

GUIDE TO EMPLOYMENT POST BREXIT

Settled Status & Sponsoring



1

EU CITIZENS LIVING IN UK PRE 31 DECEMBER 2020

EU citizen and their family members are eligible to apply for the EU Settled Scheme (ESS) and have until 30th June to make that application.

- Continue to accept passports and National Identity Cards as evidence of right to work
- Employees have until 30 June 2021 to make the application for ESS



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DO & DONT

- Do not ask someone to show you their status under the ESS until AFTER 30 June 2021 (discrimination risk)
- Passport or National Identity card is sufficient until 30 June 2021
- If compliant check undertaken prior to 1 Jan 2021 no need to recheck

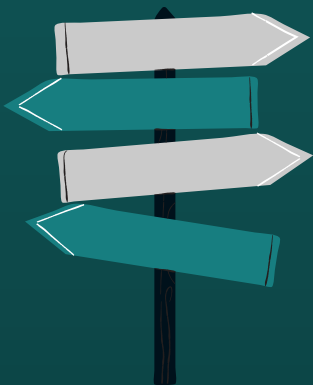
Do not make an offer of employment 'subject to condition that an application has been made to the settlement scheme: discrimination



3

AFTER 1 JAN 2021

- Entering AFTER 1 Jan 2021 cannot apply for settled status: VISA required
- Require sight of VISA and Passport/National ID Card
- **BUT Between 1 Jan and 30 June 2021 employer cannot ask re settled status from new starters and therefore can not know whether the employee requires a VISA: Home office to provide further guidance.**
- After 30 June 2021 can require to show evidence of settled scheme or VISA



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POINTS SYSTEM: VISA

- EU Citizen applying for skilled worker VISA needs to show job offer from approved sponsor
- If planning to sponsor a skilled migrant from 2021 need to get approval now.
- Points based system applicable: position offered needs to be at the required skill level of RQF3 or above (equivalent to A-Level), need to be able to speak English and be paid at relevant salary threshold by sponsor (£25,600 or going rate for the job, whichever is the higher, minimum of £20,480. If salary is lower, apply by 'trading' points on specific characteristics, e.g if applicant has a PHD or a shortage occupation
- Global talent scheme (scientists and researchers can come to UK without a job offer.



Links: [Template staff letter](#) [Points System Guide](#) [Sponsor Guide](#)

ELISSA.THURSFIELD@HRANCHOR.CO.UK


HR ANCHOR

