVI) have updated their list of approved secure English Language tests (SELT) and test centres that can be used for visa or citizenship applications. The updated list of SELT tests and test centres can be downloaded [here](#).

<https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-selt>

Long-term International Migration: year ending December 2020 (provisional report by ONS)

The Office for National Statistics (ONS) has published their provisional report on UK international migration throughout 2020 and the impact of the coronavirus (Covid-19) pandemic.

The key points were as follows:

- Net migration fell significantly in 2020, with an estimated 34,000 more people immigrating than emigrating during this period.
- Immigration was much lower during 2020 than in previous years, likely caused by a combination of the coronavirus (Covid-19) pandemic and Brexit.
- Emigration also fell in 2020, but to a lesser extent than it for immigration with an estimated 234,000 people leaving the UK to live abroad during this period, compared with 300,000 people in 2019.
- Net migration in 2020 for EU nationals was negative, with 94,000 more EU nationals estimated to have left the UK than to have arrived.

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

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/longterminternationalmigrationprovisional/yearendingdecember2020>

Inspection of UK Visas and Immigration's front end services

The Home Office (UKVI) have published their response to the Independent Chief Inspector of Borders and Immigration's (ICIBI) report of UKVI's front end services. The ICIBI report and the Home Office's response can be viewed [here](#).

<https://www.gov.uk/government/publications/response-to-an-inspection-of-uk-visas-and-immigration-front-end-services>

Dependant Family Members – updated caseworker guidance

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

The key changes are as follows:

- The co-habitation requirements for unmarried partners have been clarified.
- Additional guidance has been provided on exceptional circumstances for parents where the other parent cannot travel.
- Clarification has been provided on the status requirement of a second parent.
- Further guidance is provided on how to address children from previous relationships.

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

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

Family route: updated guidance on adequate maintenance and accommodation

The Home Office (UKVI) have published updated guidance for their staff on considering family migration applications that are not required to, or cannot, meet the minimum income threshold to update the Covid-19 concessions and other internal links. The updated guidance can be viewed [here](#).

The guidance confirms that where there is evidence of temporary loss of income due to Covid-19 during the period 1 March 2020 to 31 October 2021, applicants will be able to apply the temporary Covid-19 concessions.

<https://www.gov.uk/government/publications/family-migration-adequate-maintenance-and-accommodation>

Continuous Residence – updated caseworker guidance

The Home Office (UKVI) have published new guidance for their staff on assessing and calculating the continuous residence requirements under Appendix Continuous Residence which applies to specified routes from 6th October 2021.

The new guidance on Appendix Continuous Residence can be viewed [here](#).

<https://www.gov.uk/government/publications/continuous-residence>



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

We provide comprehensive training on all aspects of immigration, including; 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 new immigration system, employers or education providers wishing to sponsor EEA/EU nationals or non-EEA nationals will 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

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.



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