

Hiring International Students: Visas, Sponsorship and Updates

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Session Outline

- Working on a Student Visa
- Graduate Visa
- Apprentices
- Skilled Worker Visa (SOC Codes Skills, Salaries, Costs and Clawbacks)
- GAE Scheme
- Global Talent visa
- Advertising jobs and discrimination
- What's next in 2025/26
- Q&A

Scenario 1

Emanuel is a Nigerian international student, aged 30. He completed his first degree whilst in Nigeria in Business Management with the Open University and he will complete a Masters in Finance at University of Birmingham next summer which he started this academic year.

He is currently doing voluntary work at a local charity shop and is trying to secure part-time work. He is also applying for graduate trainee, internship and apprentice roles in accountancy.

He has left his wife and baby son in Nigeria and is keen to have them here with him.

Previous Changes for International Students

Students applying for courses since 1/1/24 are no longer able to bring dependents:

- Exception to the above are students studying postgraduate research programmes
- Students who started their course before 1 Jan 24 can still invite dependents
- Student dependents already here will be able to extend their stay where they meet the requirements

17/07/23 rules changed requiring students to complete their course before switching into work routes:

- Students on degree or higher courses can be assigned a CoS before the course finishes but the work start date must be after their course completion
- PhD students can switch no earlier than 24 months after the start date of their course

Working on a Student Visa

- Term-time - work 20 hours p/w
- Full-time during holidays i.e. outside of term-time
- Outside of term-time also includes the period after studies have been completed and before the student visa expires
- Volunteering with a registered charity is allowed

Graduate Route Visa

- Eligibility
 - Must qualify in a UK Bachelors degree or post graduate degree or another eligible course
 - Successfully completed the course
 - Current visa is a student visa (must be in-country)
- Up to 2 years for graduates and 3 years for PhDs
- No minimum salary or sponsorship requirements (try and test)
- No minimum hours or number jobs
- Can carryout any type of job (except professional sportsperson)
- No new dependants but existing Dependents can be added – PBS Dependents
- Visa application fee is £880
- IHS fee is £1,035 per year
- Graduate Route is non-extendable

Immigration Rules Change 14 Oct 2025

Graduate Route Reduction to 18 Months

- For applications to switch to GR from 1 Jan 2027 :
 - The change unlikely to affect this year's summer graduates.
- **Employer Considerations:**
 - Sponsoring international graduates directly under the Skilled Worker route exempts employers from paying the ISC for four years and allows use of the lower new entrant salary thresholds.
 - Employers should consider transitioning current graduate visa holders to Skilled Worker visas to avoid the ISC increase and reduce long-term costs if a 10-year route to settlement becomes law.

Apprenticeship Funding Rules Aug 2025 to July 2026 (Dept of Education)

- Annex A sets out Residency eligibility criteria for non-UK nationals:
 - They have been 'ordinarily' resident in the UK for at least the previous 3-year period on the first day of their apprenticeship; and
 - Whose ordinary residence in the UK has not during any part of that period been wholly or mainly for the purpose of receiving full-time education; and
 - Have permission granted by the UK government to live and work in the UK and such permission is not for education purposes only
- DfE defines ordinarily resident as any person who habitually, normally and lawfully resides from choice and for a settled purpose in that country.
- NB: Refer to Appendix A for special groups e.g. Refugees/ Humanitarian Protection leave, Irish nationals, Ukraine visa schemes etc.

Scenario 2

You are the Recruitment Manager at an architecture and interior design company.

You receive an application from Jason Li for the role of a Graduate Trainee in Building Information Modelling (BIM) Coordinator.

Jason is a Chinese student, aged 25 and currently in the UK on a Graduate Visa expiring in 6-months.

The Design Director wants to hire Jason for this role as the business is designing a major mixed used development in Nanjing, China and his academic, language and cultural know-how will help the project team with working with their Chinese partners and client.

The business does not have a sponsor licence.

Jason has also indicated that he would like to complete a PhD whilst working. He also wants to sponsor his girlfriend, currently in China, as a dependent on his next visa.

HR Considerations

- Jason can commence working with the company on the Graduate Visa. However, he will require a skilled worker visa to work for the company beyond this visa. There is no other route available to him.
- To be able to do this, the business will require a sponsor licence, to assign Jason with a Certificate of Sponsorship (CoS) with which he will then apply to switch to a Skilled Worker Visa
- Study that requires Student Visa sponsorship is not permitted but professional development courses are allowed
- Jason's girlfriend can enter the UK as a dependent of a SW visa holder so long as she meets the Rules on unmarried partners and will be able to work in the UK without requiring sponsorship



Sponsorship Management System

To sponsor employees on a SW visa the business must apply to register as a sponsor with UKVI:

- Online application
- Application fee - £574 or £1579
- Supporting documents
- Why the business wants to join the SMS?
- Standard processing – 8 weeks

The Sponsor Licence – Decision-making Process

- Decision in 8-10 weeks (longer if you are chosen for a compliance visit)
- Can pay an additional £500 to fast-track decision in 10 working days
- Licence granted and access given to the SMS
- If application is refused, cannot apply again for 6 months

What Is The Cost Of A Skilled Worker Application?

The fee to apply for a sponsor licence and associated costs will depend on the organisation's size. While sponsors are only required to pay employer fees, in many sectors the employer covers the cost of the entire visa application.

EMPLOYER FEES

Sponsor licence application fee:

- £1,579 (Medium or large organisations)
- £574 (Small organisations)

Certificate of Sponsorship:

- £525 per sponsored worker

Immigration Skills Charge:

- £1,000 per year, per individual (Medium or large organisations)
- £364 per year, per individual (Small organisations)

INDIVIDUAL FEES

Immigration Health Surcharge:

- £1,035 per year

Visa application fee:

- £768/£885 where the CoS will be issued for 3 years or less
- £1,519/£1,751 where the CoS will be issued for over 3 years

Immigration Skills Charge To Increase

Increase to the Immigration Skills Charge (ISC)

- What's Expected?
 - This change is likely to be implemented quickly, the "Parliamentary process has begun." and will come into effect within weeks after a statutory order is laid in Parliament.
 - Will increase by 32% (large employer - £1,320 and small employer - £480)
- Action for Employers:
 - Plan. Assign Certificates of Sponsorship (CoS) now, if possible, before costs increase.
 - No ISC for student to skilled worker switch

Skilled Worker Visa

- Eligibility
 - Must have a valid CoS
 - Role must be at RQF Level 6 or above
 - Must be paid £41,700 or the going rate (whichever is higher) – there are exceptions
 - English language at least B1 (B2 from 08/01/26)
 - Maintenance £1,270 (unless certified by sponsor)
- Visa can be issued for up to 5 years initially but is extendable
- ILR after 5 years if being paid the going rate salary
- Salary is based on a 37.5-hour week (not including bonuses or allowances)
- Can only work in the job for which sponsored and 20 hours additional employment (RQF Level 6 role)
- Can bring dependants (unless a TSL role)

Option A – E – Initial Sponsorship after 4/4/24

Option	Requirements
A	The applicant's salary equals or exceeds both: • £41,700 per year; and • the going rate for the SOC 2020 occupation code.
B	The applicant has a PhD in a subject relevant to the job and their salary equals or exceeds both: • £37,500 per year; and • 90% of the going rate for the SOC 2020 occupation code.
C	The applicant has a PhD in a STEM subject relevant to the job and their salary equals or exceeds both: • £33,400 per year; and • 80% of the going rate for the SOC 2020 occupation code.
D	The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both: • £33,400 per year; and • the going rate for the SOC 2020 occupation code
E	The applicant is a new entrant at the start of their career and their salary equals or exceeds both: • £33,400 per year and • 70% of the going rate for the SOC 2020 occupation code.

Reductions to Salary

New Entrant

- Student
- Graduate visa
- Under 26
- Maximum of 4 years

- **PhD holder**

- STEM / non-STEM subject

- **Immigration Salary List**

- Occupation codes listed by UKVI

- **Listed Health and education visa**

- Occupation codes listed by UKVI

Option K – Listed Health & Education Roles

K

The applicant is being sponsored for a job in a listed health or education occupation and their salary equals or exceeds both:

- £25,000 per year; and
- the going rate for the SOC 2020 occupation code.

- Relevant codes listed in Tables 3 and 3a
- Going rate based upon NHS pay bands in Table 4 for listed healthcare codes
- Going rate based upon pay bands in Table 5 for listed education codes

Salary Tables

Table	RQF Level	Option	
Table 1	6	A – E	Sponsored post-04.04.24
Table 1a	3 – 5	A – E	Sponsored post-04.04.24 and pre-22.07.2025
Table 2	6	F – J	Sponsored pre-04.04.24 or H&C ASHE
Table 2aa (and 2a)	3 – 5	F – J	Sponsored pre-04.04.24 or H&C ASHE
Table 3	6	K	Health & Education codes
Table 3a	3 - 5	K	Health & Education codes pre 22/07/25
Tables 4 and 5	Salaries for Option K	K	Health & Education Salaries

Changes in Skills Threshold

- Tier 2 (General) – Skill Level
 - Regulated Qualification Framework (RQF) Level 6
- Brexit – Skilled Worker visa introduced
 - 1 December 2020
 - Regulated Qualification Framework (RQF) Level 3 – 5 plus
- Post-22nd July 2025
 - Regulated Qualification Framework (RQF) Level 6
 - Reduction of approximately 180 eligible occupations

Regulated Qualification Framework - RQF

RQF Level	Qualification Level
RQF Level 1	GCSE (grade 1- 3)
RQF Level 2	GCSE (grade 4- 9)
RQF Level 3	A Level
RQF Level 4	Higher National Certificate
RQF Level 5	Higher National Diploma
RQF Level 6	Undergraduate Degree
RQF Level 7	Masters Degree
RQF Level 8	Doctorate

Skill Level not qualification!

Skilled Occupation Tables

Table	RQF Level	Option	
Table 1	6	A – E	Sponsored post-04.04.24
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Table 2	6	F – J	Sponsored pre-04.04.24 or H&C ASHE
Table 2aa (and 2a)	3 – 5	F – J	Sponsored pre-04.04.24 or H&C ASHE
Table 3	6	K	Health & Education codes
Table 3a	3 - 5	K	Health & Education codes pre 22/07/25
Table 4	Salaries for Option K	K	Health Salaries

Salary – Immigration Salary List (ISL)

- General Salary reduced from £41,700 to £33,400 but not salary under the occupation code
- Transitional Arrangements for pre-4 April 24 sponsorship – Reduced salary from £31,300 to £25,000

The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both:

- £33,400/£25,000 per year; and
- the going rate for the SOC 2020 occupation code.

Example – ISL Salary

2142 Graphic and multimedia designers – all jobs UK wide

Post-4 April 24 – General £33,400, Code £33,400 (£17.13 per hour)

Pre-April 24 General – £25,000, Code £26,200 (£13.44 per hour)

5313 Bricklayers – all jobs UK wide

Post-4 April 24 – General £33,400, Code £33,400 (£17.13 per hour)

Pre-April 24 – General £25,000, Code £25,000 (£12.82 per hour)

3411 Artists – all job UK wide

Post-4 April 24 – General £33,400, Code £38,200 (£19.59 per hour)

Pre-April 24 – General £25,000, Code £26,600 (£13.64 per hour)

New (07/22/25) Temporary Shortage List (TSL)

The TSL is a list which is subject to ongoing change and subject to supply/demand of roles in the resident market

Key details include:

- Covers RQF 3–5 roles linked to the **UK's Industrial Strategy**
 - Applies to CoS assigned from **22 July 2025 to 31 December 2026**
 - Post-2026 inclusion dependent on **Migration Advisory Committee (MAC)** advice, workforce strategy and local recruitment efforts
 - Time limited
 - No reduction in salary
- ✓ The **Temporary Shortage List (TSL)** can be found [here](#).

Example – TSL Salary

3544 Data analysts

Post-4 April 24 – General £41,700 , Code £34,900 (£17.90 per hour)

Pre-April 24 General £31,300, Code £28,600 (£14.67 per hour)

3552 Business sales executives

Post-4 April 24 – General £41,700, Code £36,700 (£18.82 per hour)

Pre-April 24 – General £31, 300, Code - £29,300 (£15.03 per hour)

Dependants

- 22 July 25 - No dependants for those sponsored under RQF Level 3- 5 roles
- All Roles on the TSL
- Mixed RQF level codes on ISL
- Sponsored under pre-22 July Rules – can have dependants

SOC 2020 occupation code	Going rate (SW – option A and D)	90% of going rate (SW - option B)	80% of going rate (SW - options C)	70% of going rate (SW - option E)
2452 Chartered architectural technologists, planning officers and consultants	£35,800 (£18.36 per hour)	£33,400 (£17.13 per hour)	£33,400 (£17.13 per hour)	£30,960 (£17.13 per hour)

Choose The Correct SOC Code

Code		Going Rate	New Entrant	
2451 Architects	• Architect • Chartered architect • Landscape architect	£47,600 (£24.41 per hour)	£33,400 (£17.13 per hour)	
2452 Chartered architectural technologists, planning officers and consultants	• Architectural consultant • Chartered architectural technologist • Construction planner • Planning officer (building construction) • Town planner	£35,800 (£18.36 per hour)	£33,400 (£17.13 per hour)	

The Costs of Sponsorship for Jason

- Certificate of Sponsorship - £525
- Immigration Skills Charge - £2,000
- Immigration Health Surcharge - £2,070
- Visa fee - £885
- **Total** - £5,480

Scenario 3

Donald is a US national aged 35. His first degree is in Architecture, and he has over 10 years' work experience in mixed use development projects combined with lecturing in architecture and a published textbook. He has just completed an MBA at University of Birmingham.

Donald has been offered a role with a London based architecture company as the design director on a project designing a major mixed used development in London.

The business is willing to sponsor him but only for the duration of the London project, which is 2-years. Accordingly, as Donald wants to have firmer routes in the UK, he wants to explore other visas that he might be able to benefit from.

Global Talent Visa

- This visa is for **leaders** or **emerging leaders** in:
 - Architecture
 - Digital technology
 - Engineering
 - Fashion
 - Film and television
 - Humanities
 - Medicine
 - Research
 - Science
 - The arts
- The first step is for the visa applicant to obtain an endorsement from an approved **endorsing body**:
 - **Arts Council** – for arts, culture, architecture, fashion, film and television
 - **British Academy** - for humanities and social sciences
 - **Royal Society** – for natural sciences and medical science research
 - **Tech Nation** – for digital technology
 - **UK Research and Innovation** – for science and research

Global Talent Visa

- Once endorsement has been obtained, applicants can apply for a visa
- Visa period can be for up to 5 years (3 years if emerging leader)
- Leaders can apply for ILR after 3 years and emerging leaders after 5 years, provided they have earned money that relates to their field of work
- No minimum salary or sponsorship requirements
- No minimum hours or number jobs
- Can carryout any type of job (not professional sportsperson)
- Can bring dependants
- Application fee - £561 for endorsement and £205 for visa
- Immigration Health Surcharge - £1,035 per year
- Global Talent visa is extendable indefinitely, provided they meet the requirements of the Scheme

Scenario 4

Tamara is a U.S national. She is graduate of Stanford University School of Engineering. She has been offered a 12-month internship with a civil engineering company in Scotland before she commences a Masters of Engineering at University of Birmingham.

The company is however unable to sponsor her despite having a sponsor licence as the minimum salary that they would need to pay her would be higher than that which they pay interns for this role.

Government Authorised Exchange Visa

- **Eligibility**
 - The person must be entering or switching to this visa in a scheme approved and listed in Appendix N
 - Sponsorship (CoS) must be provided by the organisation administering the scheme
 - Sponsored job minimum RQF 3
 - Employer benefiting from the sponsorship will be responsible for the pay and T&Cs
 - Can switch in-country if on a student visa, postgraduate doctor or dentist or sponsored researcher
- Up to **24 months** for schemes relating to research, fellowship and training in the fields of science and medicine. **12 months** for all other schemes
- Salary will be governed by each scheme
- Can only carryout job for which they are being sponsored plus 20-hours supplementary employment
- Can bring dependants
- Application fee – CoS £55, visa fee £319 and employer may be charged admin expenses
- Immigration Health Surcharge - £1,035 per year
- Government Authorised Exchange visa is non-extendable

Scenario 4

In Tamara's case:

- The appropriate scheme will be the one administered by Twin Training International
- The Scheme offers overseas engineering students (both undergraduate and graduates) work experience with engineering companies in the UK
- Maximum duration 12-months

A Note on Discrimination

- A business can't refuse to sponsor a migrant because they require sponsorship.
- **Best practice** is that a refusal must be based on merit. Right to work checks should happen later in the recruitment process.
- Exceptions to this might include:
 - National Security Reasons
 - A time critical delivery of a contract
 - The skill level for the job is below that for which a Skilled Worker visa will be issued
 - Salary level for the job is below that for which a Skilled Worker visa will be issued
 - There is not enough time to acquire a Licence before the migrant's leave expires

A Note on Discrimination – Your Approach

Osborne Clark vs Purohit (2009):

- “Eligibility to work in the UK **should be verified in the final stages of the selection process rather than at the application stage**, to make sure the appointment is **based on merit alone** and is not influenced by other factors. Depending on the employer’s recruitment process and the type of job being filled, candidates might be asked for the relevant documents when they are invited to an interview, or when an offer of employment is made. **Employers can, in some circumstances, apply for work permits and should not exclude potentially suitable candidates from the selection process.**”
- By rejecting non-UK nationals at the beginning of the application process, without considering merits and suitability for the role on offer leaves an employer open to such a claim unless they are **prepared to justify their position later**.
- For international student, it is important that if they reach such an obstacle at the recruitment stage that they **ask for written feedback** as to the reasons for rejection so that they are clear that a valid and proper reason is given.

What is still to come 2025/26

Extension of the Qualifying Period for Settlement from 5 to 10 Years

- **Uncertainty Around Implementation:**
 - The Home Secretary's proposal has caused widespread concern. While not yet law, businesses should prepare for the possibility. Has confirmed that there will be an 'earned' pathway for those that have made contributions to the UK economy and society (being in work, NI contribution and contributing to the local community). Consultation has commenced.
- **Legal Precedent:**
 - In a 2009 High Court ruling regarding the Highly Skilled Migrant Programme, it was judged that retrospective changes to settlement eligibility were unlawful. Those already on a path to settlement should not be affected?
- **Planning Implications:**
 - Employers must consider the cost of supporting workers for 10 years instead of 5.
 - The UK's potential move to a 10-year path to citizenship would be the longest in the developed world, impacting international competitiveness (e.g. in Canada skilled workers can apply for settlement in 2-years)
 - Those already on a visa path to settlement have a legitimate expectation that they will continue to settlement under current rules – potential grey area.

What is still to come 2025/26

The Future of the New Entrant Discount & Graduate Roadblocks

What's Proposed:

- The New Entrant Discount to be reviewed (White Paper, p.25)
- Reason for removal to ensure international hires aren't seen as "cheap labour"

Key Issues:

- Regional pay gaps** make sponsorship unviable outside London/SE. Regional employers already finding it difficult to compete for talent.
- Graduate programme disruptions:** Already an increasing disparity between graduate salaries offered

to resident graduates and higher salaries required for sponsorship. This will worsen.

- Training pathway gaps:** Some professions e.g. law, pharmacy, opticians rely on NE discounts to hire trainees which may no longer be viable
- Graduate Route reduction** (to 18 months) increases added pressure

Impact:

- Fewer sponsorships for international graduates
- UK loses appeal for early-career global talent

What is still to come 2025/26

SOC Reclassification & Graduate Job Disqualification

Issue:

SOC reclassification could exclude graduate-level roles from sponsorship.

Affected Fields e.g.:

- Sales
- HR
- Marketing

Implications:

- Fewer roles will qualify for sponsorship
- Difficulty attracting diverse talent
- Challenges for universities placing international graduates in UK job market

Call to Action:

- Use case studies to show long-term value of graduate hires
- Promote progression from new entrant roles to leadership positions

Contact



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Relevant Links

Skilled Worker Occupation Codes and Going rates: <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-skilled-occupations>

Immigration Salary List: <https://www.gov.uk/government/publications/skilled-worker-visa-immigration-salary-list/skilled-worker-visa-immigration-salary-list>

Temporary Shortage List: <https://www.gov.uk/government/publications/skilled-worker-visa-temporary-shortage-list/skilled-worker-visa-temporary-shortage-list>

Government Authorised Exchange Appendix N: <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-government-authorised-exchange-schemes>

Appendix Global Talent: <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-global-talent>



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