

Skilled Worker visa update



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Agenda

 Quick overview of Skilled Worker points requirements

SOC Updated SOC codes



Minimum salary changes



Tradeable points



Case studies



Questions

Overview

- The Skilled Worker visa (SWV) route allows non-UK/Irish nationals to come to/stay in the UK if they have an eligible job/job offer.
- Job/job offer and applicant must accrue 70 points from application:
 - Job/job offer with Home Office-approved UK employer (20 points); and
 - Appropriate skill level (20 points) supported by a Certificate of Sponsorship (CoS) from the University; and
 - Salary which meets the relevant minimum for that job (20 points); and
 - Proof of meeting English language requirement (10 points).
- Govt announced in Dec 2023 SWV-related changes were incoming on:
 - SOC codes; and
 - minimum salary requirements; and
 - Shortage Occupation List.
- Changes announced on Thursday 14 March in a 292 (yes, really!) page document.

When do the changes come into force?

- The new rules discussed in this presentation will apply to Certificates of Sponsorship (CoS) assigned **on or after 4th April 2024**.
- However:
 - Getting a CoS is a 2 stage process – we request CoS & Home Office grants it, then we can assign it to the individual. Used to take 24h, now taking around a week.
 - UKVI Sponsor Management System 7pm Tues 2 April to 9am on 4 April.
 - UKVI will process as many CoS requested before 7pm on 2 April as they can. All CoS granted before 7pm on 2 April must be assigned before 7pm on 2 April.
 - All outstanding applications / unassigned CoS will be cancelled, and we'll need to reapply from 9am on 4th April using the new SOC codes/rules.
- All CoS assigned before 7pm on 2 April will remain valid for use in a visa application for 3 months.
- Visa applications using those CoS will be considered under the rules in place before 4 April, even if the visa application date is after that.

SOC codes

- Moving from SOC 2010 classification to SOC 2020 on 4 April 2024. Many SOC codes are changing. Most frequently-used by us:

SOC 2010	SOC 2020	Description	Example job titles
2112	2112	Biological scientists	Microbiologist, Pathologist, Forensic Scientist
2112	2113	Biochemists & biomedical scientists	Endocrinologist, Medical Researcher
2119	2119	Natural and social science professionals n.e.c.	Research Scientist/Fellow/Associate/Assistant
2311	2311	Higher education teaching professionals	Lecturer, Professor, Teaching Assistant, Teaching Fellow
2135	2133	IT business analysts, architects & system designers	Systems analyst, Technical Analyst, User Experience Architect
2426	2434	Business & related research professionals	Digital Marketing Analyst, Market Research Analyst, Social Media Analyst
2429	2439	Business, research & admin professionals n.e.c.	Information Compliance Officer, Governance Officer
3111	3111	Lab technicians	Scientific Technician, Assistant Scientist

SOC codes

- New codes we may find useful:

SOC 2020	Description	Example job titles
2135	Cyber security professionals	Data Security Manager, IT Security Analyst
2136	IT quality and testing professionals	IT Auditor, Systems Tester, Test Analyst (computing)
2162	Other researchers, unspecified discipline	Postdoctoral Researcher, Research Assistant/ Fellow, University Researcher
2317	Teachers of English as a foreign language	TEFL, ESOL Tutor
3543	Project support officers	Project Assistant/Analyst/Coordinator/ Officer
3544	Data analysts	Data Analyst/Officer, Data Quality Analyst

- Beware! More codes are sponsorable, but minimum salary in most cases will be £38,700.

Minimum salary changes – who's affected?

- Easier to say who isn't!
- New salary thresholds will not apply to:
 - valid SWV holders who apply to extend before 4 April 2030 (*extension applications*); and
 - valid SWV holders who apply for a new Skilled Worker visa to move into a different type of work and/or to come to work at the University from another UK employer/sponsor before 4 April 2030 (*'change of employment' applications*);

if SWV has been held continuously since first granted.
- if CoS assigned **before 4 April 2024**, those either:
 - in the UK and applying to switch from another visa route into Skilled Worker, or
 - overseas and applying for an initial Skilled Worker visa.

Existing SWV holders

- Must:
 - already hold SWV and be applying to extend, or change sponsor, before 4 April 2030; and
 - have held SWV continuously since before 4 April 2024.
- Data source for going rates has changed, so small differences in minimum salary levels *(figs below in brackets are pre-4 April 2024)*.
 - 'General' threshold: £29,000 a year (£26,200)
 - Going rate for the job: depends on SOC code
 - Absolute minimum threshold: £23,200 a year (£20,960)

Salary:

- a) Must equal/exceed 'General' threshold (£29,000 a year) and going rate for the job unless using tradeable points
- b) Cannot fall below £20,960

SOC code	Going rate 37.5hpw	Going rate 37hpw	Non-STEM PhD	STEM PhD	New Entrant
2119 (research)	32,000 (34,600)	31,574 (34,139)	28,416 (30,725)	25,259 (27,311)	23,200 (23,898)
2311 (teaching)	38,100 (41,200)	37,592 (40,651)	33,833 (36,586)	30,047 (32,521)	26,315 (28,456)

New SWV applicants

- For new SWV applicants from overseas, and those switching in the UK, who are assigned a CoS on/after 4 April 2024.

- Data source for going rates has changed and increased from 25th percentile to the median

(figs below in brackets are pre-4 April 2024):

- ‘General’ threshold: £38,700 a year (£26,200)
- Going rate for the job: depends on SOC code – have also increased
- Absolute minimum threshold: £30,960 a year (£20,960)

Salary:

- a) Must equal/exceed ‘General’ threshold (£38,700 a year) and going rate for the job unless using tradeable points
- b) Cannot fall below £30,960

SOC code	Going rate 37.5hpw	Going rate 37hpw	Non-STEM PhD	STEM PhD	New Entrant
2119 (research)	41,200 (34,600)	40,651 (34,139)	36,586 (30,725)	32,521 (27,311)	30,960 (23,898)
2311 (teaching)	47,700 (41,200)	47,064 (40,651)	42,358 (36,586)	37,652 (32,521)	32,945 (28,456)

What does that mean for us?

- No SWV sponsorship for new SWV applications for any roles below point 36 on the salary scale (g5 pt 3). This is going to affect those who don't already hold a SWV as follows:
 - Academic roles: no impact as entry level salary will be above the £38,700 threshold
 - Research Associates: if appointed to bottom of grade 7, will need tradeable points
 - Research Assistants: if appointed to bottom of grade 5, will not be sponsorable (if appointed to g5 pt3, will need tradeable points)
 - Academic-related/professional services roles: roles where entry level salary is below £38,700 will not be sponsorable unless tradeable points are available
 - Assistant roles: roles where entry level salary is below £38,700 will not be sponsorable unless tradeable points are available

Tradeable points

Tradeable points are available for any role where salary is below 'general' salary threshold, provided not below 'absolute' minimum. The options are:

Options	Description	Minimum salary reduction
Options A and F	No tradeable points required	N/A
Options B and G	Non-STEM PhD relevant to role	10% discount from the contractual going rate for the job*
Options C and H	STEM PhD relevant to role	20% discount from the contractual going rate for the job*
Options D and I	Immigration Salary List	20% discount from the 'general threshold'
Options E and J	New Entrant to labour market	30% discount from the contractual going rate for the job*

* As long as the discounted rate remains above the absolute minimum salary of £30,960.

STEM / non-STEM PhD

- No changes to criteria for this role
- Quick reminder:
 - PhD must be relevant to the job
 - Must be awarded by a UK institution or confirmed as equivalent by Ecctis Visas & Nationality Services
 - Explanation of why it's relevant to the job is required
 - If appropriate, explanation of why it's STEM is required
 - If qualification/Ecctis statement has been provided before, don't need to provide it again, but explanation(s) as above is/are required

Bye bye Shortage Occupation List (SOL)

- SOL is a list of occupations in which workers are deemed by the UK Government to be in short supply in the UK.
- MAC 'rapid review' - SOL will be replaced by Immigration Salary List (ISL) which is for jobs where "Government considers it sensible to offer a discounted salary threshold".
- ISL will be a much-reduced version of the SOL with specific minimum salary levels for certain jobs:

SOC code	SOL salary (up to 03/04/24)	ISL salary (from 04/04/24)
2112 Biological Scientists	£24,154	Existing SWV holders: £31,672 New SWV applicants: £41,342
3111 Lab Technicians	£20,960	Existing SWV holders: £23,200 New SWV applicants: £30,960

Note on Lab technicians: ISL jobs will be limited to jobs requiring 3 or more years related on-the-job experience (not through working illegally). Any job that doesn't meet that criterion will be subject to 'Must equal/exceed 'General' threshold and going rate for the job' requirement.

New Entrant

- There will be a few small changes to the criteria for New Entrants:

Is the individual at the start of their career?

New criterion, not defined

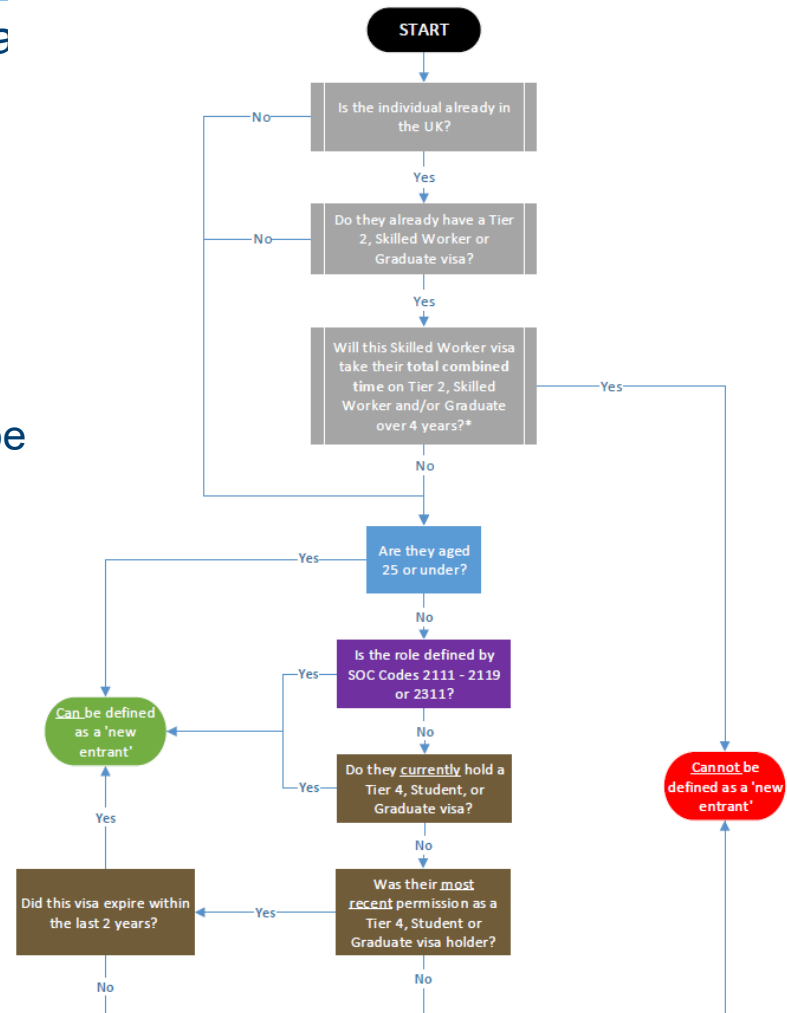
Is the role defined by SOC codes 2111 – 2119 or 2311?

2162 Other researchers, unspecified discipline to be added

UG/Masters: course completed or within 3 months of completion?

PhD: at least 12 months of course completed?

Additional criterion



A note on Graduate visa holders

- Will still be able to switch into Skilled Worker after 4 April but will only be eligible for New Entrant tradeable points for:
 - Former undergraduate and Masters students: up to 2 years
 - Former PhD students: up to 1 year
- Once that period has elapsed, they will be subject to the ‘must equal or exceed the General threshold and the going rate for the job’ rule.
- Note: about residence in the UK, not contract length.
- Migration Advisory Committee (MAC) ‘rapid review’ to assess any abuse of the route and fitness for purpose – watch this space...

Case studies

- **Research Associate**

- SOC code 2119
- Pro-rata going rate (37hpw): £40,651
- Entry level salary: £33,966
- 20 points for salary alone: ✗
- Tradeable points required

- **Research Assistant**

- SOC code 2119
- Pro-rata going rate (37hpw): £40,651
- Entry level salary: £29,605
- 20 points for salary alone: ✗
- Salary too low for sponsorship – must be increased to at least £30,960 and tradeable points required

Reminder:

- Salary must equal/exceed 'General' threshold (£38,700 a year) and going rate for the job OR tradeable points required
- Cannot fall below £30,960

- **Lecturer**

- SOC code 2311
- Pro-rata going rate (37hpw): £47,064
- Entry level salary: £45,585
- 20 points for salary alone: ✗
- Tradeable points required

Case studies

• Data Analyst

- SOC code 3544
- Pro-rata going rate (37hpw): £32,315
- Entry level salary: £33,966
- 20 points for salary alone: ✗
- Tradeable points required

• Project Coordinator

- SOC code 3543
- Pro-rata going rate (37hpw): £31,147
- Entry level salary: £25,752 (g4) / £29,605 (g5)
- 20 points for salary alone: ✗
- Salary too low for sponsorship – must be increased to at least £30,960 and tradeable points required

Reminder:

- Salary must equal/exceed 'General' threshold (£38,700 a year) and going rate for the job OR tradeable points required
- Cannot fall below £30,960

• Lab Technician

- SOC code 3111
- Immigration Salary List role: £30,960
- Entry level salary: £23,144
- 20 points for salary alone: ✗
- Salary too low for sponsorship – must be increased to at least £30,960 and applicant must have at least 3 years' experience

Questions?

