

Latest Detail on the Points-based Immigration System

Relevant excerpts from the recent publication of how the points-based immigration system will run.

Student Route

- We have a world-leading education sector and will continue to welcome talented and high potential students to our universities, further education and English language colleges, and independent schools. **There will be no limit on the number of international students who can come to the UK to study, and we will seek to increase the number of international students in higher education** as set out in the International Education Strategy published in March 2019.
- We also want to ensure that we retain the brightest and the best students to continue to contribute to the UK post-study, which is why **we are launching the Graduate route in Summer 2021** to allow those who have completed a degree at a UK Higher Education Provider, that has a track record of compliance, to stay in the UK for two years (three years for PhD graduates) and work at any skill level, and to switch into work routes if they find a suitable job.
- **The new Points-Based Student route will build on the current Tier 4 system**, which is working well. **The core tenets of the Tier 4 route will remain: sponsorship at a licensed provider, demonstration of English language ability and the ability of the student to support themselves in the UK.** However, the route will be improved, making it more streamlined for sponsoring institutions and their students, creating clearer pathways for students, and ensuring we remain competitive in a changing global market, particularly since the pace of change has been accelerated by the Covid-19 pandemic.
- **Students will require a total of 70 points to be granted leave.** Points are non-tradeable and will be awarded for meeting the requirements of the route as set out in the table below.

Table 6: Student route points

Points type	Relevant requirements to be met	Number of points
Study	<ul style="list-style-type: none">• Confirmation of Acceptance for Studies requirement• Course requirement• Approved Qualification requirement• Level of Study requirement• Place of Study requirement	50
Financial	Financial requirement	10
English language	English language requirement	10

- We will be **extending the period of time in which a student can apply for permission to come to the UK before the start of their course, from three to six months.** We will also be **removing the study time limit for students studying at a postgraduate level, although students will still be expected to be progressing academically in their studies when making a further application in the UK.** Students who meet eligibility requirements will be able to make an in-country application for further leave regardless of their sponsor or level of study.

- We recognise that students who have been studying in the UK after being granted leave to enter as a student have already demonstrated an ability to support themselves and so **we will not routinely request them to submit documentary evidence of funds when making further applications to remain in the UK**. We will also remove the requirement for students who are on a recognised Foundation Programme as a doctor or dentist in training, or who are employed as a Student Union Sabbatical Officer to demonstrate funds.
- **Higher education providers with a track record of compliance will be able to make an offer of study to students at degree level and above and carry out their own assessment of those students' academic ability**. We will not routinely ask students to provide academic qualifications with an application when their sponsor has made this assessment.
- Applicants who are **citizens of certain countries considered to be low risk will benefit from reduced documentary requirements and EU countries will be added to this list**. This list will be kept under regular review.
- Sponsors will be required to monitor the academic engagement of their students, and **they will need to keep records of a student's engagement. This requirement will replace the current attendance monitoring duty for higher education providers**. Sponsors who are a Higher Education Provider with track record will be able to **self assess academic and English language ability**. Sponsors will need to record details of how any self-assessment of English language was made when offering a place of study to a student.
- The current Tier 4 Pilot Scheme will close as the new Student route opens. The reduced documentary requirements and extended post-study leave period of the Pilot Scheme are being improved upon by the launch of the Graduate route in 2021 and our changes to maintenance and academic requirements.
- There will continue to be separate child and adult Student routes, and those sponsoring students will be required to have regard to the safeguarding of international students under 18 studying at their institution. In time, and following the launch of a new sponsorship system, **we will consider diversifying further by splitting the adult route into separate Higher Education and Further Education routes to accentuate the pathways**.

Sponsors must maintain Educational Oversight and pass yearly Basic Compliance Assessment. They must ensure academic engagement and report circumstance changes for the sponsored students. They are subject to sanctions for non-compliance.

Graduate Route

- The Graduate route will be launched in summer 2021 to provide international students the opportunity to stay in the UK to work or look for work after they graduate. **Undergraduate and master's degree students will be able to stay for two years under the route, whilst PhD students will be able to stay for three years**. Graduates will be able to switch into other routes in line with the wider approach to switching when applying for leave inside the UK. **This will include the ability to switch into work routes** if they are able to meet the requirements. **The Graduate route will also increase the**

attractiveness of the UK's offer to international students, ensuring we remain internationally competitive and assist in our ambition to increase the number of international students in higher education as set out in the International Education Strategy published in March 2019.

- It will be an **un-sponsored route. All successful applicants will be granted a one-time non-extendable leave period of two years if graduating at undergraduate or masters level, or three years if graduating with a PhD, on this route and will be able to work, or look for work, at any skill level during this period.** The route will also be Points-Based, **with the full number of points being awarded for the successful completion of a degree** from a UK Higher Education Provider with a track record of compliance.
- The current Doctorate Extension Scheme (DES), open to international students who have completed a PhD in the UK and allowing them to remain and work here for 12 months after completing their studies, will be closed at the point the new Graduate Route is introduced. The Graduate route significantly improves on the offer of the DES, providing an additional two years and a more streamlined pathway for those who have completed their PhD than the current route.
- The Graduate route will be open to international students, who have valid leave as a Tier 4 (General) Student or as a Student at the time of application and who have successfully completed a degree at undergraduate level or above at a UK Higher Education Provider with a track record of compliance during that grant of leave. **Applicants must have completed the entirety of their degree in the UK except for permitted study abroad programmes or when distance learning has been necessary due to Covid-19.**

The route will not have a maintenance requirement and applicants will not need to demonstrate English language ability as they will already have proved English language ability by successfully completing a degree at a UK university. **Applicants will need to pay the Immigration Health Surcharge at the usual rate for the Points-Based System's routes. This route will not have recourse to public funds.**

Skilled Worker

To come to the UK via the skilled worker route, an applicant needs to:

- Have an offer of a job from a licensed sponsor
- The job must be at or above the minimum skill level 3 (A-level or equivalent qualification). Workers will not need to hold a formal qualification. It is the skill level of the job they will be doing which is important.
- The applicant must speak English to an acceptable standard.

Meeting the above criteria will earn them 50 points. They must **obtain a further 20 "tradeable"** points through a combination of points for their salary, a job in a shortage occupation or a relevant PhD. Applicants will only be able to score points for having a PhD relevant to the job. In addition, applicants will only be able to score points for having a PhD when working in certain occupations.

If the applicant is paid the higher of the general salary threshold **of £25,600 or the "going rate" for their particular job**, they will get an extra 20 points. (These rates are based on the 25th percentile of earnings in the

UK data drawn from the Annual Survey of Hours and Earnings (ASHE) which is updated annually by the Office for National Statistics, normally at the end of October)

They need to be **paid at least £20,480** and have a job offer in a specific shortage occupation (as recommended by the MAC) or a PhD qualification relevant to the job.

There are also different minimum salary rules **for workers in certain health or education jobs, and for “new entrants”** at the start of their career. The salary requirement for new entrants will be 30% lower than the rate for experienced workers in any occupation. However, the minimum of £20,480 must always be met.

On the advice of the MAC, national pay scales will be used to determine the going rate for 24 **health / education public** service occupations. The £25,600 general salary threshold will not be applied for this group; This group will not have access to tradeable points as they will not need other points to offset the £25,600 threshold.

Those who enter the Skilled Worker route will need to make **a new application if they (a) change employer; (b) change jobs (to another SOC code); or (c) need to extend their stay.**

Beyond January 2021 and in line with the recommendations from the MAC, the Government will create **a broader unsponsored route** within the Points-Based System to run alongside the employer-led system for highly skilled workers. **This will allow a smaller number of the most highly skilled workers to come to the UK without a job offer.** This route will not open on 1 January 2021 and we are exploring proposals for this additional route with stakeholders over the coming year. Their starting point is that this route will be capped.

New entrants will be allowed to come on a lower salary if they meet the following requirements:

- a) They are **switching from the Student or Graduate route to the Skilled Worker route;**
- b) They are **under the age of 26** on the date of their application; or
- c) They are working towards recognised professional qualifications or moving directly into postdoctoral positions; more conditions are required for this route.