FACTSHEET: SECONDMENT WORKER

SMITH STONE WALTERS

Immigration Practice

ABOUT THIS GUIDE

The Secondment Worker visa forms part of the UK's Global Business Mobility (GBM) immigration route for overseas businesses who need to temporarily send workers to the UK for a specific purpose that cannot be done by a settled worker.

You can apply for a Secondment Worker visa if your overseas employer is transferring you to the UK to do an eligible job for a different organisation. Your overseas employer must have a high-value contract with the UK organisation. This is a new immigration route under the points-based system from 11 April 2022, and therefore there is no equivalent predecessor route.

This guide outlines who is eligible for a Secondment Worker visa and how to apply.

ELIGIBILITY REQUIREMENTS

To qualify for a Secondment Worker visa, you must:

- Be an existing employee of an overseas organisation that has a highvalue contract with your UK sponsor that has been approved by the Home Office
- Have worked for your overseas employer for at least 12 months outside the UK.
- Have a Certificate of Sponsorship (CoS) from your UK sponsor.
- Do a job that's on the list of <u>eligible</u> occupations.

Note: Your overseas employer must have an eligible contract with your UK sponsor that's worth at least £50 million.

1

HOW LONG YOU CAN STAY

You can stay in the UK with a Secondment Worker visa for whichever is the shorter of:

- 12 months after the start date of the job detailed in your certificate of sponsorship
- The time given on your certificate of sponsorship plus 14 days

If you want to stay longer in the UK, you can extend your visa by 12 months. The maximum time you can stay in the UK on a Secondment Worker visa is 2 years.

You can only stay in the UK for a maximum of 5 years in any 6 year period if you've spent time on any of the GBM routes, including the predecessor ICT routes.

PERMITTED ACTIVITIES

With a Secondment Worker visa, you can:

- Work for your sponsor in the job described in your CoS
- Study
- Bring dependant family members with you, if they are eligible
- Do voluntary work
- Travel abroad and return to the UK.

You cannot:

- Access public funds
- Change jobs, unless you update your visa
- Have a second job
- Apply to settle permanently in the UK.

If your application is successful, you will receive a full list of what you can and cannot do with a Secondment Worker visa.



HOW TO APPLY

You must apply online for a Secondment Worker visa. How you apply depends on whether you are:

- Outside the UK and are coming to the UK
- Inside the UK and you want to <u>extend your current visa</u>
- Inside the UK and you want to switch to this visa from another visa type.

As part of your application, you will need to prove your identity and provide your supporting documents. To do this, you will need to do one of the following:

- Attend an appointment at a Visa Application Centre (VAC) if you're outside the UK
- Attend an appointment at a UK Visa and Citizenship Application Services (UKVCAS) service point if your inside the UK
- Use the 'UK Immigration: ID Check' app to scan your identity document, if you are eligible.

HOW MUCH IT COSTS

When you apply for a Secondment Worker visa, you will need to have enough money to:

- Pay the visa application fee It costs £259 to apply.
- Pay the Immigration Health Surcharge (IHS) The IHS is currently £624 per year, or £470 per year for under 18s.
- Support yourself in the UK You will usually need to show that you have at least £1,270 in your bank account (unless you're exempt).

Note: The visa application fee and the IHS must also be paid for any accompanying dependants.

PROCESSING TIMES

You can apply for a Secondment Worker visa up to 3 months before the day you are due to start work in the UK (this date is listed on your CoS). Once you've applied online, proved your identity and provided your documents, you'll usually get a decision on your visa within 3 weeks if you're outside the UK, or 8 weeks if you're inside the UK.

IMPORTANT NOTES FOR SPONSORS

Employers transferring staff to the UK on a Secondment Worker visa should be aware of the applicable sponsorship fees.

For sponsor licencing fee purposes, the Secondment Worker route is classified as a "Temporary Worker' route. This means that organisations applying for a licence to sponsor Secondment Workers on or after 11 April 2022 will pay the standard fee for a Temporary Worker sponsor licence, regardless of their size or charitable status. CoS assigned to workers on this route will be charged the standard Temporary Worker CoS fee (£21).

Unlike the Senior or Specialist Worker route, sponsors are **not required** to pay the Immigration Skills Charge (ISC) for Secondment Workers.

Please contact Smith Stone Walters for more information on this route.

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