Visas for staying in the UK to work: The Graduate Route and other options

Student Immigration Team

We have tried to make this information accurate as at today's date, 10 November 2021 – always check for updates.

student.immigration@admin.ox.ac.uk

The Graduate Route opened at 0900 1 July 2021

A new work route to stay on for two years after your degree or 3 years for DPhils.

Key points

- You must have successfully completed your degree (undergraduate, masters, DPhil or PGCE)
- Oxford must have reported your successful completion to the Home Office before you apply for the visa
- You must be in the UK to apply
- Study must have been in the UK on a Student/T4 visa
- You must have time left on that visa when you apply
- Don’t need Oxford or employer sponsorship
- You can do almost any work, or be self-employed

Qualification requirement

- Before you apply you must have successfully completed an undergraduate degree, a masters or a DPhil, or
- a PGCE
- A law conversion course, or vocational course to qualify as a solicitor or barrister
- Foundation programme in Medicine

➢ Oxford must have reported your successful completion to the Home Office by the time you apply*

➢ Completion must have been during your most recent Student/Tier 4 visa (except SU sabbatical officers)

➢ Normally needs to be the course named on your CAS

* Oxford's report of your successful completion to the Home Office

- This is carried out by the Student Visa Compliance Team
- They submit the reports weekly, on Friday afternoons
- All students whose student record shows they have officially successfully completed are included in the report
- You receive an email from the SVC Team telling you your successful completion has been reported, and reminding you of your most recent CAS number
- If you have been granted Exceptional Assurance and want to apply for the Graduate Route, contact SVC: student.visacompliance@admin.ox.ac.uk

Your visa status when you apply

- When you apply you must have permission as a Student (meaning a still-current Tier 4 or Student visa as shown by your BRP)
- In very exceptional circumstances you could apply as an overstayer up to 14 days after this has expired
- You can apply if you have been given Exceptional Assurance because of Covid, but contact us first
- You can't apply if you hold any other type of visa
- You can't apply if you have a DES visa or have had a DES visa before
- You can only hold a Graduate Route visa once.

Study in the UK with a Student/T4 visa requirement: the basic rule

- 12 months or less course length: you must have been in the UK studying on your visa for full duration of course
- Longer than 12 months course length: you must have been in the UK studying on your visa for at least 12 months
- Going away for short periods for example study trips or holidays or going home during vacations doesn't count against you
- If you start study on a different visa, you may be able to switch, but only if you can fulfill the requirement above

Distance learning outside the UK <u>because of Covid</u>?

- **Course started in 2020 or spring/summer 2021 and 12 months or less**:
  Deadline for first arrival in the UK: 27 September 2021
  Already arrived with Student/T4 but left again: you need to come back on your Student/T4 visa before it expires
- **Course starts in Autumn 2021 or Spring 2022 and 12 months or less:**
  Not been to UK at all yet*:* you need to arrive with a Student visa by 6 April 2022.
  Already arrived (by 6 April)with Student/T4 but left again: you need to come back on your Student visa before it expires

- **Course more than 12 months – any start date**
  you might have already met basic requirement. If not, any time distance learning between 24 Jan 2020 and 6 April 2022 will not be held against you for eligibility. Return before T4/student visa expires

When and how to apply

- Apply in UK
- Eligibility to apply starts only after you have successfully completed and your results are official
- Deadline for applying is expiry date of your Student/T4 (BRP) – you are covered to remain if visa end date passes before outcome
- Fully online application – no appointment for most!
- No requirement to show any savings
- No additional English language requirement

My visa is going to expire before I have officially completed, what can I do?

- *You may need to apply for another student visa – contact us for advice, particularly if you have very nearly completed: student.immigration@admin.ox.ac.uk*

Costs

- Application fee £700, for you and each dependant
- IHS - £624 per person per year: total £1248 for 2 years or Dphil £1872 (3 years)

If you were funded for your study, permission may be required for your GR application

- If both tuition fees and living costs have been paid by a government or international scholarship agency eg. Marshall or Chevening within 12-month period before application, you need a letter from the financial sponsor giving their consent for your GR application
- No consent required if you were sponsored for fees alone or living costs alone
- No consent required if you were sponsored by a University (including Oxford or college scholarships) or an international company or any other funder.

Family

- Partner or child under 18 can apply but only in the UK and if they already have visa as your Student or T4 dependant. Dependant sponsored for study might need permission.
- Dependants do not have to apply at the same time as you, they could continue to use their student dependant visa while it is still valid
- Family members not already here need to apply as student dependants while you are still on your student visa, or your could look at other visa types with better dependant permission, or if they could get a visa in their own right
- Babies born in UK during your student visa can apply
- Dependants can do any work except professional sportsperson or coach.

While you wait for decision

- Doesn’t matter if previous visa expiry date passes while you wait (‘3c’ leave)
- You have Tier 4 work permission (and restrictions) until Graduate route permission is granted

Permission granted:

Either 2 years or 3 years (applicants with a DPhil) starting from date of decision

‘Visa nationals’: will receive a BRP

‘non visa nationals’: electronic status – no BRP

Work permission

- Any work except professional sports person
- Self employment and business allowed
- Warning: if you are interested in applying for Start-up this is restricted to new business, might be a problem if you've established the business while on Graduate route.

Study restriction:

Basically – not allowed to do any study you could get a Student route visa for!

Afterwards and alternatives

- Can switch into most other work routes or back to student
- Graduate route or Skilled worker?
- Graduate route or Start-up?
- Other options

Skilled worker route

- Skilled worker replaced Tier 2 on 1 December 2020
- For employment in a specific skilled job
- At an appropriate salary (how much depends on the type of work you do)
- Requires employer sponsorship
- https://www.gov.uk/skilled-worker-visa

Skilled Worker requirement overview

- Employer must have a Skilled Worker license
- Certificate of sponsorship (COS)
- Job must be at RQF skill level 3, appropriate wage for job
- Salary must not be less than £20,480 depending on the job ('new entrant' minimum)
- Resident labour market test and caps on numbers discontinued
- English requirements
- Maintenance requirements

Immigration Skills Charge

- The good news-

An Immigration Skills Charge is levied on Skilled worker employers but employer exempted when applicant is switching in-UK from Tier 4/ Student visa or Graduate route to Skilled Worker

- Applying outside UK: employer pays £1000 for each year of the job, or reduced rate of £364 for small or charity employers.

English language requirement

- Already met because one or more of these will apply to you:

✓ National of majority English speaking country (passport)

✓ Degree level qualification from UK institution (degree certificate, final academic transcript)

✓ Satisfied for previous visa application eg Tier 4 or Student visa

Money to support yourself

- The financial requirement is automatically met if you apply in UK and have been here on a visa for 12 months. Otherwise £1270 held for 28 days

- https://www.gov.uk/skilled-worker-visa/how-much-it-costs

Financial sponsor permission

- Same as for Graduate route- see slide 10

Cost of applying for Skilled worker visa

- Visa up to 3 years:

In-UK £704

outside UK £610

- More than 3 years:

In-UK £1408

outside UK £1220

- IHS - £624 per year

When can I start working?

- You can normally start work as soon as you have applied. If you are on Tier 4 granted before 1 October 2019 you may need to start work on a temporary basis.

- Employer may prefer that you wait until the outcome of your Skilled worker application/confirmation of your graduation before starting work

- Always check with your employer about when they expect you to start and on what basis

Family

- Who is your dependant? Partner, and children under 18 (or over 18 if already have a visa as your dependant)
- Dependants can apply in UK at the same time as you if here either as dependant (or on any other visa type except visitor)
- Dependants can apply to join you from outside UK once you have been granted your Skilled Worker visa
- Don’t need CoS to apply as dependant and the dependants can work

Extensions and settlement

- You can extend Skilled Worker permission providing your sponsorship is extended
- Eligible to apply for settlement (ILR) after 5 years on Skilled Worker route, must still be required for job
- Time on Skilled worker route would also go towards settlement (ILR) under 10 year rule

Visas for starting a business

- Start-up route: aimed at those with an endorsed plan for establishing a business in the UK. Endorsement and advice run by University's Careers Service. 2-year visa. Not yet clear whether you could apply on the basis of a business established while you are on Graduate Route. Possible to switch from Graduate Route.

- Innovator: aimed at more experienced businesspeople seeking to establish an innovative business in the UK

- Investor: £2m+ available investment funding = visa!

Other visa options – see UKCISA's information UKCISA - international student advice and guidance - Working after studies:

- **Global talent**: those internationally recognized or likely to become world leaders in certain fields. Must receive endorsement
- **Youth mobility**: under 31 date of application. 2 years
- **Government Authorised Exchange**: previously used for internships, some research posts
- **Ancestry visa**: commonwealth citizen, UK born grandparent – 5 years
- EU connection – **settlement scheme for EU nationals** and family members who started living in UK by 31 December 2020
- **Dependant visa**: work almost without restriction

Employers and job applications

- Getting past ‘do you have permission to work in the UK, yes or no’
- Employers who aren’t aware that Resident Labour Market test has gone or that they might not need to pay Immigration Skills Charge for Skilled Worker
- Employers who aren’t licensed for Skilled worker
- Not much information for employers yet on Graduate route
- Generally difficult climate for employment

Information, resources and help

- UK Council for International Student Affairs: up-to-date information and resources on visa options for working after studies fully linked through to relevant gov.uk webpages: UKCISA - international student advice and guidance - Working after studies
- Gov.uk website
- Our webpages: After your studies | University of Oxford
- OU Careers service – work seeker skills and info and Start-up

Email advice from Student Immigration

- Student.immigration@admin.ox.ac.uk –
- detailed advice on Graduate route and Start-up (visa application)
- general information on other routes, and signposting