

Immigration Update – March 2017

1. Changes to Tier 2 minimum salary rate

You may recall from the Michaelmas HR Bulletin that from November 2016, the minimum salary rate for 'experienced workers' rose to £25,000. From 6th April 2017 this will be further increased to £30,000. This equates to point 40 (£30,175 per annum) on the University salary scales.

The Tier 2 salary rules have in themselves become one of the most complex areas of the visa route. For definitive guidance on who will qualify as an 'experienced worker' for Tier 2 purposes for CoS assigned on or after 6th April, please see:

❖ [Guidance on Tier 2 and the experienced rate](#)

For any part time positions, or those appointments where the salary falls below the minimum, that require a Tier 2 CoS **after 6th April** please contact the Compliance Team for advice.

2. Other changes to Tier 2

The Resident Labour Market Test exemption for 'high earners' will only apply for those earning £159,600 or more (previously it was £155,300)

The salary threshold for an exemption to advertise non-PhD level roles in Jobcentre Plus/Universal Jobmatch (for RLMT purposes) is now £73,900.

3. New Immigration Skills Charge

In April 2017, the Home Office will enforce a new [Immigration Skills Charge \(ISC\)](#) levied on employers who are Tier 2 sponsor licence holders. **The charge will only be applicable to appointments requiring a Tier 2 visa, and will not be applicable for Tier 2 PhD level roles or any role where the individual is switching from a Tier 4 visa onto a Tier 2 visa.**

The vast majority of Tier 2 roles in the University are at PhD level (including Research Assistants) and for the academic year 2015/2016 we sponsored only 6 individuals in a non-PhD level role through Tier 2. These roles are commonly academic-related roles. This means that the impact of the ISC will be negligible for departments/institutions in the rare event they sponsor a non-PhD level role through Tier 2.

For roles which will attract the ISC, the cost will be £364 per year of Certificate of Sponsorship (CoS)

validity. For example, if an individual is given a permanent contract and is issued a 5 year CoS, the cost to the department, over and above the CoS fee, will be £1,820. We anticipate this will be payable up front at the time the CoS is paid for, although this is not yet confirmed. If so, departments will be invoiced for this cost in the same manner as the current CoS application fee.

4. EEA Permanent Residence Family Applications

From the 9th February, it is now possible for EEA nationals and their dependants wishing to apply for an EEA Permanent Residence Card to use the [online application system](#). Until recently, the online application has only been available to sole applicants.

The advantages of using the online system are a faster processing time for your application, less administration and access to the [European passport return service](#), which means you don't have to submit your original ID documents to the Home Office. The University's [Compliance Team](#) can provide advice and guidance on any aspect of the Permanent Residence application, including for dependants.