# Agenda

Quick overview of Skilled Worker points requirements

SOC    Updated SOC codes

Minimum salary changes

Tradeable points

Case studies

Questions

# Overview

- The Skilled Worker visa (SWV) route allows non-UK/Irish nationals to come to/stay in the UK if they have an eligible job/job offer.

- Job/job offer and applicant must accrue 70 points from application:
  - Job/job offer with Home Office-approved UK employer (20 points); and
  - Appropriate skill level (20 points) supported by a Certificate of Sponsorship (CoS) from the University; and
  - Salary which meets the relevant minimum for that job (20 points); and
  - Proof of meeting English language requirement (10 points).

- Govt announced in Dec 2023 SWV-related changes were incoming on:
  - SOC codes; and
  - minimum salary requirements; and
  - Shortage Occupation List.

- Changes announced on Thursday 14 March in a 292 (yes, really!) page document.

# When do the changes come into force?

- The new rules discussed in this presentation will apply to Certificates of Sponsorship (CoS) assigned **on or after 4th April 2024**.

- However:
  - Getting a CoS is a 2 stage process – we request CoS & Home Office grants it, then we can assign it to the individual. Used to take 24h, now taking around a week.
  - UKVI Sponsor Management System 7pm Tues 2 April to 9am on 4 April.
  - UKVI will process as many CoS requested before 7pm on 2 April as they can. All CoS granted before 7pm on 2 April must be assigned before 7pm on 2 April.
  - All outstanding applications / unassigned CoS will be cancelled, and we'll need to reapply from 9am on 4th April using the new SOC codes/rules.

- All CoS assigned before 7pm on 2 April will remain valid for use in a visa application for 3 months.

- Visa applications using those CoS will be considered under the rules in place before 4 April, even if the visa application date is after that.

# SOC codes

- Moving from SOC 2010 classification to SOC 2020 on 4 April 2024. Many SOC codes are changing. Most frequently-used by us:

| SOC 2010 | SOC 2020 | Description | Example job titles |
|---|---|---|---|
| 2112 | 2112 | Biological scientists | Microbiologist, Pathologist, Forensic Scientist |
| 2112 | 2113 | Biochemists & biomedical scientists | Endocrinologist, Medical Researcher |
| 2119 | 2119 | Natural and social science professionals n.e.c. | Research Scientist/Fellow/Associate/Assistant |
| 2311 | 2311 | Higher education teaching professionals | Lecturer, Professor, Teaching Assistant, Teaching Fellow |
| 2135 | 2133 | IT business analysts, architects & system designers | Systems analyst, Technical Analyst, User Experience Architect |
| 2426 | 2434 | Business & related research professionals | Digital Marketing Analyst, Market Research Analyst, Social Media Analyst |
| 2429 | 2439 | Business, research & admin professionals n.e.c. | Information Compliance Officer, Governance Officer |
| 3111 | 3111 | Lab technicians | Scientific Technician, Assistant Scientist |

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# SOC codes

- New codes we may find useful:

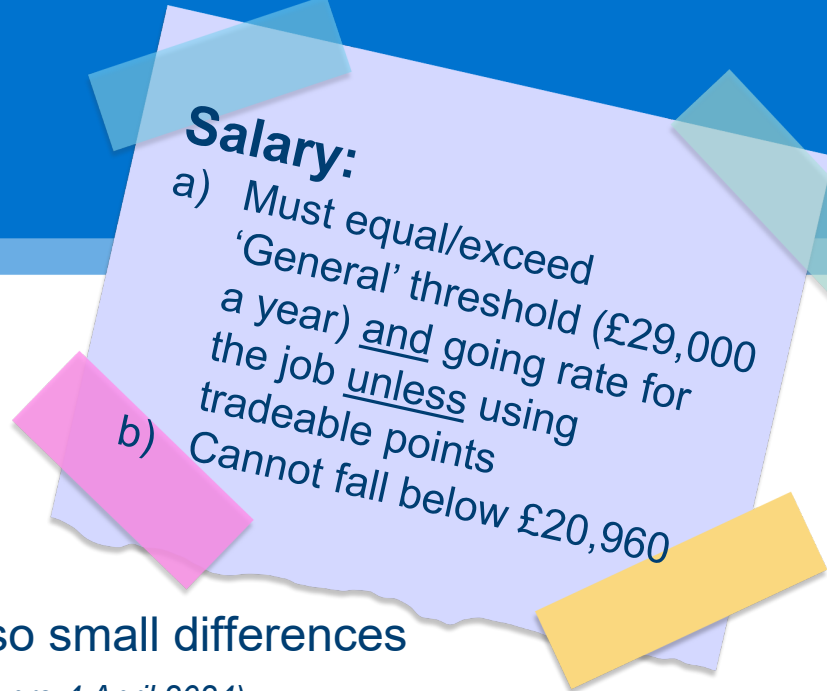| SOC 2020 | Description | Example job titles |
|---|---|---|
| 2135 | Cyber security professionals | Data Security Manager, IT Security Analyst |
| 2136 | IT quality and testing professionals | IT Auditor, Systems Tester, Test Analyst (computing) |
| 2162 | Other researchers, unspecified discipline | Postdoctoral Researcher, Research Assistant/ Fellow, University Researcher |
| 2317 | Teachers of English as a foreign language | TEFL, ESOL Tutor |
| 3543 | Project support officers | Project Assistant/Analyst/Coordinator/ Officer |
| 3544 | Data analysts | Data Analyst/Officer, Data Quality Analyst |

- Beware! More codes are sponsorable, but minimum salary in most cases will be £38,700.

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# Minimum salary changes – who's affected?

- Easier to say who isn't!

- New salary thresholds will <u>not</u> apply to:

  - valid SWV holders who apply to extend before 4 April 2030 (*extension applications*); and

  - valid SWV holders who apply for a new Skilled Worker visa to move into a different type of work and/or to come to work at the University from another UK employer/sponsor before 4 April 2030 (*'change of employment' applications*);

    **if** SWV has been held <u>continuously</u> since first granted.

  - if CoS assigned **<u>before 4 April 2024</u>**, those either:

    - in the UK and applying to switch from another visa route into Skilled Worker, or

    - overseas and applying for an initial Skilled Worker visa.

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# Existing SWV holders

- Must:
  - already hold SWV and be applying to extend, or change sponsor, before 4 April 2030; and
  - have held SWV continuously since before 4 April 2024.

- Data source for going rates has changed, so small differences in minimum salary levels *(figs below in brackets are pre-4 April 2024)*.
  - 'General' threshold: £29,000 a year *(£26,200)*
  - Going rate for the job: depends on SOC code
  - Absolute minimum threshold: £23,200 a year *(£20,960)*

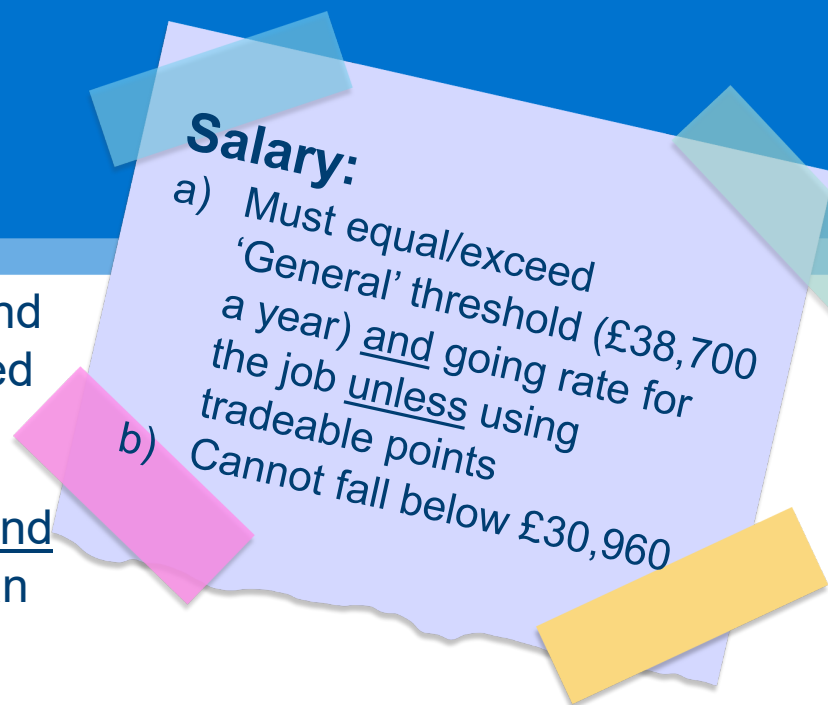| SOC code | Going rate 37.5hpw | Going rate 37hpw | Non-STEM PhD | STEM PhD | New Entrant |
|---|---|---|---|---|---|
| 2119 (research) | 32,000 (34,600) | 31,574 (34,139) | 28,416 (30,725) | 25,259 (27,311) | 23,200 (23,898) |
| 2311 (teaching) | 38,100 (41,200) | 37,592 (40,651) | 33,833 (36,586) | 30,047 (32,521) | 26,315 (28,456) |

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# New SWV applicants

- For new SWV applicants from overseas, and those switching in the UK, who are assigned a CoS on/after 4 April 2024.

- Data source for going rates has changed <u>and</u> increased from 25<sup>th</sup> percentile to the median
  *(figs below in brackets are pre-4 April 2024)*:

  - 'General' threshold: £38,700 a year *(£26,200)*

  - Going rate for the job: depends on SOC code – have also increased

  - Absolute minimum threshold: £30,960 a year *(£20,960)*

**Salary:**
a) Must equal/exceed 'General' threshold (£38,700 a year) <u>and</u> going rate for the job <u>unless</u> using tradeable points
b) Cannot fall below £30,960

| SOC code | Going rate 37.5hpw | Going rate 37hpw | Non-STEM PhD | STEM PhD | New Entrant |
|---|---|---|---|---|---|
| 2119 (research) | 41,200 *(34,600)* | 40,651 *(34,139)* | 36,586 *(30,725)* | 32,521 *(27,311)* | 30,960 *(23,898)* |
| 2311 (teaching) | 47,700 *(41,200)* | 47,064 *(40,651)* | 42,358 *(36,586)* | 37,652 *(32,521)* | 32,945 *(28,456)* |

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# What does that mean for us?

- No SWV sponsorship for <u>new</u> SWV applications for any roles below point 36 on the salary scale (g5 pt 3). This is going to affect those who don't already hold a SWV as follows:

  - Academic roles: no impact as entry level salary will be above the £38,700 threshold

  - Research Associates: if appointed to bottom of grade 7, will need tradeable points

  - Research Assistants: if appointed to bottom of grade 5, will not be sponsorable (if appointed to g5 pt3, will need tradeable points)

  - Academic-related/professional services roles: roles where entry level salary is below £38,700 will not be sponsorable unless tradeable points are available

  - Assistant roles: roles where entry level salary is below £38,700 will not be sponsorable unless tradeable points are available

# Tradeable points

Tradeable points are available for any role where salary is below 'general' salary threshold, provided not below 'absolute' minimum. The options are:

| Options | Description | Minimum salary reduction |
|---|---|---|
| Options A and F | No tradeable points required | N/A |
| Options B and G | Non-STEM PhD relevant to role | 10% discount from the contractual going rate for the job* |
| Options C and H | STEM PhD relevant to role | 20% discount from the contractual going rate for the job* |
| Options D and I | Immigration Salary List | 20% discount from the 'general threshold' |
| Options E and J | New Entrant to labour market | 30% discount from the contractual going rate for the job* |

* As long as the discounted rate remains above the absolute minimum salary of £30,960.

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# STEM / non-STEM PhD

- No changes to criteria for this role

- Quick reminder:

  - PhD must be relevant to the job

  - Must be awarded by a UK institution or confirmed as equivalent by Ecctis Visas & Nationality Services

  - Explanation of why it's relevant to the job is required

  - If appropriate, explanation of why it's STEM is required

  - If qualification/Ecctis statement has been provided before, don't need to provide it again, but explanation(s) as above is/are required

# Bye bye Shortage Occupation List (SOL)

- SOL is a list of occupations in which workers are deemed by the UK Government to be in short supply in the UK.

- MAC 'rapid review' - SOL will be replaced by Immigration Salary List (ISL) which is for jobs where "Government considers it sensible to offer a discounted salary threshold".

- ISL will be a much-reduced version of the SOL with specific minimum salary levels for certain jobs:

| SOC code | SOL salary (up to 03/04/24) | ISL salary (from 04/04/24) |
|---|---|---|
| 2112 Biological Scientists | £24,154 | Existing SWV holders: £31,672 New SWV applicants: £41,342 |
| 3111 Lab Technicians | £20,960 | Existing SWV holders: £23,200 New SWV applicants: £30,960 |

Note on Lab technicians: ISL jobs will be limited to jobs requiring 3 or more years related on-the-job experience (not through working illegally). Any job that doesn't meet that criterion will be subject to 'Must equal/exceed 'General' threshold and going rate for the job' requirement.

# New Entrant

- There will be a few small changes to the criteria for New Entrants:

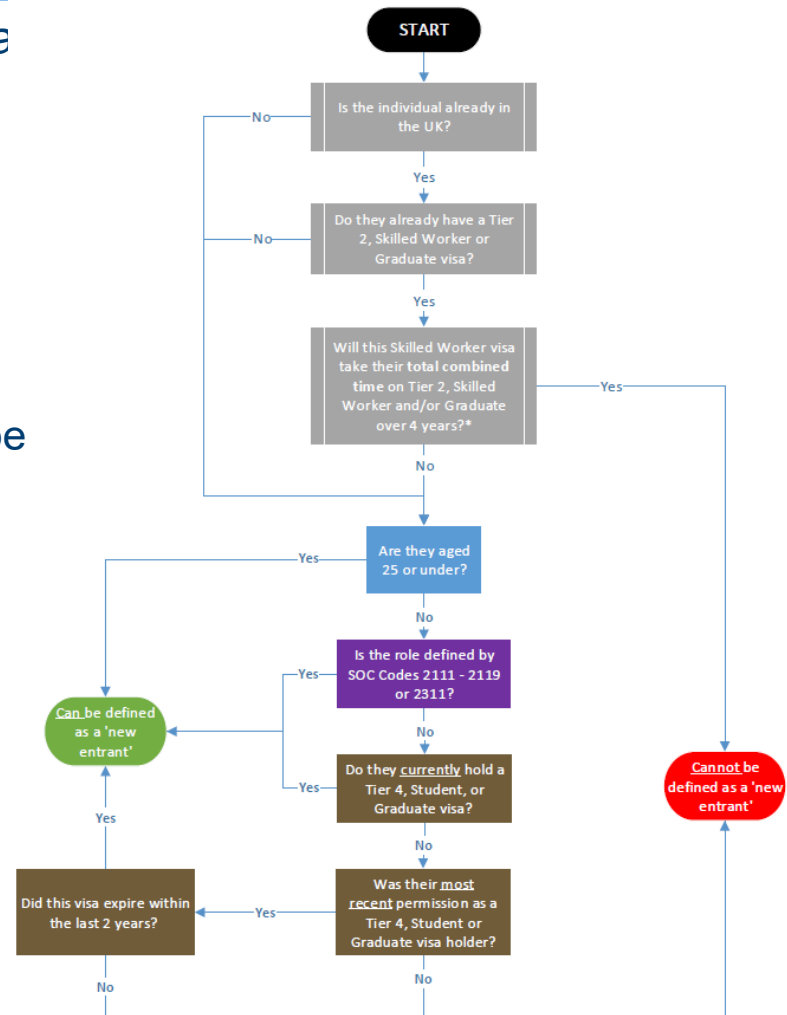| Is the individual at the start of their career? | New criterion, not defined |

| Is the role defined by SOC codes 2111 – 2119 or 2311? | 2162 Other researchers, unspecified discipline to be added |

| UG/Masters: course completed or within 3 months of completion?<br><br>PhD: at least 12 months of course completed? | Additional criterion |

# A note on Graduate visa holders

- Will still be able to switch into Skilled Worker after 4 April but will <u>only</u> be eligible for New Entrant tradeable points for:

  o Former undergraduate and Masters students: up to 2 years

  o Former PhD students: up to 1 year

- Once that period has elapsed, they will be subject to the 'must equal or exceed the General threshold and the going rate for the job' rule.

- Note: about residence in the UK, <u>not</u> contract length.

- Migration Advisory Committee (MAC) 'rapid review' to assess any abuse of the route and fitness for purpose – watch this space…

# Case studies

**Reminder:**
- Salary must equal/exceed 'General' threshold (£38,700 a year) <u>and</u> going rate for the job OR tradeable points required
- Cannot fall below £30,960

- **Research Associate**
  - SOC code 2119
  - Pro-rata going rate (37hpw): £40,651
  - Entry level salary: £33,966
  - 20 points for salary alone: ❌
  - Tradeable points required

- **Research Assistant**
  - SOC code 2119
  - Pro-rata going rate (37hpw): £40,651
  - Entry level salary: £29,605
  - 20 points for salary alone: ❌
  - Salary too low for sponsorship – must be increased to at least £30,960 <u>and</u> tradeable points required

- **Lecturer**
  - SOC code 2311
  - Pro-rata going rate (37hpw): £47,064
  - Entry level salary: £45,585
  - 20 points for salary alone: ❌
  - Tradeable points required

# Case studies

- **Data Analyst**
  - SOC code 3544
  - Pro-rata going rate (37hpw): £32,315
  - Entry level salary: £33,966
  - 20 points for salary alone: ❌
  - Tradeable points required

- **Project Coordinator**
  - SOC code 3543
  - Pro-rata going rate (37hpw): £31,147
  - Entry level salary: £25,752 (g4) / £29,605 (g5)
  - 20 points for salary alone: ❌
  - Salary too low for sponsorship – must be increased to at least £30,960 and tradeable points required

- **Lab Technician**
  - SOC code 3111
  - Immigration Salary List role: £30,960
  - Entry level salary: £23,144
  - 20 points for salary alone: ❌
  - Salary too low for sponsorship – must be increased to at least £30,960 and applicant must have at least 3 years' experience

**Reminder:**
- Salary must equal/exceed 'General' threshold (£38,700 a year) and going rate for the job OR tradeable points required
- Cannot fall below £30,960

# Questions?



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