



New rules for Skilled Worker and family visas

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Webinar agenda

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WHEN IT MATTERS MOST

Background

Skilled Worker visas

Family visas

Q&A

Background (1)

- Net migration figures published 23 November 2023
 - 672,000 in year ending June 2023 – up from 300,000 -400,000 pre -pandemic
 - Increase due mainly to international students, health and care workers, Ukraine / Hong Kong (BNO) routes
- Home Secretary's announcement on 4 December 2023
 - “Slash migration levels”
 - “Deter employers from over-relying on migration”
 - “Crack down on cut-price labour from overseas”
 - “Far more must be done to bring those numbers down so British workers are not undercut”
 - “Halt the drastic rise in our work visa routes and crack down on those who seek to take advantage of our hospitality”

Background (2)

● Policies to reduce net migration

- Most students can no longer bring family members to UK: 1 January 2024
- Immigration Health Surcharge increased: 6 February 2024
- Care workers can no longer bring family members to UK: 11 March 2024
- **Skilled Worker visas – salary thresholds increase:** 4 April 2024
- **Family visas – minimum income requirement increases:** 11 April 2024
- Graduate visa route – MAC review: 14 May 2024

● New rules published 14 March 2024

Skilled Worker visas

Key changes

General salary threshold

- **£38,700 per year** (up from £26,200 per year)

Going rates

- **Median** full-time salary for occupation code (up from 25th percentile)
- **2023 ONS salary data** (not 2021 data)
- **SOC 2020 occupation codes** (not SOC 2010)
- **No discount for jobs on Immigration Salary List** (20% discount abolished)

Key date: Thursday 4 April 2024

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- Application submitted before 4 April
 - decided under current rules
- CoS assigned before 4 April and used in application submitted on or after 4 April
 - decided under current rules
- CoS assigned on or after 4 April
 - decided under new rules

Current rules: standard scenario (option A)

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General salary threshold	£26,200 per year
Going rate	Going rate for occupation code (set at 25th percentile using 2021 salary data)
Minimum hourly rate	£10.75 per hour

Salary must meet all three requirements

New rules: first-time applicants v pre-4 April 2024 Skilled Worker visa holders

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Separate requirements in the new rules for:

- **First-time applicants** – people submitting their first Skilled Worker application
- **Pre-4 April 2024 Skilled Worker visa holders** – people who already have a Skilled Worker visa granted under the pre-4 April rules

New rules: first-time
applicants

First-time applicants: standard scenario (option A)

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General salary threshold	£38,700 per year
Going rate	Going rate for occupation code (set at median using 2023 salary data)

- Salary must meet **both** requirements
- General salary threshold applies regardless of working hours
- Going rate is pro -rated based on weekly working hours stated on certificate of sponsorship (divide annual going rate by 37.5 and multiply by weekly working hours)
- Minimum hourly rate has increased from £10.75 to £15.88 but this is now built into the going rates – no longer a separate requirement

First-time applicants: job is on Immigration Salary List (option D)

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Reduced salary threshold	£30,960 per year
Going rate	Going rate for occupation code (no reduction)

- Immigration Salary List replaces Shortage Occupation List

- Only 23 occupations on the new list, including:

- 2142 Graphic and multimedia designers
- 3416 Arts officers, producers and directors
- Multiple construction occupation codes

First-time applicants: applicant is a new entrant (option E)

Reduced salary threshold	£30,960 per year
Reduced going rate	70% of going rate for occupation code

- New entrant: under 26 or most recent visa was Student or Graduate or working towards a professional qualification in a regulated profession
- Maximum 4 years including any time spent on Graduate route – to extend visa beyond that period they must be paid full going rate

New rules:
pre-4 April 2024 Skiller
Worker visa holders

Pre-4 April 2024 Skilled Worker visa holders: standard scenario (option F)

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Reduced salary threshold	£29,000 per year
Going rate	Going rate for occupation code (set at 25th percentile using 2023 salary data)

- Pre-4 April 2024 Skilled Worker visa holders are only affected when making a new Skilled Worker application or applying for indefinite leave to remain
- See tables setting out conversion from SOC 2010 to SOC 2020 occupation codes

Pre-4 April 2024 Skilled Worker visa holders: job is on Immigration Salary List (option I)

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Reduced salary threshold	£23,200 per year
Reduced going rate	80% of going rate for occupation code (set at 25th percentile using 2023 salary data)

- This option also applies if the applicant's job has been removed from the Immigration Salary List / Shortage Occupation List and they are being sponsored to continue in the same job for the same sponsor

Pre-4 April 2024 Skilled Worker visa holders : applicant is a new entrant (option J)

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Reduced salary threshold	£23,200 per year
Reduced going rate	70% of going rate for occupation code (set at 25th percentile using 2023 salary data)



New going rates:
First-time applicants

Going rates for first -time applicants (1)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	New going rate (option A)	New reduced going rate for new entrants (option E)
2136 Programmers and software development professionals	2134 Programmers and software development professionals	£27,200(discount ed rate because on Shortage Occupation List)	£49,400	£34,580
2431 Architects	2451 Architects	£26,230 (discounted rate because on Shortage Occupation List)	£45,900	£32,130

Going rates for first -time applicants (2)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	New going rate (option A)	New reduced going rate for new entrants (option E)
3545 Sales accounts and business development managers	3556 Sales accounts and business development managers	£35,100	£52,500	£36,750
1135 Human resource managers and directors	1136 Human resource managers and directors	£36,500	£49,400	£34,580

Going rates for first -time applicants (3)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	New going rate (option A)	New reduced going rate for new entrants (option E)
2424 Business and financial project management professionals	2440 Business and financial project management professionals	£39,100	£52,900	£37,030
5434 Chefs	5434 Chefs	£17,100 – but current general salary threshold applies so minimum salary is £26,200	£30,960 – but new general salary threshold applies so minimum salary is £38,700	£30,960

New going rates:
Pre-4 April 2024 Skilled
Worker visa holders

Going rates for pre -4 April 2024 visa holders (1)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	Current reduced going rate for new entrants	New going rate (option F)
2421 Chartered and certified accountants	2421 Chartered and certified accountants	£31,300	£21,910	£33,900

Going rates for pre -4 April 2024 visa holders (2)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	Current reduced going rate for new entrants	New going rate (option F)
3545 Sales accounts and business development managers	3556 Sales accounts and business development managers	£35,100	£27,370	£39,100

Going rates for pre -4 April 2024 visa holders (3)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	Current reduced going rate for new entrants	New going rate (option F)
2133 IT Specialist Managers	2132 IT Managers	£37,900	£26,530	£40,900

Going rates for pre -4 April 2024 visa holders (4)

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SOC 2010 occupation code	SOC 2020 occupation code	Current going rate	Current reduced going rate for new entrants	New going rate (option F)
3543 Marketing associate professionals	3554 Advertising and marketing associate professionals	£23,600 – but current general salary threshold applies so minimum salary is £26,200	£16,520 – but current reduced salary threshold applies so minimum salary is £20,960	£30,960

Action points

- **4 April 2024.** If current candidates will not meet the increased salary thresholds – try to apply (or at least assign CoS) before 4 April
- **Graduate recruitment** . Bear in mind £30,960 minimum for new entrants – and significantly higher going rate for some occupation codes – and 4-year maximum
- **Occupation codes.** Choice of occupation codes will be more important – have detailed job descriptions and think carefully about the appropriate code
- **Consistent policy.** Be careful about raising pay on a one-off basis to meet salary thresholds. In many cases it will not be possible to sponsor people for lower paid roles which can currently be sponsored – plan for this and don't raise expectations of sponsorship. Seek employment law advice if needed.

Family visas

Family visas: increase in minimum income requirement

- Family visas: partner/ spouse and children of British citizens/ people with indefinite leave to remain
- Minimum income requirement increasing from £18,600 per year to:
 - £29,000 per year – from **11 April 2024** (if relying on cash savings minimum will be £88,500)
 - £34,500 per year – date unknown
 - £38,700 per year – by early 2025
- Child element of minimum income requirement abolished
- New rules will not apply to people who already have a partner/spouse visa or who apply before 11 April 2024
- What will the next government do?

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Q & A



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