



COVENTRY LAW CENTRE

IMMIGRATION

Highly Skilled Migrant Programme (HSMP)

This leaflet explains the scheme for highly skilled individuals wishing to come to the United Kingdom to seek and take work. The programme is designed to allow individuals with exceptional personal skills and experience to come to the United Kingdom to seek and take work.

This leaflet is only a guide and aims to give a potential Applicant an idea of whether they can qualify and how the application process works.

If you need more information about an immigration matter, please contact Coventry Law Centre.

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The Highly Skilled Migrant Programme

The United Kingdom government is running a programme to allow individuals to seek entry to work in the United Kingdom without having a prior offer of employment.

This programme is a new way of allowing individuals to migrate to the United Kingdom. It aims to provide an individual migration route for highly skilled persons who have the skills and experience required by the United Kingdom to compete in the global economy.

Any individual can apply; depending on your circumstances where you may apply from will vary. Entry applications are to be made to your nearest British Embassy or High Commission. If you are already resident in the United Kingdom you may be able to apply directly to Work Permits (UK), part of the Home Office. This will depend on your status in the United Kingdom. Visitors cannot make applications in the United Kingdom in any circumstances.

How do I qualify to enter the United Kingdom under the programme?

To make a successful application you will need to provide evidence that you score 75 points or more in the areas described below and demonstrate you will be able to continue your chosen career in the United Kingdom. You will also need to show that you can support yourself and your family without using public funds during your stay.

How will my application be considered?

A points based system of qualifications is used to assess applications. Points can be accrued in five areas. The application form allows you to self assess this aspect of the application. A caseworker when considering your application will only concur with your score where appropriate evidence has been supplied.

Scoring Areas

1. Educational qualifications

This area provides for a maximum of 30 points for those holding a PhD, 25 for those with a Master's degree such as an MBA and 15 for those with a Graduate degree such as BA or BSc.

2. Work Experience

You will score 15 points for at least five years' work experience in a graduate level job (or three years if you have a PhD).

An additional 10 points can be obtained for two years working at a senior level or in a specialist position within your chosen field.

Graduate level work experience would normally be a role within a company or institution that would require you to have a minimum educational standard of a first-degree level qualification. You may not necessarily hold a degree but the post held would normally require one.

Senior level work experience would normally be a role at board level in a small company, in a larger business it could amount to a department head or leader of a project management team. Those working in academia may have run a department or headed a research team. We are likely to consider those who run their own businesses that employ a number of staff as demonstrating senior level work experience.

A specialist position is normally envisaged to be one that may not have any particular managerial role but requires a very high level of technical or artistic expertise.

3. Past Earnings

This area requires you to demonstrate a minimum earned income in your country of residence. In order to reflect differences in income level across the world the level required to qualify varies depending where you live. The country you are living in is considered not your nationality.

It is important to note that not all income will be considered. Unearned income such as dividends from investments (unless a company in which you are active in day to day management), property rental income, and interests on savings or funds received through an inheritance are not used when calculating your income.

In addition, earnings that have not been declared to the appropriate authorities will not be accepted when calculating your income.

The income levels you can be required to demonstrate are as follows:

Minimum Income Level	Code	Some principal countries requiring this income level
£40,000 per annum = 25 points £100,000 per annum = 35 points £250,000 per annum = 50 points	A	EU States, USA, Canada, Australia, Bermuda, Israel, Japan, South Korea
£25,000 per annum = 25 points £60,000 per annum = 35 points £150,000 per annum = 50 points	B	Poland, Brazil, South Africa, Libya, Hungary, Chile, Mexico, Estonia, Turkey
£20,000 per annum = 25 points £50,000 per annum = 35 points £125,000 per annum = 50 points	C	Jamaica, Russia, Iran, Morocco, Peru, Tunisia, Thailand, Algeria, Romania
£15,000 per annum = 25 points £35,000 per annum = 35 points £90,000 per annum = 50 points	D	China, India, Pakistan, Nigeria, Sudan, Ukraine, Zimbabwe, Kenya, Bangladesh

A full list of countries can be found in *Income Categories*

For example, a Chinese National residing and working in the United States of America would be required to demonstrate a minimum annual income level over the past twelve months of £40,000 in order to score 25 points. Whilst a Canadian National working in South Africa would be required to demonstrate a minimum annual income level over the past twelve months of £15,000 to score 25 points.

If you have lived in more than one country during the past twelve months we will choose to assess your income against the country where you have spent the longest period on a pro-rata basis. In addition if you have been

seconded overseas and your salary continues to be paid elsewhere, the country where you receive your salary would normally be considered.

4. Achievement in your chosen field

In order to score in this area you will need to produce a body of evidence showing how your work in your chosen career has been acknowledged by your peers and contributed significantly to the development of your field.

This could be through an acknowledged breakthrough in your field of expertise with a piece of original published research, a recognised artistic achievement, a lifetime achievement award from an industry body, an invention which is likely or has proved commercially successful.

Two levels of scoring can be obtained. Those with an exceptional achievement in their chosen field will be at the top of their profession, be recognised beyond their field of expertise and have obtained international recognition. Very few people will meet this criterion and the points system reflects this by giving 50 points to those who demonstrate exceptional achievement.

Those who can show significant achievement may not be known outside their field of expertise, or not yet be recognised on an international basis but have developed a body of work that is recognised by their peers as contributing significantly to development of your area of work. 25 points can be obtained by demonstrating a significant achievement.

5. HSMP Priority Applications

This area provides a mechanism for the UK government to encourage people with a particular skill or profession to move to work in the United Kingdom. The decision to provide an avenue for General Practitioners in this area has been agreed with the Department of Health.

In addition to scoring at least 75 points in the above areas you will **also** need to demonstrate:

- 1. Your ability to continue to work in your chosen field in the United Kingdom.**
- 2. That you have enough savings and/or potential income to be able to support yourself and your family. You will not be allowed any use of UK public funds whilst in the United Kingdom with permission to stay under the programme.**
- 3. That you are willing and able to make the United Kingdom your main home. We will ask you to provide a written undertaking to that effect.**

In order to consider your application the Home Office will require the HSMP form to be completed in addition to the IM2A entry clearance form. It will be important that you provide full documentary evidence to back up any statements made on the form as without evidence to back up statements made in your application it will be refused.

Alternative routes of entry to the United Kingdom

The Highly Skilled Migrant Programme is only one of a variety of legal routes open to individuals wishing to move to the United Kingdom. You will be best placed to judge if this route is for you, but the programme is designed for those who wish to seek work either as an employee or as a freelancer, and who are at the top of their chosen profession.

Application process

If you are currently outside the United Kingdom here as a visitor or in some other short-term temporary capacity you will be required to seek entry clearance under the programme.

You will not normally be allowed to submit an application in a country where you are based as a visitor or other temporary basis. Where there is no UK mission in your country of residence or where the nearest mission does not issue entry clearances, another mission will have been designated to handle applications. If you are not sure where to apply, any UK mission will be able to advise you.

Application process for those living in the United Kingdom.

If you are currently resident in the United Kingdom in a category leading to settlement, (such as a work permit holder or business person) or have leave as a student and are about to graduate from a UK Higher Educational Establishment, or have undertaken postgraduate training as a doctor in the National Health Service you may make an application directly to the Home Office.

The exception to this would be if an overseas government was sponsoring your stay in the United Kingdom.

The documentation required to make an application is detailed below.

What will I need to do to make an application for entry clearance?

You must supply the Entry Clearance Officer with:

- A fully completed entry clearance application form;
- A fully completed Highly Skilled Migrant Programme application form;
- Any original documentation required by the above forms to support statements made on them;
- Two passport sized photographs; and
- The appropriate visa fee.

What will I need to make an application if currently resident in the United Kingdom?

You must submit directly to the HSMP team the following:

- A fully completed FLR(O) form;
- A fully completed Highly Skilled Migrant Programme application form;
- Any original documentation required by the above forms to support statements made on them;
- Two passport sized photographs;
- Your passport and those of any dependents accompanying you

Please note if you are overseas or in the United Kingdom as a visitor or some other short term temporary capacity you cannot apply in the United Kingdom and must seek entry clearance.

The kind of evidence and documentation needed with the application

The amount and type of evidence required to support your application will depend on your previous experience and your future plans. The evidence you submit should support any statements you make. Therefore, if you say you have a PhD the Home Office expect to see evidence of this. (e.g. Your PhD certificate).

You should submit original documentation as evidence (with certified translations if necessary). It should be from a clear source and relevant to your application.

Some examples of appropriate evidence for demonstrating that you meet the four criteria are listed below. The HSMP application form will help guide you as to the minimum level of documentation and evidence required.

Academic Certificates

Academic References

Employer References	Evidence of ownership of business
Wage slips	Income Tax Returns
Published work	Audited company accounts demonstrating personal income
Press articles	Copy of C.V. with supporting testimonials
Scholarship/Research awards	Industry Awards/prizes
Research output	Ownership of intellectual property rights

Suitable evidence for demonstrating you will be able to continue your work successfully in the United Kingdom could include:

- English Language qualifications (This can include other qualifications such as a degree which have been taught in English)
- Membership of appropriate professional organisation (i.e. Member of the Bar);
- Relevant professional qualifications, with evidence of recognition of these in the United Kingdom.
- Potential employment offers/contracts/arranged interviews.

Suitable evidence for demonstrating that you will be able to support yourself and your family could include:

- UK bank statements in your name
- Overseas bank statements (with confirmation of transferability to UK if appropriate)
- Personal assets in UK and Overseas generating an income disposable in the UK
- A firm job offer
- Confirmed job interviews or acceptance onto Employment agency books
- Prospective contracts of employment or accepted freelance bids
- Breakdown of projected expenditure and income in first 12 months in UK
- Evidence of appropriate accommodation

Residency in the United Kingdom

If your application is successful you will be given permission to enter the United Kingdom for a period of twelve months. Towards the end of that period you will be able to apply for further permission to stay as a Highly Skilled Migrant. You should apply directly to the Home Office. If your application is approved you will normally be given permission to remain for a further 3 year period. Details on application process will be provided to successful applicants.

If you have been granted permission to stay in the United Kingdom as a Skilled Migrant for four years and wish to remain in the United Kingdom on a permanent basis you can apply at the end of the four year period for permanent residence. (Otherwise known as indefinite leave to remain or settlement). Your family will also be able to obtain permanent residence with you.

Family Members' application process

Your spouse and dependant children under the age of 18 may apply to accompany you or to join you. They will also need to seek entry clearance for this purpose before travelling to the United Kingdom. If entry clearance is approved your spouse and dependants will be granted leave to enter on the same conditions of stay as yourself. They will be able to work if they wish. Please note that their continued stay in the United Kingdom is conditional on them remaining in the United Kingdom as your dependants.