

Visas and sponsorships: guidance

Introduction

- Students completing an MPharm degree course from outside of the European Economic Area (EEA) or Switzerland are most likely to be studying in the UK via a Tier 4 (General) student visa
- This visa allows a student to stay in the UK for four months after completing their MPharm degree, therefore, in order to stay in the UK for their pre-registration training, the student will be required to “switch” to a work visa

This resource provides general information on the visa options which are available to a potential pre-registration student – further guidance on work visas and processes can be found on the [UK Visas and immigration website](#). *Detailed advice should be sought from an immigration specialist.*

For non-EEA/Swiss pre-registration students wishing to start in 2016

The Royal Pharmaceutical Society Pharmacy Professional Sponsorship Scheme

The Royal Pharmaceutical Society (RPS) Pharmacy Professional Sponsorship Scheme (PPSS) was a Tier 5 visa scheme for students from outside of the EEA under the points-based system by the Home Office UK Visas and Immigrations (UKVI):

- The PPSS was put in place when the UKVI rules changed in 2012 to help those students already on their MPharm course and who were graduating in 2012, 2013, 2014 or 2015
- This visa was not given to students who started their MPharm degree after April 2012, therefore, as these students will be graduating in 2016 they will no longer be eligible for the PPSS

There is no replacement scheme for the PPSS; therefore, these students will require a different visa option to start their pre-registration year.

Ellis Whittam

Ellis Whittam (NPA Business Partner providing Employment and Health and Safety Advisory Service) can provide basic guidance regarding immigration, referring to an immigration specialist if required:

- They can advise on extending an existing student visa on a case-by-case basis; however, this may not be possible for all pre-registration students
- To discuss visa options for non-EEA students, contact Ellis Whittam on 0330 123 0558 (please quote NPA member number).

Visa options

There are two visa options available for non-EEA students:

- Tier 2 (General) visa
- Tier 5 (Youth Mobility Scheme) visa



Tier 2 (General) visa

Most students are suitable for a Tier 2 (General) visa if they want to switch from a Tier 4 (General) student visa. To switch to this visa, the non-EEA student must apply from within the UK. Certain criteria apply in order to be eligible for this switch – these criteria, any additional requirements that apply and further information is available from UKVI document, “[Tier 2 of the Points Based System – Policy Guidance](#)”.

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Requirements for a non-EEA pre-registration student to be granted a Tier 2 (General) visa is available on the UKVI website under "[Tier 2 \(General\) visa](#)" and includes:

- A certificate of sponsorship (CoS) reference number (obtained from the sponsor)
- An 'appropriate' salary – this is also known as the minimum salary payable
- A required level of the English language (where applicable)

Sponsors will need to pay the non-EEA student a minimum salary for the pre-registration placement with a Tier 2 (General) visa – further details can be found in Section 26 of the UKVI document, "[Tier 2 and 5 of the points-based system: guidance for sponsors](#)" which was updated in November 2016. Further details on minimum salaries can be found in the UKVI document, "[Codes of practice for Skilled Workers \(6 April 2015\)](#)".

Sponsorship

Sponsors are required to obtain a sponsorship licence to become a sponsor for a non-EEA pre-registration student. The method of application is available on the UKVI website under "[UK visa sponsorship for employers](#)" and these include:

- Having an eligible business
- Choosing the correct tier licence
- Ensuring the appointment of roles in the business to correctly manage the sponsorship process

A successful application for sponsorship is not a guarantee that an overseas employee will be permitted entry to or residence in the UK. UKVI has a guidance document, "[Tiers 2 and 5: guidance for sponsors](#)", for sponsors which should be followed. A sponsorship licence rating will be issued following successful application and is valid for four years. This licence allows a sponsor to issue CoS for eligible students applying for a Tier 2 (General) visa.

A CoS is only valid for three months; therefore, it should not be issued more than three months before the start of the pre-registration placement.

Previously, pharmacists and pre-registration pharmacists were listed jobs on the UK Shortage Occupation List. This is no longer the case as jobs in this profession are no longer in high demand. Therefore, as a general rule, a sponsor has to complete a [resident labour market test \(RLMT\)](#) before employing a worker who falls under the Tier 2 (General) category. However, the UKVI document "[Tiers 2 and 5: guidance for sponsors](#)" lists certain exemptions from carrying out the RLMT. According to this guidance, an RLMT does not need to be carried out if the following is applicable to the migrant:

"where they have, or were last granted permission to stay in the UK as a Tier 4 migrant or as a student and during their last grant of leave, or a continuous period of leave, that includes their last grant of leave, they have received final results confirming they have:

- *passed and will be (or have been) awarded a UK recognised bachelor's or master's degree"*

Full details of the exemptions applicable to post-study work and more comprehensive information on the "Resident labour market test" can be found in Section 28 of the UKVI "[Tiers 2 and 5: guidance for sponsors](#)".

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Tier 5 (Youth Mobility Scheme) visa

Some students may be eligible for a [Tier 5 \(Youth Mobility Scheme\) visa](#). Eligible students include those who:

- Are between 18–30 years of age
- Have savings of at least £1,890
- Have a citizenship as a British national (overseas), British overseas citizen or British overseas territories citizen
- Originate from Australia, Canada, Japan, Monaco, New Zealand, Hong Kong, Republic of Korea (South) or Taiwan
- Students from Hong Kong, Republic of Korea (South) and Taiwan require a “certificate of sponsorship” – further details can be found on the UKVI website under “[Tier 5 \(Youth Mobility Scheme\) visa: Get a certificate of sponsorship](#)”

A student is not able to switch to this visa category from the UK – they are required to leave the UK and apply for this visa for entry clearance. A guidance document is available, “[Tier 5 \(Youth Mobility Scheme\) of the points-based system – policy guidance](#)” for further information on how to apply for this visa.

Further reading and references

- GOV.UK:
 - Migration Advisory Committee review: Tier 2 migration: <https://www.gov.uk/government/publications/migration-advisory-committee-mac-review-tier-2-migration>
 - UKVI: <https://www.gov.uk/browse/visas-immigration>
 - Codes of Practice for Skilled Workers (from 6 April 2015) <https://www.gov.uk/government/publications/sponsorship-codes-of-practice-for-skilled-workers>
 - “Tier 2 of the Points Based System – Policy Guidance”: <https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-2-worker>
 - UK visa sponsorship for employers: <https://www.gov.uk/uk-visa-sponsorship-employers/overview>
 - Sponsor guidance appendix A: supporting documents for sponsor applications: <https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>
 - Tier 5 (Youth Mobility Scheme) of the points-based system – policy guidance <https://www.gov.uk/government/publications/guidance-on-visa-applications-under-tier-5-youth-mobility-scheme>

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