HM Government

The UK's points-based
immigration system
**An introduction
for employers**

The UK's points-based immigration system: An introduction for employers

From 1 January 2021, free movement will end and the UK will introduce a points-based immigration system. The new system will treat EU and non-EU citizens equally and transform the way in which all migrants come to the UK to work.

Under a points-based immigration system, points are assigned for specific skills, qualifications, salaries and shortage occupations. Visas are then awarded to those who gain enough points.

The points-based system will provide simple, effective and flexible arrangements for skilled workers from around the world to come to the UK through an employer-led system.

This represents a significant change for employers in the UK, who will need to adapt. This guide provides an overview of the new system and sets out the steps employers can take to prepare.

For guidance on becoming a Home Office approved sponsor, please refer to the full policy guidance on sponsoring a migrant worker on **GOV.UK**.

EU citizens already living in the UK

The new system will not apply to EU citizens living in the UK by 31 December 2020. They and their family members are eligible to apply to the EU Settlement Scheme and have until 30 June 2021 to make an application.

As a transition measure, employers can continue to accept the passports and national identity cards of EU citizens as evidence of their right to work up until 30 June 2021.

Skilled workers

From 1 January 2021, anyone coming to the UK to work will need to demonstrate that:

- they have a job offer from a Home Office approved sponsor

- the job offer is at the required skill level – RQF 3 or above (A Level and equivalent)

- they speak English

In addition to this:

- if they earn more than the required minimum salary threshold they are eligible to make an application

- if they earn less than the required minimum salary threshold, but no less than £20,480, they may still be eligible if they can demonstrate that they have a job offer in a specific shortage occupation or a PhD relevant to the job

Anyone coming to work in the UK will need to be paid the higher of the specific salary threshold for their occupation – the 'going rate' – and the general salary threshold. However, some applicants will be able to trade characteristics, such as their qualifications, against a lower salary. The general minimum salary threshold will be £25,600. See GOV.UK for further information on the 'going rate' for specific occupations and further exemptions.

Identifying whether a job meets the required skill level

All jobs have a corresponding Standard Occupational Classification (SOC) code. You can use the ONS Occupation Coding Tool to identify the relevant SOC code for your job.

Current skill levels for SOC codes are set out in Appendix J of the Immigration Rules.

The Immigration Rules will be updated in order to expand the list of occupations that will be eligible for the Skilled Work route. This will be based on the advice already published by the Migration Advisory Committee. More information will be published on GOV.UK in due course.

Characteristics	Tradeable	Points
Offer of job by approved sponsor	No	20
Job at appropriate skill level	No	20
Speaks English at required level	No	10
Salary of £20,480 to £23,039	Yes	0
Salary of £23,040 to £25,599	Yes	10
Salary of £25,600 or above	Yes	20
Job in a shortage occupation, as designated by the Migration Advisory Committee	Yes	20
Education qualification: PhD in a subject relevant to the job	Yes	10
Education qualification: PhD in a STEM subject relevant to the job	Yes	20

A total of 70 points is needed to be able to apply to work in the UK

Skilled worker case studies

Graphic designer coming to the UK under the new points-based system

Graphic designer earning £23,000	
General salary threshold: £25,600	
Job offer	20
RQF 3 or above	20
English language	10
Salary	0
Shortage occupation	20
Total	70

Lower salary traded for occupation being in shortage

Production manager coming to the UK under the new points-based system

Production manager earning £28,000	
Going rate salary threshold: £34,600	
Job offer	20
RQF 3 or above	20
English language	10
Salary	0
Education qualification: STEM PhD	20
Total	70

Lower salary traded for STEM PhD

Highly skilled workers

From January 2021, the current Global Talent route will open to EU citizens on the same basis as non-EU citizens. This means the most highly skilled, who can achieve the required level of points, will be able to enter the UK without a job offer if they are endorsed by the relevant competent body.

In the longer term, an unsponsored route for highly skilled workers will be introduced. This would allow a small number of the most highly skilled workers to come to the UK without a job offer.

Lower-skilled workers

There will not be an immigration route specifically for those who do not meet the skills or salary threshold for the skilled worker route.

The new immigration system provides greater flexibility for employers with changes to salary and skills thresholds. Employers can also benefit from the youth mobility scheme. The UK has arrangements in place with eight countries and territories to enable around 20,000 young people to come to the UK each year.

Other routes

Initiatives are also being brought forward for scientists, graduates and NHS workers, which will provide businesses with additional flexibility. A new Graduate Immigration Route will be available to international students who have completed a degree in the UK from summer 2021. This will enable international students to remain in the UK and work at any skill level for two years after they have completed their studies.

Becoming an approved sponsor

Employers not currently approved by the Home Office to be a sponsor should consider applying now if they think they will want to sponsor skilled migrants, including from the EU, from early 2021. Visit 'UK visa sponsorship for employers' on GOV.UK

You need to apply to be a sponsor if you want to recruit workers from outside the resident labour market from 1 January 2021. Until then current immigration rules will apply.

The standard processing time for an application is usually 8 weeks and will start when we receive your application.

You do not need to be a sponsor to employ someone from the resident labour market with an existing right to work in the UK. This includes EU citizens with settled or pre-settled status, and non-EU citizens with indefinite leave to remain in the UK.

You will need to:

1. Check your business is eligible.

To get a licence, you cannot have unspent criminal convictions for immigration offences or certain other crimes, such as fraud or money laundering.

2. Choose the type of licence you want to apply for.

This will depend on what type of worker you want to sponsor:

- Tier 2 – skilled workers with long-term job offers

- Tier 5 – skilled temporary workers

You can apply for a licence covering either tier or both.

3. Decide who will manage sponsorship within your business.

You need to appoint people within your business to manage the sponsorship process when you apply for a licence. The main tool they'll use is the sponsorship management system (SMS). The roles are:

- authorising officer – a senior and competent person responsible for the actions of staff and representatives who use the SMS

- key contact – your main point of contact with UK Visas and Immigration (UKVI)

- level 1 user – responsible for all day-to-day management of your licence using the SMS

These roles can be filled by the same person or different people.

4. Apply online and pay a fee.

Type of licence	Fee for small or charitable sponsors	Fee for medium or large sponsors
Tier 2	£536	£1,476
Tier 5	£536	£536
Tier 2 and Tier 5	£536	£1,476
Add a Tier 2 to an existing Tier 5	No fee	£940
Add a Tier 5 to an existing Tier 2	No fee	No fee

The fees stated are current as of March 2020. Fees are kept under review and may be subject to change. Please check GOV.UK

You're usually a small business if:

- your annual turnover is £10.2 million or less

- you have 50 employees or fewer

Contact the Business Helpdesk if you're unsure which category your business fits into: businesshelpdesk@homeoffice.gov.uk

For more information on becoming a sponsor or to begin your application, visit: GOV.UK

The visa process

New immigration routes, such as the skilled worker route, will open from autumn 2020 for applications from those who wish to work in the UK from 1 January 2021. Applicants will apply and pay for their visa online. Anyone who comes to the UK as a visitor will not be able to apply for a visa to work once in the country.

Journey stage	Migrant actions
Planning to come	EU citizens and non-visa nationals will not require a visa to enter the country when visiting. All migrants looking to enter the UK to work will need to apply for permission in advance.
Getting permission	Most EU citizens will complete their application online. Non-EU citizens will continue to go to a Visa Application Centre to enrol their biometrics.
Crossing the UK border	Citizens of Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA, who possess biometric passports, will continue to be able to use e-gates to pass through the UK border either as a visitor or with prior permission. EU citizens will continue to use e-gates but this policy will be kept under review. Others will need to see a Border Force officer.
Living in the UK	EU citizens can use the online checking service to demonstrate their immigration status and their right to work in the UK. As a transition measure, employers, landlords and public service providers will continue to accept the passports and national identity cards of EU citizens as evidence of permission up until 30 June 2021. Non-EU citizens will continue to use their physical documentation.
Leaving the UK	Leaving the UK after leave has expired, or not leaving at all when required to, will impact a migrant's immigration status and affect future interactions with UK immigration.

For more information on the points-based immigration system
and to sign up for email alerts, visit **GOV.UK**