



The Points-Based System

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Subjects

- **The Points Based System**
- **Illegal Working**
- **ID Cards for Foreign Nationals**

Points Based System Overview

The Points Based System:

- The biggest change to the immigration system in a generation
 - Consolidates 80+ existing immigration routes into a structured 5-Tier system
 - Objective policy criteria (allowing self-assessment)
- A simplified one-stop migration process for those who wish to work; train or study in the UK
 - Sponsorship
 - Administrative Review

Who will the new system affect?

Includes:

Routes to work, train and study

Does not include:

**Visitors
Family reunification
UK ancestry routes
ECAA business visitors
EEA Nationals**

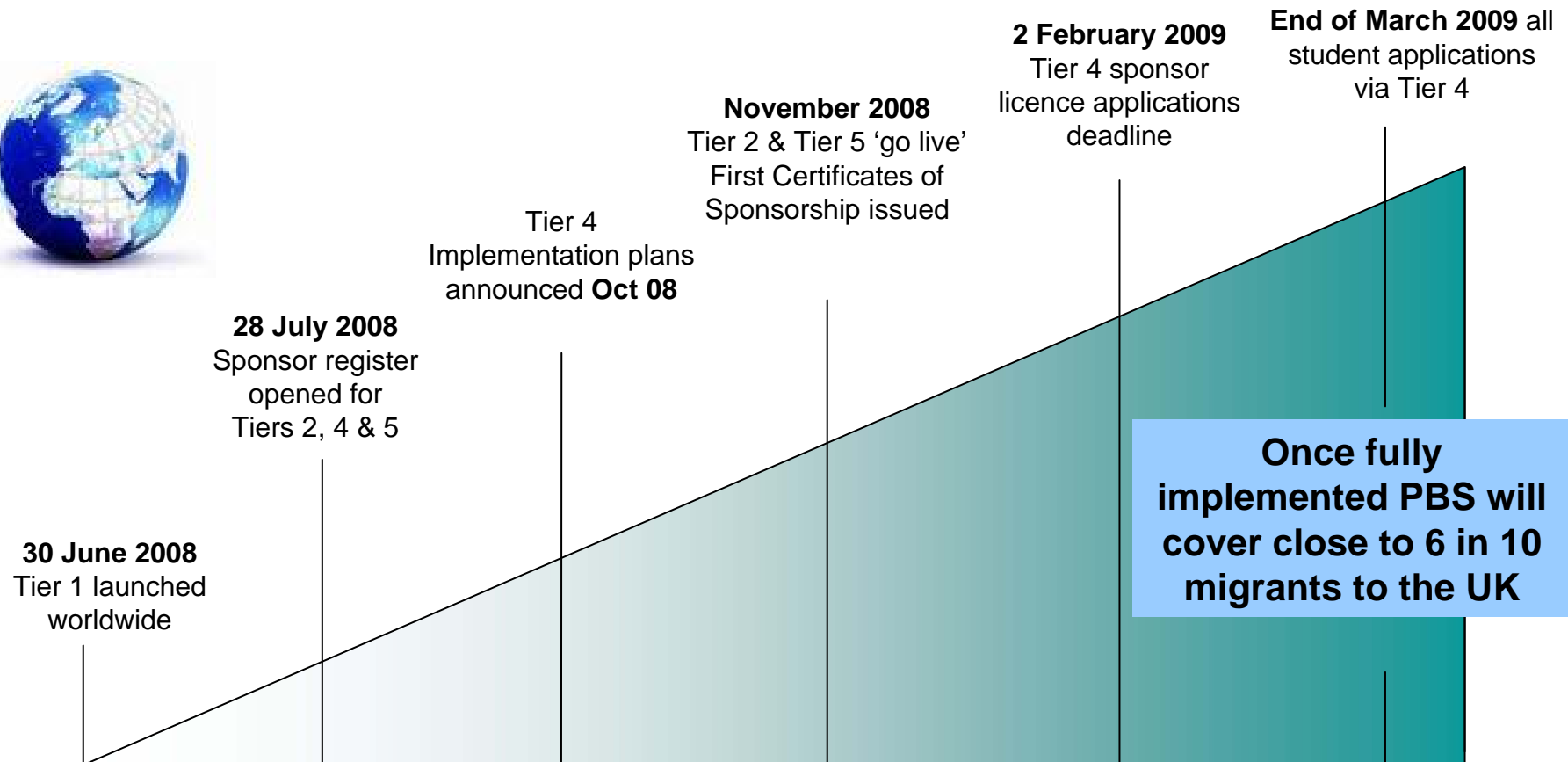
Tier Structure

Tiers

- Tier 1** Highly skilled individuals to contribute to growth and productivity
- Tier 2** Skilled workers with a job offer
- Tier 3** Low skilled workers to fill temporary labour shortages
Tier 3 is suspended indefinitely
- Tier 4** Students
- Tier 5** Youth Mobility and Temporary Workers

Tiers 2 to 5 are underpinned by the new concept of 'sponsorship'.

Implementation Timetable



Points Based System - Benefits

For the MIGRANTS:

A more transparent, efficient and objective application process

For SPONSORS:

Support from UKBA throughout the process

For the PUBLIC:

Greater clarity about who we let into the UK and why

Tier 1 – Highly Skilled Migrants

Highly skilled individuals

- No job offer required
- unrestricted access to the labour market
- No sponsor required
- English language requirement

4 Subcategories

General; Entrepreneurs; Investors; Post Study Work

Tier 1 and its subcategories has now been fully introduced since 30 June 2008.

Tier 1 – Highly Skilled Migrants (General)

At least 95 points are required from this table (including 10 for maintenance and 10 for English)

Section	Age	Previous Earnings (£)	Qualifications (or NARIC equivalents)
A (75 points needed)	Under 28 years	20	No qualifications 0
	28 or 29 years	10	Bachelors 30
		5	Masters 35
	30 or 31 years	5	PhD 50
B	Maintenance requirement (10 points needed)		10
C	Competence in English (10 points needed)		10

Tier 2 – Skilled Workers

The Job

- Certificate of Sponsorship
 - S/NVQ level 3
- Salary not less than the appropriate rate for the job

The Migrant

- English language
- Initial leave to enter to a maximum of 3 years
 - Extension for up to a total of 5 years

Tier 2 – Skilled workers

At least 70 points are required from this table (including 10 for maintenance and 10 for English)

All jobs must be NVQ3 job at or above the appropriate rate

Section	Certificate of Sponsorship	Prospective Earnings (£)		Qualifications (or NARIC equivalents)	
A (50 points needed)	Offer of job in shortage occupation 50	17,000 – 19,999	5	No qualifications	0
	Offer of job that passes Resident Labour Market Test 30	20,000 – 21,999	10	NVQ3	5
		22,000 – 23,999	15	Bachelors or Masters	10
	Intra Company Transfer 30	24,000+	20	PhD	15
B	Maintenance requirement (10 points needed)				10
C	Competence in English (10 points needed)				10

Tier 2 - Transitional Arrangements

Where leave expires after Tier 2 goes live Work Permit holders need to seek extension under the new system

Require

- Certificate of Sponsorship
- S/NVQ level 3
- Salary not less than the appropriate rate for the job

Don't require

Tier 2 specific criteria relating to:

- Qualifications
- Prospective earnings
- Language requirements

Tier 3 – Low Skilled Workers

Limited numbers of low skilled workers needed to fill specific temporary labour shortages (if required).

There are no plans to commence this Tier

Tier 4 - Students

Students

There are 2 types of student categories:

- **General** (for the majority of students)
- **Independent School** (for those below 16 years old)

Points under Tier 4 – Pass mark 40	
Confirmation of Acceptance for Studies (CAS)	30
Maintenance and Funds Test	10

Tier 5 – Temporary Workers and Youth Mobility Scheme

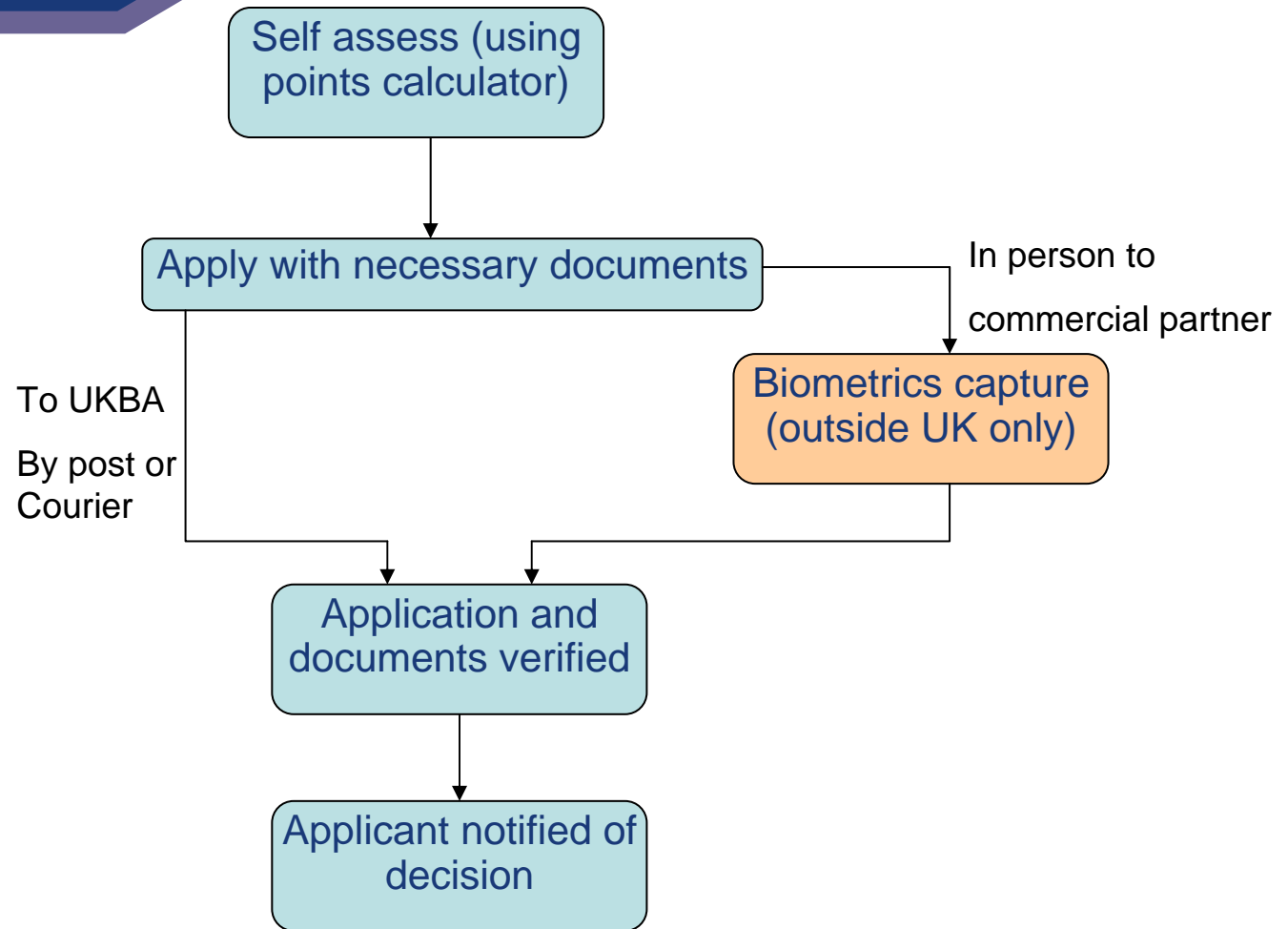
Tier 5 is for people coming to the UK to satisfy primarily non-economic objectives and comprises:

Tier 5: Temporary Workers comprises the following sub-categories: Creative & Sporting; Religious; Government Authorised Exchange and International Agreements.

Tier 5: Youth Mobility Scheme for sponsored young people to come to live and work in the UK for up to 24 months.

- Normal prohibitions on access to benefits/social housing.
- No switching into other tiers.

Migrant Application Process



Preventing Illegal Working

A civil penalty system for employers started on 29 February 2008 under section 15 of the Immigration, Asylum and Nationality Act 2006.

Employers may be liable to pay a civil penalty of up to £10,000 per illegal worker if they knowingly employ someone who is:

- subject to immigration control
- over 16; and
- not entitled to undertake the work in question.

UKBA will work with sponsors to ensure that they understand and have the appropriate systems in place to comply with their obligations

More information on civil penalties can be found on the UKBA website

Sponsorship

Sponsorship is a key element of the Points Based System

Sponsorship enables you to bring migrants into the UK

- Sponsors will have more control over the migrants they choose to bring into the UK
- Migrants can be assured that they are travelling to the UK to work or study with a reputable organisation
- Sponsor licences are valid for four years

Application and Consideration Process

- On-line application only, no paper version
- Applications must be made by the organisation themselves (not by a 3rd party)

To be granted a licence, you will:

- be a legitimate organisation working within the law in the UK;
 - pose no threat to immigration control; and
 - be committed to fulfilling all sponsorship duties
 - provide all documents required to support your application
- Pre-licensing visits may be arranged with the potential sponsor.

Sponsor Application & CoS / CAS Costs

Tier 1	Licence application	Not required	
	CoS		
Tier 2	Licence application	Large / medium	£1,000
		Small / Licensed charity	£300
	Tier 2 Certificate of Sponsorship		£170
Tier 4	Licence application	Large / medium	£1,000
		Small / licensed charity	£400
	Tier 4 Certificate of Acceptance for Studies		£10
Tier 5	Licence application	Large/medium sponsor	£400
		Small / licensed charity	£100
	Tier 5 Certificate of Sponsorship		£10

Approved applications and ratings

- If application approved, the sponsor will be rated A or B
- Suitability criteria for A or B will be assessed against a 1-3 marking
 - » **Meeting all of the criteria**
 - » **Meeting some of the criteria**
 - » **Not meeting any of the criteria**
- Once granted a licence you will be given access to the Sponsor Management System when it opens for your tier.

The importance of applying for a Sponsor Licence

Any organisation that wishes to employ migrants or enrol them on a course of study must have registered for a Sponsor Licence

The Sponsor Register is fully open for Tiers 2, 4 and 5.

To ensure that you can bring migrants into the UK when your relevant tier opens:

REGISTER NOW

Responsibilities of an Organisation

- Check migrants entitlement to work or study
- Follow-up checks on migrants every 12 months
- Notify UKBA of changes to migrant circumstances or non-attendance as appropriate
- Provide supporting evidence as requested to do so

How we will help you

- Network of visiting officers to help get your systems in place
- Possible pre-registration visits before you make your application
- Account Managers for post application support
- UK Border Agency website with lots of sponsorship information (hand out available with useful web addresses)
- Support in using the Sponsor Management System
- Keep you updated on any changes via these events and taskforces



Identity Card for Foreign Nationals



Programme rolled out and issuing cards

- Data will be stored in the secure microchip on the card which will be sent to successful applicants
- Utilise UKBA existing estate around the country (6-7 Public Enquiry offices)
- Working with other government departments to ensure they will **recognise and accept the card instead of vignette**
- Developing communications and marketing plan to ensure employers and sponsors are aware of the changes - Want your ideas on what else we can do.

Questions

