

# **Yorkshire & Humber Region ASC International Recruitment Fund**

**29th July 2024**

***Market Support and  
Training Package***



# Health and Care Worker visa

Immigration Advice Service

[www.iasservices.org.uk](http://www.iasservices.org.uk)



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- Began working in immigration in 2012 as a caseworker for UKVI
- Became OISC regulated in 2016
- Currently OISC level 2 regulated
- 12 years of experience within the field
- 4 years at immigration advice service



# Topics covered

- **Health and Care Worker occupation codes and lists**
- **Health and Care Worker visa requirements**
- **Example Health and Care worker visa application scenarios**



## To be eligible for this visa you must:

- ✓ be a qualified doctor, nurse, health professional or adult social care professional
- ✓ work in an eligible health or social care job
- ✓ work for a UK employer that holds a Home Office approved Sponsor Licence with the subcategory Skilled Worker
- ✓ have a 'certificate of sponsorship' ('CoS') from your employer with information about the role you've been offered in the UK
- ✓ be paid the minimum salary requirements

# Further considerations

- Health and Care Worker visa, is part of the Skilled Worker visa
- Even though the Health and Care Worker visa is under the skilled worker subcategory, the specific visa requirements differ (including salary requirements)
- If you're a care worker or senior care worker working in England, your employer must also be registered with the Care Quality Commission (CQC)
- Exempt from the Immigration Healthcare Surcharge fee – normally £1,035 per year on the skilled worker route



# Occupation Codes

- There are 412 skilled worker SOC 2020 occupation codes in total
- 39 of the 412 skilled worker SOC 2020 occupation codes are eligible for the Health and Care Worker visa route
- **4 of the 39** Health and Care Worker SOC 2020 occupation codes are classed as shortage occupations and appear on the **'Immigration Salary List'**
- **10 of the 39** Health and Care Worker SOC 2020 occupation codes appear on the **'Health and Care ASHE (annual salary of hours and earnings) salary jobs list'**
- It's possible for job codes to appear on both the **'Immigration Salary List'** and the **'Health and Care ASHE salary jobs list'**

# Health and Care Worker visa qualifying SOC 2020 occupation codes:

1171: health services and public health managers and directors	2236: registered children's nurses
1231: health care practice managers	2237: other registered nursing professionals
1232: residential, day and domiciliary care managers and proprietors	2251: pharmacists
2113: biochemists and biomedical scientists	2252: optometrists
2114: physical scientists	2253: dental practitioners
2211: generalist medical practitioners	2254: medical radiographers
2212: specialist medical practitioners	2255: paramedics
2221: physiotherapists	2256: podiatrists
2222: occupational therapists	2259: other health professionals not elsewhere classified
2223: speech and language therapists	2461: social workers
2224: psychotherapists and cognitive behaviour therapists	<i>3111: laboratory technicians*</i>
2225: clinical psychologists	3211: dispensing opticians
2226: other psychologists	<i>3212: pharmaceutical technicians*</i>
2229: therapy professionals not elsewhere classified	3213: medical and dental technicians
2231: midwifery nurses	3219: health associate professionals not elsewhere classified
2232: registered community nurses	6131: nursing auxiliaries and assistants
2233: registered specialist nurses	6132: ambulance staff (excluding paramedics)
2234: registered nurse practitioners	6133: dental nurses
2235: registered mental health nurses	<i>6135: care workers and home carers*</i>
	<i>6136: senior care workers*</i>

# Health and Care ASHE (Annual Survey of Hours and Earnings) salary jobs

“Health and Care ASHE salary jobs” are on another specific list which has different salary rules and includes the following SOC 2020 occupation codes:

- 1171 Health services and public health managers and directors
- 1231 Health care practice managers
- 1232 Residential, day and domiciliary care managers and proprietors
- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 3111 Laboratory technicians
- 3211 Dispensing opticians
- 3212 Pharmaceutical technicians
- 6135 Care workers and home carers
- 6136 Senior care workers



## Health and Care Worker visa requirements - part 1

To qualify for a Skilled Worker visa (and Health and Care Worker visa), the applicant must score **70 points** according to certain requirements. The first three requirements are mandatory and give fifty points and then the fourth requirement concerning salaries give a further twenty points.

### **Sponsorship – 20 points**

This is the CoS assigned to the potential skilled worker from the sponsoring employer

### **Job at an appropriate level – 20 points**

The applicant must be sponsored for a job that is listed as being an eligible occupation

### **English language requirement – 10 points**

The applicant must prove their English language proficiency

# Candidates Point of View

✓ **Obtaining a Certificate of Sponsorship (CoS)** – The candidate will need to have a CoS assigned to them for their visa application, which can be printed from the SMS as a PDF and provided to them from the sponsor. This will include mandatory information for their application form, such as:

- CoS reference number
- Sponsor licence reference number
- Salary and SOC 2020 occupation code
- Duration of sponsorship

✓ **English language requirement** – For all Health and Care worker visas, candidates will need to prove their English language proficiency. This can be any one of the following:

- Being a national of a majority-English-language speaking country listed in *Appendix English Language - EL 4.1*.
- B1 English language certificate at B1 level in speaking, listening, reading and writing from an approved provider. The approved providers and test centers in the UK (if switching from certain visas) and their home country can be found on the approved lists here: <https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-setl>
- Having a degree-level academic qualification that was taught in English. If studied abroad, **it must be ECCTIS-approved**
- If you're a doctor, dentist, nurse or midwife, you do not need to prove your knowledge of English if you've already passed an English Language assessment that is accepted by the relevant regulated professional body.

# Candidates Point of View - continued

- ✓ **Criminal background check** - must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the 10 years before the date of application, and while aged 18 or over. This applies to the SOC 2020 occupation codes listed in *Appendix Skilled Worker - SW 16.1*.
- ✓ **Biometrics** - as part of the application the candidate would need to prove their identity via **one** of the following:
  - Have their fingerprints and photograph taken at a visa application centre in the country they are applying from <https://www.gov.uk/find-a-visa-application-centre>
  - Use the 'UK Immigration: ID Check' app to scan your identity document
- ✓ **Tuberculosis test certificate** - required if the applicant and/or their dependents have been continuously present in a country or countries listed at TB6 for 6 months or more.
  - The list of countries and where to book a test can be found here: <https://www.gov.uk/tb-test-visa/countries-where-you-need-a-tb-test-to-enter-the-uk>
- ✓ **Settlement** - The applicant can apply for Indefinite Leave to Remain (ILR) once they have spent a continuous period of 5 years in the UK. This can include extensions, switching and a combination of visas listed in *Appendix Skilled Worker SW 21.2*



## Health and Care Worker visa requirements - part 2

### **Salary Table Options A to K – 20 points**

- An applicant can only be awarded points if the salary can meet the minimum level as set under options A to K of Appendix Skilled Worker
- There are now an increased number of options, to accommodate the recent changes in April 2024, such as lower salary requirements for skilled workers who were granted permission as Skilled Workers under the rules in place before 4 April 2024, and health and education occupations

# Salary Options Table - A to E

Option	Requirements	Relevant further rules	Points
A	The applicant's salary equals or exceeds both: <ul style="list-style-type: none"><li>• £38,700 per year; and</li><li>• the going rate for the SOC 2020 occupation code.</li></ul>	SW 8.1.	20
B	The applicant has a PhD in a subject relevant to the job and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £34,830 per year; and</li><li>• 90% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 9.1. to SW 9.4	20
C	The applicant has a PhD in a STEM subject relevant to the job and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £30,960 per year; and</li><li>• 80% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 10.1. to SW 10.3.	20



# Salary Options Table - A to E Continued

Option	Requirements	Relevant further rules	Points
D	The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £30,960 per year; and</li><li>• the going rate for the SOC 2020 occupation code</li></ul>	SW 11.1. to SW 11.3.	20
E	The applicant is a new entrant at the start of their career and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £30,960 per year and</li><li>• 70% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 12.1. to SW 12.3.	20



# Salary Options Table - F to J

F to J are only applicable for applicants:

- being sponsored for a Health and Care ASHE salary job **or**;
- they were granted permission as a Skilled Worker under the rules in place before 4 April 2024, and they have had continuous permission as a Skilled Worker since then

Option	Requirements	Relevant further rules	Points
F	The applicant's salary equals or exceeds both: <ul style="list-style-type: none"><li>• £29,000 per year; and</li><li>• the going rate for the SOC 2020 occupation code.</li></ul>	SW 8.1	20
G	The applicant has a PhD in a subject relevant to the job and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £26,100 per year; and</li><li>• 90% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 9.1 to 9.4	20



# Salary Options Table - F to J Continued

Option	Requirements	Relevant further rules	Points
H	<p>The applicant has a PhD in a STEM subject relevant to the job and their salary equals or exceeds both:</p> <ul style="list-style-type: none"><li>• £23,200 per year; and</li><li>• 80% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 10.1 to 10.3.	20
I	<p>The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both:</p> <ul style="list-style-type: none"><li>• £23,200 per year; and</li><li>• the going rate for the SOC 2020 occupation code.</li></ul>	SW 11.1. to 11.3.	20
J	<p>The applicant is a new entrant at the start of their career and their salary equals or exceeds both:</p> <ul style="list-style-type: none"><li>• £23,200 per year; and</li><li>• 70% of the going rate for the SOC 2020 occupation code.</li></ul>	SW 12.1. to 12.3.	20



# Salary Options Table - K

An applicant can only be awarded points from option K if they are being sponsored for a job in an appropriate eligible SOC 2020 occupation code listed in Table 3 of Appendix Skilled Occupations.

Table 3 is for eligible health and education SOC 2020 occupation codes where going rates are based on national pay scales.

31 of the 39 Health and Care Worker SOC 2020 Occupation codes appear in Table 3.

Option	Requirements	Relevant further rules	Points
K	The applicant is being sponsored for a job in a listed health or education occupation and their salary equals or exceeds both: <ul style="list-style-type: none"><li>• £23,200 per year; and</li><li>• the going rate for the SOC 2020 occupation code.</li></ul>	SW 13.1. to 13.3.	20



# Dependent visa requirements

## Partner Dependent Visa

- No access to public funds
- Over 18
- Must be married, in a civil partnership, or have lived together for at least two years before the date of application. This should normally have been completed immediately before the application date, but the Home Office guidance indicates that there may be situations where this is not the case where the couple live separately due to work commitments or caring responsibilities.
- Genuine and subsisting relationship

## Child Dependent Visa

- No access to public funds
- Under 18 and not leading an independent life - The applicant may be aged 18 or over on the date of application if the applicant was last granted entry clearance or permission to stay as the dependent child of their parent or parents
- If the applicant is under the age of 18 on the date of application, there must be suitable arrangements for the child's care and accommodation in the UK which must comply with relevant UK law

# Dependent visa maintenance requirements

## Partner Dependent Visa

The applicant must meet **one** of the following:

- You must show that for at least 28 days (ending within 31 days of the application) you have held funds of £285 for a dependent partner
- You have been in the UK for 12 months or more
- The sponsoring employer has certified on the CoS that they will provide maintenance and accommodation for the first month if required

## Child Dependent Visa

The applicant must meet **one** of the following:

- You must show that for at least 28 days (ending within 31 days of the application) you have held funds of:
  - £315 for your first child
  - £200 for each additional child after
- You have been in the UK for 12 months or more
- The sponsoring employer has certified on the CoS that they will provide maintenance and accommodation for the first month if required

# Dependent visa changes

During March and April 2024, there were numerous changes to the skilled worker visa route immigration rules, including the dependent visa requirements

Health and Care Workers with entry clearance or permission to stay under the occupational codes “6135 Care workers and home carers” and “6136 Senior care workers”, are no longer permitted to bring their dependent partners or children to the UK unless:

- The Health and Care Worker was granted entry clearance or had permission to stay under the SOC 2010 occupation code “6145 Care workers and home carers” or “6146 Senior care workers” **before 11<sup>th</sup> March 2024** and;
- The Health and Care Worker has **continuously had permission** as a Skilled Worker, sponsored in one or more of these SOC 2010 occupation codes or SOC 2020 occupation codes

# Additional Requirements

- If applying for entry clearance a Tuberculosis test certificate will be required if the applicant and/or their dependents have been continuously present in a country or countries listed at TB6 for 6 months or more
- If applying for entry clearance, a criminal record certificate will be required for certain SOC 2020 occupation codes (listed under SW 16.1.), including the majority of the Health and Care Worker visa occupation codes
- If the ATAS requirement in Appendix ATAS applies, the applicant must provide a valid ATAS certificate

# Conditions of Stay

## Health and Care Worker Visa

- no access to public funds
- **supplementary employment is permitted (up to 20 hours a week) providing the person continues to work in the job for which they are being sponsored**
- voluntary work is permitted
- working out a contractual notice period is permitted, for a job the applicant was lawfully working in on the date of application
- study is permitted, subject to the ATAS condition in Appendix ATAS

## Dependent Visa

- no access to public funds
- work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach)
- study is permitted, subject to the ATAS condition in Appendix ATAS, if the applicant is over the age of 18

# Example Scenario 1

The applicant is already in the UK with valid leave to enter on the Health and Care Worker visa route, since June 2023. They are currently sponsored under the SOC 2010 occupation code “6145 Care workers and home carers”.

Their husband and two children are still located in Malaysia and they were planning to relocate to the UK at a later date.

The applicant is currently on a salary of £23,200 per year with their current sponsor.

The applicant now intends to switch to another sponsor who has offered to **match their current salary** and sponsor them under the SOC 2020 occupation code “6135 Care workers and home carers”.

The applicant would also like to apply for their family to join them in the UK as their dependents on the dependent visa route.

**Would the applicant be meeting the new minimum salary requirements, and would their dependent family members be able to apply to join them in the UK?**

# Answer - Example Scenario 1

The applicant is being sponsored for a SOC 2020 job occupation which is on the 'Immigration Salary List' *and* they are being sponsored for a Health and Care ASHE salary job. Therefore, they would need to meet the Option I salary requirements below:

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I	The applicant is being sponsored for a job on the Immigration Salary List and their salary equals or exceeds both: • £23,200 per year; and • the going rate for the SOC 2020 occupation code.	SW 11.1. to 11.3.	20
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As per the above, they would need to £23,200 per year and the going rate for the SOC occupational code, which can be found on the 'Immigration Salary List'

As they were granted on this route prior to 11 March 2024 and have continuously been on this route, their dependents would still be able to join them.

# Example Scenario 2

The applicant is outside of the UK and applying to enter the UK on the Health and Care Worker visa route, after receiving a job offer to be sponsored under the SOC 2020 occupation code “6135 Care workers and home carers”, with an annual salary of £23,200 per year.

The applicant’s wife is located in the Philippines with the applicant and is planning to relocate to the UK under the dependent visa route.

**Would the applicant meet the new minimum salary requirements, and would their dependent family member be able to apply to relocate with them to the UK on the dependent visa route?**

# Answer - Example Scenario 2

➤ The applicant would qualify for salary Option I (same as example scenario 1) and the going rate in the “lower rate” column as they meet one of the criteria stated in the ‘Immigration Salary List’ and the minimum salary requirement is therefore £23,200 per annum

➤ The applicant would not be permitted to have their family join them in the UK on the dependent visa route, due to the change that took place on 11<sup>th</sup> March 2024, as stated in SW 29.1A and SW 32A.2.  
Appendix Skilled Worker

You qualify for the lower rate if either:

- you are applying for [a Health and Care Worker Visa in certain occupations](#)
- you got your certificate of sponsorship for this visa application before 4 April 2024
- you got your certificate of sponsorship for your first Skilled Worker visa before 4 April 2024 and have continually held one or more Skilled Worker visas since then

Occupation code	Job types included on the immigration salary list	Areas of the UK which qualify	Standard rate	Lower rate
6135	Care workers and home carers – all jobs, except jobs	UK wide	£30,960 (£15.88 per hour)	£23,200 (£11.90 per hour)

# Fees

- **Sponsor Licence Application:** £536 (small company), or £1,476 (large company)
- **CoS Assignment:** £239
- **Immigration Skills Charge (ISC):** £364 (small company) or £1,000 (large company) per year
- **Health and Care Worker visa for up to 3 years:** £284
- **Health and Care Worker visa for more than 3 years:** £551
- **IHS (Immigration Health Surcharge):** Does not apply to the Health and Care Worker visa route

# Q&A