Post-Brexit work visa information

## Working in the UK

# I'm from Ireland or have settled or pre-settled status under the EU Settlement Scheme

No restrictions apply to students and graduates from Ireland due to the Common Travel Area (CTA) arrangements between the Irish and UK Governments. Students with settled or pre-settled status in the UK under the EU settlement scheme can also live and work in the UK without restriction while they hold this status

#### I'm an international student

Students from all countries (except Ireland) require entry by visa and various restrictions and conditions apply for work permits. If you hold a Student visa you will be entitled to work up to 20 hours a week during term time. There is no restriction of hours for work during the holidays. You may require sponsorship from an employer to work in the UK. See gov.uk's register of licensed sponsors

## **Work visas**

The main work visa options for Non-EEA students are:

- Tier 2 (General) visa (for full and part-time work), and
- <u>Tier 5 (Temporary Worker Government Authorised Exchange) visa</u> (for work experience or professional training).

Employers who are able to sponsor workers to work in the UK under both Tier 2 and 5 are listed on a <u>register of licensed sponsors</u>. With Tier 2 being the main visa route for those interested in working in the UK after their studies finish, students may find it useful to look through this register to determine if a potential employer would be licensed to employ migrant workers under this Tier. A number of employers will often state whether they are able to sponsor non-EEA workers in their job descriptions or application materials.

Although the stamp in your passport may say 'authorisation for work required', please note that the British Government has given this authorisation to all international students. Some employers may not be aware of this, so the onus might be on you to explain this to them.

Further details on all visa application routes can be found on the gov.uk work visas website.

# **Start-up Visa (formerly Tier 1 Graduate Entrepreneur)**

There is an immigration route for international students who are interested in developing their own businesses whilst in the UK. The UK Government states that the Start-up visa is: "For MBA and other UK graduates who have been identified by Higher Education Institutions as having developed genuine and credible business ideas and entrepreneurial skills to extend their stay in the UK after graduation to establish one or more businesses in the UK." Cranfield University can help with applications through their <a href="Bettany Centre for Entrepreneurship">Bettany Centre for Entrepreneurship</a> and <a href="Business Incubation Centre">Business Incubation Centre</a>.

We have put together a comprehensive Careers Factsheet on Entrepreneurs, which is available to download here. Further details on the <u>Start-up Visa</u> can also be found on gov.uk

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## **Global Talent Visa (formerly Tier 1 Exceptional Talent)**

You can apply for a Global Talent visa to work in the UK if you're a leader or potential leader in one of the following fields:

- academia or research
- arts and culture
- · digital technology

You can apply for this visa in the UK (switch) if you hold a Student visa but not if you are here on a visitor visa or short-term study visa.

# **Designated Competent Bodies relevant to Cranfield students**

- The Royal Society for endorsement applications in the natural sciences and medical science research field.
- The Royal Academy of Engineering for endorsements in the engineering field.
- Tech City UK for endorsements in the digital technology field.

# **Skilled Worker Visa (formerly Tier 2)**

The Skilled Worker visa is the main immigration route for working in the UK and is for skilled workers with a job offer. This visa requires applicants to have received an offer of employment and the employer must provide you with a 'Certificate of Sponsorship' (CoS). Further information on all areas of the scheme can be found on the <a href="UK Visas and Immigration">UK Visas and Immigration</a> webpages.

To obtain a Skilled Worker visa for you, your employer must:

- be approved by the Home Office
- offer you a 'graduate level' job
- allocate a Certificate of Sponsorship (CoS) to you and
- offer the minimum applicable salary (the minimum annual salary is £20,800 per year for new entrants and for experienced workers is £30,000). Please note that for some occupations the minimum entry level salary will be a higher amount.

The visa can be granted for up to 5 years and will depend on the length of appointment and whether the job meets the 'new entrant' or 'experienced worker' salary rate.

Visit <u>advice for job applicants</u> for support and immigration advice for job applications at Cranfield University and <u>UK Council for International Affairs (UKISA)</u> who have helpful advice on your options during and after study.

## **Student Visa Concessions**

You can switch into a Skilled Worker visa from within the UK if you continue to hold a valid Student visa and meet all other eligibility requirements under the Skilled Worker route.

The good news for your employer is that if you switch from a Student visa to Skilled Worker visa within the UK, two concessions will apply that makes it easier for your employer to employ you.

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#### The concessions are:

- your Certificate of Sponsorship (CoS) will be an unrestricted CoS which does not fall under the national annual limit; therefore, it could be issued to you in a shorter timeframe. This annual limit only applies to applications made outside of the UK.
- your employer does not need to conduct a Resident Labour Market Test (RLMT). The RLMT ordinarily requires a job to be advertised in a particular way and for sponsors to demonstrate that there are no suitable settled workers to fill the post.

We advise that when making job applications you check to make sure that the prospective employer is <u>registered as a licenced sponsor</u>. When you complete the online application form or submit a covering letter, you can make the employer aware of the following:

- that as they are registered as a sponsor, they can sponsor you for a Skilled Worker visa,
- mention the two concessions above that apply for applicants moving from a Student to a Skilled Worker visa in the UK,
- that you have a right to work in the UK, restricted to a maximum of 20 hours per week during term-time, and that under the Student rules following completion of your course<sup>1</sup>, you may work full time hours on the final remaining months of your visa as this is considered 'vacation time' by the Home Office (refer to the 'Can I work whilst in the UK?' section of the <u>Student</u> <u>Route Policy Guidance</u>).

If you are an international PhD student, there is an immigration toolkit available to read on the jobs.ac.uk website, which you may find helpful.

# When can I apply and when can I start work?

#### **Applying**

For Masters students who have sat all exams and completed all academic work, and the formal course end date has passed, you do not have to wait until your degree has been awarded before applying.

PhD students may apply for a Skilled Worker visa once having completed at least 12 months of the course.

# Starting work

If you have successfully completed your course and because Cranfield University is a recognised body or an institution in receipt of public funding as a higher education institution, you potentially might be able to start work with your Skilled Worker employer before receiving a decision on your Skilled Worker application, however you should discuss this with your sponsor. A prospective employer might not want you to do this as it could lead to problems if your Skilled Worker application is not successful. Your employer will let you know when you can start your job.

If you have made your Skilled Worker application having completed your course but are still awaiting results that confirm you have been successful, you will not be able to start your job until the Home Office grants your Skilled Worker immigration permission.

<sup>&</sup>lt;sup>1</sup> Please note any early completion of a course needs to be reported to the Home Office and this may result in a change to your immigration permission and your ability to work, so it is always important to speak to your employer.

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## Visa application

## Application form

Skilled Worker applications made within the UK are submitted online.

## Maintenance

No evidence of maintenance (your money) is required if you are applying in the UK and you have been living here with a valid for visa for at least 12 months. This is the same for any dependants who are applying in the UK. If you don't meet this provision you are required to show you have held a minimum balance of £1270 in your bank account for 28 consecutive days. This bank account must be in your name or a joint account with another person. If you have any dependants then the amount of maintenance you will need to show is £285 for your partner, £315 for the first dependent child, and £200 for any further dependent.

If your sponsor is a fully approved ('A-rated') sponsor, they may certify maintenance for you, if you need it. This means that they will provide the above sum for you if it becomes necessary. Where your employer is happy to do this, you do not have to provide evidence that you have this money. Check with your employer whether this is an option for you. Your sponsor would need to confirm this on the certificate of sponsorship.

Register of Sponsors Licensed under the Points based system includes Cranfield University as an A rated sponsor.

## **Immigration Health Surcharge**

Your application will in most cases include an immigration health surcharge.

## Documents required for your application

- Passport
- Biometric Resident Permit (if your visa was issued in this format)
- Police Registration Certificate (only if you are from a country required to register and it must be up to date)
- 2 brand new passport size photos on a grey or light cream background
- Bank statements
- Degree certificate\*
- Certificate of Sponsorship (Cos)

Please note that if you have been fully financially sponsored (all tuition fees and living expenses) by a government or international scholarship agency, and this funding ended less than 12 months before you intend to apply for this visa, you will need written permission from that sponsor to say they do not object to you applying for the visa.

\* If you have completed your relevant eligible qualification, but have not received your final certificate or transcript, you have the option of submitting an official academic reference provided by your institution, confirming the details of your course and specifying the date you completed the course, having sat all exams and presented all academic papers (unless you were studying a PhD course where confirmation of 12 months' study is required).

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## Important links

- Find further information about the Skilled Worker visa on the gov.uk website
- Information for employers on applying for a sponsor licence
- UK Council for International Affairs (UKISA) Working after studies UKISA

# **Graduate Route visa – more information coming soon**

## **Tier 5 (Government Authorised Exchange)**

This Government Authorised Exchange scheme is made up of 4 separate programmes:

- Work Experience Programme for internships and job shadowing (12-month visa).
- Research Programme for work on a specific scientific, academic, medical or government research project (24-month visa).
- Training Programme to undertake a formal, practical training programme in Science and/or medicine. This would normally lead to a professional qualification (24-month visa).
- Overseas Government Language Programme for language teachers sponsored by their overseas government to carry out teaching placements in the UK (24-month visa).

Whichever programme you apply for, you will need to be sponsored by a 'licensed overarching body'. These bodies are responsible for the running of the programmes and may help you to find a placement.

Sponsored Researcher - this is an exceptional sub-category which allows universities to sponsor individuals who are coming to the UK from overseas to undertake research at Cranfield and are being financially sponsored by an external organisation for up to 24 months. (Unless you are a sponsored researcher at a university and in this case, the university will be your sponsor).

## **Important links**

- Further information about the <u>Tier 5 (Government Authorised Exchange)</u> is available on the gov.uk website.
- Tier 5 (Temporary Worker) Policy Guidance
- List of Tier 5 government authorised exchange schemes
- Overarching bodies that can provide sponsorship: Access Tier 5 and Tier 5 Intern