

## Updates on Sponsor Compliance and the Scale-Up Visa Scheme

---

This week the Sponsor Guidance has been updated with two important additions: the new **Scale-up** visa route, available from **22 August 2022**; and the implementation of **digital compliance inspections**.

### **Digital Compliance Inspections**

**Digital compliance inspections** may now be undertaken as part of sponsor compliance checks, as well as, or instead of, on site visits from a Home Office compliance officer. The documentary evidence requirements will be the same whether the inspection is carried out digitally or in-person. All other aspects and intentions of the compliance inspection as set out in the Sponsor Guidance, remain the same.

Online inspections involve verifying a business's trading presence digitally and conducting remote video interviews with sponsor licence holders or sponsored workers. Remote interviews may include the presentation of evidence prior to, during, or after the interview in much the same way as in-person interviews would.

### **Scale-up visa**

The new **Scale-up** route came into force on 22 August. The route is available for individuals recruited by a UK company with the skills to enable the business to continue to grow. The UK company must be listed as a UK Scale-up Sponsor, and the individual must have a high-skilled job offer at the required salary level – a minimum of £33,000 (which is higher than that for a Skilled Worker visa).

A sponsor licence under the Scale-up route is only available to businesses with an annualised turnover or staffing growth of at least twenty per cent for the previous three years before the application is made. They must also have at least ten employees at the start of the three-year period.

With faster processing times and a lower burden of long-term administrative tasks, the visa is designed to be a cheaper, faster, and less burdensome option for scale-up businesses looking to continue a period of rapid growth.

From an employee perspective, highly skilled individuals entering the UK on this visa have a route to settlement that does not tie them to one company. The individual sponsored on a Scale-up visa is only tied to their initial sponsors for the first six-month period.

Potential sponsors will want to weigh up the decreased administrative and cost burden of sponsoring migrants under the scheme, with the risk to employee retention. There is no Immigration Skills Charge to be paid.

It remains to be seen whether sponsors will decide to revert to sponsoring Skilled Worker migrants after an initial period on a Scale-up licence; as the business's growth levels out, or Scale-up visa migrants move on to other opportunities in the UK faster than originally anticipated.

