

COVID-19 UKVI Factsheet

Monday 20 April 2020

Content

Within this document are three factsheets specific to the relevant audiences:

- 1. Visa holders and short-term residents in the UK
- 2. Visa customers outside of the UK
- 3. Guidance for sponsors



Coronavirus (COVID-19) factsheet: visa holders and short-term residents in the UK

Monday 20 April 2020

Guidance on immigration provisions made by the Home Office for individuals affected by travel restrictions associated with coronavirus (COVID-19).

Key lines

 The Home Office has <u>published guidance on GOV.UK</u> on immigration provisions for individuals affected by travel restrictions associated with coronavirus (COVID-19).

Extending a visa

- If the individual already has leave in the UK and planned to remain and apply to extend their leave when it expired, they must continue to do this.
- No individual who is in the UK legally and whose visa expired after 24
 January 2020, or is due to expire, will be regarded as an overstayer or suffer
 any detriment in the future if they cannot leave the UK because of travel
 restrictions related to COVID-19.
- A visa will be extended to 31 May 2020 if an individual cannot leave the UK because of travel restrictions or self-isolation related to coronavirus (COVID-19).
- Individuals must <u>update their records with the Coronavirus Immigration Team</u>
 (CIT) if their visa is expiring and were not planning to stay in the UK.
 - The Coronavirus Immigration Team will aim to reply to an individual's application within 5 working days.
- Individuals do not need to do anything else once they have submitted the
 online e-form and their status in the UK is secure from the point they have
 submitted. This requirement to contact Coronavirus Immigration Team applies
 to individuals of any nationality whose leave expires between 24 January
 2020 and 30 May 2020.

Switching visas

- An individual can apply from the UK to switch to a long-term UK visa until 31
 May 2020. This includes applications where they would usually need to apply
 for a visa from their home country.
- They will need to meet the requirements of the route they are applying for and pay the UK application fee.



- This includes those whose leave has already been automatically extended to 31 March 2020.
- They can apply online. The terms of their leave will remain the same until their application is decided.

Completing their application

- UK Visa and Citizenship Application Centres (UKVCAS) and Service and Support Centres (SSCs) are temporarily closed because of coronavirus (COVID-19). An individual's immigration status will not be negatively affected as a result of them not being able to attend an appointment.
- If an individual already made an appointment to attend a UKVCAS service
 point, or a Service and Support Centre (SSC), they'll be contacted and told
 what to do next. Their immigration status will not be negatively affected as a
 result of them not being able to attend an appointment.

Additional services

- We have also temporarily suspended Priority and Super Priority services for UK customers.
- We will aim to meet the Priority/Super Priority service standard if an individual has already enrolled their biometrics. They will get an email when a decision has been made, followed by a decision letter.
- If we are not able to make a faster decision on an application due to the impact of Coronavirus (COVID-19) on processing standards we will contact the individual and refund the priority service fee they paid.

If an individual applied for a Tier 4 visa and are waiting for a decision on an application

An individual can start their course or studies before a visa application has been decided if:

- an individual's sponsor is a Tier 4 sponsor
- an individual have been given a confirmation of acceptance for studies (CAS)
- the individual submitted an application before their current visa expired and show evidence to their sponsor of this
- the course they start is the same as the one listed on their CAS
- the individual have a valid <u>Academic Technology Approval Scheme</u> (ATAS) certificate if required

If an individual's application is eventually rejected as invalid or refused the individual must stop their course or studies.



More information about the measures in place for students and their sponsors

Read detailed guidance on the temporary measures in place for Tier 4 sponsors, their students and short-term students in response to the Covid19 outbreak.

If an individual applied for a Tier 2 or 5 visa and are waiting for a decision on an application

Individuals can start work before a visa application has been decided if:

- an individual have been assigned a Certificate of Sponsorship (CoS)
- an individual submitted an application before their current visa expired and show evidence to their sponsor of this
- the job they start is the same as the one listed on their CoS

If an individual's application is eventually rejected as invalid or refused the sponsor will stop sponsoring them and individual must stop working for the sponsor.

Tier 1 Entrepreneur visa

- If an individual is on a Tier 1 Entrepreneur visa and their business has been disrupted, they no longer need to employ at least 2 people for 12 consecutive months each.
- The 12 month period they are required to employ someone for can be made up of multiple jobs across different months.
- Time when their workers were furloughed will not count towards the 12 month period.
- If individuals have not been able to employ staff for 12 months in total by the time their visa expires, they will be allowed to temporarily extend their stay to give them time to meet the requirement.
- These arrangements will continue for applications made after 31 May 2020, where the jobs individuals are relying on were disrupted due to COVID-19.

Doctors, nurses or paramedics working for the NHS

- An individual's visa will be automatically extended by one year if it is due to expire before 1 October 2020. Family members with a visa due to expire before 1 October 2020 will also have their visa extended.
- The extension is free and they will not have to pay the immigration health surcharge.
- Individuals do not need to apply. We will contact NHS employers to identify staff eligible for this extension.



- We will notify the individual and their employer if they have received an automatic extension.
- There is no longer a limit on the number of hours an individual can work or volunteer each week if they work for the NHS as a doctor, nurse of paramedic and they are a:
 - Tier 4 student
 - o Tier 2 worker and their NHS job is a second job
 - o visiting academic researcher
 - o holder of a short-term visa and are permitted to volunteer

If an individual is a pre-registration nurse currently in the UK, the deadline for them to sit the Occupational Structured Clinical Examination (OSCE) has been extended to 31 December 2020.

Students in the UK

- Tier 4 students are not normally permitted to undertake distance learning courses. However, due to the current exceptional circumstances, we will not consider it a breach of sponsor duties to offer distance learning to existing Tier 4 students in the UK or who have chosen to return overseas but wish to continue their current studies. Sponsors do not need to withdraw sponsorship in these circumstances. If a student has permanently withdrawn from, or formally deferred, their studies, the usual reporting requirements apply.
- New international students who have been issued a Tier 4 visa but have been unable to travel to the UK are permitted to undertake distance learning and sponsorship does not need to be withdrawn.
- New international students who have not yet applied for a visa but wish to commence a course by distance learning do not need to travel to the UK to do so and therefore do not require sponsorship under Tier 4.
- These arrangements apply initially until 31 May, by which date they will be reviewed.

Workers in the UK

We are aware that many workers sponsored under the Tiers 2 and 5 immigration routes are now working from home rather than their normal workplace due to the coronavirus pandemic. Tiers 2 and 5 sponsors are normally required to notify us of such changes of circumstances. However, due to the current exceptional situation, we will not require sponsors to do so if working from home is directly related to the pandemic. Other changes must still be reported as usual.

UK Visas and Immigration (UKVI) has set up a dedicated team for customers with immigration queries related to coronavirus, including questions about urgent, compelling, compassionate cases. For more information visit:

<u>Gov.uk/quidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents</u>



How do foreign nationals get a status letter confirming a visa extension, or a new Biometric Residence Permit with a revised expiry date?

All nationals who need evidence of their extension should contact the Coronavirus Immigration Team.

Visit the <u>Coronavirus (COVID-19): advice for UK visa applicants and temporary UK residents</u> GOV.UK page for more information.

How can individuals give biometrics if their appointment has been cancelled? UK Visa and Citizenship Application Centres (UKVCAS) and Service and Support Centres (SSCs) are temporarily closed because of coronavirus (COVID-19).

If an individual already made an appointment to attend a UKVCAS service point, or a Service and Support Centre (SSC), they'll be contacted and told what to do next.

Their immigration status will not be negatively affected as a result of them not being able to attend an appointment.

Customers who have an urgent query or application that they need resolved urgently they can contact: CIH@homeoffice.gov.uk

Can an individual now apply to switch visa types in the UK?

They'll be able to apply from the UK to switch to a long-term UK visa, including if they would usually need to apply for a visa from their home country. They'll need to meet the same visa requirements and pay the UK application fee. This includes those whose leave has been automatically extended to 31 March 2020.

They should apply online.

They will not be regarded as an overstayer or be subject to enforcement action if they're unable to attend a biometric appointment due to coronavirus or if there are delays in processing their application.

What will happen to immigrants in the UK with regards to their jobs and finances?

If they are a foreign national in the UK and have observed the terms of their visa prior to the coronavirus outbreak, they must contact the Coronavirus Immigration Team who will then extend their visa to 31 May 2020 if their visa has an expiry date between 24 January 2020 and 30 March 2020.

We understand that this is a difficult time and for this reason we are continually reviewing the situation to consider what more can be done for those in the UK whose immigration status has been affected by coronavirus.

There also is a dedicated helpline available for anyone who wishes to discuss their individual circumstances.



Further guidance is available at: gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents

How can we trust the Coronavirus Immigration Team (CIT) and logging of cases will work?

The Coronavirus Immigration Team is providing advice and support on a number of different scenarios. Should an applicant raise a specific case, in accordance with normal Home Office/UKVI procedures, details will be logged on the relevant casework system. All emails and e-forms sent and received are being retained. We are continually monitoring the volume of enquiries and ensuring that appropriate staffing resources are in place to manage these.



Coronavirus (COVID-19) factsheet: visa customers outside of the UK

Monday 20 April 2020

Guidance on immigration provisions made by the Home Office for individuals affected by travel restrictions associated with coronavirus (COVID-19).

Key lines

 The Home Office has <u>published guidance on GOV.UK</u> on immigration provisions for individuals affected by travel restrictions associated with coronavirus (COVID-19).

Visa customers outside of the UK:

- All of the UK's Visa Application Centres (VACs) are currently closed.
- For updates to the status of VACs in each country individuals should access the relevant commercial partner:
 - Europe, Africa and parts of the Middle East visit: uk.tlscontact.com
 - All other countries visit: vfsglobal.co.uk
- Visa customers outside of the UK who are affected by travel restrictions associated with coronavirus should visit the <u>Coronavirus (COVID-19): advice for</u> <u>UK visa applicants and temporary UK residents</u> GOV.UK page for the latest information and guidance.
- UKVI services are limited and we are unable to meet our usual service standards.
 Therefore, we are not encouraging applications at this time and cannot say when
 an application will be decided if an individual does decide to apply. We continue
 to keep the situation under review and hope to resume normal services when we
 are able.
- Our commercial partners (TLS and VFS) consignment logistics are also affected.
 This means we cannot print and send visa vignettes across certain borders and routes.
- Where visa applicants have an appointment and the VAC is now closed, commercial partners are contacting customers to advise them the appointment is not going ahead.
- If customers have paid for courier return, commercial partners are sending passports back (where courier routes remain open to allow them to do so).
- If an individual's passport is currently held in a VAC but they have not previously arranged for it to be returned by courier, please <u>contact either TLS contact or</u> <u>VFS global directly.</u>



- Due to the impact of COVID-19 and the worldwide border, travel and public health restrictions it may not be possible to return their passport at this time.
- If an individual have submitted their passport, and would like it returned, they must contact the visa application centre where they logged their application to see if courier return is available in their location.
- Where there are compelling or compassionate circumstances it may be appropriate to issue a visa waiver to those unable to apply for a visa, or authority to carry for those applicants with an issued but uncollected visa due to the disruption. Individuals should <u>contact the British embassy</u>, <u>high commission or consulate</u> of the country they are in if they think they fall into this category.
- English Testing Centres across the world are currently seeing restrictions by the
 relevant local and national authorities. For all the latest information, please visit
 the <u>International English Language Testing System (IELTS)'s website</u>, or
 applicants can contact their test centre directly by email.

Applicants for a Global Talent, Start up or Innovator visa

- If an individual's endorsement from an endorsing body has expired because they have not been able to travel to the UK, they may still be eligible for a visa.
- They should make their application as planned and we will consider all applications on a case by case basis.

Additional Information

What guidance does Home Office have for those who have a valid visa but haven't travelled to the UK yet?

Applicants who hold a valid visa should check initially with their own government websites to ensure that they are up to date on latest travel restrictions from their current locations. In addition, applicants should check the Gov.UK website which is updated regularly.

How does Home Office plan to return passports to applicants in regions where there are VAC closures?

Applicants are advised that they should check the relevant Visa Application Centre (VAC) website relating to the applicant point where they submitted their passport. Where local permissions allow for customers who have paid for courier return, Commercial Partners are sending passports back (where courier routes remain open to allow them to do so). If applicants are concerned about their passport, they can should contact the visa application centre where they logged their application. In countries where significant movement restrictions are in place some of our VACs are closed and our Commercial Partner is required to comply with all local restrictions.



If an individual has applied for a visa from overseas but would now like to withdraw their application, how do they do this?

If the customer wishes to withdraw their application before their biometric appointment and is overseas, they can do this in the same place as their application was made, on Access UK or Visas4UK. Customers in the UK should use the form on Cancel your visa, immigration or citizenship application GOV.UK page to make the request.

Any customer who is overseas and wishes to withdraw an application after their biometrics have been taken should visit the above link.



Coronavirus (COVID-19) factsheet: guidance for sponsors

Monday 20 April 2020

Guidance on immigration provisions made by the Home Office for individuals affected by travel restrictions associated with coronavirus (COVID-19).

Key lines

- The Home Office has <u>published guidance on GOV.UK</u> on immigration provisions for individuals affected by travel restrictions associated with coronavirus (COVID-19).
- No individual who is in the UK legally and whose visa expired after 24
 January 2020, or is due to expire, will be regarded as an overstayer or suffer
 any detriment in the future if they cannot leave the UK because of travel
 restrictions related to COVID-19.
- A visa will be extended to 31 May 2020 if an individual cannot leave the UK because of travel restrictions or self-isolation related to coronavirus (COVID-19).
- Individuals must <u>update their records with the Coronavirus Immigration Team</u> (CIT) if their visa is expiring and were not planning to stay in the UK.
 - The Coronavirus Immigration Team will aim to reply to an individual's application within 5 working days.
- Individuals do not need to do anything else once they have submitted the
 online e-form and their status in the UK is secure from the point they have
 submitted. This requirement to contact Coronavirus Immigration Team applies
 to individuals of any nationality whose leave expires between 24 January
 2020 and 30 May 2020.
- This requirement to contact Coronavirus Immigration Team applies to individuals of any nationality whose leave expires between 24 January 2020 and 30 May 2020.

Absence reporting

- We will not take enforcement action against sponsors who continue to sponsor students or employees despite absences due to coronavirus.
- They do not need to report student or employee absences related to coronavirus.



- This can include absences due to illness, their need to isolate or inability to travel due to travel restrictions.
- They do not need to withdraw sponsorship if:
 - o a student is unable to attend for more than 60 days
 - o an employee is absent from work without pay for more than 4 weeks

We will keep this under review

Students who withdraw from their studies as a result of covid-19 will be discounted from future Basic Compliance Assessments

Tier 4 - Distance learning

- They can continue to sponsor existing Tier 4 students who are continuing their studies through distance learning, whether they are in the UK or another country.
- If a student has permanently withdrawn from their studies, or deferred their studies for reasons which are not related to covid-19, they must report this as usual.
- They do not need to withdraw sponsorship for new students who have been issued a Tier 4 visa but are distance learning because they have been unable to travel to the UK.
- New international students who have not yet applied for a visa but want to start a course by distance learning do not require sponsorship under Tier 4.
 This is because they do not need to travel to the UK.
- They do not need to tell the Home Office when students have moved to distance learning.
- These arrangements will apply until 31 May, when they will be reviewed.

If sponsors have issued a Certificate of Sponsorship (CoS) or a confirmation of acceptance for studies (CAS) and the sponsored employee or student has not yet applied for a visa

- The employee or student will still be able to apply for a visa.
- The start date for the course or employment stated on the CoS or CAS may have changed. We will not automatically refuse such cases.
- For example, we may accept a CoS or CAS if they have become invalid because the employee or student was unable to travel as a result of coronavirus. We will consider this on a case by case basis.

If you're sponsoring a student who's waiting for their Tier 4 visa application to be decided

Sponsors may allow students to start their studies before their visa application has been decided if:



- sponsors are a Tier 4 sponsor (other than Tier 4 Legacy Sponsors)
- sponsors have assigned the student a CAS
- the student submitted their application before their current visa expired and has shown their sponsor evidence of this
- the course they start is the same as the one listed on their CAS
- the student has a valid <u>Academic Technology Approval Scheme (ATAS)</u> certificate if required

A sponsor's reporting responsibilities start from the date that sponsors issue the CAS, not from the date that their application is granted.

If the student's application is eventually rejected as invalid or refused sponsors must terminate the student's studies.

More information about the measures in place for students and their sponsors

Read detailed guidance on the temporary measures in place for Tier 4 sponsors, their students and short-term students in response to the Covid19 outbreak.

Home working

- They do not have to notify us if they're sponsoring employees who are working from home due to coronavirus.
- Other changes to their working arrangements must still be reported as usual.

If you're sponsoring an employee who's waiting for their Tier 2 or 5 visa application to be decided

Sponsors may allow employees to start work before their visa application has been decided if:

- sponsors have assigned them a CoS
- the employee submitted their visa application before their current visa expired
- the role they are employed in is the same as the one on their CoS

Sponsors reporting responsibilities for an employee start from the date the sponsor have assigned them a CoS, not from the date that their application is granted

Sponsors will not be able to report information to us using the sponsor management system. Sponsors must however ensure that they record and maintain all the relevant information set out in the sponsor guidance on their own systems. Any



changes that will impact the eventual consideration of the migrant's visa application should be updated on the Certificate of Sponsorship, as normal.

If the employee's application is eventually rejected as invalid or refused sponsors must terminate their employment.

If sponsors cannot pay the salaries of sponsored employees because they've temporarily reduced or ceased trading

- Sponsors can temporarily reduce the pay of their sponsored employees to 80% of their salary or £2,500 per month, whichever is the lower.
- Any reductions must be part of a company-wide policy to avoid redundancies and in which all workers are treated the same.
- These reductions must be temporary, and the employee's pay must return to at least previous levels once these arrangements have ended.

UK Visas and Immigration (UKVI) has set up a dedicated team for customers with immigration queries related to coronavirus, including questions about urgent, compelling, compassionate cases. For more information visit:

Gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents

Additional Information

What guidance does Home Office have for those who have a valid visa but haven't travelled to the UK yet?

Applicants who hold a valid visa should check initially with their own government websites to ensure that they are up to date on latest travel restrictions from their current locations. In addition, applicants should check the GOV.UK website which is updated regularly.

How do foreign nationals get a status letter confirming a visa extension, or a new Biometric Residence Permit with a revised expiry date?

All nationals who need evidence of their extension should can contact the Coronavirus Immigration Team by visiting Gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents

Can individuals now apply to switch visa types in the UK?

They'll be able to apply from the UK to switch to a long-term UK visa, including if they would usually need to apply for a visa from their home country. They'll need to meet the same visa requirements and pay the UK application fee. This includes those whose leave has been automatically extended to 31 March 2020.

They should apply online. They should select a biometric submission appointment to



attend in line with public health guidance. The terms of their leave will remain the same until their application is decided.

They will not be regarded as an overstayer or be subject to enforcement action if they're unable to attend a biometric appointment due to coronavirus or if there are delays in processing their application.

What will happen to immigrants in the UK with regards to their jobs and finances?

- If they are a foreign national in the UK and have observed the terms of their visa prior to the coronavirus outbreak, they must contact the Coronavirus Immigration Team who will then extend their visa to 31 May 2020 if their visa has an expiry date between 24 January 2020 and 30 March 2020.
- We understand that this is a difficult time and for this reason we are continually reviewing the situation to consider what more can be done for those in the UK whose immigration status has been affected by coronavirus.
- There also is a dedicated helpline available for anyone who wishes to discuss their individual circumstances.
- Further guidance: gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents

How can we trust the Coronavirus Immigration Team (CIT) and logging of cases will work?

The Coronavirus Immigration Team is providing advice and support on a number of different scenarios. Should an applicant raise a specific case, in accordance with normal Home Office/UKVI procedures, details will be logged on the relevant casework system. All emails and e-forms sent and received are being retained. We are continually monitoring the volume of enquiries and ensuring that appropriate staffing resources are in place to manage these.

If sponsors are struggling to pay the required salaries to sponsored employees as they have temporarily reduced or ceased trading

Sponsor can temporarily reduce the pay of their sponsored migrants to up to 80% of their salary.

Any reductions must be part of a company-wide policy to avoid redundancies and in which all workers are treated the same.

Any reductions must be temporary, and the employee's pay must return to at least previous levels once these arrangements have ended.

If a sponsor have issued a COS or a CAS and the sponsored employee or student has not yet made a visa application

Visa applications can still be made. The start date for the course or employment may be different. The Home Office will take a pragmatic approach to considering cases



with significantly different start dates.

Where a CoS or CAS has become invalid as the employee or student was unable to travel the Home Office will consider exceptionally accepting that CoS or CAS on a case by case basis