

COMING TO THE UK VISA CATEGORIES



COLLYER  BRISTOW

VISA ROUTES

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GLOBAL TALENT VISA

This visa route is only for applicants who are considered to possess exceptional talent or exceptional promise and are leaders or potential leaders in the following fields: science, medicine, engineering, humanities, combined arts, dance, literature, music, theatre or visual arts, architecture, fashion design, film and television (includes animation, post-production & visual effects) and digital technology.

The applicant must either be recognised internationally as a leading person in their field and has won an eligible award or has achieved endorsement from one of the government approved endorsing bodies, which are the British Academy, Royal Academy of Engineering, Royal Society, UK Research and Innovation (UKRI), Arts Council England (includes the Producers' Alliance for Cinema and Television (PACT) and Tech Nation.

The applicant can apply to settle permanently in the UK (also known as 'indefinite leave to remain') after:

- 3 years if applying as a leader in their particular field
- 5 years if applying as a potential leader
- Significant evidence is required to achieve endorsement, if endorsement is required.

UK INNOVATOR FOUNDER VISA

A new Innovator Founder route, for those seeking to establish an innovative business in the UK, has been introduced from 13 April 2023. This has replaced the Innovator and Start-up routes which will be closed to new applicants from that date, although new applications under the Start-up route will continue to be considered until 13 July 2023, where supported by endorsements issued before 13 April 2023.

The changes aim to make the criteria applicable under the current Innovator route more flexible. Under the new Innovator Founder route, an entrepreneur's business plans will still need to be endorsed by a registered endorsing body, but the current £50,000 minimum funds requirement under the Innovator route will be removed. In order to be granted an Innovator Founder Visa the applicant must be proposing a new business idea that meets the following requirements:

- Innovation
- Viability
- Scalability

Applicants must be at least 18 years old and be able to speak English to Level B2 CEFR. Individuals will also be able to engage in employment outside of running their business, provided that this secondary employment is in a skilled role of at least RQF Level 3 (A level or above).

Settlement will also be possible under the new route after spending three years continuously resident in the UK.



SPONSOR LICENCE

Any UK based company that wishes to sponsor a person to come and work in the UK under either a Skilled Worker Visa, a Senior or Specialist Worker visa, any Global Business Mobility route visa, a Scale Up Visa or a Tier 5 Temporary work visa needs to have in place a Sponsor Licence.

The company must apply for a Sponsor Licence from the UK Home Office before making any application for either a Skilled Worker Visa or a Senior/Specialist Worker visa, any Global Business Mobility route visa, a scale up visa or a temporary Tier 5 visa.

The company cannot have unspent criminal convictions for immigration related offences or certain other crimes such as money laundering, or any history of failing to carry out its sponsorship duties.

The company will need to have appropriate systems in place to monitor sponsored employees and keep up to date personnel files, which must be kept readily available to the Home Office for inspection.

The company must appoint an Authorising officer, Level 1 User and a key contact to manage the sponsor licence.

Mandatory documents:

- The answers to the list of 10 questions in Appendix 3
- An organisational/hierarchy chart produced by the UK Company
- Employers Liability Insurance Certificate
- Company – UK Bank Statement (must show most recent statement showing activity in the UK Company bank account)
- HMRC PAYE Welcome Letter
- VAT Registration Certificate + latest VAT return
- Copy of lease for UK Office

SPONSOR LICENCE GLOBAL BUSINESS

MOBILITY ROUTE – PART 1

The Global Business Mobility routes are open to businesses of all sizes, providing they have a trading presence outside the UK and a qualifying link to a UK business.

In order to hold a Global Business Mobility sponsor licence, the UK business that will be receiving the worker must:

- Have an existing presence in the UK;
- Have qualifying links to an overseas business from which it will receive workers;
- Have suitable key personnel who will be responsible for managing the licence; and Have systems in place to meet the sponsor licence duties.

To be a UK Expansion Worker sponsor the UK business must provide credible evidence that it intends, and is able, to establish a new UK branch or wholly-owned subsidiary of an established overseas business. The overseas business must normally have been trading overseas for a minimum of 3 years.

Businesses that wish to apply for a UK Expansion Worker sponsor licence are required to have a UK footprint rather than a trading presence. This means that they should be able to provide evidence of either a UK premises or Companies House Registration, but they should not yet have begun trading in the UK.

The overseas business, on the other hand, will need to be active and trading. The Home Office will normally expect the overseas business to have traded for at least 3 years.



SPONSOR LICENCE GLOBAL BUSINESS

MOBILITY ROUTE – PART 2

The overseas business will also need to satisfy the Home Office that it is capable of successfully expanding into the UK. It will need to provide a credible business plan for expansion and demonstrate that it can finance its expansion plans.

UK Expansion Worker sponsors will need to identify key personnel who will be responsible for managing the sponsor licence. If there is no suitable settled worker in the UK to take the role of the Authorising Officer then, exceptionally, the rules for UK Expansion Worker sponsors allow for a Proposed Authorising Officer to be outside the UK.

In this situation the UK sponsor will be given a 'provisional rating' and just 1 Certificate of Sponsorship (CoS) initially. The Proposed Authorising Officer will then need to be the first worker that is sponsored. Once the Proposed Authorising Officer is in the UK, the sponsor will be able to re-rate to an 'A-rating' and request additional CoS (up to 5 maximum).

If there is a suitable settled worker in the UK who can act as the Authorising Officer then there is no need to rely on this exception and the UK Expansion Worker sponsor can be awarded an 'A-rating' and up to 5 rating' CoS initially.

SKILLED WORKER VISA

This visa replaced the old Tier 2 General visa in December 2020 and is for foreign workers who have been offered a skilled job in the UK, by a UK based company that holds an active and valid sponsor licence and has issued a certificate of sponsorship.

The proposed job role must be on the Standard Occupational Code (SOC) job list and must be at a RQF3 or equivalent skill level (minimum A-levels).

The worker must be able to speak English at CEFR B1 level (lower intermediate).

The worker must be paid the relevant minimum salary threshold by their sponsor normally a minimum of 26,200 or the SOC code minimum salary for the particular job, whichever is higher.

The minimum equivalent hourly rate will increase from at least £10.10 per hour, to at least £10.75 per hour.

If the Skilled Worker will earn less than 26,200, but no less than £20,960, (the Skilled Worker can be paid between 70% and 90% of the usual going rate for their job, if their salary is at least £20,960 per year) they may still be eligible if they can demonstrate one of the following:

(1.) They have a job offer in a shortage occupation, (2.) they are under 26, studying or a recent graduate, or in professional training, (3.) they have a PhD in a subject relevant to the job, (4.) they have a PhD in a STEM (Science, Technology, Engineering, Mathematics) subject relevant to the job (if they have a relevant PhD level qualification in any other subject their salary must be at least £23,580), (5.) they are a new entrant (the salary requirement for new entrants will be 30% lower than the rate for experienced workers in any occupation, to a lower limit of £20,960) or (6.) they have a post-doctoral position in science or higher education.

There is no longer an annual cap on worker visas or need for a resident labour market test but the company does need to show that there is a genuine vacancy for the skilled worker to fill.

The skilled worker visa can lead to settlement after 5 years in the UK.

SENIOR/SPECIALIST WORK VISA

GLOBAL BUSINESS MOBILITY VISA ROUTE

This visa replaced the old Intra-Company Transfer visa on 11 April 2022 but just like the old ICT visa, this visa is for applicants who already work for a foreign company outside the UK but wish to come and work in the overseas office, subsidiary or sister company of that foreign company in the UK.

The employee will need to have worked for a foreign branch of the foreign Company for either 12 months or more or be paid a minimum salary of £73,900 per year in the UK in order to be able to come to the UK on a Senior/Specialist Worker visa.

The worker must show that they are an existing employee of an organisation that has been approved by the Home Office as a licenced sponsor and the UK subsidiary/branch must have issued a certificate of sponsorship for the foreign employee.

The applicant must do a job that is on the list of eligible occupations and be paid a minimum salary of £45,800 per year.

This visa never leads to settlement in the UK and is for a maximum of 5 years in any 6 year period or if paid £73,900 or 9 years in any 10 year period.

There is an option for a Senior/Specialist Worker to be able to switch to a Skilled Worker visa in country, which would then allow the Senior/Specialist Worker to achieve permanent residence (The same applies to his/her dependants).

INTERNATIONAL SPORTSPERSON VISA

The sportsperson visa is a common visa route for professionals in sports such as football.

The applicant can apply for an International Sportsperson visa if all of the following apply:

- They are an elite sportsperson or qualified coach, who's recognised by their sport's governing body as being at the highest level of their profession internationally.
- The sport's governing body is endorsing their application.
- Their employment will develop their sport in the UK at the highest level.

Eligibility:

- The applicant must have a valid certificate of sponsorship.
- be able to prove that they can speak and understand English, if they are applying to stay for longer than 12 months.
- have personal savings of at least £1,270 in a personal bank account so they can support themselves when they arrive in the UK.
- show they can travel and show their travel history over the last 5 years.
- have a tuberculosis test certificate.
- There are two further specialist Tier 2 visas, which are for Health and Care Workers and Ministers of Religion.
- These visas can lead to settlement in the UK after 5 years.

TIER 5 TEMPORARY WORKER VISAS

This Temporary visa route is for the following roles:- charity worker, creative worker, government authorised exchange, International agreement, religious worker, seasonal worker and youth mobility (Youth mobility is for applicants aged between 18 and 30 who are nationals of Australia, Canada, Japan, Monaco, New Zealand, Hong Kong, Republic of Korea or Taiwan, or who are British Overseas citizens, British Overseas Territories citizens or British National Overseas citizens.)

Tier 5 Creative Worker Route

- Under the Tier 5 route the applicant must be sponsored by a UK organisation or institution that holds a sponsor licence.
- Under the Tier 5 Creative worker visa, a creative worker is defined as someone who works in the creative industries, for example an actor, dancer, musician or film crew member. This visa can be granted for a maximum of 12 months.

An applicant needs all of the following to be eligible for the creative worker category:

- make a unique contribution to the UK labour market, for example they are internationally renowned or are required for continuity;
- have a certificate of sponsorship reference number; be paid the minimum salary as set by Equity, PACT or BECTU (except for models, musicians or circuses); and
- have enough money to support themselves in the UK – they will usually need to have at least £1,270 available (unless you're exempt).
- Tier 5 visas never lead to settlement in the UK.

HONG KONG, (BRITISH NATIONALS OVERSEAS) VISA

Only those applicants with British Nationals Overseas (BNO) Citizenship status can apply for this new visa.

This visa will allow BNO citizens (those who hold BNO status) to reside and work or study in the UK, with a pathway to settlement (also known as permanent so known as permanent residence or indefinite leave to remain) and then citizenship.

An applicant will be able to apply to enter or stay in the UK for either a period of 30 months (which can be extended by a further 30 months) or a period of 5 years.

Applicants must be ordinarily resident in Hong Kong, which includes those currently in the UK but who are ordinarily resident in Hong Kong.

Those entering the UK with BN(O) status under the new visa will be able to bring dependants with them.

In addition to holding BNO status, the applicant and his/her immediate dependants must:

- be able to demonstrate their ability to accommodate and support themselves in the UK for at least six months;
- hold a current tuberculosis test certificate from a clinic approved by the Home Office;
- pay a fee for the visa and the Immigration Healthcare Surcharge both payable in full at the point of the visa application;
- be able to demonstrate a commitment to learn English in the UK where appropriate – on entry, there will be no English language requirement but applicants will require a good knowledge of the English language if they choose later to make an application for permanent residence after five years;
- have no serious criminal convictions, have not otherwise engaged in behaviour which the UK Government deems not conducive to public good, and not be subject to other general grounds for refusal set out in the Immigration Rules.



UK ANCESTRY VISA

An applicant can apply for a UK Ancestry visa if they are one of the following: a Commonwealth citizen, a British overseas citizen, a British overseas territories citizen, a British national (overseas), a citizen of Zimbabwe.

- To be eligible you must be able to prove that one of your grandparents was born in the UK, the Channel Islands or the Isle of Man.
- The applicant must prove that they are 17 or over, have enough money without help from public funds to support and house themselves and any dependants and can and plan to work in the UK.

The applicant must show that they have a grandparent born in one of the following circumstances:

- in the UK, the Channel Islands or the Isle of Man
- before 31 March 1922 in what is now Ireland
- on a ship or aircraft that was either registered in the UK or belonged to the UK government

The applicant can claim UK ancestry if:

- they or their parent were adopted
- their parents or grandparents were not married.
- The applicant cannot claim UK ancestry through step-parents.
- The Visa is granted for 5 years and then the applicant can apply for permanent residence and then 12 months after this, they can apply to naturalise to become a British Citizen.
- The applicant can bring their spouse and children with them to the UK (children must be under 18 years old).

STUDENT VISA

The Student Visa category (Tier 4) is for students aged 16 years old and over, who have been offered a place on a course by a licensed student sponsor, have enough money to support themselves and pay for their course, can speak, read, write and understand English and have consent from their parents if they are 16 or 17, (parental consent is not required for those students 18 years old and over).

The Child Student Visa is for those applicants who are between 4 and 17 years old and want to study at an independent fee-paying school in the UK. The child must have an unconditional offer of a place on a course at an independent school, be able to show they will have access to enough money to support themselves whilst in the UK and pay for their school fees and have the consent of their parent or guardian to study in the UK.

The **Parent of a Child Student Visa** is for those parents of a child who is applying for a child student visa and their child is aged between 4 and 11 years old and will be attending a fee paying independent school in the UK. The parent must be the only parent accompanying the child in the UK (the other parent must live abroad and cannot apply to join the child), must have enough money to support themselves and their child whilst in the UK (£1,560 for each month of their stay up to a maximum of 9 months), continue to maintain their main home outside the UK and plan to leave the UK when their visa expires (can only stay in the UK until the child's visa expires or they turn 12, whichever happens first).

The **Graduate visa** is for those overseas students who successfully complete a degree, masters or doctorate (or eligible qualification) in the UK whilst studying on a student visa in the UK. The graduate visa enables the student to remain in the UK and work for up to 2 years following successful completion of their course (3 years for a PHD/ doctorate).



PERMITTED PAID ENGAGEMENT VISA

An applicant for this visa may be able to visit the UK for a paid engagement if they have been invited as an expert in their profession. They can apply for a Permitted Paid Engagement visa if they:

- are invited by a UK-based organisation or client;
- want to come to the UK to do specific paid work without having to be sponsored under the points-based visa system; and
- meet the other eligibility requirements, which are as follows: they are 18 or over, they are visiting the UK for no more than 1 month, they have been formally invited and paid by a UK-based organisation to attend an event or other permitted engagement, they will leave the UK at the end of their visit, they will not live in the UK
- for extended periods through frequent or successive visits, or make the UK their main home, they are able to support themselves during their trip (or have funding from someone else to support them), they are able to pay for their return or onward journey (or have funding from someone else to pay for the journey), they have proof of any business or other activities they want to do in the UK, as allowed by the Visitor Rules.

An applicant for this visa can be invited by a UK-based organisation or client to:

- be a student examiner or assessor
- take part in selection panels as a highly qualified academic if you're invited by an education, arts or research organisation
- give lectures at a higher education institution, as long as it's not a part-time or full-time role
- examine UK-based pilots so they meet the standards of the country you come from if you're invited by an approved UK training organisation regulated by the UK Civil Aviation Authority
- provide advocacy in a particular area of law

- take part in arts, entertainment or sporting activities including broadcasting
- take part in fashion modelling assignments

(An applicant may not have to apply for a visa. What they need to do depends on their nationality.)

OVERSEAS DOMESTIC WORKER VISA

An Overseas Domestic Worker can apply for a visa to visit the UK with their employer if they:

- live outside the UK
- are a domestic worker in a private household
- have worked for their employer for at least one year; and
- meet the other eligibility requirements, which are, they are 19 or older, work in the same household as their employer or one they use regularly, plan to travel to the UK with their employer, their partner or children, intend to work as a full-time domestic worker in a UK household their employer will live in, plan to leave the UK at the end of 6 months and are able to support themselves in the UK without the need for public funds.

The employer must be either a:

- British citizen who usually lives outside the UK and who does not intend to remain in the UK for more than 6 months
- A foreign citizen who is coming to the UK on a visit and who does not intend to remain for more than 6 months

The employer must also pay the applicant at least the national minimum wage.

Domestic workers include: cleaners, chauffeurs, cooks, those providing personal care for the employer and their family and nannies.

PERMITTED PAID ENGAGEMENT VISA

An applicant for this visa may be able to visit the UK for a paid engagement if they have been invited as an expert in their profession. They can apply for a Permitted Paid Engagement visa if they:

- are invited by a UK-based organisation or client;
- want to come to the UK to do specific paid work without having to be sponsored under the points-based visa system; and
- meet the other eligibility requirements, which are as follows: they are 18 or over, they are visiting the UK for
- no more than 1 month, they have been formally invited and paid by a UK-based organisation to attend an event or other permitted engagement, they will leave the UK at the end of their visit, they will not live in the UK
- for extended periods through frequent or successive visits, or make the UK their main home, they are able to support themselves during their trip (or have funding from someone else to support them), they are able to pay for their return or onward journey (or have funding from someone else to pay for the journey), they have proof of any business or other activities they want to do in the UK, as allowed by the Visitor Rules.

An applicant for this visa can be invited by a UK-based organisation or client to:

- be a student examiner or assessor
- take part in selection panels as a highly qualified academic if you're invited by an education, arts or research organisation
- give lectures at a higher education institution, as long as it's not a part-time or full-time role
- examine UK-based pilots so they meet the standards of the country you come from if you're invited by an approved UK training organisation regulated by the UK Civil Aviation Authority
- provide advocacy in a particular area of law

- take part in arts, entertainment or sporting activities including broadcasting
- take part in fashion modelling assignments

(An applicant may not have to apply for a visa. What they need to do depends on their nationality.)

OVERSEAS DOMESTIC WORKER VISA

An Overseas Domestic Worker can apply for a visa to visit the UK with their employer if they:

- live outside the UK
- are a domestic worker in a private household
- have worked for their employer for at least one year; and
- meet the other eligibility requirements, which are, they are 19 or older, work in the same household as their employer or one they use regularly, plan to travel to the UK with their employer, their partner or children, intend to work as a full-time domestic worker in a UK household their employer will live in, plan to leave the UK at the end of 6 months and are able to support themselves in the UK without the need for public funds.

The employer must be either a:

- British citizen who usually lives outside the UK and who does not intend to remain in the UK for more than 6 months
- A foreign citizen who is coming to the UK on a visit and who does not intend to remain for more than 6 months

The employer must also pay the applicant at least the national minimum wage.

Domestic workers include: cleaners, chauffeurs, cooks, those providing personal care for the employer and their family and nannies.

SPOUSAL VISA

In order to apply for a UK Spousal Visa (aka family of a settled person visa), the applicant must be able to prove one of the following:

- That they are in a civil partnership or marriage that's recognised in the UK.
- They have been living together in a committed relationship for at least 2 years when they apply.
- They are a fiancé, fiancée or proposed civil partner and will marry or enter into a civil partnership in the UK within 6 months of arriving in the UK.

In order to achieve a spousal visa, the couple must be able to satisfy the financial requirement aspect of the visa, which is that the applicant and their British partner/spouse must have either a combined income of at least £18,600 per year or savings of at least £62,500. (The amount of money required increases if there are non-British children in the relationship – £3,800 for first child and £2,400 for each further child).

The couple also need to be able to prove that they have a suitable home to come and live in within the UK.

The non-British spouse/partner must be able to prove their knowledge of English by taking a test (unless exempt).

Detailed documentation is required to prove the relationship if the couple are not married, as well as evidence of compliance with the financial requirement.

The Visa is granted for an initial 2.5 years and then can be renewed for a further 2.5 years, after 5 years the applicant can apply for permanent residence.

STANDARD/BUSINESS/ MARRIAGE VISITOR VISA

Standard Visitor Visa – This visa is for anyone who wants to visit the UK for up to 6 months as a tourist/visitor (certain foreign nationals do not require this visa to visit the UK).

Business Visitor Visa – This visa is for any businessmen or women who want to come to the UK to attend work related training, client meetings, board meetings and business conferences – NO work is permitted under this visa. The visa is granted for up to 6 months.

Marriage Visitor Visa – is for those applicants who want to get married or register a civil partnership in the UK or want to give notice of a marriage or civil partnership in UK and are not planning to stay or settle in the UK after their marriage or civil partnership has taken place. (This Visa is granted for a maximum of 6 months and within that time the couple must have got married or entered into a civil partnership).



GLOBAL BUSINESS MOBILITY

GRADUATE TRAINEE VISA

This visa replaced the old Tier 2 Intra-company Transfer Graduate Trainee visa on 11 April 2022.

A Graduate Trainee visa allows the applicant to come to or stay in the UK to work for his/her employer in their UK branch.

The Graduate Trainee's job must be eligible and part of a graduate training programme for a managerial or specialist role with his/her employer.

To qualify for a Graduate Trainee visa, the applicant must:

- be an existing employee of an organisation that's been approved by the Home Office as a sponsor
- have worked for his/her sponsor outside the UK for at least 3 months immediately before he/she applies
- have a 'certificate of sponsorship' from the employer with information about the work they will do in the UK
- do a job that's on the list of eligible occupations; and
- be paid at least £24,220 per year

The applicant cannot apply to change ('switch') to a Graduate Trainee visa from inside the UK.

The applicant can stay in the UK with a Graduate Trainee visa for whichever is the shorter of:

- the time given on the applicant's certificate of sponsorship plus 14 days
- 12 months

The applicant cannot extend this visa, but can apply for another Graduate Trainee visa from outside the UK.

UK EXPANSION WORKER VISA PART 1

This visa replaced the Sole Representative of an Overseas Company Visa on 11 April 2022.

A UK Expansion Worker visa allows the applicant to come to the UK to set up a branch of an overseas business that has not yet started trading in the UK.

The applicant must already work for the overseas business as either a senior manager or specialist employee.

To be eligible for a UK Expansion Worker visa the applicant needs to:

- be aged 18 or over;
- be currently working for a business or organisation that is linked to their UK Sponsor by common ownership or control;
- have worked outside the UK for the linked business or organisation for a cumulative period of at least 12 months, unless they are a high earner earning £73,900 per year or more or they are a Japanese national seeking to establish a UK branch or subsidiary of the linked business or organisation under the UK-Japan Comprehensive Economic Partnership Agreement;
- they have a valid Certificate of Sponsorship issued by their UK sponsor for the job they are planning to do;
- The job they are planning to do is genuine;
- The job they are planning to do is skilled to at least RQF Level 6 (graduate equivalent);
- Their salary will be equal to or exceed both £45,800 per year and the 'going rate' for the job;
- They have enough money to support themselves without relying on public funds;
- They have provided a valid TB certificate, if required.

GLOBAL BUSINESS MOBILITY

UK EXPANSION WORKER VISA PART 2

An applicant can stay in the UK with a UK Expansion Worker visa for whichever is the shorter of:

- 12 months after the start date of the job on their certificate of sponsorship
- the time given on their certificate of sponsorship plus 14 days

If the applicant wants to stay longer in the UK, they can extend their visa by 12 months. The maximum time an applicant can stay in the UK on a UK Expansion Worker visa is 2 years.

The Home Office has published a list of jobs that are eligible for this visa.

An applicant for a UK Expansion Worker Visa must be paid a salary which equals or exceeds £45,800 per year and 100% of the pro-rated going rate for the occupation, whichever is higher.

UK Expansion Worker Visa applicants do not need to satisfy an English language requirement.

An applicant can only stay in the UK for a maximum of 5 years in any 6 year period if they have previously spent time in any of the Global Business Mobility routes or the former Intra-company routes.

SERVICE SUPPLIER VISA

An applicant can apply for a Service Supplier visa if they have a contract to provide services for a UK company, either as:

- an employee for an overseas company
- a self-employed professional based overseas

To be eligible for a Service Supplier visa, the applicant must:

- be an employee of an overseas business, or a self-employed service provider based overseas
- be providing a service to a UK business under a contract that is covered by a valid international trade agreement
- be doing an eligible job – if the job is not eligible then the applicant may still qualify if they have relevant qualifications and experience
- have a 'certificate of sponsorship' from their UK sponsor with information about the work they will be doing in the UK
- have worked for their employer for at least 12 months outside the UK, or have at least 12 months' professional experience if they are a self-employed service provider

How long the applicant can stay in the UK depends on the type of trade agreement they are providing services under.

The applicant can stay for whichever is the shorter of:

- 6 months or 12 months – this depends on the trade agreement the applicant is providing services under the time given on the applicant's certificate of sponsorship plus 14 days

The maximum time an applicant can stay on a Service Supplier visa is 6 or 12 months depending on the type of trade agreement the applicant is providing services under.

GLOBAL BUSINESS MOBILITY

SECONDMENT WORKER VISA

This visa is required if an applicant's overseas employer is transferring the applicant to the UK to do an eligible job for a different organisation.

To be eligible for a Secondment Worker visa, the applicant must:

- be an existing employee of an overseas organisation that has a high-value contract (minimum £50 million) with the applicant's UK sponsor that has been approved by the Home Office
- have worked for the overseas employer for at least 12 months outside the UK
- have a 'certificate of sponsorship' from the sponsor with information about the work the applicant will do in the UK
- do a job in the UK that's on the list of eligible occupations

The applicant can stay in the UK with a Secondment Worker visa for whichever is shorter of:

- 12 months after the start date of the job detailed in the certificate of sponsorship
- the time given on the applicant's certificate of sponsorship plus 14 days
- If the applicant wants to stay longer in the UK, they can extend their visa by 12 months. The maximum time the applicant can stay in the UK on a Secondment Worker visa is 2 years.

SCALE UP VISA

PART 1

The Scale-up Visa is for talented individuals recruited by a UK Scale-up Sponsor, who have the skills needed to enable the Scale-up business to continue growing.

The applicant will need to have a highly-skilled job offer from a qualifying Scale-up business at the required salary level. The Scale-up Visa route opened on 22 August 2022.

The Scale up route does lead to settlement in the UK.

The Home Office will publish a list of jobs that are eligible for the Scale-up route.

The Scale-up Visa route offers both a Sponsored Application route and an Un-sponsored Application route. The Un-sponsored Application route is only available to applicants who have previously been granted permission as a Scale-up Worker.

In order to qualify for a Scale-up Visa via a Sponsored Application, the applicant will need to satisfy the following:

- They are aged 18 or over;
- They have a valid Certificate of Sponsorship issued by a UK sponsor for the job they are planning to do;
- The job they are planning to do is genuine;
- The job they are planning to do is at an appropriate skill level;
- Their salary will be equal to or exceed both £34,600 per year and the 'going rate' for the job;
- They are competent in the English language to at least CEFR Level B1;
- They have enough money to support themselves without relying on public funds;
- They have provided a valid TB certificate, if required.



SCALE UP VISA

PART 2

In order to qualify for a Scale-up Visa via an Un-sponsored Application, the applicant will need to satisfy the following:

- They are aged 18 or over;
- They have previously been granted permission as a Scale-up Worker;
- They had monthly PAYE earnings in the UK equivalent to at least £34,600 per year during at least 50% of their most recent grant of permission as a Scale-up Worker;
- They are competent in the English language to at least CEFR Level B1;
- They have enough money to support themselves without relying on public funds;
- They have provided a valid TB certificate, if required.

An applicant granted a Scale-up Visa on the Sponsored Application route will have permission to stay for a period of 2 years.

An applicant granted a Scale-up Visa on the Un-sponsored Application route will have permission to stay for a period of 3 years.

If an applicant is granted a Scale-up Visa on the Sponsored Application route then they will need to be employed in the job that they are being sponsored for, for an initial period of 6 months. After this initial 6 month period, their immigration status will no longer be tied to their original sponsoring employer.

If an applicant is granted leave as a Scale-up Worker on the Un-sponsored Application route then they will have a full right to work from the outset (including employment, self-employment and voluntary work), meaning that they will not be tied to a sponsoring employer.

An applicant can apply to settlement after completing a continuous period of 5 years in the UK with valid leave.

To register as a Scale-up Sponsor, the employer will need to demonstrate that they have had an annualised growth of at least 20% for the previous 3-year period in terms of turnover or staffing. Companies will also need to have had a minimum of 10 employees at the start of this 3-year period.

The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors.

HIGH POTENTIAL INDIVIDUAL VISA

PART 1

The High Potential Individual Visa is available to recent graduates of top global universities who wish to work, or seek work, in the UK. The High Potential Individual route will opened on 30 May 2022.

The High Potential Individual route does not lead directly to settlement in the UK but the applicant can switch into another visa route in the UK that may allow them to settle.

In order to qualify for a High Potential Individual Visa, the applicant will need to satisfy the following:

- They are aged 18 or over;
- They have, in the last 5 years, been awarded an overseas degree level academic qualification from an institution which appears on the Global Universities List;
- They are competent in the English language to at least CEFR Level B1;
- They have enough money to support themselves without relying on public funds (minimum £1,270 in a bank account for 28 consecutive days before application is submitted);
- They have not previously been granted permission under the Student Doctorate Extension Scheme, as a Graduate or as a High Potential Individual;
- They have provided a valid TB certificate, if required.

PART 2

In order to qualify for a High Potential Individual Visa the applicant will need to have been awarded an overseas degree level academic qualification that must have been awarded in the 5 years before the date of their High Potential Individual Visa application.

The institution which awarded the applicant their degree must appear on the Global Universities List in respect of the date when they were awarded their degree. The Global Universities List is a list of universities published by the Home Office.

The applicant will need to provide confirmation from Ecctis that their qualification meets or exceeds the recognised standard of a UK bachelor's or UK postgraduate degree and also confirm the date when the applicant was awarded the degree.

The length of stay on this visa depends on the following:

- PhD or other doctoral level qualification – 3 years
- All other degree qualifications – 2 years

It is not possible to apply for an extension of a High Potential Individual Visa.



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Charles is Head of Immigration, specialising in Personal and Corporate immigration to the UK.

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Charlie is a Partner in our Trusts, tax and estate planning team, specialising in advising resident non-domiciliaries, UK and international trustees and domestic clients on matters spanning pre-immigration planning, residency and domicile rules, international tax planning and UK wills and estate planning. Charlie also advises on a full range of immigration matters. On the personal immigration side, he specialises in advising private clients and their families throughout their immigration journey, from initial visa applications through to applications for indefinite leave to remain and naturalisation. He also advises entrepreneurs about setting up businesses in the UK under the Innovator or Start-Up immigration routes, and advises younger clients on Student visas and the Graduate visa. With businesses, Charlie advises corporate clients on recruiting and retaining top talent from the global market.

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