



Visa options for the United Kingdom

The decision to relocate to the UK is a major one for most clients and the UK has a broad range of visa categories to choose from to allow residence here. Whether someone wishes to study, work or set up a business venture in the UK, we work closely with our clients to find the best immigration solution to suit their needs and help make the process as streamlined and swift as possible. Most UK visa categories allow applicants to bring their spouse/partner and children (under the age of 18) with them to the UK as their dependants. Although some UK visa categories do not require any English language ability, the majority will require applicants to demonstrate an English language aptitude ranging from beginner to upper-intermediate. Additionally, each visa category will require the applicant to demonstrate that they have sufficient funds to maintain and accommodate themselves and any dependants in the UK. Most visa categories will lead to Indefinite Leave to Remain in the UK (also known as 'ILR', settlement or permanent residency) after three/five years, but some do not, and if obtaining this status is the ultimate objective this is clearly a vital consideration at the outset in choosing the most appropriate visa category. Where a visa route does lead to ILR and this is granted, in most cases, an application for British citizenship can be made one year after obtaining ILR.

The currently available UK visa options can be grouped into the following categories: visitors, family-based routes, study, work, and business establishment categories.

Visitors

While some nationalities do not need to apply for a visitor visa to visit the UK, for many nationals this is a requirement before travelling to the UK. Whether or not a visa is required, all visitors must be genuine visitors to the UK and have an intention to leave at the end of their visit, which should ordinarily be within six months of entering the UK. A visitor visa imposes certain restrictions on the activities a visitor may undertake whilst in the UK, with the main restriction being a prohibition of working in the UK (although some limited business activities, such as meetings, are permitted).

Family-based routes

Individuals with British family members (or those with ILR) may be able to apply for a family-based visa depending on their circumstances. This can include:

Family member of a British citizen or someone with ILR

This visa route is for individuals with a spouse, civil partner or unmarried partner who is either British or has ILR and the individual wishes to live in the UK with their partner. It is also possible for parents of a British child to apply under this visa category. This visa permits the holder to work and study in the UK without restriction and can lead to ILR after five years.

UK Ancestry Visa

This visa category is only open to Commonwealth citizens, British Overseas Citizens, British National (Overseas) citizens, British Overseas Territories citizens and citizens of Zimbabwe who have a grandparent who was born in the UK. This visa permits the holder to work and study in the UK without restriction and can lead to ILR after five years.

Adult Dependant Relative Visa

This visa category is for adult relatives of British and Irish nationals, individuals who hold ILR, EEA or Swiss nationals with Pre-Settled Status who were living in the UK before 1 January 2021 or individuals with refugee status or humanitarian protection in the UK. It is only open to adult relatives who are unable to care for themselves due to illness, disability or age and the available care is not available or is unaffordable in their country of residence. The threshold to qualify for this visa is extremely high. This visa can lead to ILR after five years.

Study routes

An individual wishing to study in the UK can apply for a student visa, and where the student is a child under 12 years of age, it is possible for one parent to apply to join the child in the UK. These visa routes are considered to be temporary and do not lead to ILR.

Child Student Visa

This visa route is for children aged between four and 17 who wish to study at an independent school in the UK that has been granted a licence by the Home Office to sponsor students for study in the UK. The school must give the child an unconditional offer of a place at the school. The visa should be issued for the duration of the course (up to a maximum of six years).

Student Visa

This visa route is for individuals aged 16 or over who have been offered a place on a course of study by an educational institution which is licenced by the Home Office to sponsor students for study in the UK. The applicant must have an unconditional offer of a place at the educational institution. The duration of the visa will depend upon the length of the course and how long the applicant has already spent in the UK on a Student visa.

Parent of a Child Student Visa

This visa category allows the parent of a Child Student visa holder to join their child in the UK provided the child is not at boarding school and is under the age of 12. Only one parent may join the child in the UK and the other parent must be outside of the UK. While in the UK on this visa, the parent is not permitted to work or study.

Work routes

There are various work-based visa categories for the UK.

Sponsored work routes

If a company wishes to employ non-British nationals to work in the UK, they may be required to sponsor them. The UK's sponsored work permit system has two categories: Skilled Worker and Global Business Mobility.

Skilled Worker

The Skilled Worker visa allows companies to sponsor workers for employment in the UK. The sponsored job role must be suitably skilled (school leaver level or higher) and a general minimum salary requirement of at least £38,700 per year or the going rate for the role in question as set by the Home Office, whichever is higher, must be met. This visa can lead to ILR after five continuous years.

Global Business Mobility

The Global Business Mobility (GBM) route allows companies with offices outside of the UK to transfer workers to their UK-based offices. It is designed for workers undertaking temporary assignments in the UK and therefore it does not lead to ILR. The GBM route has five subcategories which provide flexibility for businesses both with and without an established presence in the UK. However, in all circumstances, the UK business receiving the workers must register with the Home Office for a sponsor licence before being able to sponsor workers for GBM visas. Although there are some exceptions, in most cases, the job role in the UK must at degree level or higher and a minimum salary requirement of at least £48,500 per year or the going rate for the role in question as set by the Home Office, whichever is higher, must be met.

Non-sponsored work routes

Global Talent and Global Promise

The Global Talent and Global Promise visa categories are designed to enable those who are recognised leaders or future leaders shaping the fields of science, digital technology and, arts and culture to live and work in the UK. To qualify for the visa, applicants must be endorsed by

a Home Office-approved endorsing body (these include UK Research Councils and other industry bodies) as either a:

- Global Talent – The applicant must be an internationally recognised leader in a qualifying field and able to demonstrate that they have made a significant contribution to their specialist field as a leader; or
- Global Promise - The applicant must be an emerging leader in a qualifying field who is early in their career but who has shown potential to become a future leader who will make significant contributions in their specialist field.

The initial visa will be granted for a period of three years and can be extended. Global Talent visa holders may be eligible to apply for ILR after three years in the UK with this visa, provided they meet all qualifying criteria for the application. Global Promise visa holders may be able to apply for ILR after five years in the UK on this visa, provided they meet all qualifying criteria for the application. Note that applicants who have won a prize which appears on the Home Office's list of Prestigious Prizes do not require endorsement.

Graduate Visa

This visa route is open to individuals on a Student visa who successfully complete a UK Bachelor's degree or above at a UK higher education institution. This visa allows the graduate to live and work in the UK after completing their degree without the need for work sponsorship. This flexibility enables graduates to seek employment and undertake work experience and internships in the UK. The application must be made in the UK before the applicant's Student visa comes to an end. The visa will be granted for two years if the applicant has been awarded a Bachelor's or Master's degree, and three years if the applicant has been awarded a PhD or other doctoral qualification. This visa route does not lead to ILR.

High Potential Individual Visa

The High Potential Individual visa is for international graduates who wish to seek employment opportunities in the UK. To be eligible to apply, the applicant must have graduated in the last five years from a leading non-UK university with a degree which is at least the equivalent of a UK Bachelor's degree. The Home Office maintains a list of top universities known as the Global Universities List and the awarding institution of the applicant's degree must appear on this list at the time of application. The visa will be granted for two years if the applicant applies in reliance on a Bachelor's or Master's degree, and three years if the applicant applies in reliance on a PhD or other doctoral qualification. This visa route does not lead to ILR.

Temporary Worker – Youth Mobility

This is a working holiday visa open to nationals of Australia, Andorra, Canada, Monaco, New Zealand, San Marino, Iceland, Hong Kong, Japan, South Korea, Taiwan and Uruguay. Applicants must be aged 18 to 30 or 18 to 35, depending on their country of nationality. British Overseas citizens, British Overseas Territories citizens and British Nationals (Overseas) aged between 18 and 30 are also eligible to apply. Indian nationals aged between 18 and 30 may also apply but through a

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specialised subcategory of this visa route called the Indian Young Professionals Scheme. It is not possible to apply if the applicant has children under the age of 18 who live with them or for whom they are financially responsible. The visa is granted for up to two - three years (depending on the country of nationality) and allows the visa holder to live, study and work in the UK. This visa route does not lead to ILR.

Business Establishment routes

The UK specifically welcomes visa applications from those with high level entrepreneurial and business skills, and those who are leaders in their fields.

Innovator Founder Visa

This category is for experienced businesspeople seeking to establish an innovative business in the UK. Introduced from 13 April 2023, the Innovator Founder route replaces the previous "Innovator" and "Start Up" routes. Applicants must be endorsed by a Home Office approved Endorsing Body. Their business idea should be innovative, viable and scalable and it is necessary for the applicant to demonstrate that the business has the potential for growth in national and international markets, as well as create jobs in the UK. The applicant must demonstrate they have the necessary skills, knowledge, experience and market awareness to run the business successfully. This visa can lead to ILR after three years. Applicants do not need to show a minimum level of funds to invest into the business and can take up secondary employment, provided it is at a skill level not less than RQF level 3 (meaning A-Level or above).

Global Business Mobility: UK Expansion Worker Visa

This visa category is for businesses outside of the UK without an established presence in the UK that wish to expand into the UK to operate the same type of business in the UK as conducted overseas. The overseas business must normally have been trading for at least three years and the applicant must be a senior or specialist employee at the overseas company. The applicant must also generally have worked for the overseas business for at least 12 months, unless their salary is at least £73,900 per annum or they are a Japanese national seeking to establish a UK branch or subsidiary of the overseas company under the UK-Japan Comprehensive Economic Partnership Agreement, or an Australian national. The initial visa will be granted for a period of 12 months and can be extended in the UK for one further year. This is a temporary visa category and so does not lead to ILR, however if the UK business is successfully established, it can apply for a Skilled Worker Sponsor Licence and the UK Expansion Worker can switch into the Skilled Worker visa category.

Further Assistance

This is a basic summary of a complex area and is for general information purposes only. It is not to be relied upon or taken as legal advice, nor can it be relied upon as either up to date or complete. The requirements you need to meet will ultimately depend on your individual attributes and circumstances. Before acting in relation to your immigration position, you should always take specialist advice.

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