



GMS Flash Alert

Immigration Edition

2018-134 | October 19, 2018



United Kingdom - EU Settlement Scheme and Other Announced Immigration Changes

On 11 October 2018, the U.K. government published a series of changes to the Immigration Rules containing details of phase 2 of the EU settlement scheme pilot and other changes, as well as doubling of the Immigration Health Surcharge.¹

WHY THIS MATTERS

Brexit is a key issue affecting employers in the United Kingdom.² The European Union (EU) settlement scheme pilot introduces the public to the U.K. Visas and Immigration digital application platform which is due to be rolled out next month and will apply to all EU nationals in the U.K. from early 2019.

Other changes have the potential to increase costs of assignments to the U.K., but will also make applications for visas to work in the U.K. simpler, primarily by reducing the need for applicants to provide original documents with their applications.

EU Settlement Pilot Scheme

The second pilot phase of the EU settlement scheme will run from 1 November to 21 December 2018. The Home Office anticipates the number of participating organisations to increase significantly, with those in the higher education, health, and social care sectors across the United Kingdom to be included in this second phase.

Dates to Note:

From 1 November 2018: People who work at one of the 15 NHS Trusts or 3 universities in north-west England will be eligible to apply.

From 15 November 2018: People who work at a higher education institution or overseas higher education institution in the U.K., which is classified as such on the Tier 4 Register of Licensed Sponsors and children looked-after by specific local authorities and connected with other community organisations will be eligible to apply.

From 29 November 2018: People who are employed by or work at an organisation in the health or social care sector in England, Northern Ireland, Scotland, or Wales will be eligible to apply.

Other Changes to Immigration Rules

The other changes to the Immigration Rules are primarily aimed at moving more services online, facilitating this movement, and adding flexibility to immigration processes.

The most important of these changes for international businesses will be the removal of the requirement for original documents to be provided with applications for visas to work in the United Kingdom. The changes largely remove this stipulation, and replace it with the authorities' ability to request originals where there is doubt about whether a document is genuine.

In tandem with this, the rules on "evidential flexibility," under which the authorities can waive requirements for documents in some circumstances, are extended to allow a waiver in other circumstances. The time limits for responding to requests for documents are also removed, to be replaced by discretion of the authorities. The authorities can also make such requests more than once, where previously there was only one opportunity to remedy errors.

Immigration Health Surcharge

The Immigration Health Surcharge will double. The increase is set to come into effect in December 2018 subject to parliamentary approval. The new amount will be £400 per person per year for all applicants except students and their dependents and Tier 5 (Youth Mobility Scheme) applicants, who will face a sum of £300.

(For prior coverage of the Immigration Health Surcharge, see GMS [Flash Alert 2018-036](#) (22 February 2018).)

KPMG LLP (U.K.) NOTE

The Home Office will have to be ready for vastly increased volumes of applications as a result of Brexit. The move to a more common sense and digitised approach fits in with its preparation for this change. However much of this is exhibited by replacing fixed requirements with more relaxed requirements, but with discretion for the authorities to request additional evidence. It will therefore take time to see how this translates into the actual decisions of officers at the Home Office.

FOOTNOTES:

1 To see "Guidance: EU Settlement Scheme pilot: applicant eligibility," from the Home Office, click [here](#).

For "Policy paper: Statement of changes to the Immigration Rules: HC 1534," (11 October 2018). Also from the Home Office, click [here](#).

2 For more on Brexit and U.K./EU cross-border immigration, see GMS [Flash Alert 2018-129](#) (4 October 2018).

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in the United Kingdom.

The KPMG Legal Services – Immigration Team has a wealth of experience in transactional, advisory, and compliance assurance services. We will be able to advise your business in relation to practical considerations in light of the above changes, as well as what this means for your long-term recruitment and compliance strategies.



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