

Immigration Update

October 2021

www.veristat.co.uk T: +44(0)1344 624016

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.

Introduction

The last 12 months have been a period of significant change in the area of immigration. We appreciate that this has been quite challenging for employers and education providers alike and want to reassure you that we are available to support you in any way we can.

Now is the time to ensure you are familiar with the new system and we are happy to assist through bespoke training delivered on your premises or remotely via Microsoft Teams or Zoom. We also continue to help employers and education providers who did not previously require a sponsorship licence but who, following the changes will now need to apply for one. If you are in this position and need any assistance, please do not hesitate to get in touch.

Inside this month's update

Working in the UK

[Changes to Immigration Rules: Skilled Worker and Tier 2 Sportsperson route](#)

[Updated information for EU citizens about working in the UK](#)

[Tier 1 \(Entrepreneur\) – Temporary Covid concessions](#)

Studying in the UK

[Updated guidance for Student/Child Student sponsors](#)

[Financial evidence for Student and Child Student route applications](#)

[Guidance on studying whilst in the UK as a visitor](#)

Other Immigration news

[Changes to the EU Settlement Scheme](#)

[Updated guidance to landlords and tenants about right to rent checks](#)

[Use of National Identity Cards by EEA/EU and Swiss citizens](#)

[Visiting the UK – updated guidance](#)

Veristat Services

[Immigration training](#)

[Sponsor licence applications](#)

[Immigration audits/inspections](#)

[Immigration Advice/Support](#)

Working in the UK

Changes to Immigration Rules: Skilled Worker and Tier 2 Sportsperson route

As a result of the disruption caused by the coronavirus (Covid-19) pandemic, concessions were put in place for those who applied under Tier 2 or the Skilled Worker route in the UK between 24 January 2020 and 30 June 2021, allowing them to start working for their sponsor while waiting for a decision on their application. A change is being made to the settlement rules to allow those who successfully applied in the UK during this period to include the time they were waiting for a decision towards the five years continuous residence required for settlement as a Skilled Worker or as a Tier 2 Sportsperson.

A correction is also being made to the Skilled Worker route to make clear that a sponsor must be A-rated to certify the finance requirement, as set out in Part 2 of the Sponsor Guidance. A further correction is being made to confirm the minimum hourly rate of £10.10 (introduced on 6 April 2021) that applies to applications for settlement as well as for entry clearance and permission to stay.

A new International Sportsperson route is also being introduced to replace the T2 and T5 Temporary Worker routes for professional sporting workers with simplified, dedicated visa arrangements. The new route will continue to offer a dedicated option for anyone wishing to come for 12 months or less but will bring together the T2 and T5 offers into one dedicated category.

You can view the full statement of changes to the Immigration Rules [here](#). The Home Office (UKVI) have also updated their guidance to immigration staff on considering applications under the Skilled Worker route. The updated caseworker guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

<https://www.gov.uk/government/publications/skilled-worker-visa-caseworker-guidance>

Updated information for EU Citizens about working in the UK

The information for EU, EEA and Swiss wishing to work in the UK has been updated by the Home Office (UKVI). The updated information can be viewed [here](#).

This document outlines the application process for those wishing to come to the UK to study in the UK following the end of free movement between the UK and the European Union. The document also confirms that the deadline for most people to apply to the EU Settlement Scheme (EUSS) was 30 June 2021, but that they have made provisions for late applications for those who can show they have reasonable grounds for missing the deadline.

<https://www.gov.uk/guidance/the-uks-points-based-immigration-system-information-for-eu-citizens>

Tier 1 (Entrepreneur) - Temporary Covid-19 Concessions

Under the coronavirus (Covid-19) concession for Tier 1 (Entrepreneur) migrants whose businesses had been negatively impacted by the pandemic were able to extend their leave, provided they had created the equivalent of two full-time jobs for settled workers at the time of application, but without having to demonstrate that the jobs had existed for a minimum period of 12 months. You can view the full statement of changes to the Immigration Rules [here](#).

From 1 October 2021, this second requirement must however be met before the applicant can qualify for settlement, in addition to the existing job creation requirement that applies to all settlement applications. The settlement rules in *Appendix A: attributes*, have been amended to reflect this and to clarify existing policy.

In view of these changes, the guidance for those applying to come to the UK or extend their stay under the Tier 1 (Entrepreneur) route has been updated. The updated guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

<https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-entrepreneur>

Changes to the Youth Mobility Scheme

As part of the recent Statement of Changes to the Immigration Rules laid before Parliament, the following key changes are being made to the Youth Mobility Scheme:

- Re-branding from T5 (Temporary Worker) Youth Mobility Scheme to Youth Mobility Scheme.
- Iceland is being added to the Youth Mobility scheme country list as a country without Deemed Sponsorship Status with an allocation of 1,000 places.
- India is being added to the list of countries where invitation to apply arrangements apply.
- The route is also being updated to allow citizens and nationals or the rightful holder of a passport issued by a territory without Deemed Sponsorship Status to apply for this route from any post that accepts such applications worldwide.

You can view the full statement of changes to the Immigration Rules [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

Changes to the T2 Minister of Religion route

The minimum age requirement on the T2 Minister of Religion route has been raised from 16 to 18 with effect from 6th October 2021. Subsequently, the Home Office (UKVI) have updated their guidance for their staff on considering applications under this route. The updated caseworker guidance can be viewed [here](#).

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

Endorsing bodies for Start-Up/Innovator visas

Swansea University has been added to the list of endorsing bodies that can endorse applications for Start-Up visas. The full list of endorsing bodies for Start-Up visas can be viewed [here](#).

Swansea University and University St Andrews have been added to the list of endorsing bodies that can endorse applications for Innovator visas. The full list of endorsing bodies for Innovator visas can be viewed [here](#).

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

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

Changes to the Global Talent route

Changes are being made to the endorsement criteria and evidential requirements of the Global Talent route to reflect feedback and recommendations from the endorsing bodies for this route. You can view the full statement of changes to the Immigration Rules [here](#).

The list of approved awards databases accepted by the UK Research and Innovation (UKRI) approved databases in relation to applications under the Global Talent route has also been updated. The updated UKRI approved databases list can be viewed [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

<https://www.gov.uk/government/publications/ukri-approved-databases-list-global-talent>

Shortages of HGV drivers and poultry workers

The UK Government have announced the actions being taken to tackle the shortage of HGV drivers and poultry workers in the UK. 5,000 HGV drivers and 5,500 poultry workers have been added to the existing Temporary Worker visa schemes until Christmas 2021 to ease supply chain pressures in food and haulage industries during exceptional circumstances this year.

<https://www.gov.uk/government/news/more-support-to-help-people-to-become-hgv-drivers-among-package-of-government-measures-to-ease-risk-of-shortages>

<https://www.gov.uk/government/news/up-to-5500-poultry-workers-to-help-deliver-christmas-dinners>

Shortage Occupations List (Orchestral Musicians)

The Home Office (UKVI) have updated the list of jobs that are currently considered to be shortage occupations. The entry for SOC code 3415 (Musicians) has been updated to confirm that only skilled orchestral musicians who are leaders, principals, sub-principals or numbered string positions are included. They must also have met the standard required by internationally recognised UK orchestras and the orchestra must be a full member of the Association of British Orchestras.

You can view the latest *Appendix Shortage Occupations* [here](#).

<https://www.gov.uk/government/publications/skilled-worker-visa-shortage-occupations/skilled-worker-visa-shortage-occupations>

Studying in the UK

Sponsoring a Student/Child Student – updated Sponsor guidance

The Home Office (UKVI) have updated the 'Sponsorship Duties' guidance for Student/Child Student sponsors. The updated guidance can be viewed [here](#).

The key changes are as follows:

- The guidance has been updated to confirm that sponsors can accept Certificates of Application (CoA) issued to an EU, EEA or Swiss national (or joining family member) as proof of their right to study in the UK (paragraph 2.11). The CoA should confirm receipt of their valid application under the EU Settlement Scheme.
- Clarification has also been added in relation to study abroad programmes and work placement durations.

<https://www.gov.uk/government/publications/student-sponsor-guidance>

Short-term students – updated Caseworker guidance

The Home Office (UKVI) have updated their guidance to their staff on how applications under the Short-term Student (English Language) route are considered. The guidance has been updated to remove *Accreditation Body for Languages (ABLS)* from the list of approved Accreditation bodies. ABLS are no longer providing accreditation services as of 1st October 2021.

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

<https://www.gov.uk/government/publications/short-term-students>

Activities that students can undertake in the UK as a Visitor

In the recent changes to the Immigration Rules that have been laid before Parliament, the following changes have been made in relation to activities that are permitted whilst a student is here as a Visitor. The visitor rules are being updated to incorporate a concession in the Visit guidance, which allows students to come to the UK to undertake activities relating to a course they are undertaking at a UK institution from overseas via distance learning.

The changes will also allow students studying nursing overseas at the equivalent of degree level to come to the UK as a visitor to undertake electives with a UK higher education provider, provided these are unpaid and involve no treatment of patients.

Clarification will also be made that research students who have been accepted by a UK higher education provider to undertake research or research tuition as part of a course of study they are undertaking overseas can do so at a UK research institute, provided a formal partnership exists between the higher education provider and the research institute.

You can view the full statement of changes to the Immigration Rules [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

Financial evidence for Student and Child Student route applicants

The guidance for Student and Child Student route applicants has been updated to clarify how the 28 days are calculated in relation to the control of funds held by either the student or their parent(s)/partner. The updated guidance can be viewed [here](#).

The student or child student applicant, or the account holder (such as their parent or partner), must have control of the funds they are relying on. The applicant must show the funds have been held for 28 days, unless they are relying on a student loan or official financial sponsorship.

The bank statement(s) or evidence they use to show funds have been held for 28 days must be from the 31 days before they submit their application. The 28 days is calculated by counting back from the date of the closing balance on the most recent financial evidence.

As this is a key area where applications are often refused, it is important that applicants adhere to the above requirements.

<https://www.gov.uk/guidance/financial-evidence-for-student-and-child-student-route-applicants>

Updated information for EU Citizens about studying in the UK

The information for EU, EEA and Swiss wishing to study in the UK has been updated by the Home Office (UKVI). The updated information can be viewed [here](#).

This document outlines the application process for those wishing to come to the UK to study in the UK following the end of free movement between the UK and the European Union. The document also confirms that the deadline for most people to apply to the EU Settlement Scheme (EUSS) was 30 June 2021, but that they have made provisions for late applications for those who can show they have reasonable grounds for missing the deadline.

<https://www.gov.uk/guidance/the-uks-points-based-immigration-system-information-for-eu-citizens>

Other Immigration News

Changes to the EU Settlement Scheme (EUSS)

From 6 October 2021, the concession for applicants whose continuous residence in the UK has been affected by coronavirus (Covid-19), such as when they would have exceeded the permitted absence from the UK, will cease to operate.

Changes are also being made to the EUSS and the EUSS family permit regarding joining family members, including:

- To allow a joining family member to apply to the EUSS whilst in the UK as a visitor. From 6 October 2021, the temporary concession to this effect outside Appendix EU where certain joining family members are concerned, as currently set out in the EUSS caseworker guidance, will cease to operate.
- Technical changes to reflect the passing of the 30 June 2021 deadline for applications to the EUSS by those resident in the UK by the end of the transition period (though a late application can still be made where there are reasonable grounds as to why the person missed that deadline).

- Technical changes to reflect the fact that, as the Home Office has already confirmed to relevant stakeholders, a person who is exempt from immigration control can, if they wish, apply to the EUSS whilst they remain exempt, or they can apply once they have ceased to be exempt.

You can view the full statement of changes to the Immigration Rules [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

EU, EEA and Swiss citizens: National Identity Cards

To be consistent with the Citizens' Rights Agreements, EU, other EEA and Swiss citizens resident in the UK by the end of the transition period at 2300 on 31st December 2020 and certain EEA citizen family members can continue to use their EEA national identity card to enter the UK until at least the end of 2025. The citizens' rights cohort is comprised of EEA citizens in any of the following groups:

- A national of Switzerland with a valid entry clearance granted under Appendix Service Providers from Switzerland to the Immigration Rules.
- An EEA citizen with valid indefinite or limited leave to enter or remain granted under the EUSS (in Appendix EU to the Immigration Rules), or who has made a valid application under that Appendix (other than as a joining family member of a relevant sponsor, as defined in Annex 1 to that Appendix) which has not yet been finally determine.
- An EEA citizen with a valid entry clearance in the form of an EU Settlement Scheme Family Permit.
- An EEA citizen with a frontier worker permit
- An EEA citizen seeking to come to the UK as an S2 Healthcare Visitor

Furthermore, a British citizen of Gibraltar may continue to use their national identity card indefinitely to enter the UK.

You can view the full statement of changes to the Immigration Rules [here](#).

<https://www.gov.uk/government/publications/statement-of-changes-to-the-immigration-rules-hc-617-10-september-2021>

Updated information for EU Citizens visitors on the UK's points-based Immigration System

The 'Information for EU, EEA and Swiss visitors' document has been updated by the Home Office (UKVI). The updated information can be viewed [here](#).

This document confirms that EU, EEA and Swiss citizens can continue to visit the UK without applying for a visa and in most cases, can stay for up to six months. It also provides information about the wide range of activities that they may participate in as a visitor, including tourism, visiting family/friends, short-term study, and business-related activities, such as attending job interviews, meetings, events and conferences. The information also confirms that they may enter the UK multiple times during the six-month visit, but they must not live in the UK by means of frequent or successive visits.

<https://www.gov.uk/guidance/the-uks-points-based-immigration-system-information-for-eu-citizens>

Visiting the UK

In light of the recent changes to the Immigration Rules, the Home Office (UKVI) have updated their guidance to their staff on considering applications from those who wish to visit the UK.

The key changes made are as follows:

- Clarification to the provisions for au-pairs, jobseekers, and business visitors coming to the UK to manufacture and supply goods.
- Clarification of the scope of activities permitted under the Permitted Paid Engagement Visitor route
- Consolidation of the guidance on medical treatment into one section
- Updated guidance on considering applications for long validity visas

The updated caseworker guidance on visiting the UK can be viewed [here](#).

<https://www.gov.uk/government/publications/visit-guidance>

Right to Rent checks: updated guidance for landlords and tenants

The Home Office (UKVI) have updated their guidance for landlords and tenants on conducting right to rent checks. The information has been updated relating to the way in which those with outstanding EUSS applications may evidence their right to rent.

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

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

Simplified Travel System

The Home Office (UKVI) have updated their advice for UK visa applicants and temporary UK residents in light of the introduction of the new simplified travel system.

This new travel system has a single red list and the rest of the world, which came into force from 4am on 4th October 2021. It also means that eligible fully vaccinated passengers and eligible under 18s returning from over 50 countries and territories not on the red list, can do so without needing to complete a pre-departure test (PDT), a day 8 test or enter a 10-day self-isolation period.

The latest advice for UK visa applicants and temporary UK residents can be viewed [here](#).

<https://www.gov.uk/government/news/uks-new-simplified-travel-system-takes-off-from-today>

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

Afghan citizens' resettlement scheme

The Home Office (UKVI) have announced further details of the Afghan citizens' resettlement scheme, which will provide protection for people at risk identified as in need.

The scheme will prioritise those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women's rights, freedom of speech, and rule of law. It will also prioritise vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBT+).

Further information can be viewed [here](#). The policy statement on eligibility for the Afghan citizens' Resettlement Scheme can be read [here](#).

Local authorities will also receive a funding package to support the resettlement of families who have come to the UK having been at risk in Afghanistan. You can read the full news story published by the Home Office (UKVI) [here](#).

<https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme>

<https://www.gov.uk/government/publications/afghanistan-resettlement-and-immigration-policy-statement>

<https://www.gov.uk/government/news/funding-boost-for-councils-as-new-afghan-resettlement-plans-set-out>

Windrush generation: more than £36 million offered in compensation

The Home Office (UKVI) have announced that the Windrush Compensation Scheme has now paid out more than £1.5 million in August, bringing the total amount paid and offered to more than £26 million.

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

<https://www.gov.uk/government/news/more-than-36-million-offered-in-compensation-to-the-windrush-generation>

Veristat Services

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.

Click here to return to the start of the document.

If you or a colleague would like to subscribe to receiving this update by email every month, please email us at enquiries@veristat.co.uk.