

# Mobility: Immigration alert

May 2021



## United Kingdom

2021 to 2025 immigration priorities announced

### Executive summary

On 24 May 2021, the United Kingdom announced its priorities relating to its immigration rules and processes for 2021 to 2025. Much of this is a restatement of what was previously announced regarding the direction of travel, digitization of immigration processes and phasing out of physical documents by 2024. However, there are several important areas of clarification and confirmation which impact the Global Mobility Route, "Electronic Travel Authorisations" (ETA), the Graduate Route and the Scale-up and Unsponsored Routes.

### Global Mobility Route

In the spring budget, the UK's Chancellor announced that the UK intends to introduce a single, sponsored Global Business Mobility Route in the spring of 2022 that will simplify the UK immigration rules for business by bringing together, reforming and expanding several existing routes that exist for this purpose. The strategy statement confirms that the new route will incorporate and feature the following:

- ▶ Existing provisions for intra-company transferees, subject to any recommendations made by the independent Migration Advisory Committee following the Home Secretary's commission
- ▶ Existing arrangements implementing the UK's trade commitments in respect of contractual service suppliers and independent professionals
- ▶ Arrangements for employees of an overseas business assigned to the UK to establish a branch or subsidiary of that business

- ▶ Existing rules that limit sending businesses to a single representative will be relaxed in some cases
- ▶ A new provision to accommodate import and export-related secondments, for example, to better accommodate scenarios in which an overseas business has contracted with a UK business for the supply of goods and needs to second workers to the supplier for the purposes of product development or familiarization

### "Electronic Travel Authorizations" (ETA)

The ETA is a universal "permission to travel" requirement which will require most individuals wishing to travel to the UK to seek permission in advance of travel, in order to facilitate the passage of legitimate travelers while keeping threats away from the UK's borders. The ETA is similar to models already in operation in the United States (ESTA), Canada (ETA) and in its implementation stages in the EU (ETIAS). The UK ETA features the following:

- ▶ Everyone wishing to travel to the UK (except British and Irish citizens) would need to seek permission in advance of travel
- ▶ Those with British citizenship in the Crown Dependencies or British Overseas Territories would not need to apply for an ETA in order to come to the UK
- ▶ The ETA scheme will allow security checks to be conducted, and decisions as to whether individuals should be granted permission to travel to the UK, to be taken at an earlier stage in advance of travel
- ▶ Permission to travel will need to be checked and confirmed by carriers prior to boarding

- ▶ As fewer permissions will be in a physical format, the government will support carriers using established connections between their systems and those of the UK Government to identify whether individuals have permission to travel
- ▶ The UK Government will work with selected air carriers for those passengers who currently travel with an Electronic Visa Waiver with a view toward beginning initial testing by autumn 2021

### **Graduate Route**

This route will be introduced in the summer of 2021 and give employers and students flexibility in terms of immigration routes. It includes cost mitigation for those with high volume graduate intakes who may look to the route to soften some of the skilled worker costs for a two to three-year period. The Graduate Route features the following:

- ▶ Students can apply once their student sponsor has confirmed they have successfully completed their qualifying course
- ▶ There will be no ongoing sponsorship requirement, and applicants will not need to meet further maintenance or English language requirements, as they will have already demonstrated their ability to meet these requirements under the Student Route
- ▶ The application will be completed online, and the processing fee will be £700
- ▶ Applicants will need to have been in the UK for the whole course of study if the course is 12 months or less in length, or in the UK for the final 12 months of their course if it lasts over 12 months
- ▶ In recognition of the impact that COVID-19 has had on the education sector and students who have been engaging via distance learning during the pandemic, students will not have this absence counted against their eligibility for the route for the 2020-2021 academic year, provided that they: (i) met the requirements to be granted a visa as a Student, (ii) meet the other requirements of the Graduate Route, and (iii) are present in the UK when applying as a graduate
- ▶ Applicants of all nationalities will be able to apply online from within the UK and prove their identity using the ChipChecker process with their Biometric Residence Permit and by uploading a photo
- ▶ This means that most applicants for this Route will not need to visit a Visa Application Centre if they already hold a valid Biometric Residence Permit

### **Scale-up and Un-sponsored Route**

The government has confirmed its commitment to introduce the [Kalifa Review-trailed Scale-Up Visa](#) in spring 2022, together with a broader Un-sponsored Route.

### **Next steps**

Employers should be aware of imminent UK immigration deadlines relating to the following:

- ▶ The opening of the Graduate Route, which creates an opportunity to manage graduate programs more strategically and cost-effectively
- ▶ Right to work rules for employers are expected to switch on 21 June 2021 (when pandemic concessions on virtual right to work checking are expected to fall away) and 1 July 2021 (when the requirements for right to work checks for EU nationals will change)
- ▶ The deadline for applications to the EU Settlement Scheme is 30 June 2021
- ▶ EU ID cards are being phased out at UK borders on 1 October 2021 (other than for those who applied under the EU Settlement Scheme before 30 June 2021)

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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