



Home Office

The UK's Points-Based Immigration System: Creative Sector session

September 2021





Home Office

Visiting the UK





Visiting the UK

Anyone can apply to visit the UK. They must **either apply for a visa before arrival or seek leave to enter at the UK border.**

Visa nationals can apply at any Visa Application Centre outside the UK. Non-visa nationals can apply at the UK border. **Citizens of the EU and Switzerland do not require visas to visit the UK.**

In most cases, visitors can come to the UK for **up to six months**. A visitor may enter the UK multiple times, but they may not live in the UK by means of repeat visits. They may not work or access public funds.

We have simplified the visitor rules to:

- ❖ Permit study of up to six months under the standard visit route. All non-recreational study must be undertaken at an accredited institution, except recreational courses undertaken for leisure that last no longer than 30 days.



Visitor routes

Standard visitor

- No visa required for non-visa nationals, including EU, EEA and Swiss nationals
- Permission to stay for 6 months
- Wide range of permitted activities
- General principle: no work
- Can enter via e-Gate

Permitted Paid Engagement (PPE) visitor

- No visa required for non-visa nationals, including EU, EEA and Swiss nationals
- Permission to stay for 1 month
- 6 distinct categories of PPE plus most activities permitted under Standard visitor
- Cannot use e-Gates. Need to see a Border Force Officer to get correct stamp

Marriage/Civil Partnership visitor

- Visa required for all nationalities
- Permission to stay for up to 6 months
- To marry or form a civil partnership in UK plus most activities permitted under Standard visitor
- Can enter via e-Gate

Transit visitor

- No visa required for non-visa nationals, including EU, EEA and Swiss nationals
- Permission to stay for up to 48 hours
- Can enter via e-Gate



Home Office

Visa routes for creatives





Standard Visitor visa

Tourism

- Spend time with friends and family
- Take a holiday
- Do a recreational course of up to 30 days - for example a dance course
- Volunteer for up to 30 days with a registered charity
- Take part in a school exchange programme

Business

- Attending meetings
- Conferences
- Trade fairs
- Negotiating contracts
- Provide training
- Share knowledge on internal projects.

Study

- Study for up to 6 months at an accredited institution, this includes English language courses.
- Conduct a short piece of research that's relevant to your course overseas
- An 'elective' - an optional additional placement, if you're studying medicine, veterinary medicine and science, or dentistry

Academic

- Take part in formal exchange arrangements with UK counterparts
 - Carry out your own research during a sabbatical
- If you're a senior doctor or dentist you can also:
- Take part in research
 - Teach (as long as it is not a permanent teaching post)
 - Undertake clinical practice (as long as it's not a permanent position)



Permitted Paid Engagements (PPE)

You may be able to visit the UK for a paid engagement if you've been invited as an expert in your profession.

The following are permitted paid engagements:

- ❖ an **academic** who is highly qualified within their field of expertise, coming to examine students and/or participate in or chair selection panels
- ❖ an **expert** coming to give lectures in their subject area
- ❖ an **overseas designated pilot examiner** coming to assess UK-based pilots to ensure they meet the national aviation regulatory requirements of other countries
- ❖ a **qualified lawyer** coming to provide advocacy for a court or tribunal hearing, arbitration or other form of dispute resolution for legal proceedings within the UK
- ❖ a **professional artist, entertainer, or musician** coming to carry out an activity directly relating to their profession
- ❖ a **professional sports person** coming to carry out an activity directly relating to their profession



Temporary Work – Creative Worker

- ❖ The T5 (Temporary Worker) Creative or Sporting Worker route will be replaced by the **Temporary Work - Creative Worker route on 11th October 2021**.
- ❖ This will continue to **allow creative workers to work in the UK for up to 12 months** through formal sponsorship.
- ❖ You can apply for a Temporary Work - Creative Worker visa if you've been offered work in the UK as a creative worker.
- ❖ A **creative worker** is someone who can make a unique contribution to the UK's rich cultural life, for example, as an actor, dancer, musician or film crew member.
- ❖ You need to have a **Certificate of Sponsorship** from a licensed sponsor before you can apply to come to the UK to work.

Permission on this route can be extended for a further 12 months in the case of those creative workers who remain with the same sponsor.



Temporary Work – Creative Worker

- ❖ The Temporary Work - Creative Worker route will replace the T5 (Temporary Worker) Creative or Sporting Worker route.
- ❖ We have not made wholesale changes to the Creative Worker route, and existing provisions and qualifying criteria will be carried over into the new system.
- ❖ In line with the other Temporary Work routes, we will not seek to test a worker's English language ability.

Organisations who hold a T5 Creative or Sporting (creative sector) sponsor licence and only employ workers under creative SOC codes, will be transferred onto a new Temporary Work – Creative Worker licence.



Temporary Work - Creative Worker

Previously, a visitor could have no more than 14-days between paid engagements.



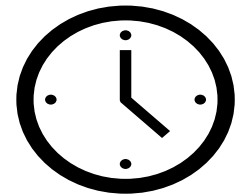
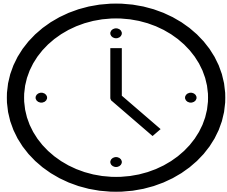
We have introduced a mechanism to stop-the-clock when calculating the 14-day period between engagements.



The overall length of the visitor's visa is not extended.



The calculation between engagements is only counted for time spent within the UK





Creatives visa routes: summary

Summary of the three routes that may be used by those in the creative sector wanting to visit the UK:



Standard Visitor



Permitted Paid Engagement



Temporary Work - Creative Worker



Creative Worker: Case Study

An orchestra is coming to the UK to perform, for which they will be paid by a UK company who is hosting the event.

If they only intend to stay for one month, they can come under the **Permitted Paid Engagement** route and do not need to apply for a visa in advance.

If they intend to stay for up to three months, they may be able to use the **Temporary Work - Creative Worker visa concession**.

If they intend to stay longer, they will need to apply for a **Temporary Work - Creative Worker visa**, which will allow them to stay for up to 12 months.



Global Talent visa

You can apply for a **Global Talent visa** to work in the UK if you're a leader or potential leader in one of the following fields:

- ❖ academia or research
- ❖ arts and culture
- ❖ digital technology

You can live and work in the UK for up to 5 years at a time.

There's no limit to how long you can stay in the UK in total, but you will need to renew ('extend') your visa when it expires. Each extension can last from 1 to 5 years - you choose how long you want the extension to be.

Over 70 additional prestigious prizes such as the Booker Prize and Lovelace Medal, allowing a greater number of highly talented individuals a faster route into the UK.

Talented and promising individuals without a qualifying prize are able to apply via one of the alternative Global Talent pathways.



Home Office

EU Nationals





EU Settlement Scheme



30 June 2021, was the deadline for applications to the EU Settlement Scheme (EUSS) for EU, EEA and Swiss citizens, who were resident in the UK before 31 December 2020.



There have been more than 6.02 million applications with over 5.4 million people granted a status that allowed them to continue to work, study, and access eligible services and benefits in the UK after 30 June 2021



Applications made after 30 June 2021 deadline

In line with the Citizens' Rights Agreements, there remains scope for a person eligible for status under the EUSS to make a late application to the scheme where there are reasonable grounds for their having missed the deadline.



Frontier Worker Permit

On 10th December 2020, the Government opened the **Frontier Worker Permit Scheme** so protected frontier workers can apply for and be issued with a permit.

A protected frontier worker must:

- ❖ be a citizen of the EU, Switzerland, Norway, Iceland or Liechtenstein
- ❖ live outside the UK (and therefore not be primarily resident in the UK)
- ❖ have been employed or self-employed in the UK on or before 31 December 2020 and continue to work in the UK

You can apply for a frontier worker permit if you're from the EU, Switzerland, Norway, Iceland or Liechtenstein and you:

- ❖ live outside the UK
- ❖ started working (or being self employed) in the UK on or before 31 December 2020 and continue to work here

You must not be 'primarily' resident in the UK. You must usually have worked in the UK at least once every 12 months since you started working here. You may still be able to apply if you've had periods of unemployment or were unable to work during this time.

Non-Irish protected frontier workers are required to hold a valid frontier worker permit in order to enter the UK for work.



Home Office

Right to Work checks





Right to Work Checks

On 1 July 2021, the process for completing Right-to-Work checks on EU, EEA, and Swiss citizens changed. Employers are no longer able to accept EU passports or ID cards as valid proof of right-to-work, except for Irish citizens.

An **online Right-to-Work check** is required for individuals who only hold digital proof of their immigration status in the UK. This includes most EU, EEA, and Swiss citizens.

To check the person's right to work details, you will need to:

- ❖ access the service '[View a job applicant's right to work details](#)' via GOV.UK,
- ❖ enter the 'share code' provided to you by the individual, and
- ❖ enter their date of birth

Updated guidance on how to conduct a right-to-work check from 1 July 2021 and lists of acceptable documents can be found on [GOV.UK](#).



Right to Work Checks

In the presence of the individual (in person or via live video link), you must check that the photograph on the online right to work check is of the individual presenting themselves for work. You must only employ the person, if the online check confirms they have the right to work and are not subject to a condition preventing them from doing the work in question.

You must retain evidence of the online right to work check. For online checks, this should be the 'profile' page confirming the individual's right to work. This is the page that includes the individual's photo and date on which the check was conducted. You will have the option of printing the profile or saving it as a PDF or HTML file

The screenshot shows the GOV.UK 'Right to work' profile page for Erika Mustermann. The page includes a header with the GOV.UK logo and the title 'View a job applicant's right to work'. A 'BETA' notice is present. The main content area features the individual's name, a photo, and their work permission details. Below the photo is a 'Rotate' button. A section titled 'If you employ this person' provides instructions on how to avoid a penalty, including checking the person face-to-face, keeping a secure copy of the check, and re-checking before the permission expires. A 'Details of check' table is also shown, along with options to print the page, download a PDF, or finish and leave the service. A footer link for help is also visible.

GOV.UK View a job applicant's right to work

BETA This is a new service - your [feedback](#) will help us to improve it.

Right to work

Erika Mustermann

They have permission to work in the UK from 28 March 2021. They can work in the UK until 28 April 2023.

Details

They can work in any job.

Rotate ↻

If you employ this person

To avoid a [penalty](#), you must:

- check this looks like the person you meet face to face
- keep a secure copy of this online check (either electronically or in hard copy), for the duration of the employment and for 2 years after
- do this check again when their permission to be in the UK expires on 28 April 2023

Read the [employers' code of practice](#) to find out more about right to work checks.

Details of check		
Company name Acme Ltd	Date of check 8 January 2018	Reference number WEJRKMKJG-12

[Print page](#) [Download PDF](#)

[Finish and leave service](#)

Need help using this service? [Get help](#)



Home Office

EU, EEA, Swiss ID cards





Home Office

Identity Cards: what's changing?

From **1 October 2021** it will not be possible to enter the UK using an EU, EEA or Swiss ID card, except where the holder has **applied to the EU Settlement Scheme** or otherwise has **protected rights under the Citizens' Rights Agreements**.

This means most EU, EEA or Swiss nationals **will need to use a passport**, rather than an ID card, to enter the UK from 1 October. People who arrive at the UK border with incorrect documents may be refused entry.

EU, EEA and Swiss citizens may use their national ID card to enter the UK until at least 31 December 2025 if they have:

- ❖ settled or pre-settled status under the [EU Settlement Scheme](#)
- ❖ applied to the EU settlement scheme but have not yet received a decision
- ❖ an [EU Settlement Scheme family permit](#)
- ❖ a [frontier worker permit](#)
- ❖ a visa as a [S2 Healthcare Visitor](#)
- ❖ Swiss nationals may also travel using an ID card if they have a visa as a [Service Provider from Switzerland](#).
- ❖ have equivalent immigration permission granted by the Crown Dependencies or a valid pending application to one of the Crown Dependencies' EU Settlement Schemes

British nationals using Gibraltar ID cards, and Irish nationals using Irish passport cards, can continue to use these to travel to the UK as they do now.



Home Office

Support materials





Home Office

Available GOV.UK resources

Guidance for EU citizens

Selected guides have been translated into the 24 EU languages. A guide for 'Business Travelers has just been published.

EU citizens introductory Guide

The cover features a light blue background with a silhouette of the London skyline, including the London Eye and the Shard. In the foreground, a group of diverse people, including a person in a wheelchair, are walking. At the top left is the UK Government logo. The text reads: "The UK's points-based immigration system: An introduction for EU citizens". At the bottom is a red button with the text "Apply now at GOV.UK".

EU students Guide

The cover features a light blue background with a silhouette of the London skyline. In the foreground, three students in graduation gowns and caps are walking, one of whom is in a wheelchair. At the top left is the UK Government logo. The text reads: "The UK's points-based immigration system: An introduction for EU students". At the bottom is a red button with the text "Apply now at GOV.UK".

EU workers Guide

The cover features a light blue background with a silhouette of the London skyline. In the foreground, a group of diverse people, including a person in a wheelchair, are walking. At the top left is the UK Government logo. The text reads: "The UK's points-based immigration system: An introduction for EU workers". At the bottom is a red button with the text "Apply now at GOV.UK".

EU visitors Guide

The cover features a light blue background with a silhouette of the London skyline. In the foreground, a person in a wheelchair is walking. At the top left is the UK Government logo. The text reads: "The UK's points-based immigration system: Information for EU visitors". At the bottom is a red button with the text "Apply now at GOV.UK".



Home Office

Resources and guidance for employers

Employer toolkit can be found on GOV.UK [here](#).

'Understanding your right to work in the UK' guide [here](#).

Employer's introductory Guide



Podcast: Business and the future of immigration in 2021



EU frontier worker permit guide



Association of Labour Providers/ Home Office handbook



Available at GOV.UK



Home Office

Resources and guidance for employers

Right to work and sponsorship process

Right to work guide



Understanding your right to work in the UK: EU, EEA and Swiss citizens



Guidance employers can share with EU, EEA and Swiss citizens about the Right to Work process, and their responsibilities as an individual.

Provides employers with an overview of the sponsorship process: from applying for a sponsor license to hiring a new employee from outside the UK

Sponsorship process guide



Employers guide to becoming a licensed sponsor of skilled migrant workers

- | 1. Check your organisation is eligible | 2. Ensure your organisation can manage its licence | 3. Apply - allow 8 weeks | 4. Sponsor a worker |
|---|--|---|--|
| <ul style="list-style-type: none"> Check the people you want to hire are eligible to come to the UK under the visa routes based on immigration systems Ensure you are able to provide the necessary supporting documents for your sponsor licence application, eg details of your organisation and intended jobs you wish to fill To get a licence, you cannot have unspent criminal convictions for immigration offences or certain other crimes, such as fraud or money laundering | <ul style="list-style-type: none"> You need to appoint people within your organisation to manage the sponsorship process if you apply for a licence They will be responsible for ensuring your organisation remains compliant with the requirements of the licence You will need to keep records of your staff level and approval for reporting to HMRC (all visas and immigration) | <ol style="list-style-type: none"> Apply online and pay the fee The fee is dependent on the type of licence (L) you are applying for and the type and size of your organisation. It will either be £20k or £1.2M Send your supporting documents to HMRC Confirm how many staff you plan to recruit through the sponsorship system for the current financial year Each staff member sponsored costs £30 or £35, in addition to the cost of the application fee If successful, your licence will be valid for 4 years | <ol style="list-style-type: none"> Once you have selected a candidate they must make a job application to work in the UK You must first evidence your prospective employee's visa through your sponsor licence approval by uploading their existing or electronic 'evidence of sponsorship' Pay the Immigration Skills Charge. This is £20k for the first year of work in the UK plus £500 for each additional 6 months, or £20k and £500 respectively for small businesses or charities The employee must then submit a visa application under the same category as your licence If the prospective employer's visa application is granted, they may need to be the UK and staff working |



Available at GOV.UK