

LIRA'S IMMIGRATION CORNER

How to Apply for a Carer Visa from Abroad

A PPLICANTS WHO wish to come to the UK to work are usually required to apply under the Points Based System. This route requires that applicants satisfy a certain number of points for an entry visa to be granted. Carers are required to accumulate a total of **70 points**. Not surprisingly, skill sets that are deemed to be needed in the UK are prioritised, usually by making it easier to accumulate the points. Such occupations are listed on the Shortage Occupation List (SoL). The list changes from time to time albeit certain occupations such as Nurses regularly feature on the list. Following a lengthy campaign by Health Care organisations, the Government finally acknowledged the serious shortage for Carers.

On the 16th of February 2022, the Home Office added Carers to the Shortage Occupation List (SoL). This is in place for 12 months which means that applications under this route should be made no later than the 16th of February 2023. The effect of this change is to make it considerably easier for a migrant/applicant to obtain a Carer visa, and more viable for an employer/sponsor to sponsor a migrant worker.

Steps

Certificate of Sponsorship (CoS)

The starting point for applicants should always be to secure suitable employment. The em-

ployer must be licenced by the Home Office. They should have an A rated sponsorship licence. The employer is required to apply for a "Defined CoS" (certificate of sponsorship) for each applicant they wish to sponsor from abroad. Once granted a CoS, they will allocate this to the applicant. It can only be used once and must be utilised by the applicant within 3 months of allocation.

Securing employment and therefore a CoS provides the applicant with the first 20 points required towards the total of 70 points needed.

Experience

A further 20 points is granted if the applicant has the relevant skill set. By contrast to say Nurses and Senior care workers, Carers are not required to have specific academic qualifications. They are required to have relevant experience, but this can vary from paid or unpaid employment and vocational courses. In any event, the employer will assess the applicant's suitability and will only offer the post and CoS once they are deemed suitable for the post. Hence, the reality is that once the applicant is allocated a CoS, the employer would already have been satisfied with the applicant's experience. This therefore adds the next 20 points required by the applicant.

English

An additional 10 points is granted to the applicant once he

has completed an English language certificate to the level of B1. This is a higher level than A1 or A2, commonly used for Spouse applications. The test can be undertaken at authorised test centres and there are several in various countries. Applicants may be exempted from this if they are from an English-speaking country or if they can prove that they have completed a course of studies taught in English.

Shortage Occupation List (SoL)

The above means the applicant will have a total of 50 points; once he has secured a CoS, shown relevant experience and obtained his B1 English qualification. The remaining 20 points required, to obtain 70 points, can be satisfied by the fact that the applicant is applying for a Carer visa; an occupation within the SoL, and deemed to be in short supply in the UK. This provides the last 20 points needed by the migrant/applicant.

Other requirements

Beware that an offer of employment must comply with the minimum pay scale, which for Carers is £20,480.00 per annum before tax. This is a strict requirement so if the income amounts to less than this, the application will be refused. It follows that a "zero working hours" contract will not satisfy this requirement.

Tuberculosis certificate

Applicants from some countries, such as the Philippines, are required to provide a negative TB certificate. Certificates are valid for 6 months and can only be provided by Home Office authorised clinics.

Criminal checks

Applicants are required to provide their country equivalent to that of the UK Disclosure and Barring Service (DBS) check to show that they do not have criminal convictions. In the Philippines, applicants are required to obtain a National Bureau of Investigation (NBI) certificate.

Applications

Applications are made online. Applicants should ensure that they have the relevant information before they complete their application online, namely: their CoS, B1 certificate, and a valid passport.

Applications under the Carer route benefit from a lesser Home Office fee. This is presently £232 (work in the UK for up to 3 years) or £464 (work in the UK for up to 5 years). Additionally, applicants are not required to pay the Immigration Health Surcharge (IHS) which is £624 per year for most applications.

Beware of the maintenance requirements when submitting your application. The easiest way of dealing with this requirement is for the employer to certify the maintenance requirement when they assign the CoS. Alternatively, applicants must show that they have held at least £1270 for a continuous period of 28 days. Evidence of funds is applied strictly so care should be taken when submitting documents in support.

Visa length

The length of visa granted will depend on the length of the job offer but this is usually between 3 to 5 years.

Completion of 5 years leave to remain on this basis will entitle applicants to pursue an application for Indefinite Leave to Remain (ILR). A year after grant of ILR, applicants may proceed to apply for Naturalisation, leading to a British passport.

Dependants

Spouses and children under the age of 18 can join the applicant and they may also apply to extend their leave alongside the applicant. Spouses can take up any form of employment and children can access the education system. Dependants, like the applicant can also access NHS care.

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