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**SMITH
STONE
WALTERS**

Immigration Practice

INSIGHT

IMMIGRATION NEWS & VIEWS
FROM SMITH STONE WALTERS
SUMMER 2021

The key immigration
changes in store for
this June



UPCOMING IMMIGRATION EVENTS

MARK YOUR CALENDARS

June is set to be a highly significant month for the UK, as we approach the fourth and final stage of the government's roadmap out of lockdown. From 21 June, the government hopes to be in a position to remove all legal limits on social contact and allow the reopening of businesses that have remained closed throughout the pandemic.

Despite COVID-19 headlines taking precedence since early 2020, it should not be forgotten that 30 June 2021 also marks the end of the Brexit 'grace period', which goes hand-in-hand with several important deadlines for EU citizens seeking to live and work in the UK from 1 July onwards.

But as one door closes, another opens. The easing of lockdown restrictions means that borders are beginning to reopen and international travel is now permitted, albeit with strict rules in place and a limited 'green list' of countries travellers are permitted to enter for tourism purposes.

As the economy begins to reawaken, employers are likely to be turning their attentions towards hiring fresh talent to give their businesses the best chance of success in the recovering economic climate. In this month's Editorial, we unpack the key immigration changes that are in store for this June, and highlight the key diary notes you should be making as the UK fully reopens for business.

THE EU SETTLEMENT SCHEME

On 30 June 2021, applications to the EU Settlement Scheme (EUSS) will close, and any EU citizens who do not hold settled or pre-settled status will need to apply for a visa if they wish to live and work in the UK.

The EUSS has attracted more applications than first anticipated, with the latest Home Office statistics showing that there have been over 5.42 million applications to date, a vast increase from the 3 million initially predicted by the Home Office when the scheme opened in March 2019. However, any European nationals who have not successfully applied by the deadline may face complications

beyond June if they do not have the necessary permissions in place to work and access public services in the UK.

From 21 June 2021, COVID-19 concessions on right to work checks will end, and employers will need to revert to face-to-face, physical document checks. EU, EEA and Swiss citizens can continue to use their passport or National Identity card to evidence their right to work in the UK until 30 June 2021. After this time, employers will need to check the residency status of their European hires using the online Employer Checking Service. Employers should ensure these key June dates are marked on the calendar to ensure they are not missed. ▶



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THE FRONTIER WORKER PERMIT SCHEME

Before Brexit, multinational companies could rely on free movement and cheap, convenient transport links to allow their European employees to enter the UK to work, whilst living primarily overseas. This pattern of cross-border working is known as frontier working.

Since leaving the EU, the UK has had to impose new immigration rules for Frontier Workers. On 10 December 2020, the UK's Frontier Worker Permit Scheme was opened to enable those European nationals who started working in the UK on or before 31 December 2020 to continue to work here now that Freedom of Movement has ended.

The scheme is open to EU, EEA and Swiss nationals who are primarily

resident outside of the UK, and successful applicants will be able to work, rent property and access services such as the NHS in the UK, providing they meet the relevant eligibility requirements.

Although there is no deadline to apply, frontier workers will need to hold a valid permit to enter the UK from 1 July 2021.

THE GRADUATE ROUTE

1 July 2021 should be a key date in your diary for another reason, as this marks the opening of the Graduate visa route. This new post-study route will grant eligible international students the right to stay in the UK and work, or look for work at any skill level for up to three years after completing their studies.

The route is open to international students who have successfully

completed an eligible course as a sponsored student at a higher education provider with a track record of compliance. Applicants must have current permission as a Student or Tier 4 migrant and must not have previously held permission on the Doctorate Extension Scheme (DES) or the Graduate route.

The route will be unsponsored, and the two or three year period granted will be a one-time, non-extendable leave period. If a Graduate visa holder finds suitable employment during this time, they will be able to switch to a Skilled Worker visa providing they meet the requirements of the route.

TRAVELLING ABROAD POST-BREXIT

International travel is back on the cards for business purposes, and to a limited extent, for leisure purposes. However, anyone planning to take advantage of this by planning a trip to Europe should first ensure they are aware of the new passport rules in place.

British passport holders must have at least six months' validity remaining on their adult or child passport when travelling to most European countries, with the exception of Ireland. Citizens holding the old-style burgundy European Union passports will be able to continue using the passport



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until it expires. However, if you do not have enough time left on your passport from the date you intend to travel, you will need to renew it first.

Travellers should also take extra care to familiarise themselves with the specific entry requirements for their destination country, as certain rules may have changed since the transition period ended.

THE ROAD TO RESIDENCY

Despite Europeans now facing more red tape when seeking to enter the UK for work, the points-based immigration system does afford some benefits for those planning to stay in the UK long-term.

Greater flexibility around switching means that most applicants are able to switch in-country to a Skilled Worker visa from another visa type, providing they meet the requirements. After five years' continuous residency on a Skilled Worker visa, migrants will be eligible to apply for Indefinite Leave to Remain (ILR), and British citizenship thereafter.

This pathway to citizenship will not only benefit individuals looking to make the UK their permanent home, but it also provides clear benefits for employers in improving the retention rates of staff they have invested in.



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To find out more about the UK's post-Brexit immigration rules and how to prepare your business for hiring overseas staff, please contact Smith Stone Walters.

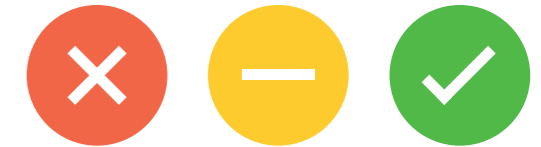
NEW UK TRAVEL RULES

On 17 May 2021, the UK eased COVID-19 restrictions on international travel and introduced a new traffic light system for individuals travelling abroad on essential and non-essential trips.

Despite the fact that international leisure travel from England is no longer illegal, there are strict border control measures in place which travellers should be aware of before planning a trip overseas.

In this Special Focus, we set out the current guidance and what to expect when arriving in the UK from a country on the Red, Amber and Green lists.

<p>RED LIST</p> <p>Highest risk category. You should not travel to a red list country for leisure purposes.</p>	<p>Before travelling to England from a red list country, you must:</p> <ul style="list-style-type: none"> Complete a passenger locator form Take a COVID-19 test Book a quarantine hotel package, including 2 COVID-19 tests 	<p>Upon arrival in England, you must:</p> <ul style="list-style-type: none"> Quarantine in a managed hotel for 10 days, including 2 COVID-19 tests
<p>AMBER LIST</p> <p>Medium risk category. You should not travel to an amber list country for leisure purposes.</p>	<p>Before travelling to England from an amber list country, you must:</p> <ul style="list-style-type: none"> Complete a passenger locator form Take a COVID-19 test Book and pay for day 2 and day 8 COVID-19 tests 	<p>Upon arrival in England, you must:</p> <ul style="list-style-type: none"> Quarantine at home or in the place you are staying for 10 days Take a COVID-19 test on or before day 2 and on or after day 8
<p>GREEN LIST</p> <p>Lowest risk category. Since 17 May 2021, travel to a green list country for leisure and tourism purposes is permitted.</p>	<p>Before travelling to England from a green list country, you must:</p> <ul style="list-style-type: none"> Complete a passenger locator form Take a COVID-19 test Book and pay for a day 2 COVID-19 test 	<p>Upon arrival in England, you must:</p> <ul style="list-style-type: none"> Take a COVID-19 test on or before day 2 after you arrive You do not need to quarantine unless the test result is positive. Self-isolate if NHS Test & Trace informs you that you travelled to England with someone who has tested positive for COVID-19.



STAY UP TO DATE



A full list of countries rated as Red, Amber and Green categories can be found on the gov.uk website. Note that countries can be moved between lists if conditions change. You can sign up to government email alerts to be notified when any updates are made.

NEW PASSPORT RULES



Since Brexit, new passport rules apply for British passport holders travelling to Europe. Individuals must have at least six months' validity remaining on their adult or child passport when travelling to most European countries, with the exception of Ireland.

EXEMPTIONS



Certain travellers are exempt from some or all of the COVID-19 travel restrictions due to their occupation or for medical or compassionate reasons. There are different rules in place depending on which exemption category you fall under, therefore you are advised to check current guidance before travelling.

TRAVELLING OUT OF THE UK



You no longer need to complete a declaration form to travel abroad. However, other countries and territories will have their own rules at the border. SSW advises all travellers to check the entry requirements of your destination country before travelling.

EXPECT DELAYS



Due to the extensive requirements in place, international travel is likely to look a little different compared to pre-Covid times. Passengers are advised to expect additional checks and delays at the border.

FASTER TRAVEL THROUGH THE UK BORDER

UK

As travel restrictions begin to ease, we expect to see a steady increase in the number of travellers passing through the UK border. Coupled with the additional requirements relating to COVID-19 testing and tracking, those arriving in the UK should be prepared for potential delays at the border.

To help UK border officials process you quickly and to improve your experience at the UK border, we recommend taking note of the following:

USE THE EGATES FOR QUICKER ENTRY

Automated eGates at UK air and rail ports are self-service barriers which utilise facial recognition technology to verify an individual's identity against the data in their biometric passport chip. You can usually use eGates if you are either:

- A British citizen
- A national of an EU country, Australia, Canada, Iceland, Japan, Liechtenstein, New Zealand, Norway, Singapore, South Korea, Switzerland or the USA
- A member of the Registered Traveller Service

Please note, the use of eGates is subject to COVID-19 restrictions.

BRING YOUR PASSPORT RATHER THAN AN ID CARD

You cannot use the eGates if you are travelling with an ID card. EEA citizens may be able to pass through the UK

border faster by using a passport rather than an EEA national identity card. Even if you do not utilise the eGates and instead go to a staffed desk, Border Force officers will be able to process a passport more quickly than an ID card.

WITHDRAWAL OF LANDING CARDS

In May 2019, the Home Office scrapped the use of landing cards for international passengers arriving in the UK. This change has helped speed up the arrivals process amid growing passenger numbers.

PAY TO FASTTRACK PASSPORT CONTROL AT UK AIRPORTS

Selected UK airports allow passengers to pay a small fee to 'fast track' passport controls. This service is currently available at Gatwick, Stansted, Manchester, Edinburgh, Birmingham and East Midlands airports. The cost to use this service may vary between airports, therefore passengers should check the relevant airport website for up to date fees.

ELECTRONIC TRAVEL AUTHORISATION SCHEME

The statement outlines proposals to transform the border and immigration system and deliver a fully digital end-to-end customer journey, with the UK knowing more about the people travelling to the UK before they start their journey.

A key part of the plans to digitise the border includes the introduction of Electronic Travel Authorisations (ETAs) to automatically determine the eligibility of visitors in advance.

Speaking about the upcoming changes, Home Secretary Priti Patel said: *"We are working on further reforms, including Electronic Travel Authorisations, as part of a simpler and more secure, universal permission to travel*

On 24 May 2021, the Home Office published its "New Plan for Immigration" strategy statement, setting out the government's vision for the UK's border and immigration system in subsequent years.

requirement. Our new fully digital border will provide the ability to count people in and count people out of the country. We will have a far clearer picture of who is here and whether they should be - and will act when they are not."

The ETA scheme will form part of a wider 'permission to travel' requirement which will mean everyone wishing to travel to the UK, except British and Irish citizens, must seek permission in advance.

The reforms come after recent evidence suggests that the UK's previous estimates on migration data were significantly wrong, and more needs to be done to accurately track the number of people entering and leaving the UK.

Visitors and transit passengers who do not currently require a visa for short stays, or who do not already have an immigration status prior to travelling, will need to obtain an ETA as an additional security measure. The scheme is similar to systems already in place in other countries, such as the United States' ESTA scheme.

The ETA scheme will enable the Government to conduct security checks on passengers and make more informed decisions at an earlier stage as to whether individuals should be allowed to enter the UK. The application process will be largely automated, as well as enabling automation of the processing of passengers on arrival.

It is estimated that the ETA scheme will be fully in place by the end of 2024, with the Home Office expecting to process up to 30 million applications per year.



SKILLED WORKER LIFT OFF

'It is now easier for migrants to switch onto a Skilled Worker visa from another visa type without having to leave the UK.'



Since opening for applications on 1 December 2020, the Skilled Worker route has replaced the previous Tier 2 (General) route as the main immigration category for overseas citizens coming to the UK for skilled work.

Under post-Brexit immigration rules, EU citizens wishing to work in the UK must now secure sponsorship from a licenced employer and apply for a visa on the same basis as non-EU nationals for the first time in decades.

Home Office statistics show that in the year ending 2020, the number of work visas granted was down 35% from the previous year, largely due to the impact of the COVID-19 pandemic. However, now more than six months on from its launch,

case numbers under the Skilled Worker category are picking up as international travel returns and borders begin to unlock.

With this in mind, here is a brief recap of the Skilled Worker route and who can apply.

Smith Stone Walters is experienced in helping businesses secure UK work permits for their employees. For further advice and support, please call us today.

WHO IS ELIGIBLE TO APPLY?

In order to qualify for a Skilled Worker visa, applicants must meet the following criteria:

- The applicant must hold a confirmed job offer from an approved sponsor
- The role must be skilled to RQF Level 3 (A-Level or equivalent) or above
- The worker must be paid at least the minimum salary of £20,480, or the going rate (or, in some cases, a proportion of the going rate) for the occupation, whichever is higher.
- The applicant must speak English to an acceptable standard.

SWITCH IN-COUNTRY

The UK's points-based immigration system has introduced greater flexibility around switching, meaning it is now easier for migrants to switch onto a Skilled Worker visa from another visa type without having to leave the UK.

A Skilled Worker visa allows the holder to stay and work in the UK for up to five years. After five years' continuous lawful residence, skilled workers may be eligible to apply for settlement, and citizenship thereafter.

Not only does this opportunity for long-term residency present clear benefits to workers, employers may also benefit from greater employee retention as a result.



US NATIONAL INTEREST EXCEPTIONS



'A National Interest Exception (NIE) application is a request for exemption from the US travel ban, which, if granted, authorises travel to the United States.'

In a bid to control the spread of COVID-19, far-reaching entry and travel bans have been in place in the United States for months. Currently, a COVID-19 travel ban is in place to prevent travel from high risk countries including the UK, Ireland, the Schengen Area, China, Iran, Brazil, South Africa and India.

However, certain travellers from these regions can request permission to enter the US if their reason for travel is considered to be of national interest. A National Interest Exception (NIE) application is a request for exemption from the US travel ban, which, if granted, authorises travel to the United States.

Travellers may qualify for a NIE if they are entering the US for the following purposes:

- To provide vital support for critical infrastructure
- Students and certain academics covered by exchange visitor programmes
- Purposes related to humanitarian travel, public health response, and national security
- Journalists

Travellers in categories described above who have a valid visa or a valid Electronic System for Travel Authorisation (ESTA) should contact the nearest US embassy or consulate before travelling if they believe they may qualify for a NIE. Once approved, the NIE is valid for a single entry to the US and the traveller must seek admission within 30 days of receiving it.

For up to date advice on travelling to the United States during COVID-19, please speak to a member of the SSW Global Immigration team.



REMOTE WORK VISAS



As flexible working becomes the norm, a growing list of countries are now offering digital nomad visas, a type of work permit than allows the holder to work in a particular country without the need for formal sponsorship from an employer. More robust than a visitor visa but with greater flexibility than the traditional work permit routes, these categories are seen as the ultimate tool in remote working.

The pandemic has significantly heightened interest in this type of permission, with many IT professionals in particular seeking alternative locations to work from whilst their role remains remote.

That said, this desire to work from the beach can raise significant compliance risks for the employer and individual alike. Employers must ensure they are aware of their remote workforce as they too can face legal repercussions if an employee does not have the permission to work in the jurisdiction from which they are working.

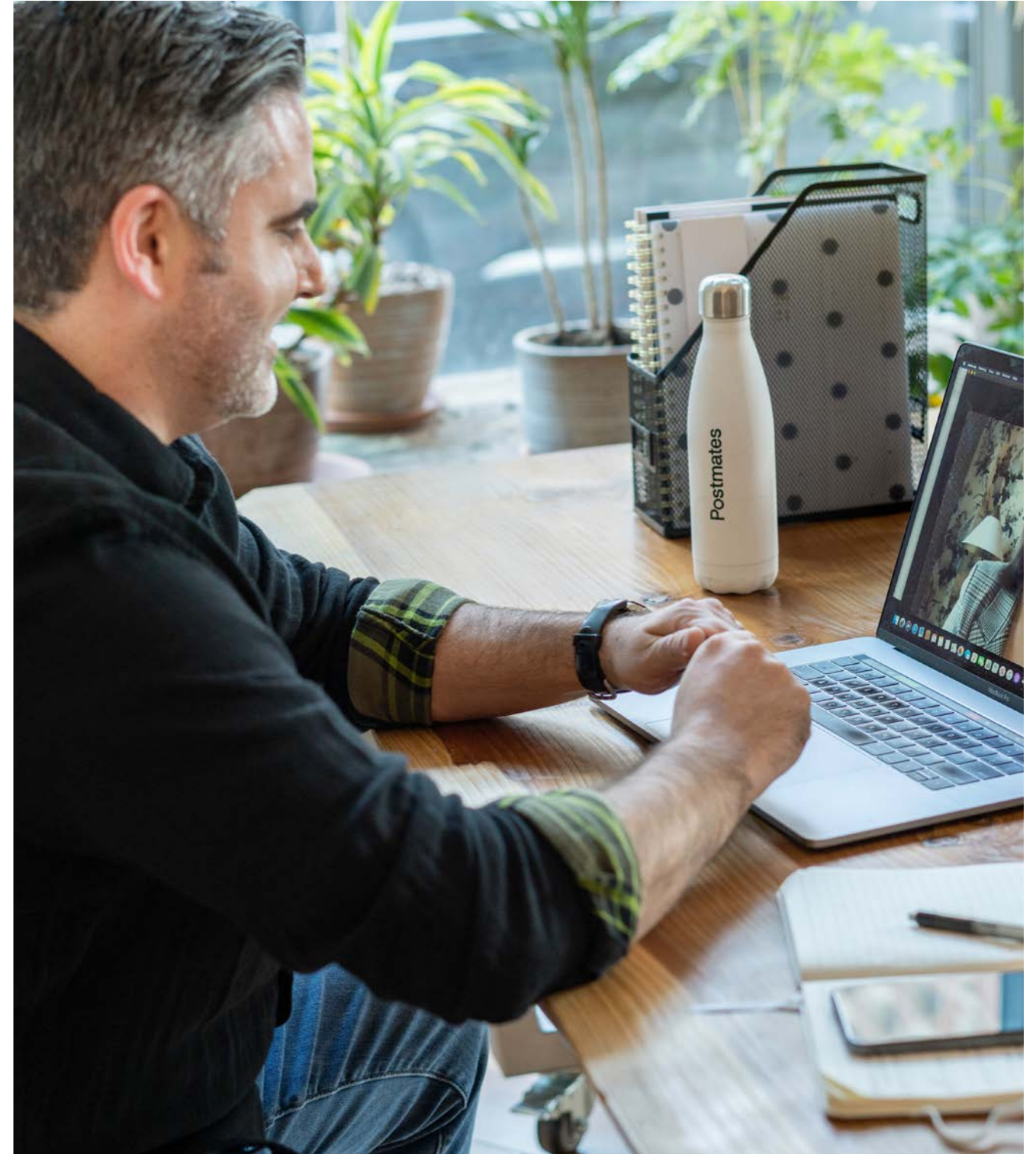
Countries that currently offer formal remote working visas include:

- Barbados
- Bermuda
- Anguilla
- Estonia
- Dubai (UAE)
- Georgia
- Cayman Islands

Many of the above countries share common themes to their visa requirements, and all require applicants to demonstrate a certain level of income. However, financial requirements vary considerably depending on which country you are applying to, and additional conditions may apply if any family members are accompanying the main applicant.

Remote work visas are generally valid for a period of one year although there are some exceptions. Furthermore, many of these countries charge an application fee which ranges from \$2,000 for Anguilla or completely free in the case of Georgia.

For more information on remote working visas and how to remain compliant, please contact SSW.



SCHENGEN VISA: TOP 10 THINGS TO NOTE



1

The 90 day limit (in any 180 day period) applies for travel regardless of purpose.

2

It is the individual's responsibility to monitor their running total of days spent in the Schengen area to avoid overstaying.

3

Schengen rules now apply to British Citizens.

4

You should apply to a specific embassy based upon your travel plans.

5

First time Schengen visas are usually only issued for 6 months.

6

The UK and Ireland are not part of the Schengen Zone.

7

Processing times for a Schengen visa can be as long as 15 business days.

8

You cannot pay to expedite an application.

9

There are single and multiple entry versions of the Schengen visa.

10

Passports must be valid for 3 months after the date you plan to leave the Schengen Area.

The Schengen Area is a borderless zone of European countries that have officially abolished all passport and other types of border control at their mutual borders. Made up of 26 European countries, it is the largest free travel area in the world.

For citizens of the 107 countries who require a visa to travel within the EU, obtaining a Schengen visa is the best way to travel across multiple countries on a single permit. A Schengen visa is a short-stay visa that allows its holder to travel to any country within the Schengen Area, for up to 90 days in any 180 day period, for tourism or business purposes. The 90 days you can spend in the area is cumulative across any given 180 day period. This is sometimes known as a rolling total. Overstaying could result in a fine or even being banned from entering the Schengen Area.

Before applying for a Schengen visa, make sure you are aware of the following 10 points:



SENDING YOUR EMPLOYEES TO EUROPE?

Employers obtaining Skilled Worker visas for their migrant workers may also wish to consider applying for a Schengen visa at the same time if the employee may be required to travel to Europe.

Smith Stone Walters is pleased to offer a bespoke, twinned service for Skilled Worker and Schengen applications, which is growing in popularity with our clients. By partnering with us, we will work with you to ensure both applications are prepared for your overseas employees simultaneously, securing a fast-tracked decision to provide your business with the fastest and most effective delivery possible.

For more information on this service, please contact SSW.

SSW IS ON YOUTUBE



Since the UK officially launched its post-Brexit points-based immigration system, Smith Stone Walters has been working hard to ensure our clients are aware of what's changed and how the new rules could impact their business.

From applying for a sponsor licence to understanding new visa routes such as the Skilled Worker, Intra-Company Transfer and Graduate routes, there is a plethora of new rules and requirements which employers need to know.

To help clients gain a better understanding of these key areas, the SSW YouTube channel plays host to a range of informative, bite-sized webinar sessions which break down these often complex topics into an easily digestible format.

To watch our latest videos and subscribe to our channel, please visit www.youtube.com/c/smithstonewaltersimmigrationpractice.



JOIN OUR ONLINE COMMUNITY

In the fast-paced landscape of immigration and global mobility, rules and guidelines are constantly changing and it can sometimes be difficult to keep up. At SSW, our aim is to keep our clients informed of all the latest developments in UK and global immigration as they happen.

Through our website, weekly email newsletter and social media channels, we publish regular news articles, webinars, videos and factsheets on a variety of UK, European and global immigration matters. So far this year, we have provided our followers with:

91
NEWS ARTICLES

23
EMAIL NEWSLETTERS

194
TWEETS

To ensure you are kept up to date with the latest guidance and any changes that may impact your immigration goals, why not join us on social media and sign up to our free Immigration News Service?

You can find us on LinkedIn, Twitter, Instagram, Facebook and YouTube by searching for Smith Stone Walters. Plus, receive the latest immigration updates straight to your inbox each week by signing up to our mailing list at www.smithstonewalters.com/signup.



HELPING EUROPEANS SECURE UK VISAS



European nationals who have previously enjoyed the right to live and work freely in the UK using nothing more than a valid passport or national identity card must now comply with Home Office requirements to secure a Skilled Worker visa before arriving in the UK.

For some EU citizens and their employers, navigating the strict eligibility requirements and visa application processes has proved challenging, particularly in the midst of a global pandemic where visa centre closures and travel restrictions have added further delays and complications to the process.

Since January, Smith Stone Walters has been receiving daily enquiries from European clients and their employers seeking support in applying for work permits, and we have already successfully helped numerous applicants from many of the 27 EU countries to secure Skilled Worker visas.

Here is what one of our latest European clients had to say about working with us:

“I didn’t know what the requirements were, but I had an exceptional team that helped me and advised me about all the legal procedures. In the end, it all went well.”

PN, Portuguese national



WHAT OUR CLIENTS SAY ABOUT US!



We always strive to deliver a WOW service to our clients. Our dedicated team have been working hard to provide successful solutions and swift results, getting our clients where they need to be. Here is just some of the feedback we have been proud to receive recently:

“Working with Sagel was lovely, everything went smoothly and swiftly, no issues whatsoever.”
PB, Technology company

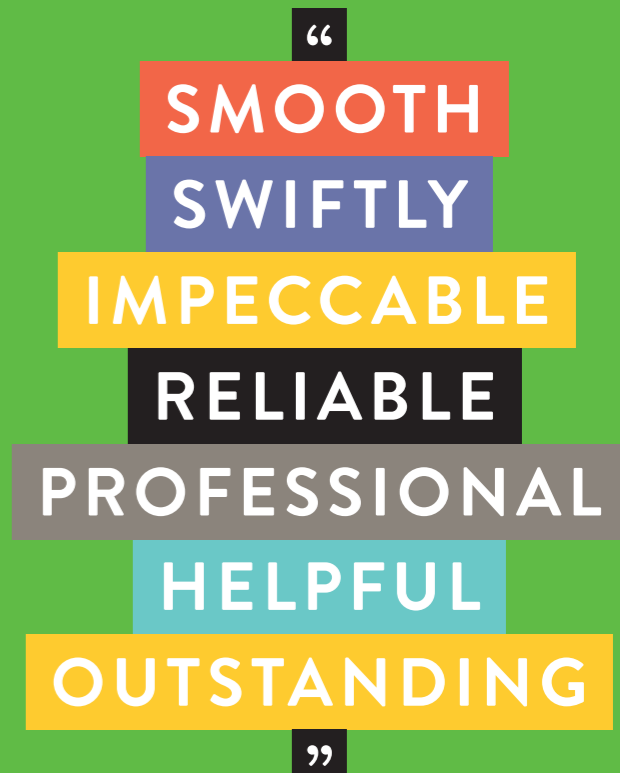
“The process was very smooth and I got timely updates from SSW. I should especially mention Cami, she is the best and she helped me a lot during the second stage with very quick updates.”
KV, Online gambling company

“Having used several other immigration firms previously, I found the experience with SSW considerably better. Huge thanks go to Rob who is extremely professional, very knowledgeable in the field, and entirely reliable. I would make recommendations without hesitation.”
ZS, E-commerce company

“Outstanding and impeccable services from Ross.”
YZ, Bank

“Prestina is the best immigration consultant that I have come across, kudos to your work ethic.”
PG, Technology company

“SSW is very professional and helpful agency. I would recommend to my friends and colleagues.”
RD, Telecommunications company



FOCUS

In order to prevent abuse of the UK immigration system, sponsors of migrant workers and students are required to observe strict compliance responsibilities known as ‘sponsor duties’. A key part of your sponsor duties relates to the monitoring and reporting on individuals being sponsored within your business or institution.



However, many sponsors have faced difficulties in meeting the usual requirements due to remote working and distance learning measures that have been necessary throughout the pandemic. For this reason, the Home Office has introduced certain concessions to allow sponsors greater flexibility on reporting without risking adverse action against them.

In this month’s Focus, we take a look at the temporary concessions currently in place for sponsors during COVID-19, and discuss when we are likely to see a return to pre-pandemic rules.

Do I need to report when my sponsored workers or students are absent?

Ordinarily, sponsors are required to report to the Home Office when their sponsored workers are absent from work for more than ten consecutive working days without permission. Similarly, student sponsors are usually required to monitor the attendance of their sponsored students and may

need to withdraw sponsorship if the student is found to be not engaging with their studies.

However, COVID-19 concessions mean that sponsors do not currently need to report employee or student absences related to coronavirus. This can include absences due to illness, their need to isolate or their inability to travel due to restrictions. The Home Office will not take enforcement action against sponsors who continue to sponsor employees or students who are absent due to coronavirus. These concessions are being kept under review and may be subject to change as restrictions begin to ease.

Does the Home Office need to know about remote working or distance learning arrangements?

If your sponsored employees are working from home due to coronavirus, you do not need to notify the Home Office. However, sponsors should continue to report

any other significant changes to working arrangements as normal.

Likewise, student sponsors are not required to notify the Home Office when students have transitioned to distance learning. This concession will be in place for the duration of the 2020-21 academic year, and will be reviewed thereafter. However, student sponsors should continue to report instances where a sponsored student has permanently withdrawn or deferred their studies for a period of more than 60 days. You must withdraw sponsorship if a student stops engaging with their distance learning for more than 30 days.

Can I reduce my sponsored workers’ pay?

Sponsored workers are eligible for government job support schemes in the same way as resident workers. You can temporarily reduce the pay of your sponsored employees in line with these schemes if your business has reduced or ceased trading. However, once these temporary measures have ended you

must resume paying them at least the amount they were paid before the arrangements were in place.

Any pay reductions must be made as part of a company-wide policy to avoid redundancies in which all workers are treated the same. You cannot reduce your sponsored workers’ rate of pay for the hours they work below the going rate for their occupation, subject to any discounts they qualified for when they were granted permission.

Can start dates be delayed if the sponsored worker or student is unable to travel?

The Home Office is not automatically refusing cases where the start date for employment or study stated on the applicant’s documents has changed.

For example, if you have already issued a Certificate of Sponsorship (CoS) or a Confirmation of Acceptance for Studies (CAS) but the employee or student has not yet applied for a visa, the Home Office may still accept an expired certificate if the individual was unable to travel due to coronavirus. This will be considered on a case by case basis.

What about workers or students still waiting for a decision on their visa application?

The current backlog in visa applications means that applicants may be waiting longer than usual to receive a decision on their application. You may allow your sponsored employees or students to start work or study before their visa application has been decided if:

- You have assigned a CoS / CAS
- The employee or student submitted their application before their current visa expired

- The role or course they start is the same as the one stated on their CoS / CAS

However, sponsors should note that reporting responsibilities begin from the date you assigned the CoS or CAS, not from the date the visa application is granted. For this reason, you must record and maintain all the relevant information set out in the sponsor guidance on your own systems before gaining access to the Sponsorship Management System. If the employee or student’s visa application is eventually rejected, you must terminate their employment or studies.

Are the Home Office still granting visa extensions?

Individuals with immigration permission due to expire are expected to take reasonable steps to leave the UK or apply to regularise their stay in the UK. However, for those who are unable to leave the UK due to COVID-19 related reasons, the ‘exceptional assurance’ concession is intended to grant additional time.

Visa applicants with a visa or leave that expires by 30 June 2021 who intend to leave the UK but have been unable to do so, can make a request for exceptional assurance by emailing the Home Office on cihassuranceteam@homeoffice.gov.uk.

How long are concessions likely to remain in place?

The Home Office has not yet indicated a set date for the expiry of the COVID-19 concessions currently in place, and all measures remain under review. However, as coronavirus restrictions begin to lift and international travel opens up, we anticipate the rules changing as a result. Adjustments made to other compliance areas such as Right to

Work checks will soon end and employers must revert to pre-COVID rules, therefore it is likely that sponsorship requirements will follow suit in due course.

If your business intends to continue offering remote working arrangements to staff, you are advised to review your internal Human Resource systems and policies to ensure you are able to remain compliant with record keeping and reporting duties where staff are not physically attending the workplace each day.

Where can I find more information?

If you require more information on the current concessions in place, you can contact the UK Visas and Immigration general helpline on 0300 790 6268. Alternatively, the immigration team at Smith Stone Walters is on hand to answer any questions and ensure you remain compliant.

For more information on sponsorship compliance, please contact Smith Stone Walters.



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