

Factsheet - Global Business Mobility: Senior or Specialist Worker

Purpose

This visa route is designed for overseas workers who have been temporarily assigned to work in the UK. Workers must be assigned to a UK business linked to their employer overseas. This route was previously known as the intra-company transfer category or 'ICT'.

The job offer must be from a Home Office approved UK sponsor with a licence to assign Certificates of Sponsorship ('CoS') under the Senior or Specialist Worker route. The role must be in an eligible skilled occupation.

A sponsored worker on the Senior or Specialist Worker route can work in the UK for their sponsor in the job they have been approved to fill.

Senior or Specialist Workers may also do voluntary work and study in the UK. If they were granted permission before 11 April 2022 under the Senior or Specialist Worker or ICT route, they can also undertake supplementary employment provided specific requirements are met.

Qualifying overseas business link

The UK sponsor licence holder must ensure that they are linked to the employer overseas by common ownership and control or by a joint venture agreement to an overseas business.

Eligibility requirements - Points Test

Applicants must score 60 mandatory points from the table below.

An offer of a job from a licenced sponsor (20 points)
<ul style="list-style-type: none"> ▶ The sponsor must be a Home Office approved sponsor licence holder for the Senior or Specialist Worker route. ▶ There must be a genuine vacancy. ▶ The applicant must have an assigned Certificate of Sponsorship (electronic work authorisation assigned by licenced sponsors), which contains the details of their job offer.
The job must be at or above the minimum skill level RQF 6 (20 points)
<ul style="list-style-type: none"> ▶ The job must be skilled to at least a bachelor's degree or equivalent and listed by the Home Office as an eligible occupation. ▶ The Home Office must accept that the occupation selected by the sponsor accurately reflects the job the applicant has been offered.
The salary must be at the required level (20 points)
<ul style="list-style-type: none"> ▶ An applicant must earn a minimum salary of at least £45,800 or the going rate for their occupation, whichever is higher. ▶ Guaranteed basic gross pay and guaranteed allowances for the duration of the UK employment may be counted towards the required salary level.

Overseas work requirement

All applicants must be currently working for an overseas business of the sponsor group and, if the applicant's salary is below the 'high earner' threshold of £73,900, they must have worked for the sponsor group, whether in or out of the UK for a cumulative period of at least 12 months.

Non-points-based eligibility criteria

To be eligible under the Senior or Specialist Worker route, in addition to meeting the specific requirements listed above, the applicant must:

- ▶ Meet suitability criteria in terms of their previous immigration compliance, any criminal history or other character-related issues;
- ▶ Hold a certificate confirming they do not have active TB, if they have been living in a high-risk TB country for at least six months before they apply and the length of their assignment in the UK is more than six months;
- ▶ Meet a financial requirement through holding at least £1,270 in savings or having their employer certify that they will be maintained up to this amount for the first month of their employment (this requirement does not apply if they have been living in the UK for at least 12 months already);
- ▶ If their job is subject to the Academic Technology Approval Scheme (ATAS), provide an ATAS certificate.

Maximum length of assignments

An applicant earning less than £73,900 must not hold permission under the Global Business Mobility routes (not just Senior or Specialist Worker or the previous Intra-Company Transfer routes) totalling more than five years in any six-year period.

A high earner earning £73,900 or more must not hold permission totalling more than nine years in any ten-year period.

Sponsors must take these maximum periods into consideration when deciding the duration of sponsorship.

Extensions and switching

If the applicant is already in the UK holding immigration permission in a different route, they can switch to the Senior or Specialist Worker route with limited exceptions, e.g. if they are in the UK as a visitor or in another short-term immigration category.

Immigration permission can be extended provided the 'maximum length of assignments' requirement is not breached.

Settlement

This route does not lead to settlement. A person with permission as a Senior or Specialist Worker can choose to switch into the Skilled Worker route (or various other immigration routes that lead to settlement) whilst still in the UK if they meet the necessary criteria.

Dependants

A Senior or Specialist Worker can be accompanied or joined by their spouse, civil partner or unmarried partner (where they have lived together for at least two years) and dependent children aged under 18 when they first apply. Unless the dependant has been living in the UK for at least 12 months already, they will also need to meet a financial requirement of £285 for a partner, £315 for the first child dependant and £200 for each additional child dependant. Dependants must meet suitability criteria, and a TB certificate may also be required.

Visa application procedure

Provided the preliminary steps such as having a qualifying overseas business link and ensuring all of the requirements for the sponsor and the applicant are met, the process is:

1. Certificate of Sponsorship
 - This is assigned online by the sponsor via the Sponsor Management System.
 - The sponsor will need to request an allocation of these from the Home Office each year and have one available to assign to the applicant.
2. Visa
 - The individual will need to apply for the Senior or Specialist Worker visa within three months of the Certificate of Sponsorship being assigned.
 - The application consists of the following stages:
 - a. Submitting an online application form and making all the relevant payments;
 - b. Attending an appointment to enrol biometric information and to submit supporting documents (EEA nationals with a biometric chip passport do not need to complete this stage if they have used the UK Immigration: ID Check app to verify their identity).

An applicant attending an appointment overseas must normally do so at the nearest Visa Application Centre in their country of residence.

The process for an applicant who is already residing in the UK will vary depending on whether they hold their immigration status digitally or on a physical Biometric Residence Permit.

How we can help

We are a full service, highly ranked and recognised law firm with commended immigration specialist lawyers who have a breadth of experience with sponsored work visa applications. We build long-term relationships with our clients to help them with all their legal needs throughout the life of their immigration journey in the UK.

For more information, please contact:



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