

Immigration Points Based System Advice & Guidance for Businesses



Immigration Points Based System

Came into force in the UK from 1st January 2021

Treats all EU and non-EU citizens equally

Priority given to those with highest skill levels

No route for those classed as low skilled

Ends Free Movement (visitor visa allowed)

Points required before making an application

Employment has to be sponsored and at a minimum salary of £25K+

Good level of English-speaking essential

What does the new system mean for businesses?

No longer be able to recruit as before from abroad

No route for workers classed as “low skilled” coming into and working in the UK

Two options for Foreign workers already in the UK before 31st December 2020:

(i) Frontier Workers Permit (Module 2)

(ii) Settled Status application (Module 5)

Businesses may apply to become a sponsor but this will generally only allow the recruitment of skilled workers.

What is the potential impact on businesses of the new system?

- Likely to result in a labour shortage as businesses try to fill the gaps
- Potential for exploitation and Modern Slavery of workers without legal right to work in the UK and/or overstayers e.g., those on “visitor visas”
- Potential for false documentation and/or false stories of previous employment within the UK
- Potential for gangmasters/traffickers operating illegally and offering cheap rates so putting businesses at risk of enforcement intervention



What do you need to do?

Understand - Ensure you fully understand the changes the system will bring

Explore options - Explore other options to recruit more labour

Robust processes - Ensure that your processes are robust and that you do not do anything that puts the business name or brand at risk

Investigate - Ensure that you fully investigate the background of every worker you recruit

Seek advice - IF IN ANY DOUBT SEEK ADVICE

What if you get it wrong?

- Risk of infiltration by crime gangs and traffickers
- Risk of serious enforcement/regulatory intervention and action
- Adverse media and loss of clients/income
- Loss of reputation/confidence from existing and potential clients.
- Recruitment issue as potential workers see you and your business as a risk.



What should you be doing now?

Remember that the transition period ends on 30th June so there will probably be less available labour after that time.

You need to start gathering data about your existing workforce, what are their intentions?

How many have settled or pre-settled status?

How many intend to go back home?

Look at the other modules produced by DMU in particular Settled Status and the Frontier Worker Permit Scheme

Explore other options to increase your labour pool.

What's Next?



Next module

- Module 2 will be about the new Frontier Workers Permit Scheme for EU citizens who have worked in the UK before 31st December 2020

Further Details

If you require more information, use these links

[UK points-based immigration system: further details - GOV.UK
\(www.gov.uk\)](https://www.gov.uk)

<https://www.cipd.co.uk/knowledge/brexit-hub/faqs-people-professionals#gref>

If you require more specific and individual assistance email:

[Professor Dave Walsh: dave.walsh@dmu.ac.uk](mailto:dave.walsh@dmu.ac.uk)

With thanks to the following for their vital contribution to this presentation:





Feedback

- Thank you for listening to this module. We hope you have found it helpful.
- Would you kindly answer the following questions...

Feedback

1. How useful did you find this presentation? Please, select one
 - Extremely useful
 - Somewhat useful
 - Neutral
 - Somewhat not useful
 - Extremely not useful
2. From the list below, what category best indicates your job/role?
 - Labour user
 - Labour provider
 - Policy maker
 - Retailer
 - Academic
 - Non-government organization worker
 - Other
3. If other, please specify: