



UK Points-based Immigration System: Employer Factsheet

The Home Office has published [information on GOV.UK](#) to help employers prepare for the UK's new points-based immigration system.

Key information

- The way you hire from the EU is changing. From 1 January 2021, you will need to register as a licensed sponsor to hire eligible people from outside the UK.
- Free movement is ending, and the new points-based immigration system will introduce job, salary and language requirements that will change the way you hire from the EU.
- The new system will treat EU and non-EU citizens equally and transform the way in which employers recruit from outside the UK. Anyone you want to recruit from outside the UK, excluding Irish citizens, will need to apply for permission first.
- You'll need a sponsor licence to hire most eligible employees from outside the UK. You can find further information on becoming a sponsor [here](#).
- Employers do not need to be a sponsor to employ someone from the resident labour market with an existing right to work in the UK. This includes Irish citizens, EU citizens with settled or pre-settled status, and non-EU citizens with indefinite leave to remain in the UK.
- All existing sponsors will automatically transfer into their equivalent routes under the new points-based immigration system.

Skilled worker route

- From 1 January 2021, if you want to recruit workers from outside the UK's resident labour market, you will need to be a Home Office licensed sponsor. This will enable you to recruit workers from anywhere in the world.
- Under the new skilled worker route, anyone coming to the UK to work will need to demonstrate that:
 - they have a job offer from a Home Office licensed sponsor
 - the job offer is at the required skill level – RQF 3 or above (A Level and equivalent)
 - they speak English to the required standard
- In addition to this, the job offer must meet the applicable minimum salary threshold. This is the higher of either:



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- the general salary threshold set by Her Majesty's Government on advice of the independent Migration Advisory Committee at £25,600, or
 - the specific salary requirement for their occupation, known as the "going rate"
- Applicants will be able to 'trade' characteristics, such as their qualifications, against a lower salary to get the required number of points. If the job offer is less than the minimum salary requirement, but no less than £20,480, an applicant may still be eligible if they have:
 - a job offer in a specific shortage occupation
 - a PhD relevant to the job
 - a PhD in a STEM subject relevant to the job
 - There are different salary rules for workers in certain health or education jobs, and for "new entrants" at the start of their careers.
 - Further information on the "going rate" for specific occupations and further exemptions can be found in Annex E of the [UK points-based immigration system: further details statement](#).
 - To identify whether a job meets the required skill level for the skilled worker route, access [GOV.UK](#).

Becoming a sponsor

- Getting a sponsor licence normally takes eight weeks and fees apply.
- Before applying, employers should [check their eligibility](#). To get a licence, you cannot have unspent criminal convictions for immigration offences or certain other crimes, such as fraud or money laundering.
- For guidance on becoming a Home Office licensed sponsor, please refer to the full [policy guidance on sponsoring a migrant worker on GOV.UK](#).

EU citizens already in the UK

- The new system will not apply to EU citizens living in the UK by 31 December 2020. They and their family members are eligible to apply to the EU Settlement Scheme and have until 30 June 2021 to make an application.
- As a transition measure, employers can continue to accept the passports and national identity cards of EU citizens as evidence of their right to work up until 30 June 2021.
- Employers cannot insist that EU citizens use the online service or discriminate against those who wish to use their passport or national identity card.
- As an employer there is no requirement for a follow up check to be undertaken on EU citizens who were employed on or before 30 June 2021.



Employers will maintain a continuous statutory excuse against a civil penalty if the initial checks were undertaken as set out in our [guidance](#).

- Where the right to work check has been carried out in accordance with the [relevant secondary legislation](#), employers will have established a continuous statutory excuse and a legal defence against liability for a civil penalty in the event that the employee does not have the right to work.
- Further information Right to Work checks for EU citizens can be found on [GOV.UK](#).

Update on the status of EU, EEA and Swiss citizens frontier working in the UK

- A frontier worker is an EU citizen who commutes into the UK for work but lives elsewhere.
- If an employee is frontier working in the UK by 31 December 2020, they will be able to keep their frontier worker status but will need to apply for a Frontier worker permit.
- The Frontier Worker Permit Scheme will open for applications on 10 December 2020.
- Frontier workers will continue to be able to enter the UK using a valid passport or national identity card until 1 July 2021.
- From 1 July 2021, those eligible will need to hold a valid frontier worker permit as well as a valid passport or national identity card, to enter the UK as a frontier worker.
- Irish citizens' rights are protected under the [Common Travel Area](#) and they do not need to apply for a frontier worker permit, but they can if they want to.
- Please see the frontier worker guidance pages on [GOV.UK](#) for more information.