

FACTSHEET: SCORING POINTS ON THE SKILLED WORKER ROUTE

**SMITH
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Immigration Practice

ABOUT THIS GUIDE

On 1 December 2020, the UK's new points-based immigration system opened for applications. The new system treats EU and non-EU citizens equally under a single set of immigration rules.

When Freedom of Movement from the EU ends at 11pm on 31 December 2020, all foreign nationals coming to the UK to work must apply for permission in advance using the Skilled Worker route.

Under the new rules, visas will be awarded to applicants who meet a specific set of criteria for which they will score points. A minimum of 70 points is required to be granted entry.

This guide outlines the main principles of the UK's new points-based immigration system and sets out some examples of how different applicants could score the required 70 points under the Skilled Worker route.

EU CITIZENS ALREADY IN THE UK

EU citizens already living in the UK by 31 December 2020 will not be affected by the new system and have until 30 June 2021 to apply for settled status under the EU Settlement Scheme (EUSS). After this time, those who have not successfully applied will be subject to the new points-based system.

Irish citizens are also exempt from the new rules and will continue to be allowed to live and work in the UK without a visa.

SCORING POINTS

When applying for a skilled worker visa under the new points-based system, applicants must score the required 70 points from a combination of points awarded for certain criteria. Under the Skilled Worker route, applicants must meet the following mandatory criteria:

- Hold a confirmed job offer from an approved sponsor (**20 points**)
- The job is at an appropriate skill level (**20 points**)
- The applicant speaks English (**10 points**)

To make up the required 70 points, applicants can earn a further 20 "tradeable" points based on their salary, having a job offer in a shortage occupation or a relevant PhD.

TRADING POINTS

Applicants to the Skilled Worker route must be paid at least the minimum salary specified for the route (£20,480) or the 'going rate' (or, in some cases, a proportion of the going rate) for the occupation, whichever is higher.

However, if the salary offered is below the general salary threshold of £25,600 (but at least £20,480), the applicant will need to score the additional 20 points by meeting other criteria. This is known as 'tradeable points'.

The following table and case studies illustrate where tradeable points can be secured.





TRADEABLE POINTS CRITERIA

TRADEABLE POINTS					
OPTION	REQUIREMENT 1.		REQUIREMENT 2.		SCORE
Salary only	Salary equals/exceeds £25,600 p.a	+	equals/exceeds 'going rate' for occupation	=	20 points
Relevant PhD	PhD relevant to job	+	salary equals/exceeds £23,040 p.a. & 90% of the going rate for occupation	=	20 points
Relevant STEM* PhD	PhD in STEM subject relevant to the job	+	salary equals/exceeds £20,480 p.a. & 80% of the going rate for occupation	=	20 points
Shortage occupation	Job is listed as a shortage occupation	+	salary equals/exceeds £20,480 p.a. & 80% of 'going rate' for occupation	=	20 points
New entrant	Applicant is a new entrant to labour market	+	salary equals/exceeds £20,480 p.a. & 70% of 'going rate' for occupation.	=	20 points
Listed health/ education occupation	Job is listed health or education occupation	+	salary equals/exceeds £20,480 p.a. & 'going rate' for occupation	=	20 points

*STEM - Science, Technology, Engineering or Mathematics

CASE STUDIES

CASE STUDY 1:

An Advertising Manager coming to the UK with a salary offer of £40,000.

- Job offer – 20 points
- Skill level – 20 points
- English language – 10 points
- Salary ('going rate' for the profession is £29,500) – 20 points

The worker scores 50 points for meeting all mandatory criteria. He scores a further 20 points as his salary exceeds both:

- £25,600 per year; and
- The 'going rate' for the profession.

CASE STUDY 2:

A Mechanical Engineer coming to the UK with a salary offer of £28,000.

- Job offer – 20 points
- Skill level – 20 points
- English language – 10 points
- Salary ('going rate' for the profession is £33,400) – 0 points
- Job in a shortage occupation – 20 points

The worker scores 50 points for meeting all mandatory criteria. Although his salary is below the 'going rate', he scores an extra 20 points for having both a job in a shortage occupation and a salary exceeding both:

- £20,480 per year; and
- 80% of the 'going rate' for the profession

For more information on the new rules, please contact Smith Stone Walters.

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