

The UK's points-based immigration system: An introduction for EU, EEA and Swiss workers



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The UK's points-based immigration system: An introduction for EU, EEA and Swiss citizens coming to work in the UK

Before you apply to work or study in the UK under the points-based immigration system, you should check if you're eligible for the **EU Settlement Scheme**.

The UK left the European Union on 31 January 2020. Free movement between the UK and the EU ended on 31 December 2020 and on 1 January 2021, the UK implemented a points-based immigration system that prioritises skills and talent over where a person comes from.

If you are not eligible under the EU Settlement Scheme, you need to meet specific requirements in order to work or study in the UK from 1 January 2021. Under a points-based immigration system, points are assigned for specific skills, qualifications, salaries and shortage occupations. Only those who obtain enough points will be allowed to work in the UK. You must also pass the relevant checks, including UK criminality checks.

EU, EEA and Swiss citizens can continue to visit the UK for up to six months without applying for a visa. You may also participate in a wide range of **activities**, including tourism, visiting family and friends, short-term study and business-related activities, such as attend job interviews, meetings, events and conferences.

Irish citizens' status continues to be protected as part of **Common Travel Area arrangements**. Therefore, Irish citizens do not require permission to come to the UK (except in a very limited number of circumstances), and as a result, are not eligible to apply under the new points-based immigration system.



EU Settlement Scheme

The deadline for most people to apply to the **EU Settlement Scheme** was 30 June 2021. The EUSS has made provision for **late applications** to be made by EU, EEA and Swiss citizens and their family who can show they have reasonable grounds for missing the deadline. You may also be able to apply to the EUSS at any point in the future if you are **joining a close EU, EEA and Swiss family member** who has successfully applied to the EUSS.

Applying to work in the UK

The points-based immigration system provides simple, effective and flexible arrangements for skilled workers from around the world to come to the UK to work. You should check if you are eligible and then begin your application at GOV.UK.

For the majority of applicants, the application process will be entirely digital. As part of your application, you will need to verify your identity. Most people will be able to do this using a smartphone, through the 'UK Immigration: ID Check' app, as part of the online application. This will enable a smoother journey and will allow you to have a fully online experience. To do this, you will need a **biometric passport and a compatible smartphone**. The app is free and is compatible with Android phones and iPhone 7 or newer models. If you do not own a compatible phone, you can use the app from a family member or friend's mobile phone. No information is stored on the phone or app after you close it. During the application process you will create a UK Visas and Immigration (UKVI) account which you will use when accessing your application, or once you receive a decision, to access your immigration status information.

If you do not have a biometric passport or access to a compatible smartphone, or if ID verification through the 'UK Immigration: ID Check' app is not yet available for the route you are applying through, you will need to attend a **Visa Application Centre**. You should still start your application on GOV.UK - if you are directed to attend a Visa Application Centre you will be given further information about this process and what documents you will need to provide upon your visit.

Receiving a decision and demonstrating your rights

If you use the UK Immigration: ID Check app, you will receive written notification of your immigration status, normally via email, if your application is successful. As you will have a UKVI account, you will have access to the **View and Prove Service** which allows you to view the details of your immigration status (eVisa), along with other services.

Signing into the View and Prove service allows you to:

- View your eVisa and check what rights you have in the UK, for example the right to work
- Prove your status to others, such as employers, landlords, or education providers, by generating a 'share code' which gives them time limited access to relevant data
- Update some of your personal details, for example your passport number or email address.

If you successfully apply through a Visa Application Centre to stay in the UK for longer than 6 months, you will receive a **vignette** in your passport to travel to the UK, and then a **biometric residence permit (BRP)** once you arrive in the UK. You will still be able to use some online services to evidence your **right to work** and **right to rent** rather than having to rely on your physical documents.

A guide about viewing and proving your immigration status (eVisa) is available on GOV.UK

You will need to pay an **application fee**. The cost for each visa route varies and details can be found on **GOV.UK**. If you are coming to the UK for more than six months, you may also have to pay the **Immigration Health Surcharge**, which will enable you to access the UK's National Health Service (NHS) in a similar way to permanent UK residents.

You must apply and receive confirmation that your visa application has been successful before you travel to the UK. The **processing times for applications** vary depending on the visa you are applying for.

Travelling to the UK

From 1 October 2021, you will not be able to use an ID card to enter the UK. You will need to provide a valid passport.

You can continue to use your national ID card to enter the UK until at least 31 December 2025 if you:

- have settled or pre-settled status under the **EU Settlement Scheme**
- applied to the **EU Settlement Scheme** by 30 June 2021 but have not received a decision yet
- have an **EU Settlement Scheme family permit**
- have a **Frontier Worker** permit
- are an **S2 Healthcare Visitor**
- are a Swiss national **Swiss Service Provider**.

When crossing the UK border, information will be checked digitally on arrival, and those with a UKVI account will not routinely need to prove their status. To prevent unnecessary delays at the border, it is important to ensure the document you travel on is registered to your account, which you can do by updating your details if you intend to travel on a different document (for example a new passport). Further information on **viewing and proving your immigration status** is available on GOV.UK.



Skilled Worker visa eligibility

In order to be eligible for the Skilled Worker visa, you will need to demonstrate you meet the following mandatory criteria (in addition to passing the relevant UK criminality checks):

- You have a job offer from an approved Home Office licensed employer
- The job offer is at the required skill level – RQF3 or equivalent (A level or equivalent qualification). You do not have to hold a formal qualification, it is the skill level of the job you will be doing which is important
- You can speak English at the intermediate level at B1 (on the Common European Framework of Reference for languages)
- You will be paid the relevant minimum salary threshold by your sponsor – normally £25,600 or the going rate for your particular job, whichever is higher.

If you will earn less than £25,600, but no less than £20,480, you may still be eligible if you can demonstrate:

- You have a job offer in a shortage occupation
- You have a PhD in a subject relevant to the job
- You have a PhD in a STEM (Science, Technology, Engineering, Mathematics) subject relevant to the job
- You 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 £20,480).



A total of **70 points** is required to be eligible to apply; some characteristics are tradeable. If a characteristic is tradeable it means you do not have to fulfil this specific requirement but can instead fulfil a different one to meet the required points.

This table provides an overview of the necessary characteristics to be eligible for a visa under the new points-based system.

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 (minimum) – £23,039	Yes	0
Salary of £23,040 – £25,599	Yes	10
Salary of £25,600 or above	Yes	20
Job in a shortage occupation (as designated by the MAC)	Yes	20
Job in a listed health or education occupation with a salary that equals or exceeds £20,480 per year or the going rate for that occupation	Yes	20
Education qualification: PhD in subject relevant to the job	Yes	10
Education qualification: PhD in a STEM subject relevant to the job	Yes	20
New Entrant	Yes	20

New entrants

You are defined as a new entrant under the points-based system if you meet one of the following requirements:

- You are switching from the Student visa or Graduate route to the Skilled Worker visa
- You are under the age of 26 on the date of your application
- You are working towards recognised professional qualifications or moving directly into postdoctoral positions.

We use the following tests to identify those 'working towards professional qualifications':

- The salary reduction for professional qualifications should only be available where the job offer is in a regulated profession or protected job title
- Working towards professional qualifications should mean working towards full registration or chartered status with the relevant professional body
- This definition also includes those who have switched from the Graduate route into the Skilled Worker visa
- The salary requirement for new entrants will be 30% lower than the rate for experienced workers in any occupation. However, the minimum salary floor of £20,480 must always be met.



Case study

Evie is 26 years old and is in the UK, having studied a veterinary science degree at a UK university and begun her career here under the Graduate route. She wants to carry on working in the UK and has been offered a job as a veterinarian with a starting salary of £22,900. She meets all the mandatory criteria under the points-based system, scoring 50 points.

Evie must now score a further 20 points to be eligible to switch to a Skilled Worker visa. She does not score any points for her salary, but it is above the minimum of £20,480. As Evie is switching from the Graduate route, she scores 20 points as a new entrant to the labour market. Her salary is below the usual £32,500 going rate for her chosen profession, but it is higher than the 70% of the going rate required for new entrants.



Skilled work: Health and Care visa

You can apply for the Health and Care visa to come to the UK with your family if:

- You work in an eligible health occupation and have a job offer from the NHS, social care sector or employers and organisations which provide services to the NHS
- You are able to speak English
- You meet the requirements of the Skilled Worker visa.

There is fast-track entry, with reduced application fees and dedicated support through the application process. If you're eligible to apply for the **Health and Care visa**, you will also be exempt from having to pay the Immigration Health Surcharge.

Frontline workers in the NHS and wider health and social care sector who are not eligible to apply for the Health and Care visa will have to pay the Immigration Health Surcharge and could benefit from a **reimbursement** scheme – led by the Department of Health and Social Care – where they will be repaid. Further details on the Health and Care visa can be found on GOV.UK.



Dependants

Skilled workers can be accompanied by their dependants. Dependants are the spouses, partners and children (under the age of 18) of migrants.

EU, EEA and Swiss citizens who do not qualify as a **dependant** under a points-based system route, or under the EU Settlement Scheme, will need to apply and qualify for entry or stay on the same basis as non-EU, EEA and Swiss citizens, through the family immigration rules.

Global Talent

The **Global Talent visa** allows the most highly skilled to come to the UK without a job offer. This visa caters for recognised leaders, and the leaders of tomorrow in science, humanities, engineering, the arts (including film, fashion design and architecture) and digital technology, with individuals' unique skills enriching the UK's knowledge, economy and society. Fast track pathways are available for winners of prestigious prizes such as specific Academy Awards, the Fields Medal and the Turing Award, and top scientists and researchers also benefit from a quicker endorsement process as part of a fast track STEM scheme.

You must be endorsed by a recognised UK body, as approved by the Home Office. You can apply to one of the following endorsing bodies who will verify your expertise before you can apply for a visa:

- The Royal Society, for science and medicine
- The Royal Academy of Engineering, for engineering
- The British Academy, for humanities
- UK Research and Innovation, for research
- Tech Nation, for digital technology
- Arts Council England, for arts and culture.

Once endorsed you must apply for a visa and subject to criminality and immigration checks, you will be given a highly flexible permission, enabling you to:

- work for employers or be self-employed
 - change jobs without informing the Home Office
 - bring dependants with you.
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Top scientists and researchers will benefit from a quicker endorsement process as part of a fast track STEM scheme. There are three separate fast track options for individuals:

- who currently hold, or have held in the last 12 months, a named award or fellowship
- who hold an eligible job offer as an academic or researcher at an approved Higher Education Institution or independent research organisation
- who are working on an eligible research grant or award from a named funder.

Start-up and Innovator

The **Start-up visa** is for those setting up an innovative business in the UK for the first time, who need to work to support themselves while developing their business ideas.

The **Innovator visa** is for those with industry experience and at least £50,000 funding, who can dedicate their working time to their business ventures, or those moving from Start-up who are progressing their business.

For the Start-up and Innovator visas, you must have the support of an approved **Endorsing body** before you apply. Endorsing bodies are either Higher Education Providers or business organisations who have a track record of supporting UK based entrepreneurs and the support of a government department. Endorsing bodies assess each application to ensure it is innovative, viable and scalable, and are responsible for monitoring the progress of the businesses they endorse.



Frontier workers

You're a frontier worker if you're an EU, EEA or Swiss citizen and you are employed or self-employed in the UK but live elsewhere.

You'll be able to keep your frontier worker status if you were frontier working in the UK before 31 December 2020. You may also keep your frontier worker status if you've previously been a frontier worker (before 31 December 2020) and one of the following applies:

- you're temporarily unable to work because of an illness or accident
- you were working in the UK but are now involuntarily unemployed, and are looking for work in the UK
- you're in vocational training while involuntarily unemployed
- you're in vocational training while unemployed, and the training is related to the work you carried out in your previous work
- you're temporarily unable to work as a result of pregnancy or childbirth
- you're on maternity or paternity leave, and you will return to your previous employment, or find another job, at the end of this period.

From 1 July you'll need to hold a valid **frontier worker permit, as well as your valid passport or national identity card, to enter the UK as a frontier worker. Until then, you can continue entering the UK as a frontier worker using your valid passport or national identity card.**

If you are an Irish citizen your rights are protected under the Common Travel Area, and you do not need to apply for a frontier worker permit but can if you want to.



Frontier worker permit

Read more about the government's **new frontier worker permit scheme** which launched on 10 December 2020

Applications are free and you can apply online via the UK Immigration: ID Check app from inside or outside the UK. If you are unable to use the app, for example because your passport chip is broken or you are using an ID card with an inoperable biometric chip, you will need to attend a visa application centre to verify your identity.

From 1 January 2021, non-British and non-Irish workers who wish to begin employment in the UK will need to apply through the **UK's points-based immigration system**

Swiss Posted Worker route

If you are a service provider established in Switzerland and need to execute a contract which was signed and commenced before 23:00 on 31 December 2020, you may be eligible under the **Service Providers** from Switzerland route.

Alternative work visa routes and specialist occupations

There are a range of other visa routes available for working in the UK, for further specialist occupations, including ministers of religion, sports people and creatives.

- **Intra-company Transfer visas** and **Intra-company Graduate Trainee visa** – accommodates temporary moves by key business personnel, enabling multinational companies to move their workers between subsidiary branches
 - **International Agreement visa (T5)** – specialist route for those coming, under contract, to provide a service covered by international law
 - **Creative and Sporting visas (T5)** – for applicants in the creative and sporting industries who are entering the UK for short-term contracts/engagements for up to 12 months
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- **Charity Worker visa (T5)** – for applicants who want to enter the UK to undertake unpaid voluntary work for a registered UK charity, advancing the charity's primary purpose
- **Minister of Religion visa (T2)** – a longer-term visa for those playing a leading role as faith leaders, leading congregations and preaching the essentials of the creed
- **Religious Worker visa (T5)** – temporary, short-term visa, providing for those undertaking non-pastoral roles, supporting the activities of religious institutions
- **Youth Mobility Scheme visa (T5)** – temporary route which exists to provide young people, from participating countries, with an opportunity to experience life in the UK, enabling them to work and travel for up to two years
- **Government Authorised Exchange visa (T5)** – temporary work route enabling migrants to come to the UK to undertake training and work experience.

Those applying through alternative work and specialist occupation routes will need to complete the identity verification process at a Visa Application Centre. Identity verification using the app will become available in due course.

Find out more about the **points-based immigration system** on **GOV.UK**

