

2021

# Veristat Immigration:



*“As part of our partnership with Veristat they have fully understood our needs in relation to providing support, training and auditing of our internal processes to ensure that we remain compliant. We have found Veristat experts within this area, challenging our views and processes, and providing well informed, commercial alternatives when needed.*

*They are always available to discuss issues/queries with. They are forward facing and able to bring to life any future potential changes to the legislation and how this may impact on us in addition to that of the now. On this basis, I would recommend Veristat to work with.”*

**Major UK High Street Retailer**



Veristat was founded by Don Ingham in 2008. His background was as a Director in the Home Office where he spent some 30 years working on all aspects of immigration control culminating in a position on the Board of what was then the Immigration and Nationality Directorate of the Home Office.

## About Veristat

I am delighted to welcome you to Veristat and the services we offer. We also operate as 'HR Immigration', which is a trading name of Veristat.

Veristat specialises in providing advice and support to companies and education providers on managing and meeting their responsibilities under the Immigration Rules. We work in close partnership with our clients and use our experience of UK Visas and Immigration (UKVI) and relevant legislation to enable companies and education providers to get on with their core business with the confidence that they are meeting all immigration requirements. We take pride in our expertise, integrity and professionalism and are registered with the Office of the Immigration Services Commissioner (OISC).



My background is also in the Home Office. I have over 17 years' experience in the field of immigration working in the UK Border Agency (UKBA). I spent a number of years at Heathrow Airport, then later became Assistant Director London Enforcement, responsible for dealing with illegal migration and asylum across London and the South East of England. I formally left the UKBA in July 2011 following Deputy Director roles in Policy and Case Resolution.

Over the years, the landscape has changed and whilst the Points Based System continues to form the foundation for students and workers wishing to come to the UK, the complexities around compliance have increased with the Government recognising the potential for achieving its aim of reducing migration "from the hundreds to the tens of thousands" via employers and education providers as well as individuals. Further evidence of the Government's attraction to this approach was seen in the increase of penalties for employing illegal workers to £20,000 and the requirements for checking a person's immigration status by landlords and the NHS.

Whilst the core business of Veristat has continued to be compliance, we have extended our services beyond audits and advice, to include a wide range of support packages in response to requests from clients. We have also been joined by other senior ex Home Office staff, promoting the identity of the company, its integrity and its values. Veristat are also occasional contributors to the media on immigration compliance issues.

Brexit has caused a great deal of stress and distraction to UK businesses and individuals. Since the referendum, we have supported many organisations through the provision of Brexit briefings and presentations to management and employees alike. In 2020, Brexit has led to the most significant changes to the Immigration Rules for a number of years and Veristat is on hand to provide clarity, support and training whenever required, in advance of and after the new system has come into force in 2021.

With the introduction of the Student Route and the Skilled worker route (replacing Tier 4 and Tier 2), we are already delivering a range of training sessions covering all these routes and reflecting the revised rules and guidance and where they are yet to be published, the proposed changes.

Amidst the uncertainty around the new system, this year has also seen businesses and education establishments significantly affected by the coronavirus (COVID-19). Aside from the personal impact to so many from this pandemic, there has been a significant knock on effect on businesses and migration.

Should you need advice or support due to the impact of Covid-19 on your migrant workforce or indeed on your strategic workforce planning, please let us know.

I hope you find what you are looking for in this document and if you would like to discuss how we might be able to assist you, please do not hesitate to get in touch.

We look forward to hearing from you and indeed working with you.

Maria Cavilla  
Director

# Our services



We are continually developing new services to meet clients' needs so please let us know if there is a specific service you require that does not appear below or on our website.

	<u>Employers</u>	<u>Education</u>
<b>Audits and inspections</b>	✓	✓
<b>Compliance/Good practice</b>	✓	✓
<b>Sponsor licence applications</b>	✓	✓
<b>Outsourcing</b>	✓	✓
<b>Training</b>	✓	✓
<b>Representative and Level 1 user</b>	✓	✓
<b>BCA Health-check</b>		✓
<b>Immigration advice</b>	✓	✓
<b>Supplementing resources</b>	✓	✓
<b>Branches, franchises and partners (inspections)</b>	✓	✓
<b>Preparation of individual visa applications</b>	✓	✓
<b>Right to work</b>	✓	✓
<b>Student Route compliance</b>		✓
<b>Skilled worker route and Temporary Worker route compliance</b>	✓	✓
<b>Document checking</b>	✓	✓
<b>Regular updates/information</b>	✓	✓
<b>Due diligence checks</b>		✓
<b>Process and procedures documents</b>	✓	✓
<b>Recruitment and Management of Agents</b>		✓
<b>Credibility interviews</b>		✓
<b>Licence suspensions and revocations</b>	✓	✓
<b>File inspection days</b>	✓	✓
<b>Advice/retainer packages</b>	✓	✓
<b>Training on the new Immigration System</b>	✓	✓

# Our people

## **Maria Cavilla (Director)**

Maria has had over 17 years' experience in the UK Border Agency including as Deputy Director in the Case Resolution Directorate, Deputy Director Stakeholder Management in the e-Borders programme and as Assistant Director London Enforcement responsible for dealing with illegal migration and asylum across London and the South East of England.

## **Helen Stewart-Mills**

Helen spent 20 years working in the public sector, initially working for 8 years in the Metropolitan Police Service before managing a London enforcement unit and in the Case Resolution Directorate within the UK Border Agency.

## **Ken Joss**

Ken spent 27 years working in the Home Office culminating in the position of Deputy Director in the UK Border Agency working on improving strategic performance. Ken also has extensive operational experience of immigration and passport casework.

## **Colin Manchip CBE (Associate)**

Colin spent some 34 years in the Immigration and Passport Departments of the Home Office, and between 1991 and 1996 served as one of two directors of the UK Immigration Service.

## **John Vine CBE QPM (Associate)**

First appointment by the Home Secretary in 2008, John created a new regulatory body from inception and has inspected the efficiency and effectiveness of every aspect of Immigration and Border Control in the UK. He stepped down from this role on 31<sup>st</sup> December 2014, after six and a half years in post.

# Cost Effective Compliance

Compliance is at the heart of the UK's system of immigration control and is seen by the Government as a crucial element in achieving its goal of reducing net migration. In the past, compliance was associated with the individual migrant. However, that balance has now shifted and increasingly Government is using employers and education providers as the mechanisms for ensuring compliance. In 2006, the then Government introduced civil penalties against employers with fines of up to £10,000 for anyone found to be working illegally. The Government doubled this sum to £20,000 per illegal worker in 2014.



In 2008, the introduction of the Points Based System made explicit reference to “those who benefit most directly from migration (that is, the employers, education providers or other bodies who are bringing in migrants) should play their part in ensuring that the system is not abused”.

As well as being responsible for helping to prevent illegal working, employers who hold a Skilled Worker licence for the recruitment of migrant workers are also responsible for ensuring that they comply with their sponsor duties. Education providers have similar responsibilities under the Student route for sponsored students.

At Veristat, we understand the significant amount of effort and resources that are put into remaining compliant and seek to reduce this burden wherever we can.

We offer a wide variety of outsourcing services for both employers and education providers, ranging from issuing Certificate of Sponsorship (CoS) and acting as the representative and Level 1 user for employers to supporting education providers through BCA Health Checks, mock student route audits and issuing of Certificates of Acceptance for Studies (CAS).

## Case Study

Veristat was approached by a University who did not have sufficient resources available to process CAS applications for students at its International Study Centre. We agreed a pro forma for checks on English language ability, checking passport details, length of study and academic progression. We processed 265 students over a 2-month period.

# Audits and Inspections

Veristat is one of the leading providers of immigration audits to ensure that companies and education providers are meeting their responsibilities as licensed sponsors and as employers through Right to Work checks. Audits can cover a Head Office, branches, franchises, feeder colleges or partners. They may be by appointment or unannounced to provide re-assurance that clients are meeting their responsibilities and/or in preparation for a visit by the UKVI.

Audits can be undertaken either as stand-alone exercises or as part of an on-going retainer agreement. They can cover sponsor duties under the skilled worker route/student route, Right to Work or a combination

The audits are constructive and aim to build confidence in the way sponsors and employers meet their responsibilities. They also have a strong training element. We take time to explain both the context and detail of clients' responsibilities, so that they gain a better understanding of Home Office requirements and are fully prepared for a visit by the UKVI, whether announced or unannounced.

Veristat audits offer much more than the tick-box exercises conducted by some of our competitors. Each audit is an in-depth examination not only of whether a particular process is being implemented but also includes recommendations for "good practice" which might not appear in the formal Rules and Guidance but is based on our experience of working with other companies and education providers and with the UKVI.

The audits emulate the visit undertaken by the UKVI but are conducted in a consultative and constructive way to benefit the client. We validate our approach regularly by attending visits conducted by the UKVI and receive regular feedback from clients as to how closely our audits have followed the UKVI approach and how well-prepared and confident they have felt.



UK Visas and Immigration

Each of the audits follows a similar format:

- ✓ An on-site interview with the nominated person on processes and procedures for meeting duties as a licensed sponsor or responsibilities in relation to Right to Work
- ✓ Examination of the efficiency and effectiveness of processes and procedures and their supporting documentation
- ✓ Examination of a sample of files for employees or students to confirm that processes and policies are being implemented
- ✓ Oral feedback on findings with practical recommendations for improvement and the inclusion of good practice during and at the end of the visit
- ✓ A written report covering findings and recommendations.



# Training

We offer a wide range of training for employers and education providers tailored to meet their bespoke needs. Our packages include training for Level 1 users, HR teams, recruiters and managers on all aspects of UK immigration control including Right to Work and Sponsorship under the new skilled worker route or the student routes of the Points Based System.

Clients receive practical advice and guidance on how to ensure they comply with Home Office requirements and avoid putting the organisation at risk. All of our trainers have had hands-on, practical experience of working in the Home Office/UKVI and dealing with the real-life situations that can arise. As such they are uniquely qualified to provide practical advice and tips on how to ensure compliance.

All training is provided on clients' premises and where appropriate we use audit visits to help identify specific training needs in advance.

Popular topics include:

- Right to Work/illegal working
- Sponsorship and compliance under the Points Based System
- Document examination/forgery

Our training on **right to work/illegal working** includes:

- An overview of the legislation governing the obligation on employers to prevent illegal working in the UK
- The process for verifying the right to work in the UK, including follow-up checks/documentation requirements on visa expiration
- Acceptable documents/evidence of right to work
- Manual and online right to work checks
- Employer's duties for record keeping and monitoring the ongoing right to work, including the employment of students and specific considerations for this

Our training on **sponsorship** includes:

- An overview of the Points Based System and sponsorship within the broader political context.
- Preliminary issues in sponsoring employees
- Recent changes to guidance and requirements
- Switching categories
- COS
- Compliance with sponsorship duties, including record keeping, monitoring and reporting

Our training on **document examination/forgery** includes:

- An introduction to forgery awareness
- Avoiding discrimination
- The Home Office requirements regarding the examination of documentation for employees
- Who is likely to falsify a document and why
- Types of forgery
- Examination of passports and safeguards
- Impersonation

# Right to Work

We work with employers of all sizes, across all sectors to provide reassurance against the risk of employing people who are not entitled to work. Our staff are highly experienced ex-UK Border Agency officers who have worked extensively in the field of immigration enforcement dealing with illegal working and know what the UKVI are looking for during enforcement visits. Our services include advice on recruitment processes, audits of existing staff and training for longer term solutions.

If you are an employer in the UK, whether you employ one person or thousands of workers; whether you are in the private or public sector; you must ensure that your employees have the right to work. If you fail to do so and are found to be employing a person illegally, you may face a penalty of up to £20,000 for each worker employed illegally or prosecution with an unlimited fine and up to 5 years imprisonment if you knowingly employ someone illegally.

The potential reputational damage to a company can also be a strong incentive to “get it right”. This includes ensuring that suppliers are also compliant. The media will often not differentiate between a major brand and a supplier when headlining that illegal workers have been identified. The Home Office also now actively publicises cases of illegal working and the damage to your organisation's reputation could well prove much harsher than the financial penalty.

Whilst in principle the rules are quite straightforward, they are not always applied with sufficient rigour. Assumptions may be made where for example a long-standing employee is assumed to be British or those responsible for conducting the checks may not gather sufficient information to provide a statutory excuse and may not appreciate the impact of their actions on the organisation. This applies particularly to companies with a network of branches either wholly owned or franchised, where recruitment responsibilities are delegated.

We provide a comprehensive service for employers on establishing, monitoring and checking right to work including:

- A breakdown of all changes to RTW requirements following Brexit
- Advice on individual employees and their right to work
- The development of processes and procedures relating to right to work checks and the monitoring of existing employees
- Training for employers, managers and contractors on conducting right to work checks, providing certificates to confirm that training has been undertaken.
- Audits of companies, branches, franchises and suppliers to provide re-assurance that right to work checks are being undertaken and that employees are not working illegally.
- File inspection days

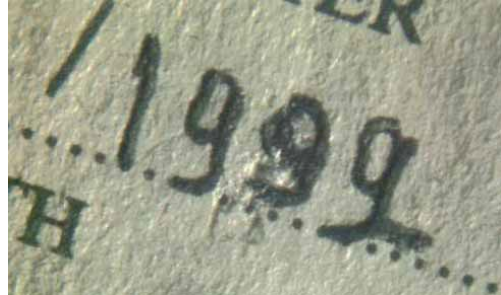
## Case Study

Burger chain, Byron, made headlines when a number of illegal workers were arrested by the Home Office (UKVI).

Despite the number of individuals arrested, Byron did not face any criminal or civil penalties because they had correctly carried out all the requisite right to work checks and cooperated fully with the Home Office (UKVI).

# Document Examination/Forgery

Millions of stolen passports are being fraudulently used by terrorists, drug smugglers and human traffickers to travel the globe in the 'biggest threat facing the world', according to Interpol. At a lower level, fraudulent documents are also used to obtain employment by those in the UK who have no entitlement to work with the risk of the employer incurring a penalty. For example, we are aware of a meat packing factory in the South of England where suspicions arose because almost all of the overseas workers employed were Portuguese. On further enquiry it turned out that the majority of the workers were South American but had been using a source providing counterfeit Portuguese identity cards.



Whilst it may be perceived that there is a lesser risk of people using fraudulent document to gain access to education, we are aware of such instances and education providers must remain equally vigilant against fraud. Education providers must also ensure that their staff receive appropriate training in what to look for in a document as there are frequent examples of documents and visas being accepted which either do not provide an entitlement to study or do not relate to the sponsor.

A client college issued a CAS to a well-qualified student who subsequently obtained a visa and entry to the UK. She failed to attend the college and it transpired that the person who had entered the UK had impersonated the person to whom the visa and passport was issued.

Our aim is to assist employers and education providers in understanding the documents presented to them. We offer passport and identity card advice from ex-immigration officers who have had decades of experience dealing with passports from many different nations at the busiest ports and airports in the world.

Although we focus our forgery advice mainly on passports, identity cards and travel documents, our work in the past has spread our expertise to other areas. We are therefore also in a position to offer an opinion on documents such as fraudulently obtained certificates, driving licences and other official documentation or to provide information on where to find such assistance.

We also provide training for employers on document examination/forgery.

Clients receive practical advice and guidance on how to spot a forged document to avoid putting themselves or the organisation at risk.

All of our trainers have had hands-on, practical experience of working in the UKVI. They have received specialist training from the UKVI on the identification of fraudulent documents and are equally accustomed to dealing with the real-life situations that can arise. As such they are uniquely qualified to provide practical advice and tips on what to do if you think you have been presented with a counterfeit or falsified document.

# The Skilled Worker Route and Licensing

We work with employers in all sectors on all aspects of the Skilled Worker route and sponsor licensing. This includes support in obtaining a licence, training on how to issue a Certificate of Sponsorship (COS) and fulfilling the full range of skilled worker sponsorship duties on behalf of employers.

Veristat operates as the representative and Level 1 user for companies. We engage in early discussions with employers about the position that is to be filled and the timescales; advise on the requirement for a resident labour market test; check adverts and issue the restricted or unrestricted COS. We also assist the applicant in preparing their visa application where required.

The new Immigration system that is currently being implemented means that employers who wish to sponsor EEA or non-EEA nationals will need a sponsorship licence in order to do so. If you believe you may need a licence in the future, I suggest applying sooner rather than later, as this can be a lengthy process.

We have been supporting employers on sponsorship since its introduction in 2008 and will now support them on the Skilled Worker route. We provide a comprehensive and cost-effective service covering all aspects of sponsorship

and compliance for all types of organisations, whether large or small.

Our services include:

- Full advice and support on how to obtain a sponsor licence including step by step guides
- Preliminary visits in advance of UKVI inspections to ensure that systems are in place to meet UKVI requirements for the fulfilment of sponsor duties
- Training on the recruitment of sponsored employees, the operation and management of the Sponsor Management System and compliance with sponsor duties.
- Acting as a Level 1 user of the Sponsor Management System including applying for restricted COS and issuing COS to sponsored employees.
- Advice and support on the recruitment of sponsored employees under the Points Based System
- On-going management and monitoring of the Sponsorship Management System including applying for annual and in-year COS allocations.
- Monitoring sponsored employees' including visa expiry dates and contact details
- Ensuring on-going compliance through advice and mock audits for Head Office, branches and franchises
- File inspection days
- Review of policies and procedures
- Monthly retainer packages
- Annual advice packages (5, 10, 15 & 20 hours)
- Attending UKVI announced compliance visits
- Liaison with UKVI on behalf of the sponsor

# The Education Sector

The Points Based System introduced the concept that those benefitting from overseas migrants or students should assume a greater responsibility for them. Under the new sponsored student route published on the 5<sup>th</sup> October 2020, each student must be sponsored by educational institutions licensed by the Home Office and cannot change college without applying to the Agency, this requirement now also relates to EU students who do not have other status permitting study in the UK. Sponsoring colleges are responsible for judging students' intentions to study; must be subject to appropriate educational oversight; issue Confirmation of Acceptance of Studies (CAS) certificates to applicants; and adhere to precise record-keeping and reporting requirements through the



sponsor management system. Failure to comply can lead to the loss of a licence and result in the institution no longer being able to accept overseas students.

Veristat has been working with education providers since the introduction of the Points Based System and has in-depth experience of all aspects of the System from licensing to suspensions and revocations; from the introduction of BCA to credibility interviews. Over the period our clients have ranged from schools to colleges in both the public and private sector. We have also provided services to over 30 Universities.

We provide a range of services to help education providers comply with immigration law, including:

- Training on the new sponsored student route
- Assistance in the preparation of initial licence applications.
- supporting institutions in assessing and submitting BCA applications.
- conducting immigration audits (in person, remotely or over the phone) to ensure continuing compliance and the adoption of good practice based on our experience of working in the Home Office and across a wide range of institutions.
- offering a range of packages which provided continuous immigration support to institutions covering all immigration-related compliance matters.
- working with schools, colleges and universities on the scope for obtaining improved value for money through the adoption of good practice, outsourcing and training, including providing additional resources during peak periods.
- providing assistance to students on the completion and submission of applications to extend their stay.

Services can be provided individually or as part of a package. Costs vary dependant on the number of services required, the number of international students and the number of colleges or sites.

# Student Route Compliance Audits

Veristat is hugely experienced at 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 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 education providers, our service ranges from a "lite" health-check to a comprehensive review of all sponsored student activities, assessing compliance with UKVI requirements and sharing best practice. We also offer targeted inspections covering specific issues, such as BCA, Skilled Worker route 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.

Our Student route compliance audit includes:

- ✓ Preparation for a UKVI visit
- ✓ Performance against BCA criteria
- ✓ Student applications and recruitment
  - Agents
  - Checking documents and issuing CAS
- ✓ Student registration
  - Checking and recording documents
- ✓ Record keeping
  - CAS documents
  - Passports and residence permits
  - Contact details
- ✓ Monitoring visa expiry
  - Sponsored students
  - Other non-EEA students
- ✓ Monitoring student engagement
- ✓ (Re)-registration
  - Attendance
  - Placements

Clients are asked to provide some background material in advance where possible. The review is followed up by a compliance report.

## **Additional Services**

Veristat provides a wide range of additional, specialist services related to immigration and compliance and we are always interested in hearing about any projects you may have with which you think we may be able to help.

### **File inspection Days**

If you're unsure whether your processes are effective and compliant or unsure of what your training needs are, you may be interested in a file inspection day.

During a file inspection day, we would check that all files contain all the required evidence and information to be fully compliant with Home Office requirements. 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 summary report outlining any risks, feedback and recommendations.

### **Landlords**

We can guide you through the immigration requirements relating to the housing sector. We offer advice, document checking, training and the development of policy and templates to support you.

### **Investments and Partnerships**

Veristat undertakes due diligence in relation to immigration compliance for any organisations including banks and equity capital companies interested in investing in the education market; and for education providers considering partnerships with private sector institutions.

# Partners

## Quist Solicitors

Working with [Quist Solicitors](#) we have advised over 200 institutions, reduced costly and damaging immigration compliance risks and assisted with licence applications. In partnership we will deliver solutions for businesses and education providers, bringing our combined experience, knowledge, skills and contacts to provide a pro-active immigration risk management service.

Quist is led by Akhtar Raja a solicitor with over 20 years' experience. Widely considered by major private colleges as the leading firm in the field of sponsor regulatory work, Quist has advised numerous institutions and built a unique experience-base in successfully steering colleges through complex and potentially damaging investigations, applications relating to their licences and where necessary, litigation.

## Further information

We hope you have found the information in this brochure helpful and would be happy to discuss any of our services and provide costed proposals for your consideration.

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