

FREETHS

Government announces details of the 2021 immigration system

There will be fundamental changes to our immigration system for skilled workers. The most significant being the inclusion of European nationals. For the first time businesses who have relied on a European workforce will need to understand the requirements of the Immigration Rules to recruit any overseas nationals, including Europeans.

Time to secure an immigration licence

If a business anticipates recruiting any overseas nationals into skilled roles, they will need an immigration licence. The Government intends to open key routes from autumn 2020. Employers who are not currently approved by the Home Office to be a sponsor should consider doing so now if they think they will need to sponsor skilled migrants, including those from the EU, from early 2021. The licence process can be complex and time consuming. There will likely be a spike of applications at the end of 2020. The sooner a business can secure the licence to be ready for the new system the better.

Key changes

The Government's announcement on 19 February 2020 confirms that there will be some welcome changes to the skilled visa route. These include the removal of the cap on visas issued and the removal of the requirement to advertise a role to the resident labour market before offering it to an overseas national. These changes will make the system more open for use by British businesses.

In response to the reduction in an available workforce from Europe when free movement ends in January 2021, the Government proposes to reduce the skills threshold for sponsored roles from graduate to A-level. This will be good news for engineering, manufacturing and digitech sectors who will see many more occupations become available to a global workforce.

A significant change will be the ability to trade points. A prospective employee may score fewer points on salary but be able to make these up with points for working in a shortage occupation. For example a nurse earning £22,000 may not be earning enough to score points for salary but may score additional points if this role is, as it is now, defined as being in a shortage occupation.

It is proposed that further attributes may be introduced to the points based system, such as age and previous UK studies, but the Government does acknowledge that further complexity will make the system even harder to navigate.

They have also confirmed a reduction in salary threshold from £30,000 to £25,600 with further reduction to £20,480 for shortage occupations and certain PhD level roles. As now, there will be lower salary thresholds for new entrants to the labour market. These changes will be welcomed by businesses who have been concerned about how to meet

their skilled labour requirements post-Brexit. When planning recruitment, businesses will be able to recruit skilled employees from anywhere in the world.

Highly skilled work

The Global Talent visa route is intended to be a fast track UK visa for scientists, mathematicians and researchers. The visa route will be expanded to include European nationals from January 2021. This route will be uncapped and will not require a sponsoring employer. It is intended that this broader unsponsored route will run alongside the employer-led system.

Lower skilled work

Of concern to many sectors will be the exclusion of any scheme for lower skilled workers. The Government proposes that employers look to the resident population and proposes to introduce post-study work visas for international students and youth mobility to meet the demand for lower skilled work. They also suggest that investment in technology and automation could offer a solution. Businesses in sectors such as care and hospitality will be concerned about the feasibility of these proposals to meet their labour market requirements.

Sports people

There are a number of niche visa routes which include a route for sports people. It is proposed that these will be retained and that they will be opened up to European nationals as free movement ends.

Students

The most important changes for international students will be the anticipated introduction of a visa route which will allow employment in any sector at any skill level and salary level for two years at the end of their studies.

Supporting your business

Following these most recent announcements, securing a licence will now be at the top of the list of priorities for many UK businesses. Our experienced immigration team works with everyone from budding entrepreneurs and SMEs, to the largest global brands, local authorities and universities.

We specialise in guiding UK based businesses through the points based system to enable them to recruit the workforce they need.

If you would like our support with any immigration matter, including preparation for 2021, you should not hesitate to contact a member of the Business Immigration team at Freeths on the details below.

Key Contact



Arshia Hashmi

Associate

0845 272 5673

arshia.hashmi@freeths.co.uk