

Streamlining success: Building a world-class visa process for the UK

Annex



Contents

Annex A:

The UK's current immigration policy context

Page 4

Annex B:

Case studies on UK visa application processes

Pages 5 – 8

Annex C:

Additional information on other countries' visa application systems

Pages 9 – 13

Annex A:

The UK's current immigration policy context

In October 2018, Prime Minister Theresa May announced that the Government would adopt the Migration Advisory Committee's core recommendation³ that post-Brexit, the UK's immigration system should discriminate on the basis of skills, rather than nationality. Although preferential immigration routes could be implemented via new trade agreements between the UK and the EU, other trading blocs or individual countries, the Government's proposals for a 'mobility framework'⁴ do not appear to extend beyond the immigration routes currently open to the rest of the world, including:

- Visa free travel and simplified entry procedures when visiting the UK for up to six months for tourism or business – currently available to non-visa nationals (e.g. US, Canada, Japan) via the Registered Traveller Service
- Reciprocal provisions on intra-corporate transfers based on existing arrangements with non-EU countries – e.g. the current Tier 2 (Intra-Corporate Transfer) immigration route, which has a minimum salary threshold of £41,500⁵
- A UK-EU reciprocal youth mobility scheme – currently open to under-31 year olds from several countries including Australia, Canada, Japan and South Korea.

In their recent report, the MAC also recommended several significant changes to Tier 2, including:

- Removal of the annual limit ('the cap') of 20,700 on the Tier 2 (General) route
- Abolishing the Resident Labour Market test entirely, or else restricting it to roles with salaries below a lowered threshold, which the MAC expects would be below £50,000. The current threshold is £159,600
- Opening Tier 2 to roles skilled to RQF 3 or above. The current requirement is that roles be skilled to RQF 6 or above. This would reintroduce the possibility of employers sponsoring a wide range of medium skilled roles such as accounting technicians, procurement officers, hotel managers and IT engineers
- The retention of the existing salary thresholds of £20,800 for new entrants and £30,000 for experienced workers, regardless of skill level. The MAC's research indicated that 51% roles at RQF 4 and 37% of roles at RQF 3 would meet this salary threshold.

The Government has not yet accepted these additional recommendations. On the basis that ending Freedom of Movement will likely result in significantly reduced EU immigration, an expanded and uncapped Points Based System would still be largely consistent with the Government's often stated policy objective to reduce annual net migration to sustainable levels⁶. Net migration is currently 270,000⁷.

³ The Migration Advisory Committee (MAC).

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/725288/The_future_relationship_between_the_United_Kingdom_and_the_European_Union.pdf

⁵ Other than for graduate trainees, which are subject to a lower salary threshold of £23,000.

⁶ Prime Minister Theresa May, Speaking on BBC Radio 4's Today programme, 2 October 2018.

⁷ Office for National Statistics, 'Long-Term International Migration', (August 2018), available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/august2018>

Annex B:

Case studies on UK visa application processes

To aid readers in understanding how the UK's visa application processes operate in practice, we have provided three case studies that set out the various administrative steps involved. These case studies highlight examples of frequently occurring challenges and represent a typical user experience rather than best or worst case scenarios.

Case study #1 – a Tier 2 (General) Entry Clearance application by a South African national



Alex is a South African national living in Johannesburg. He is contacted by a recruiter for a role as a software engineer in a UK FinTech company based in London, Macroscape. After being offered the role and accepting, he is informed that Macroscape will support him in applying for a visa to enable him to relocate to the UK.

At the outset, Alex is informed that he will need to wait for 4 weeks for Macroscape to conduct a "Resident Labour Market Test". He is told that this process must be completed in order for Macroscape to confirm that he can fill the intended role before he can apply for his visa.

In the meantime, Alex is provided with a list of actions that he will need to take in order to apply for a Tier 2 (General) visa. He books an appointment with a UKVI-approved tuberculosis test clinic in Pretoria, as there are no approved clinics in Johannesburg, and takes a day off work to travel to take the test. The test costs just under £100 and Alex is told that it will be valid for 6 months.

He is also told that he must provide evidence of his English Language ability which must meet "CEFR level B1 in reading, writing, speaking and listening". He contacts his university in Cape Town where he studied in 1993 to request a copy of his degree certificate, a transcript of his results and a letter confirming that the degree was taught in English. The university inform him that this might take 2-3 weeks to prepare. He therefore looks into booking an English Language test which meets the UKVI requirements. Unfortunately, the tests are only offered on a monthly basis and the next one is fully booked, so Alex decides to wait for his university paperwork.

Once the 28-day RLMT advertising period is complete, Macroscape request a Certificate of Sponsorship (CoS) on their Sponsor Management System in order to sponsor Alex in his new role. He is advised that Macroscape can request a Certificate of Sponsorship on the 5th of the month, and that the UK authorities will consider and approve the request after a week or two.

Alex's degree documents arrive a few days before the 5th, so he contacts UK NARIC and pays for the premium processing option for £350 in order to ensure that his UK NARIC Certification is confirmed before Macroscape submit the request for his Certificate of Sponsorship.

Just under two weeks later, Alex is informed that the CoS request was successful and that he can now submit an application for Entry Clearance from South Africa. He completes his application form on UKVI's AccessUK system and submits the application online. He opts to purchase the optional priority service for an extra £212, which means that his application will be placed at the front of the queue to be considered and books an appointment for the following week in Johannesburg.

Alex visits the UK Visa Application Centre (VAC) in Johannesburg and provides his passport, English Language documents, TB test certificate and application paperwork. The staff at the VAC ask him to place a number of barcode dividers in his documents so that they can scan them into their system. The staff take a photograph of him and scan his fingerprints. They inform him that he should get a decision in five days.

Five days later, Alex has not heard back about his application, so he contacts the UK authorities to find out whether there has been a delay. He is informed that his application is listed as pending and that, as it has not yet been 15 working days, his request for a status update cannot be escalated.

Two days later, Alex receives an email informing him that he can return to the VAC to collect his passport. He collects his passport which contains a 30-day travel vignette, and a decision letter which instructs him to travel to the UK within the validity of his 30-day vignette and collect his Biometric Residence Permit (BRP) from a Post Office within 10 days of his arrival.

Alex books his flight and travels to London. He attends the designated Post Office to collect his BRP prior to his first day, but is informed that it is not yet available, and he should return the following week.

On Alex's first day at Macroscape, he undergoes a Right to Work check and provides his passport, 30-day travel vignette and decision letter to his HR manager. After collecting his BRP the following week, he returns for a second Right to Work check to show his BRP to his HR manager.

Case study #2 – a Tier 2 (ICT) Further Leave to Remain application by a Chinese national

→ Certificate of Sponsorship → Visa Application → Police Registration

Circa 4 WEEKS

Xiaoling is a Chinese national living in London as part of a UK based assignment by her US headquartered employer – accountancy firm A&B. Xiaoling's employer originally applied for a two year Tier 2 (Intra-Company Transfer) visa for her, even though she's on a five year assignment, largely because the costs for a five year visa were so much higher and they didn't want to waste that investment if plans changed and Xiaoling needed to leave the UK early.

Because Xiaoling is a Chinese national, she was required to register with the police when she first arrived. This necessitated a trip to the Overseas Visitors Records Office (OVRO) in London, although when Xiaoling first visited, the queue was so long that she had to come back on another day. Over the last two years Xiaoling has married her fiancé, moved house and renewed her passport. On each occasion Xiaoling attended her local police station so the change could be recorded on her Police Registration certificate.

Three months before the expiry of her Tier 2 (ICT) visa, Xiaoling is keen to start the process of extending her visa.

Her employer, A&B assigns a new Certificate of Sponsorship via the Sponsor Management System and Xiaoling completes an online application form, retyping the same information that she submitted when she first applied for a visa nearly two years ago.

Xiaoling is regularly required to travel for business and has a number of crucial international trips coming up over the next few months. Deciding that she cannot give up her passport for eight weeks, Xiaoling looks for a premium 'same-day' appointment at one of the two Premium Service Centres in London, and is willing to pay the additional £610 for this expedited service. Unfortunately there seem to be no appointments available each time Xiaoling checks the online appointment system. After a week of repeatedly checking and only finding an appointment in Belfast, Xiaoling gives up and submits her application and passport via the priority postal route, with a service standard of ten working days.

Xiaoling receives her application and passport back on the tenth working day, three days before she is due to travel to the US for a crucial business meeting. Xiaoling spends the next two days worrying whether her new BRP will arrive in time for her travel.

As a visa national, the airline will not allow her to board a flight back to the UK without evidence of her immigration status – her BRP. As the BRP does not arrive in time, Xiaoling travels and arranges for her husband to courier the BRP to Xiaoling in the US when it does arrive.

The BRP arrives with Xiaoling just before she needs to travel back to the UK. On her return to the UK, Xiaoling visits the police station as soon as she can to ensure she registers her new immigration status within 7 days or risk a fine.

Case study #3 – a Russian national has their BRP stolen whilst overseas



Luka is a Russian national working for a business analytics firm in Cambridge with a Tier 2 (General) visa. On a weekend trip to Frankfurt, Luka is the victim of a pickpocket and along with his bank cards, his BRP is also stolen.

Luka is confident that if he could get back to the UK, the immigration officers at the border would be able to verify his immigration status and readmit him into the UK. Unfortunately when he arrives at the airport in Frankfurt, his airline refuses to let him board, stating that they are not permitted to return him to the UK without evidence of his immigration status, e.g. a BRP.

Luka looks at the UKVI website and discovers that he will need to apply for a replacement BRP visa in Germany. Luka fills out the online application form, including the same information that he submitted on his first application.

He has to ask a friend to make payment of the application fee - £154 – because UKVI doesn't accept payment in cash. Concerned at the prospect of having to wait two to three weeks for the application to be granted, Luka also purchases the priority service with his friend's debit card – another £212. Luka then has to travel to the application centre in Dusseldorf to complete the application process submitting his passport.

Despite the UKVI website's suggestion that his passport would be ready for collection within 5 working days, Luka doesn't hear anything until the 7th working day and is finally able to collect his passport on the 8th day, flying back to the UK later that day on a hastily arranged flight.

Although Luka had his laptop with him in Germany and was able to respond to some work emails, he has effectively missed two weeks of work.

Annex C:

Additional information on other countries' visa application systems

As part of our research, we examined the immigration systems of other global locations, focussing on countries that compete with the UK and/or those that have visa application processes perceived as 'forward-thinking'. We have included international comparisons on several key factors within our report.

For reference, we include additional information on the visa application systems for other countries below as well as approximate timeframes and costs associated with visa applications. We have identified two common scenarios to enable appropriate comparisons on time and speed across this range of countries. These two scenarios are as follows:

Scenario #1

Company A is looking to send an experienced member of staff to their established branch in the relevant country to work on a software development project. The project will be limited to 2 years during which the individual will be paid a salary of USD\$80,000. The individual is a US national⁸ with no family members. Both Company A and the individual meet all of the eligibility criteria for the appropriate visa category.

Scenario #2

Company B is looking to employ a new hire to work in their established branch in the relevant country as a software development engineer. The role will be permanent and the individual will be paid a salary of USD\$50,000. The individual is a US national⁹ with no family members. Both Company B and the individual meet all of the eligibility criteria for the appropriate visa category.

N.B.

- Visa application fees were converted to GBP on 21 October 2018
- Average timeframes are based on user experience of processing times from the start of the process to work start date

AUSTRALIA

The UK's current system was modelled on Australia's Points Based System but, in fact, now looks very different: The Australian immigration system is split into three categories focusing on family routes, business routes and humanitarian routes. In total, there are nearly 100 categories of visa types tailored to specific circumstances, with 22 subclasses tailored for work and skilled visas.

Despite, or perhaps because of, the number of options available, the system is generally considered to be reasonably sophisticated, with an online system, no requirement for hard-copy documents and electronic visas. There are also no post-arrival requirements (in most cases) and automated "SmartGate" border control facilities which help create the impression of a modern and streamlined system.

⁸ We assessed speed on the basis of a US citizen travelling to all countries other than the US, and a British Citizen travelling to the US

⁹ We assessed cost on the basis of a US citizen travelling to all countries other than the US and New Zealand, and a British Citizen travelling to the US and New Zealand – New Zealand does not charge fees to US applicants under a bilateral agreement

Scenario	Approximate timeframe	Approximate cost (converted to GBP)
#1	5-9 weeks	£2,772
#2 ¹⁰	15-19 months	£5,073

BRAZIL

The two step process for a work visa in Brazil starts with a company preparing a residence form and labour contract for the role, followed by the assignee submitting a visa application online. The assignee does not need to submit any original documents with their application, but they must take their original documents when they go to collect their hard-copy visa from a consulate outside Brazil.

The front-end filing process is therefore relatively straightforward and the online system is generally effective despite reports of technical issues and instability leading to downtime and resulting delays to the overall process. However, temporary assignees must register with the police which is reported to be a frustrating and difficult process.

Scenario	Approximate timeframe	Approximate cost (converted to GBP)
#1	7-15 weeks	£186
#2	7-15 weeks	£186

CANADA

The visa system in Canada, like in Australia, is often cited as being an exemplary model. Canada exhibits a generally positive attitude towards economic migrants and this is reflected in immigration processes which benefit from a high level of mutual trust and confidence in robust decision making.

Scenario	Approximate timeframe	Approximate cost (converted to GBP)
#1	1-2 weeks	£225
#2	1-2 weeks	£225

GERMANY

Germany has not taken significant steps towards a digital visa application process. There is however, a great deal of flexibility in the application and decision making process. Status updates can be obtained directly from the German Labour Department if ever there is a delay. This open communication also means that refusals are infrequent, as decision makers contact applicants directly to clarify any extra information or documentation required.

Scenario	Timeframe	Cost
#1	4-6 weeks	£154
#2	4-6 weeks	£154

HONG KONG

Hong Kong's employment visa application process is primarily paper based and requires applicants to print out original application forms and submit original documents either by post or in person at the Hong Kong Immigration Department or at a Chinese consulate in their country of residence (most employment visa applications are submitted by employers or immigration service providers at the Hong Kong Immigration Department).

The Hong Kong Immigration Department has discretion to refuse applications even where eligibility requirements are met. Decision makers can usually be contacted directly in order to discuss document requirements or processing issues after case numbers have been allocated.

Scenario	Timeframe	Cost
#1	4-6 weeks	£19
#2	4-6 weeks	£19

IRELAND

Ireland's immigration system includes a "Trusted Partner Scheme" that enables companies to access expedited processing times, often resulting in applications being decided in half the time. The work visa application process consists of two steps, with the Irish employer initially applying for a work permit via an entirely electronic process followed by a visa application. Nationals of certain trusted countries can travel to Ireland and begin work as soon as their work permit has been issued. Once in Ireland, migrants are required to register with the local authorities in order to obtain a residence card.

Scenario	Timeframe	Cost
#1	18-20 weeks	£1,197
#2	18-20 weeks	£1,197

¹⁰ Scenario #2 below refers to the application for the permanent Employer Nomination Scheme (subclass 186) under the Direct Entry scheme. However, while the timescales are long, the same process for permanent residence under the Employer Nomination Scheme is available for certain applicants who are currently working under Temporary Skill Shortage (TSS) visa (subclass 482), which is the basis of the data provided for Scenario #1.

NEW ZEALAND

New Zealand's visa application system is primarily online, with visas being issued electronically. Applicants print confirmation that the visa has been granted themselves and carry this with them when travelling to New Zealand. As part of the application process, documents are uploaded to the application system, and nationals of an increasing number of countries are able to apply without submitting their original passport at all. Some nationals are still required to send their passport to the New Zealand authorities for verification.

Migrants who have travelled to New Zealand for a business visit are permitted to switch to a work visa in country which can make entry for work purposes more flexible where plans are not fully set at the point of travel.

Scenario	Timeframe	Cost
#1	6-8 weeks	£150
#2	8-12 weeks	£150

SINGAPORE

After introducing a new intuitive online system several years ago, Singapore initially reduced visa application processing times to around one week. However, more recently, due to additional background checks, applications are generally taking four to six weeks in total. Nonetheless, Singapore's online system is considered to be cutting edge in terms of technology and includes innovations such as the ability to scan a residence card with an app to determine its validity.

Scenario	Timeframe	Cost
#1	4-6 weeks	£122
#2	4-6 weeks	£122

US

The US H1B visas is the primary route for overseas workers to be employed in the US and are allocated by quota on 1 April every year. Generally only 30% of applicants are successful and so companies need to plan around this process to ensure business continuity.

Where applications under the H1B lottery are unsuccessful, there are a number of alternative temporary permits available, including immigrations routes based on treaties with other countries and the L-1 Intracompany Transferee visa (used for scenario #1 below). Companies can also apply for blanket petitions to enable them to bring over consistent numbers of intra-company transfer migrants each year.

The US immigration system still relies primarily on paper-based applications but technological improvements are in the pipeline, with email notifications recently being rolled to inform applicants of the decision on their application.¹¹

Scenario	Timeframe	Cost
#1	4-12 weeks	£859
#2 ¹¹	2 years	£2,239

¹¹ Scenario #2 aligns with an I-140 Immigrant Worker Petition which typically has an extended processing time of up to two years. Many employers initially bring migrants to the US on more temporary visas such as the L-1B, and switch their immigration status to a more permanent route once in the US.

About the City of London Corporation

The City of London Corporation is the governing body of the Square Mile dedicated to a vibrant and thriving City, supporting a diverse and sustainable London within a globally-successful UK.

We aim to:

- Contribute to a flourishing society
- Support a thriving economy
- Shape outstanding environments

By strengthening the connections, capacity and character of the City, London and the UK for the benefit of people who live, work and visit here. For more information about the City of London Corporation, please visit www.cityoflondon.gov.uk

About EY

EY is a global leader in assurance, tax, transaction and advisory services. The insights and quality services we deliver help build trust and confidence in the capital markets and in economies the world over. We develop outstanding leaders who team to deliver on our promises to all of our stakeholders. In so doing, we play a critical role in building a better working world for our people, for our clients and for our communities.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. For more information about our organization, please visit ey.com

EY is a leader in shaping the financial services industry. Over 30,000 of our people are dedicated to financial services, serving the banking and capital markets, insurance, and wealth and asset management sectors. At EY Financial Services, we share a single focus to build a better financial services industry, not just for now, but for the future.

Ernst & Young LLP

The UK firm Ernst & Young LLP is a limited liability partnership registered in England and Wales with registered number OC300001 and is a member firm of Ernst & Young Global Limited.

Ernst & Young LLP, 1 More London Place, London, SE1 2AF.