Skilled Worker Visa FAQ

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A Skilled Worker Visa allows an individual who is not a UK or Irish citizen to come and stay in the UK to do an eligible job with an approved employer. This visa has replaced the Tier 2 (General) work visa.

General Questions about the Skilled Worker Visa Route

1. **What are the requirements for a Skilled Worker Visa?**
   There are four main requirements for a Skilled Worker visa whereby applicants will need to score 70 points to be eligible for this visa category:
   - The applicant must have a job offer from a licensed sponsor and a Certificate of Sponsorship (CoS) assigned.
   - The job must be at an appropriate skill level - at least RQF level 3 and must be in a suitable occupation code which can be found in Skilled Worker visa: eligible occupations and codes.
   - The salary must be at a certain level. This must be a salary which meets (or exceeds) the general salary threshold of £38,700 per year, and the 'going rate' for the occupation, whichever is higher. However, there are exceptions to this rule and a lower salary may be permitted dependent on different eligibility routes under tradable points.
   - The UKVI going rates of the eligible occupations are based on a 37.5-hour working week. They must be pro-rated for other working patterns, based on the weekly working hours stated by the university. A full-time working week at the university is normally 35 hours per week.
   - Eligible annual going rates for occupation codes are below (and found here: Going rates for occupation codes):
     - 2311: Higher education teaching professionals is £47,700 (£24.46 per hour)
     - 2119: Natural and social science professionals is £41,200 (£17.74 per hour)
   - The applicant must satisfy an English language requirement. Please refer to the section 'English Language' (question 6).
   - For a first Skilled Worker visa application, only the base salary can be used in the CoS. No allowances, such as the London Weighting Allowance, or other payments can be included to meet the salary threshold.

   The full details of the requirements can be found in Appendix Skilled Worker to the Immigration Rules.

2. **What are the other documents Applicants have to provide as a part of their Visa Application (this list is non-exhaustive)?**
   - Certificate of sponsorship reference number (assigned and issued by the University).
   - Evidence of their knowledge of English (please see the 'English Language' section below).
   - A valid passport or other document that shows their identity and nationality.
   - Job title and annual salary.
   - Job's occupation code.
   - Brunel University's sponsor licence number which will be on their assigned CoS.
   - Evidence of personal savings to show they can support themselves in the UK, if their CoS does not confirm certified maintenance.
   - Tuberculosis (TB) test results if from a listed country.

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- A valid [ATAS certificate](#) if the job involves researching a sensitive subject at PhD level or above.

3. How long can the Employee stay?

In accordance with the established practice of Brunel University, a Certificate of Sponsorship (CoS) is allocated based on the duration of the employment agreement. For fixed-term contracts, the CoS is assigned in alignment with the contract's duration, while for permanent contracts, it is initially issued for a period of three years, subject to a potential extension of two years if the individual's employment with Brunel University London continues. Upon the completion of a five-year period, an employee may be eligible to make an application for permanent settlement in the United Kingdom, commonly referred to as 'indefinite leave to remain'.

On a Skilled Worker visa, an employee can also apply to extend their visa beyond five years as many times as they wish as long as they continue to meet the eligibility requirements. It is important to note that as 'Indefinite Leave to Remain' is completely separate to the Skilled Worker visa category and it is individual's responsibility to ensure they have prepared and obtained all required documentation as a part of their application. The University will also be unable to expense them for these costs and the employee is fully liable for this.

4. How much does a Skilled Worker Visa Cost?

The employee will have to pay the visa application fee of between £719 to £1500 depending on their particular circumstance and the Immigration Health Surcharge (IHS) which needs to be paid upfront for each year sponsored.

The same costs apply to any dependants applying with the main visa applicant. The University is not liable for paying these charges.

Brunel University covers the cost of the CoS application. The work sponsor is also responsible to cover the cost of the Immigration Skills Charge. However, certain exemptions apply where the work sponsor will not have to pay the Immigration Skills Charge: for employees sponsored under the SOC code of 2119 (researchers) and 2311 (lecturers), as well as when switching from a student to a skilled worker visa.

Please see the table on the next page for a full breakdown of the costs effective from 6 February 2024. These can also be found here: [How much it costs](#)

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Application Type	Application Fee Per Candidate (Paid by Employee)	Immigration Healthcare Surcharge (IHS) (Paid by Employee)	Expedited Service (Optional - Paid by Employee)	CoS Fee (Paid by Employer)	Immigration Skills Charge (If applicable – Paid by Employer)
Applying from Outside of the UK	• Up to 3 years - £719 per person • More than 3 years - £1420 per person	£1035 per year, per person (paid upfront)	• Priority Service – an additional £500 • Super Priority Service – an additional £1000	£239	£364 per year (paid upfront)
Applying from inside the UK (switching, updating or extending)	• Up to 3 years – £827 per person • More than 3 years – £1500 per person	£1035 per year (paid upfront)	• Priority Service – an additional £500 • Super Priority Service – an additional £1000	£239	£364 per year (paid upfront)
Shortage occupation roles, both in-country and out of country applications	• Up to 3 years – £551 per person • More than 3 years – £1084 per person	£1035 per year (paid upfront)	• Priority Service – an additional £500 outside the UK and an additional £500 inside. • Super Priority Service – an additional £1000 outside the UK and an additional £1000 (inside the UK).	£239	£364 per year (paid upfront)

5. **Can an Employee claim back the Visa costs?**
New employees joining the University, on a permanent contract, who require the Skilled Worker Visa are able to claim for their own Visa and Immigration Health Surcharge within the framework of the Relocation and Immigration Cost Support Policies, albeit that this reimbursement would be taxable in line with HMRC.

More information regarding support with immigration costs can be found here, including the Relocation policy and the Immigration Costs Support.

English Language

6. **How does an Applicant prove their level of English?**
An individual must prove they can read, write, speak and understand English to at least level B1 on the Common European Framework of Reference for Languages (CEFR) scale.

This can be done by:
• Passing a Secure English Language Test (SELT) from an approved provider.

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- Having a GCSE, A level, Scottish National Qualification level 4 or 5, Scottish Higher or Advanced Higher in English, gained through study at a UK school that began when they were below the age of 18.
- Hold a degree level qualification that was taught in English. If, however they studied outside of the UK, they'll need to apply through ECCTIS (formerly UK NARIC) to confirm their qualification is equivalent to a UK bachelor's degree, master's degree or PhD.

7. **Who is exempt from proving proficiency in English?**
   Nationals from the following countries are not required to prove their knowledge of English:

   Antigua and Barbuda
   Australia
   the Bahamas
   Barbados
   Belize
   Canada
   Dominica
   Grenada
   Guyana
   Jamaica
   Malta
   New Zealand
   St Kitts and Nevis
   St Lucia
   St Vincent and the Grenadines
   Trinidad and Tobago
   USA

8. **What if studies were taught in a majority English speaking Country?**
   If the employee is not a national of any of the above countries nor did they study in the UK, but studied in a majority English speaking country, they will not need their English proficiency level confirmed. However, they will still have to go through ECCTIS to have their university degree(s) compared to the standard of Bachelor, Master's or PhD in the UK and will receive a statement of comparability.

9. **Does an Employee need to carry out both a SELT test and obtain an ECCTIS certificate?**
   No, it's either one or the other. If the degree was not taught in English, the SELT test is the option to choose.

10. **Is it compulsory to use a PhD certificate to obtain the Statement of Comparability?**
    Any degree certification can be used to obtain the Statement of Comparability. It is compulsory to use the PhD certificate if the employee is using their PhD to qualify for tradeable points for the Skilled Worker visa route.

11. **How long does it take to receive the ECCTIS certificate?**
    If employee does not use the PhD for tradeable points, and once ECCTIS have received all required documents and payment, they complete the assessment usually within 10-15

working days. Alternatively, in some cases they can offer an expedited service with a completion time of 1 or 2 working days.

If, however, the employee is using their PhD to qualify for tradeable points and demonstrate their English proficiency via this route, once ECCTIS have received all of the necessary documents and payment, they will complete the assessment within 30 working days.

12. If IELTS is chosen as the provider for the SELT test, which test is the correct one to take?
Technically, either IELTS for UKVI General Training or IELTS for UKVI Academic can be taken and accepted for work as long as a minimum of B1 CEFR level is achieved.

Nevertheless, the IELTS Academic route measures whether their level of English language proficiency is suitable for an academic environment as it reflects aspects of academic language. Therefore, as employees will be working in an academic background, the 'Academic' route test is probably better suited due to the area of work and environment.

13. How long does it take to receive SELT results?
The standard turnaround time is usually around 14 days. However, each approved provider has their own processing times, whereby some may offer expedited services. Therefore, it is recommended to check the specific providers website to obtain these details.

Determining a Start Date

14. What factors need to be considered when trying to determine a start date?
As the employer, before a start date is confirmed, we ask the Manager and employee to allow up to 12 weeks, minimum, (from the point of being offered the job) for a realistic start date.

This is to allow enough time for the internal visa process to be completed by HR (including the CoS allocation and issuing) as well as allowing the individual to complete their side of the process.

There are other factors to take into consideration which ultimately impact on the start date. These include:
- Whether the application is made inside or outside of the UK.
- Whether standard service will be used or if an expedited service will be opted for.
- The country in which the employee is travelling from and whether or not they need to quarantine upon arrival to the UK.
- If an ATAS certificate is required. It can take up to 4 weeks to receive this and must be an attached document in the visa application.
- If notice is required to be given to a previous employer.

It is crucial that a realistic start date is agreed and one that can be met, as it can potentially have an impact on sponsorship.

15. How long does the visa processing take?
The earliest employees can apply for their visa and have their Certificate of Sponsorship (CoS) assigned is up to **three months before their scheduled start date in the UK**. The start date is included on their Certificate of Sponsorship (CoS).

Once the employee has applied online using the standard service, proved their identity and provided their documents, the outcome is usually made within:

- 3 weeks, if they're outside the UK. Link can be found here: [Processing time - Outside the UK](#)
- 8 weeks, if they're inside the UK. Link can be found here: [Processing times - Inside the UK](#)

If the employee needs to attend a biometric appointment, the timings may take slightly longer however, they may be able to opt for an expedited service if this is offered by the visa application centre they will be attending (each country and application centre have their own different services). If 'priority service' is opted for, they would receive an outcome on their application within 5 working days of the appointment. Alternatively, if 'super priority' is offered as a service, the employee will receive their outcome within 1-2 working days of the appointment.

Please note, if the ['UK Immigration: ID Check'](#) app is used to prove identity (currently, this can be used by EU/EEA nationals with a biometric passport, or BNO passport holders, or non-EU nationals who are extending their skilled work visa), it will not be required to attend a biometrics appointment.

Switching

16. **Can an individual switch into the Skilled Worker category from another Visa Category?**
    In the majority of cases, it is possible to switch into the Skilled Worker route without leaving the UK.

    Those who cannot switch into the Skilled Worker route include those who have or were last granted permission as a:
    - Visitor
    - Short-term student
    - Parent of a child student
    - Seasonal worker
    - Domestic worker in a private household
    - Outside the Immigration Rules.

17. **Does that mean an individual who is on a Student visa can switch into the Skilled Worker route within the UK?**
    Yes.

    Under the immigration points-based system, applicants who are currently in the UK on a Student visa (or a Graduate visa) and switching to a skilled worker visa are considered as a 'new entrant'.

    A 'new entrant' means someone who is at the beginning of their career, who meets specific criteria. This also includes an applicant who is under the age of twenty-six on the day they submit their work visa application. Please note, that it does not mean an individual who is making their first Skilled Worker application or entering the UK for the first time.

The applicant must have been sponsored to study one of the following courses:
• a UK bachelor's degree
• a UK master's degree
• a UK PhD or other doctoral qualification;
• a Postgraduate Certificate in Education
• a Professional Graduate Diploma of Education

The individual must have completed the course, or be applying no more than 3 months before they are expected to complete.

It is important to note, that if a PhD student is planning on starting their employment under their new Skilled Worker visa, the Brunel University's policy regards a PhD student to have completed their degree or be close to completion.

18. **Can a Student applicant commence employment whilst their Skilled Worker Visa is pending?**

Whilst the Skilled Worker visa application is pending, working permissions would fall back on their Student visa which only allows to work 15 hours per week maximum, within term-time, as per Brunel's rules. Students may also work up to 35 hours during officially designated week-length vacations as established and published by Brunel University, in accordance with term dates approved by the Senate.

Although they can work restricted hours, the rules state they cannot fill a full-time permanent vacancy other than a recognised foundation programme and all other requirements are met or where they are filling a post as a Student Union Sabbatical Officer. Therefore, an applicant would not be able to commence a permanent role until they have received their Skilled Worker visa.

If the applicant is undertaking a PhD award and has completed the degree, received the award certification or other relevant documentation such as an award letter from the sponsor University to evidence the completion of the PhD, and thus be deemed no longer 'in-term' time, they may be able to work full-time for the remainder of their visa, subject to review and confirmation by the HR Department.

Furthermore, PhD students who are in the final stages of their doctoral program and are expected to complete their studies within the next three months will have the prospect of transitioning to a Skilled Worker visa, contingent upon receiving a suitable employment offer.

Changes and Reporting Duties

19. **What happens if the original start date cannot be met?**
If the start date needs to change prior to the application being submitted, a sponsor note should be added by Brunel via the Sponsor Management System (SMS) to amend the date, if the worker has not yet applied for entry clearance or permission, or using the 'Report migrant activity' function in the SMS, if the worker has already submitted their application for entry clearance.

Employees should start working in their sponsored employment no later than 28 days usually after the start date on their CoS or the date the worker is granted permission to enter. If the worker does not start employment by the end of this period the work sponsor, must provide the worker's new start date with a valid reason for the delayed start to be accepted by the Home Office.

20. **What happens if the employee's job has changed?**

If any of the following situations have happened, a new CoS needs to be assigned and the employee needs to make a change of employment application, i.e. a new visa application:

- The employee is changing employer and thus sponsor.
- The employee is remaining with the same sponsor but their job is changing to a different occupation code.
- The employee leaves a job that's on the shortage occupation list for a job that is not on the list.

The employee cannot commence their new role until they have received the outcome of their new application and obtained their new visa. They can however, continue working in their current job whilst the application is pending.

If there are any minor changes to an employee's role e.g. change in job title and duties (but remaining in the same SOC code), **change in work location, salary or working hours** (as long as this still meets the eligibility requirements of the Skilled Worker visa) or if there is a period of unpaid leave (no more than 4 weeks as per the immigration rules), this must be reported on the SMS by Brunel within 10 working days of the event occurring.

21. **When do the Reporting Duties begin?**

As a Sponsor, Brunel University London's sponsor duties start on the day the employee's Certificate of Sponsorship (CoS) is assigned to them. As per UKVI guidelines, duties include:
- Reporting duties.
- Record-keeping duties.
- Complying with UK immigration laws and all parts of the 'Worker and Temporary Worker sponsorship guidance'.
- Complying with wider UK law.
- Not engaging in behaviour or actions that are not conducive to the public good.

22. **What are the Employee's Duties as a Sponsored Worker?**

As per Brunel University's responsibilities, the employee is also required to comply with Immigration legislation and wider UK law. Examples include the following but this list is not exhaustive:

- If there is anything that changes or affects their immigration status, the employee must inform us immediately.
- If their visa application is refused, they need to inform us immediately as the University will need to notify UKVI as part of its reporting obligations.
- Having a National Insurance Number and ensuring salary is paid into a bank account held in their own name.
- Keeping us updated on any changes to their contact details.

- Agreeing any leave of absence with their line manager and recording it in the appropriate way (via CHIME).
- Keeping us updated and informing us of any time working away from the University campus or their normal/contracted base.

These (amongst all other of their obligations) also coincide with our obligations as the Sponsor, as stated above, in also complying with immigration, wider UK laws and our reporting and record keeping duties.

Application refusals or problems with BRP/Vignette

23. **What happens if the visa application is refused?**
The employee would ordinarily receive a letter or an email explaining why the application has been refused and whether they have the right to either an Administrative Review or an Immigration Decision Appeal.

The employee must notify the HR team immediately so that this can be reported on the SMS within the required timeframe.

24. **There is an error on the vignette, how can this be rectified?**
If there is an error on the vignette, the employee should contact their visa application centre immediately to correct it before they come to the UK.

If the error is noticed after their arrival in the UK, they must report it to UK Visas and Immigration (UKVI) within 3 months of arriving or they'll need to make a new application.

25. **What happens if there is an error on the BRP card or if it is lost or stolen?**
If there is an error, the employee will need to read the Government guidelines and report it here.

If the BRP card is lost or stolen, the employee must:

- If the BRP was valid for 3 months or more, report it and apply for a replacement. They must do this within 3 months of losing it.

- If the BRP was valid for 3 months or less, the employee must do one of the following:

  o report it as lost or stolen if they do not intend to remain in the UK after its expiry date
  o apply for a replacement if they plan to leave and re-enter the UK within 3 months of its expiry date

26. **The end date in the Certificate of Sponsorship (CoS) is different to the expiry date on the employee's BRP card. Why?**
All currently issued BRP cards have an expiry date of 31 December 2024. Individuals will not need a BRP from 1 January 2025 and will be able to prove their status online, without a BRP.

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The Home Office plans to provide information on how do this in 2024. You do not need to do anything and your immigration status will not be affected.