

Immigration Update – June 2015

1. Update on recent changes to the Immigration Rules

Further to the HR Immigration Update in April 2015, additional information is now available on the various changes made recently to the Immigration Rules, as explained below.

a) Roll-out of Biometric Residence Permits (BRP) for overseas applicants

UK Visas and Immigration (UKVI) has now confirmed that:

- The timetable (found at the web page detailed below) for the global rollout of the overseas BRP programme is on schedule. The majority of applicants will now be affected by these changes. Please note that the short-term (30 day) vignette inside the passport can be used as evidence of right to work but you must also see and take a copy of the BRP and provide it to the Compliance Team **before** the vignette expires.
- The location of the Post Office from which an individual's BRP must be collected will depend upon the post code of the address that they provide in their visa application (whether it be either a personal address or the departmental address). For the majority of staff living in the Cambridge area, they will be able to collect their BRP from the central Post Office in Cambridge (57-58 St. Andrew's Street, Cambridge, CB2 3BZ.) However, there are some exceptions **Depending on the Post Code as provided by the individual on their visa application the individual may have to travel to another town to collect their BRP.** Full details are found via the web page listed below.

The Compliance Team is currently challenging these arrangements directly with UKVI, as some staff members will be required to travel as far as Luton and Colchester to collect their BRP. Updates will be provided to you with regard to any outcome. In the meantime, individuals who wish to change the collection location of their BRP will have to speak with the Post Office from which they would like to collect their BRP. Please note that this will incur an additional fee of £20.

For full guidance regarding the introduction of BRPs for overseas applicants, including the implementation timetable, please see the ['Issues relating to all types of visas'](#) section of the Immigration webpages.

b) NHS surcharge – resolution of payment issue

UKVI has confirmed that an issue regarding the amount being payable for the NHS surcharge has now been resolved. Until the issue was resolved, Tier 2 and Tier 5 applicants were being charged the full amount for the NHS surcharge rather than this being proportionate to the time that they would be in the UK. For example, Tier 2 applicants were being charged £600 on the assumption they that were applying for a three year visa in cases where they were applying for a one year visa and should have paid £200. These individuals would then have to wait 2-3 weeks for a refund of the difference.

UKVI has provided assurance that applicants will now be charged in accordance with the length of their visa. In the event that any of your colleagues applying for visas report this issue is still occurring, please contact the Compliance Team.

c) Change to the acceptable SOC Codes for bio-informaticians

With effect from 6 April 2015, bio-informatician roles (which are classed as 'shortage occupation' roles for Tier 2 purposes) are no longer classified under SOC Code 2119. Instead they are now classified under SOC Code 2425, which is a **non-PhD level** code. This change presents a number of issues to departments who apply for Certificates of Sponsorship (CoS) for bio-informatician roles:

- Bio-informatician roles classified under SOC Code 2425 will now be subject to the additional sponsor duty requirement to record absences from Cambridge (the University was granted an exception from this requirement for PhD level roles; please see <http://www.hr.admin.cam.ac.uk/hr-services/immigration/existing-staff-administration/record-keeping-duties> for full details of what needs to be done for non-PhD level roles.
- Under SOC Code 2425, the minimum salary requirements which must be met to qualify for a Tier 2 CoS are a minimum of £26,500 for 'new entrants' and a minimum of £34,700 under the 'experienced' rate; and
- Individuals classed as being in a non-PhD level role will **not** be exempt from the new minimum salary requirements for Indefinite Leave to Remain applications which will take effect from April 2016. Currently, the bio-informatician roles at the University will not meet these minimum salary requirements, preventing individuals in such roles to apply successfully for indefinite leave to remain.

UKVI has confirmed to the Compliance Team that where a bio-informatician is also employed to carry out Research Assistant/Associate duties as part of the same role, it is still permissible to assign these types of roles within SOC Code 2111-2119, as they have been previously. However, they will not be classed as being in a shortage occupation role. Therefore, any recruitment to these posts **must** meet the Resident Labour Market Test.

2. Reminder on the submission of Tier 2 CoS documents

Departments/institutions are reminded that Tier 2 CoS Applications and supporting documents must be provided to the New Appointment Team at the same time as appointment paperwork is submitted to them.

Please do not send this documentation directly to the Compliance Team or separately from the appointment paperwork. The Compliance Team cannot process the CoS application until the appointment paperwork has been received and checked by the HR New Appointment Team. This is because the details of the appointment must match exactly with the details on the CoS application.

When using the Web Recruitment System to make an Appointment Request, please ensure that all required supporting documents for any Tier 2 CoS application has been uploaded (or that you have indicated that this is being posted with the printable supporting document cover sheet).

If you have any questions about the content of this update, please contact Graeme Ross, Immigration and Compliance Manager via graeme.ross@admin.cam.ac.uk.