

Immigration Update

June 2024

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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.



Please contact us for further information about our training sessions, which will also cover the changes announced recently by the UK government.

Introduction

As the General Election approaches, we hope to see a reduction in the number of changes announced and indeed implemented. This will hopefully provide employers and education providers with the time to consider and review the impact of the recent changes to the Immigration Rules and to adapt internal policies and procedures accordingly.

We appreciate many of you may have concerns about the impact of those recent changes on your businesses and institutions. We are here to support you with any immigration matters and remove some of those challenges associated with Immigration compliance. Should you need any advice or support with anything, please do not hesitate to contact us.

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Working in the UK

Changes to EU Settlement Scheme – Right to Work checks

The Home Office (UKVI) has announced changes to the EU Settlement Scheme which will ensure that all those granted pre-settled status under the EU Settlement Scheme can continue to prove their rights easily and bring greater clarity to those who are required to check immigration status, such as employers and landlords.

The Home Office has changed the duration of pre-settled status extensions from 2 to 5 years. They have also removed the pre-settled status expiry date from digital profiles shown to third parties in the online checking services for Right to Work, Right to Rent and the 'View and Prove' service.

In addition to these changes, employers will not be required to conduct a further right to work check where the individual remains in their employment.

Further information on the recent announcements can be viewed [here](#).

<https://www.gov.uk/government/news/home-office-confirms-changes-to-the-eu-settlement-scheme>

Right to Work Checklist

The Home Office (UKVI) have updated their checklist for employers to use when conducting manual, online and IDSP right to work checks. Pages 1 – 4 relate to conducting manual checks, page 5 to checks conducted via an IDSP, and page 6 for online right to work checks.

The updated right to work checklist can be viewed [here](#).

Veristat conducts training for employers on right to work checks over Microsoft Teams or on the client's site. For further information and a quote, please email enquiries@veristat.co.uk.

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

Updated lists of endorsing bodies

The Home Office (UKVI) have updated their list of authorised organisations (endorsing bodies) for the Innovator Founder, Scale-up and Global Talent visas.

The list of endorsing bodies for the Innovator Founder and Scale-up visas can be viewed [here](#).

The list of UKRI endorsing bodies for employing or hosting institutions for the Global Talent visas can be viewed [here](#).

A list of endorsed funders approved by UK Research and Innovation (UKRI) with respect to the Global Talent visa can be viewed [here](#).

<https://www.gov.uk/government/publications/endorsing-bodies-innovator-founder-and-scale-up-visas>

<https://www.gov.uk/government/publications/ukri-endorsement-employing-or-hosting-institutions-global-talent-visa>

<https://www.gov.uk/government/publications/ukri-endorsement-endorsed-funders-global-talent-visa>

Illegal Working Civil Penalties (Quarterly Report)

The Home Office (UKVI) have published their quarterly report showing the number of illegal working civil penalties for the period 1 October to 31 December 2023.

During this period, there were:

- A total number of 391 civil penalties issued to organisations.
- A total number of 266 illegal workers found.
- A total value of £78,750,000 penalties issued.

The quarterly report on civil penalties can be viewed [here](#).

<https://www.gov.uk/government/publications/illegal-working-civil-penalties-anonymous-regional-report>

Current Visa Processing Times – Work visas

The Home Office (UKVI) have published their current decision waiting times for those applying from inside or outside the UK.

Those applying to switch or extend their work visa from within the UK, should receive a decision within **8 weeks** of attending their biometric appointment or the date the application / documents were received by the UKVI (if no appointment is required). Applications made under the Health and Care Visa normally receive a decision within **3 weeks** if applied for from inside the UK. The latest processing times for those applying from inside the UK can be viewed [here](#).

Those applying for a work visa from outside the UK, should get a decision within **3 weeks** once they have either attended their appointment at the visa application centre (VAC) or used the ID Check app and submitted their application/supporting documents. The latest processing times for those applying from outside the UK can be viewed [here](#).

Applicants may be able to pay an additional fee to expedite their applications for a quicker decision.

<https://www.gov.uk/guidance/visa-processing-times-applications-outside-the-uk>

<https://www.gov.uk/guidance/visa-processing-times-applications-inside-the-uk>

Migrant Journey 2023 – published official statistics (*Working in the UK*)

The Home Office (UKVI) have published their official statistics 'Migrant Journey 2023'.

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

- In 2023, 550724 journeys began with a grant of a Work visa, which was 45% higher than the previous year (379178).
- Of the journeys started in 2023 who were granted a 'Work' visa, there were 461485 Worker visas, 63063 Temporary worker visas, 8211 Investor, business development and talent visas, and 17965 Other work visas and exemptions.
- Across all work routes and of the journeys starting in 2023, 98% had a recorded arrival.
- Of the 139250 people whose journey started on a Work visa in 2018, over one third (38%) still held valid or indefinite leave to remain at the end of 2023 (5 years later. This figure includes: 19% who remained on a Work visa, 4% who had switched to a different category, and 15% who had been granted indefinite leave to remain (ILR).
- Of the 2018 'work cohort' 62% had expired leave after 5 years and 15% had been granted ILR after 5 years.

The 'Migrant Journey 2023' report can be viewed [here](#).

<https://www.gov.uk/government/statistics/migrant-journey-2023-report/migrant-journey-2023-report>

Studying in the UK

Tackling Student visa abuse

The Home Office (UKVI) have announced new proposals to further crackdown on abuse of student visas, ensuring only genuine students can come to the UK. The Student route will be kept under review. Further information can be viewed [here](#).

The Home Secretary and Education Secretary have announced new proposals to ensure the higher education sector is used for education, not as a gateway to immigration, with options to go further remaining under consideration.

The government has announced that tougher compliance standards will be introduced for institutions recruiting students from overseas. Those who fail to pass their visa checks, enrol or complete their courses, will risk losing their sponsor licences.

Financial maintenance requirements will be raised, so international students will have to prove their financial self-sufficiency. English Language assessments are also being reviewed by the government with the aim of standardising independent assessments.

The Graduate route is also under review due to concerns that the route is not attracting the highest earners who contribute to the economy. Analysis conducted by HMRC and the Home Office showed that more than a quarter of Graduate visa holders were not found to be in PAYE employment at any point during financial year ending 2023, and of those who were, the majority (63%) were not in PAYE employment for the full year.

<https://www.gov.uk/government/news/new-measures-to-tackle-student-visa-abuse>

Rapid review of the Graduate route by the Migration Advisory Committee

The *Migration Advisory Committee* (MAC) has published its findings of the rapid review of the Graduate route.

The MAC has concluded that the Graduate route has broadly achieved, and continues to achieve, the objectives set out by the government. They recommend that the route continues in place in its current form.

They found no evidence of any significant abuse (e.g. deliberate non-compliance with immigration rules) of the Graduate route, although there were concerns over the use of recruitment agents by universities in certain markets in providing misleading information to prospective international students. They recognised that the sector has introduced a voluntary framework to address these concerns, based on the MAC's experience of voluntary schemes within the immigration system they concluded that there is insufficient evidence that this voluntary code will prove effective against deliberate poor practice. The MAC has recommended that the government considers whether mandatory requirements would ensure good practice and that universities be required to publish information on their use of agents to improve disclosure. They believe this may protect the integrity of the UK Higher Education system.

They believe the steps taken by the government in 2023 to reduce the number of dependants who are entering the UK will mechanically reduce the number of graduate visas, as around 30,000 dependants joined the route in 2023. There is also evidence to suggest that the change in dependants policy has already substantially contributed to reduced international student recruitment beyond this for September 2024. Early indications suggest a 63% reduction in the number of deposits paid for the September 2024 intake by international postgraduate applicants for

institutions in the UK compared to the same time in the previous year. It is therefore likely there will be a significant reduction in future use of the Graduate route as a result of policy changes to dependants already introduced.

The MAC argues that any additional restrictions on the Graduate route may likely further exacerbate the decline in international student numbers. It also states that, similarly to social care, it is the failure to properly fund the sector that has led to an increasing overreliance on immigration. They also emphasised that any policy change to the Graduate route intended to reduce student numbers would need to explain how the financial consequences for the sector would be addressed. In conclusion they expressed the need for the government to consider the total impact of a policy change rather than simply its effect on net migration.

The rapid review of the Graduate route report can be viewed [here](#).

<https://www.gov.uk/government/publications/graduate-route-rapid-review>

Migrant Journey 2023 – published official statistics (*Studying in the UK*)

The Home Office (UKVI) have published their official statistics '[Migrant Journey 2023](#)'.

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

- 529311 student journeys started in 2023 with 99% having a recorded arrival.
- Of the 179931 people whose journeys started on a sponsored study visa in 2018 (study cohort 2018), 22% still held valid or indefinite leave to remain (ILR) at the end of 2023, 8% remained on a sponsored study route, 10% had switched to a Work route (including 4% to the Graduate route), 4% held another category of leave, and less than 1% had ILR.
- Historically, most student's journeys finished at the end of their studies. Of those starting their studies between 2011 and 2018, around a third continued to hold valid leave after 3 years (decreasing to around 20% after 5 years).
- 57% of students starting their studies in 2020 held valid leave after 3 years.
- The composition of students coming to the UK can also impact the overall proportion staying long-term. 13% of Chinese nationals in the 2018 'study cohort' had valid leave 5 years later, compared with 28% for all other nationalities.
- Of those whose journey began on a sponsored study visa in 2012, after 10 years, around 1 in 10 (10%) were still on the study route with 36% having switched to work and 24% to family routes.

<https://www.gov.uk/government/statistics/migrant-journey-2023-report/migrant-journey-2023-report>

Current Visa Processing Times – Study visas

The Home Office (UKVI) have published their current decision waiting times for those applying from inside or outside the UK for a study visa.

Those applying to switch or extend their study visa from within the UK, should receive a decision within **8 weeks** of attending their biometric appointment or the date the application / documents were received by the UKVI (if no appointment is required). The latest processing times for those applying from inside the UK can be viewed [here](#).

Those applying for a Student/Child Student visa or Short-term study visa from outside the UK, should get a decision within **3 weeks** once they have either attended their appointment at the visa application centre (VAC) or used the ID Check app and submitted their application/supporting documents. The latest processing times for those applying from outside the UK can be viewed [here](#).

Applicants may be able to pay an additional fee to expedite their applications for a quicker decision.

<https://www.gov.uk/guidance/visa-processing-times-applications-outside-the-uk>

<https://www.gov.uk/guidance/visa-processing-times-applications-inside-the-uk>

Sponsorship – please note...

Keeping records for sponsorship (Updated Appendix D)

The Home Office (UKVI) have updated Appendix D which is their guide to the sponsorship documents that employers and educational institutions must keep for all sponsored workers and students. The updated Appendix D can be viewed [here](#). The following key changes have been made:

- The Scale-up visa / route has been added to the list of Temporary Worker routes in the Introduction section of Appendix D.
- Part 2(A)(k) has been updated to reflect new requirements for Creative Workers applying for entry clearance or permission on or after 16 May 2024.
- Links have also been updated and other minor drafting amendments and housekeeping changes have been made.

It is important that all employers or education providers sponsoring workers and / or students ensure that they retain on file all the mandatory documents / evidence listed in Appendix D to the sponsor guidance.

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

Sponsorship Transparency Data (Q1 2024)

The Home Office (UKVI) have published their latest statistics on UKVI sponsorship activities during quarter 1 of 2024. The following key statistics for Q1 2024 were as follows:

- The number of organisations registered as a sponsor as of Q1 2024 were as follows: 94781 Skilled Worker sponsors, 4294 Temporary Worker sponsors, and 1062 Student sponsors.
- During Q1, new sponsor licence applications were received from 13663 (Skilled Worker), 347 (Temporary Worker), and 14 (Student).
- 94.5% of sponsors registered under the Student route have full 'Student Sponsor' status.
- The average length of time taken to process a new sponsorship application is 37 days.
- 309 Skilled Worker sponsor licences were suspended and 210 were revoked.
- 12 Temporary Worker sponsor licences were suspended and 4 were revoked.
- 7 Student sponsors were given the intention to revoke and 3 were revoked.

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

<https://www.gov.uk/government/publications/sponsorship-transparency-data-q1-2024>

Global Business Mobility and Scale-up Routes (SOC codes incorrectly labelled on Appendix Skilled Occupations)

The Home Office (UKVI) have noted that five occupation codes (SOC code 1241, 2455, 3415, 3534, and 3556) which should have been eligible under the Global Business Mobility and Scale-up routes were incorrectly labelled as ineligible on Appendix Skilled Occupations.

The UKVI are aware of this issue and will update the Immigration Rules and Appendix Skilled Occupations at the earliest opportunity. These occupations were made available to assign Certificates of Sponsorship (CoS) for on 19 May 2024 and UKVI caseworkers will not refuse visa applications on the grounds that they are not in an eligible occupation.

You can view Appendix Skilled Occupations [here](#).

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-skilled-occupations>

Changes to the Sponsorship Management System (SMS)

The Home Office (UKVI) have applied the following changes to the Sponsorship Management System (SMS):

- Removed the menu option to renew a sponsor licence following the rules change on 6 April 2024. For sponsors who applied to renew their licence prior to this date and their application is still under consideration, they can view this in the *Applications and Renewals* tracking section on the SMS system.
- Added an option to select the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* for the GBM Service Supplier route.
- Added SOC codes 1241, 2455, 3415, 3534 and 3556 to the CoS form for GBM and Scale-up routes (refer to section above).
- It is now possible to select 'Other' in the sex field on the CoS or CAS form on the SMS system.

Applying for Certificates of Sponsorship (CoS)

The Home Office (UKVI) have updated their guidance for their staff on considering applications for Certificates of Sponsorship (CoS). The guidance has been updated to reflect the changes to the Immigration Rules with respect to the minimum salary thresholds and Standard Occupation Classification codes in force from 4 April 2024. The updated caseworker guidance can be viewed [here](#).

<https://www.gov.uk/government/publications/pbs-sponsor-licensing-restricted-certificates-of-sponsorship>

Other Immigration News

Online Immigration Status – Replacement of BRPs, BRCs, passport endorsements and vignettes

The Home Office (UKVI) are replacing physical documents with an online record of the immigration status, which means that the following documents are being replaced:

- Biometric residence permits (BRP)
- Biometric residence cards (BRC)
- Passport endorsements, such as indefinite leave to enter wet ink stamps
- Vignette stickers in passports, such as entry clearance or visa vignettes

If an individual has a BRP that expires on 31 December 2024, the UKVI will tell them how to create a UKVI account and access their eVisa before the expiry date of their BRP.

If a person has indefinite leave to enter or remain (also known as settlement) and they currently prove their rights through a different type of physical documents, such as a wet-ink stamp in their passport or a vignette sticker, then they should make a 'no time limit (NTL) application'.

If a person has a BRC and they already have status granted under the EU Settlement Scheme, then they already have an eVisa and they do not need to take any action to obtain one. Details of how

to access and use their eVisa (their digital status) can be found in their grant letter or email. They should continue to carry their BRC when they travel internationally.

If a person has a BRC and they have not been granted status under the EU Settlement Scheme, obtained another form of immigration leave, or become a British citizen, then their BRC is no longer valid, even if it appears to still be in date. This is because the UK has left the EU, and the EU free movement law no longer applies. To continue living in the UK, they should get an immigration status as soon as possible. They may be able to make a late application to the EU Settlement Scheme as a family member of a relevant EU, other EEA or Swiss citizen. They should not travel internationally until they have obtained proof of their immigration status.

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

<https://www.gov.uk/guidance/online-immigration-status-evisa>

Changes to EU Settlement Scheme – Right to Rent checks

The Home Office (UKVI) has announced changes to the EU Settlement Scheme which will ensure that those granted pre-settled status under the EU Settlement Scheme can continue to prove their rights easily and bring greater clarity to those who are required to check immigration status, such as employers and landlords. Further information on the recent announcements can be viewed [here](#).

The Home Office has changed the duration of pre-settled status extensions from 2 to 5 years. They have also removed the pre-settled status expiry date from digital profiles shown to third parties in the online checking services for Right to Work, Right to Rent and the 'View and Prove' service.

In addition to these changes, employers will not be required to conduct a further right to rent check where the individual remains as part of that tenancy agreement.

<https://www.gov.uk/government/news/home-office-confirms-changes-to-the-eu-settlement-scheme>

Applications for Indefinite Leave to Remain on basis of Long Residence

Due to the introduction of the new [Appendix Long Residence](#), the Home Office (UKVI) have update their guidance for their staff on considering applications made for indefinite leave to remain (settlement) on the basis of long residence.

The rules on absences during the qualifying period have changed and Appendix Continuous Residence now applies to Long Residence applications. Transitional arrangements are in place to preserve the position that continuous residence will be broken if an applicant has been absent from

the UK for more than 184 days at any one time or for more than a total of 548 days overall, where that absence started before 11 April 2024. This means that:

- Any single absences before 11 April 2024 must be no longer than 184 days.
- A 10-year period completed before 11 April 2024 must not have total absences of more than 548 days – for 10-year-periods which extend beyond 11 April 2024, there is no 548-day limit.
- From 11 April 2024, the applicant must not have been outside the UK for more than 180 days in any 12-month-period.

The updated caseworker guidance for Long Residence can also be viewed [here](#).

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

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-long-residence>

Immigration and Nationality fees for all applications made outside or inside the UK

The Home Office (UKVI) have published updated Immigration and Nationality fees for all applications made outside or inside the UK. The latest fees information can be viewed [here](#).

The latest fees for citizenship applications can also be viewed [here](#).

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

<https://www.gov.uk/government/publications/fees-for-citizenship-applications>

Current Visa Processing Times – Family route visa applications

The Home Office (UKVI) have published their current decision waiting times for those applying from inside or outside the UK for a family route visa. The latest visa processing times can be viewed [here](#).

For those applying to switch to or extend their Family route visa from within the UK, they should receive a decision within **8 weeks** if minimum income and English language requirements are required, or **12 weeks** if applying under the 'Private Life' category where minimum income and English Language are not required once they've attended their biometric appointment or applied online/provided documentation (if no appointment is required). It may be possible to expedite the applications for a quicker decision by using either the Priority or Super Priority services if they are available at the time of application. The latest processing times for those applying from inside the UK can be viewed [here](#).

Those applying for a Family route visa from outside the UK, should get a decision within **24 weeks** once they have either attended their appointment at the visa application centre (VAC) or used the ID Check app and submitted their application/supporting documents. If paying extra to use the priority visa services, you would normally expect to receive a decision within 6 weeks of the biometric appointment, although delays are still being experienced in some cases. The latest processing times for those applying from outside the UK can be viewed [here](#).

<https://www.gov.uk/guidance/visa-processing-times-applications-outside-the-uk>

<https://www.gov.uk/guidance/visa-processing-times-applications-inside-the-uk>

Immigration Status Checks: Guidance for banks and building societies

The Home Office (UKVI) have updated their guidance for banks and building societies on carrying out immigration status checks on current account holders and applicants. The updated guidance for banks and building societies can also be viewed [here](#).

<https://www.gov.uk/government/publications/immigration-status-checks-guidance-for-banks>

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. Our sessions include the recent changes being brought about by the 2021 points-based immigration system and how employers and education providers can be prepared moving forwards.

All training can be provided in person at 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

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 can 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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