

# WORKING IN THE UK: VISA OPTIONS

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# Topics

- 2-year Graduate route
- Tier 2 for sponsored skilled work
- Doctorate Extension Scheme after PhD
- Start-up visa for a new business
- Tier 5 Government Authorised Exchange for internships
- Signposting other options
- Questions and (maybe) answers

# New 2-year Graduate route from 2021: what we know so far

- Announced September 2019, starts summer 2021
- 2019 and 2020 graduates are not eligible
- Any employment including self-employment
- Start date of course is not relevant (original announcement said it must start in 2020)
- Participants can switch into Tier 2 or Start-up at any point
- Home Office factsheet: [tinyurl.com/graduateroute](https://tinyurl.com/graduateroute)

# Tier 2 (General): basics

- Scheme to bring non-EEA nationals to the UK for skilled work
- Sponsored by an employer to do a specific job
- Min skills level RQF 6 (degree level or higher)
- Min salary: for most jobs £30,000 but for Tier 4 switchers there is a lower “new entrant” salary
- Employer issues Certificate of Sponsorship (CoS)

# Tier 2 (General): eligible jobs and salaries

- Codes of practice: Appendix J of the immigration rules
- Table 1: “PhD level” jobs (do not require a PhD)
- Table 2: “degree level” jobs
- Table 3: “A-level level” jobs (only “creative” jobs on this table are eligible for Tier 2)
- All codes include minimum salary and “new starter” lower minimum salary

# Tier 2 (General): switching from Tier 4 in the UK

## Concessions for employers:

- Easier: no Resident Labour Market Test
- Cheaper: no immigration skills charge
- Less risky: no cap on Certificates of Sponsorship

## Concessions for applicants:

- Minimum salary £20,800 not £30,000
- Can usually start work as soon as you have applied

## Tier 2 (General): maintenance

- £945 for 90 days
- Held in your own name (no parents or others)
- Day 90 (date of statement) can be the date of application or up to 31 days before
- Tier 2 sponsor can certify maintenance in the Certificate of Sponsorship
- More: Tier 2 policy guidance, pages 43-45

# Tier 2 (General): earliest and latest you can switch

## *Earliest*

- 3 months before end date of degree course; or
- When you have completed at least 12 months of study in the UK towards a UK PhD or equivalent course

## *Latest*

- the day Tier 4 visa expires



## Tier 2 (General): relevant course

- You must have studied the relevant course during your most recent Tier 4 visa, or during a continuous series of visas that includes your current visa
- Therefore you can rely on a previous course, as long as you have had continuous visas since then

## Tier 2 (General): full scholarships

- If you are or were (in last 12 months) fully sponsored by a government or an international scholarship agency, you must have their written consent for the Tier 2 application.
- Immigration rules don't require consent if it's a fees-only or partial scholarships, or for a scholarship from a university or international company
- Check T&Cs of any scholarship

# Tier 2 (General): application fees

Based on length of CoS:

- 3 years or less: £704
- 3 years or less, shortage occupation: £464
- More than 3 years: £1408
- More than 3 years, shortage occupation: £928
  
- Immigration Health Surcharge: £400/year
- Premium application: add £610

## Tier 2 (General): starting work

- If you apply after getting your results, or if your current Tier 4 leave was granted on or after 1 October 2019, you can start work immediately
- Otherwise, you can only start the Tier 2 job when the Tier 2 visa is issued. Meanwhile employers are usually willing to start you on a temp contract under your Tier 4 work conditions

# Tier 2 (General): some common problems

- Employer is not a Tier 2 sponsor and doesn't intend to be:
- They cannot sponsor you so you cannot apply under Tier 2
- Employer is waiting for their Tier 2 sponsor license:
- You may run out of time to apply in the UK. Keep in regular contact with sponsor, and make sure you are both prepared for an application in your home country instead if you run out of time
- Employer says they need your results (or that you have completed your course) before issuing a CoS:
- Depends. Either the qualification is a condition of the job, or employer is unaware of recent changes

# Tier 2 (General): some common problems

- Ad or job spec asks if you have a “work permit” or says you must have permission to work in the UK:
- Check with the employer what they mean. They may not be a Tier 2 sponsor, or the job may not meet minimum skill or salary for Tier 2. If both are fine, it may just be sloppy wording.
- You want to travel outside the UK after your course, then come back before your Tier 4 visa expires to apply for a Tier 2 visa:
- That’s fine. If you see a BFO on re-entry they may ask for some evidence that you will be making a Tier 2 application.
- You want to travel while the Tier 2 application is being processed:
- That is not fine. Leaving the Common Travel Area while an application is pending withdraws the application.

# Tier 2 (General)

## more information and advice

- General information and eligibility for switching from Tier 4: [www.ukcisa.org.uk](http://www.ukcisa.org.uk)
- List of Tier 2 sponsors, Appendix J (eligible jobs and salaries): [www.gov.uk](http://www.gov.uk) > Search
- Getting the CoS, the Tier 2 application itself, starting work: your Tier 2 sponsor
- Blogs about recent changes, dealing with employers: [www.ukcisa.org.uk](http://www.ukcisa.org.uk) > blog

Any questions?





# Tier 4

## Doctorate Extension Scheme

- PhD students: 12 month extension
- Apply within last 60 days before date of completion. For what “date of completion” means check with the Doctoral College Office.
- Comes under Tier 4, not a work category
- Can start work when degree is awarded
- After 12 months, can switch to Tier 2 (etc.)
- From summer 2021 will probably be superseded by the new 2-year Graduate route
- [www.ukcisa.org.uk](http://www.ukcisa.org.uk) > Working after studies

# Start-up scheme

- Replaced Tier 1 Graduate Entrepreneur
- LSHTM is not an endorsing body
- [www.gov.uk](http://www.gov.uk), search “Endorsing bodies: start-up visa”
- “Innovative, viable, scalable” business plan
- Tier 4 can switch in
- Entry clearance (visa) route as well as LTR
- 2 years, additional work allowed
- Can then switch to new Innovator worker if business is succeeding

# Tier 5

## Government Authorised Exchange

- For internships
- No permanent job
- 1 year or 2 years, depending on scheme
- “Over-arching sponsor” works with employers and interns and sponsors the visa
- <https://tier5intern.com/>
- Many other schemes under Tier 5 (GAE) but cannot be applied for in UK

# Signposting other options

- Tier 5 Youth Mobility Scheme (18-30, specific nationalities)
- Other Tier 5 Government Authorised Exchange programmes
- Family in the UK
- [www.gov.uk](http://www.gov.uk) > Visas and immigration
- [www.ukcisa.org.uk](http://www.ukcisa.org.uk) > Working after studies

# Make the most of your Tier 4 visa

- Max 20 hrs/week during term time
- No limit in vacations
- Dissertation period is term time
- No time limit between formal end date of course and end of your visa (usually 4 months)
- Can travel and re-enter UK during this period
- Some restrictions on the type of work

# Make the most of your Tier 4 visa

- No self-employment or business activity
- No permanent full-time job
- No professional sports
- No work as an entertainer
- No work as a doctor or dentist in training
- [www.tinyurl.com/ukcisaworkblog](http://www.tinyurl.com/ukcisaworkblog)

Any questions?

