

Northern
Ireland
Embrace
a Giant
Spirit



People & Brexit

Kiera Lee Mills Selig

TED

Tourism
Enterprise Development
Programme



tourism
northernireland

EU Settlement Scheme

- 1 January 2021, the right of free movement of people between the UK and the EU ended.
- The EU Settlement Scheme (“EUSS”) is open for any EU, other EEA or Swiss citizens who were resident by 31 December 2020, but they must apply by 30 June 2021
- EU citizens who have lived in the UK for a continuous period of five years or more at the date of their application will qualify for settled status
- Those with fewer than five years will qualify to apply for pre-settled status
- Application is free of charge

EU Settlement Scheme cont

- EU citizens will be able to rely on the EEA passport or ID card to confirm the person's right to work in the UK until 30 June 2021.
- From 1 July 2021, will need to see proof of immigration status which will be either under the EU Settlement Scheme or the new immigration system.
- The migrant under the EUSS will not get a paper document to prove their right to work in the UK. Immigration status will be recorded and accessed electronically.

Frontier workers

- Workers who are EU, EEA or Swiss citizens and who are employed or self-employed in the UK but live outside the UK, e.g. Republic of Ireland
- Frontier workers need a permit to continue working in UK after 1 January 2021
- Irish and UK citizens do not need a frontier worker permit
- Permit will last for 5 years (2years for self employed)
- Frontier workers can use their passport or identity card until 30 June 2021. There after additional checks will apply

Frontier workers cont

- Frontier worker status can be lost if the person is no longer a worker, subject to the exceptions:
 - ✓ they are temporarily unable to work because of an illness or accident;
 - ✓ involuntarily unemployed, and are looking for work in the UK;
 - ✓ in vocational training while involuntarily unemployed;
 - ✓ in vocational training while unemployed, and the training is related to the work previously carried out;
 - ✓ temporarily unable to work as a result of pregnancy or childbirth;
 - ✓ maternity or paternity leave, and planning to return to previous employment, or find another job, at the end of this period.

Points system

- If you wish to employ a non-UK and non-Irish citizen who is not resident in the UK before 31 December 2020 you need to apply under the points based system
- First need to register as a sponsor with the UK Visa and Immigration department and obtain a sponsor licence.
- The process to become a sponsor can often take 8 weeks or more, so this will need to be factored into your timescales.
- Application fees for small business (less than £10.2 m turnover and 50 employees) is £548, and £1000 annually for each skilled worker

Points system cont

- Broadly two types of sponsor licence: a worker licence (formerly known as Tier 2) and a temporary worker licence (formerly known as Tier 5).
- A temporary worker licence is limited to certain categories, and is of limited use in the hospitality sector
- For the permanent worker licence the job must be at a certain skill and salary level. The minimum salary level to employ an individual on a sponsored licence is £25,600.
- There is one, limited exception to this; if the individual's annual salary no less than £20,480, you may be able to apply for a sponsorship licence by trading points on specific characteristics e.g a PHD or job on the shortage occupation list
- An applicant must obtain 70 points to be sponsored

Points system cont

There are other immigration routes available but have additional conditions attached:

- Global talent
- Intra company transfer
- Graduate
- Seasonal Workers Pilot Scheme for temporary workers for specific roles in the horticultural sector.
- Youth Mobility Scheme - eight countries and territories involved (excluding EU!), up to 20,000 young people to come to the UK to work and travel each year. Applicants must be 18 to 30 years old and can stay up to two years.

Right to work checks

- There is a grace period for right to work checks for EEA and Swiss nationals
- During this time they can use their passport or identity card to confirm their right to work
- Employers can also rely on Registration Certificates or Document Certifying Permanent Residence.
- HMRC has issued a useful booklet on checks
- Keep evidence of all checks and to check every worker, not just those whom you perceive to be from outside the UK
- There may be further guidance available around the end of the grace period

Thank you

