

ROUTES TO SETTLEMENT FOR DIGITAL TECHNOLOGY SPECIALISTS

Global Talent and alternative routes



What we will cover

- Overview of Common routes
- Making a Global Talent application to Tech Nation
 - Who can apply
 - What skills are eligible
 - Exceptional Promise vs Exceptional Talent
 - Eligibility evidence
 - Reference Letters
 - Other Evidence
- Overview of Skilled Worker
- Overview of Innovator Founder
- Questions

Routes compared

Route	Eligible for ILR?	Sponsored role required?	Investment Required?	Maximum time?	Combine for ILR?	Work for multiple employers or own business?
Global Talent	Yes (3 or 5 years)	No	No	No	Yes (Skilled Worker, Global Talent, Innovator, Sole Representative)	Yes
Skilled Worker	Yes (5 years)	Yes	No	No	Yes (Skilled Worker, Global Talent, Innovator, Sole Representative)	Only Sponsor (some exceptions)
Innovator Founder	Yes (3 years, if criteria met)	No	Yes	No	No	Own business only
High-Potential Individual	No	No	No	Yes (2 years)	N / A	Yes
Scale-up	Yes (5 years)	Yes (for first 6 months) no thereafter	No	No	Yes (Skilled Worker, Global Talent, Innovator, Sole Representative)	Yes, only after first 6 months

Global Talent



immigration barristers

***Note that the process remains the same, but
Tech Nation has now joined [Founders Forum](#).
New processes are expected in due course

Global Talent Process and timescales

Application for endorsement

Complete Home Office endorsement
application form

Complete Tech Nation endorsement
application form

Upload evidence in support of application
to Tech Nation online portal ***

Tech Nation considers endorsement application (approximately 8 weeks)

Endorsement granted

Immigration / visa application
8 weeks in-country, 3 weeks
out-of-country
Priority services available at additional
cost

Endorsement rejected

Endorsement review.
Tech Nation will
reconsider the
application

Re-apply

Who can use this category?

1. Technical applicants (i.e. programmers) from non-technical organisations are eligible.
2. Non-technical applicants (i.e. business roles) from technical organisations are eligible.
3. Non-technical applicants from non-technical organisations are generally not eligible.

Technical applicants must demonstrate proven technical expertise with the latest technologies in building, using, deploying or exploiting a technology stack and building technical infrastructure.

Business applicants must demonstrate a proven commercial, investment, or product expertise in building digital products or leading investments in significant digital product businesses.

What skills are eligible?

- DevOps / SysOps engineers
- Principal software engineers/developers
- Experienced data scientists/data engineers
- Artificial Intelligence, Natural Language
- Processing and Machine Learning experts (AI, NLP, ML)
- Cybersecurity experts
- Hardware engineers
- Experienced front-end developers
- Operating systems engineers
- Experienced video game developers
- Experienced UX/UI designers
- Experienced Mobile App developers
- Experienced back end developers leading development of, or contributing heavily to major new technologies or open-source projects (e.g. blockchain, Scala, Golang, Elasticsearch etc)
- CTO or VP engineering experience managing teams of in-house employees at a growing digital business
- Virtual and augmented reality developers
- Experience of leading substantial VC investment over £25m GBP
- Experience as a commercial/business lead (P&L, growth, sales and distribution strategy) in a digital business
- Experience of expanding or growing a significant product-led digital technology business
- Sector-specific experience e.g. payment infrastructure in FinTech / international expansion in EdTech etc.
- Solution sales experts
- Experienced Product Manager
- SaaS or enterprise sales leadership for digital services
- Solution sales skills performed for a growing B2B digital business (i.e. not big-company experience)
- Performance marketing experts, performed in house for digital businesses
- Experienced and senior VC or PE analysts with track records of leading investments in digital businesses
- Experience as C Suite in a SMEs + (CEO, CMO, CIO) or head of operations for a digital business

Exceptional Talent vs Exceptional Promise

- Two routes to endorsement – Exceptional Promise and Exceptional Talent
- Talent has stricter requirements for entry
- Promise requires that you are at an earlier stage of your career, typically in the first five years of your career
- Main difference is route to ILR – 3 or 5 years

What are the eligibility criteria?

Mandatory criterion

- Applicants must show that they are recognised / have the potential to be as a leading talent in the digital technology sector in the last 5 years

Optional criteria

At least two pieces of evidence for two of the following:

- A proven track record for innovation as a founder or senior executive of a product-led digital technology company or as an employee working on a new digital field or concept
- Proof of recognition for work beyond the applicant's occupation that contributes to the advancement of the field
- Have made a significant technical, commercial or entrepreneurial contribution to the field as a founder, senior executive, board member or employee of a product-led digital technology company
- Have demonstrated exceptional ability in the field by academic contributions through research published or endorsed by an expert

For exceptional promise, only one example of two of the optional criteria is required.

How to show that the mandatory criterion is met?

A leader must show extraordinary ability by sustained (or emerging) national or international recognition. Successful applicants will be able to demonstrate a level of expertise (or emerging expertise) which places them at the forefront of their respective field in the digital technology sector.

Only work undertaken in the last 5 years will be considered.

Examples include:

1. Led the growth of a product-led digital technology company, product or team.
2. Led the marketing or business development at a product-led digital technology company, demonstrably enabling substantial revenue or customer growth or major commercial success.
3. Led growth of a non-profit organisation or social enterprise with a focus on the digi-tech sector.
4. Outside of day-to-day role, led / significant contributor to substantial open source project.
5. Outside of day-to-day role, led / significant contributor to large technology-led industry initiative.
6. Received nationally / internationally recognised prizes in the digi-tech sector.
7. Having spoken at high-profile digi-tech sector event or specialist events in your field.
8. Published material in professional / major trade media about your work in the digit-tech sector.
9. High salary or remuneration package.
10. Significant expert role participating in panels or individually, assessing the work of others.

How to show that the optional criteria are met?

1. Evidence of Innovation
 - a. Evidence of innovation/product development, proof of product in market and associated traction through revenue.
 - b. Audited accounts, projections for current financial year
 - c. Evidence of domestic and/or international sales
 - d. Evidence of employment contract with salary information including any bonus and equity options and history of earnings.
2. Work outside of your immediate occupation
 - a. Contributions to opensource, github, stack overflow
 - b. Talks or conferences with significant viewership
 - c. News article
 - d. Mentorship

How to show that the optional criteria are met?

3. Technical or Commercial Contribution
 - a. Employment contract with salary information including any bonus and equity options
 - b. Letter from an employer
 - c. Documentation on product designs or architecture diagram clearly showing your contribution.
 - d. GitHub account that contains lines of code clearly showing your continuing contribution.
 - e. Sales pipeline built and delivered, growth generated, leads generated, processes developed and implemented)
4. Academic contributions through research
 - a. a paper published in a top-tier peer-reviewed journal.
 - b. Evidence of presentations at a peer-reviewed conference, or evidence of being awarded competitive peer-reviewed research grants
 - c. Evidence of awards received for outstanding applied work
 - d. A letter of support from a research supervisor or other expert in your area of expertise affirming their potential world-class standard
 - e. Evidence of a merit based award that has been granted by an organisation of a similar standing and distinction to the Royal Society in the UK

Letters of recommendation

Applicants must provide 3 letters of recommendation with their application. They must:

- Be from an individual acknowledged as an expert in the digital technology field, with detailed knowledge of your work over a period of at least 12 months;
- Be from an author who is a senior member of their organisation;
- Be written specifically for the purpose of your endorsement application;
- Explain how they know you;
- Know about your achievements in your field;
- Explain how they consider you to have exceptional talent / promise; and
- Explain what contribution you will make the digi-tech sector in the UK.

In terms of formatting, Tech Nation are very strict. The letters must be typed and dated and must not be more than 3 single sides of A4 paper.

What evidence is required?

1) **Personal statement (in addition to 10 documents)**

- No longer than 1000 words in length;
- Explain the contribution that the Applicant will make to the digital technology sector in the UK;
- Must include:
 - Why do you want to come / stay in the UK?
 - What is your planned occupation?
 - What region / city are you planning to live?
 - How will the UK benefit from your work?

2) **Evidence of how you meet the mandatory criterion (Included in 10 documents)**

3) **Evidence of how you meet the optional criteria relied upon (Included in 10 documents)**

4) **Three letters of recommendation (in addition to 10 documents)**

5) **CV (no more than 3 sides) and LinkedIn profile (in addition to 10 documents)**

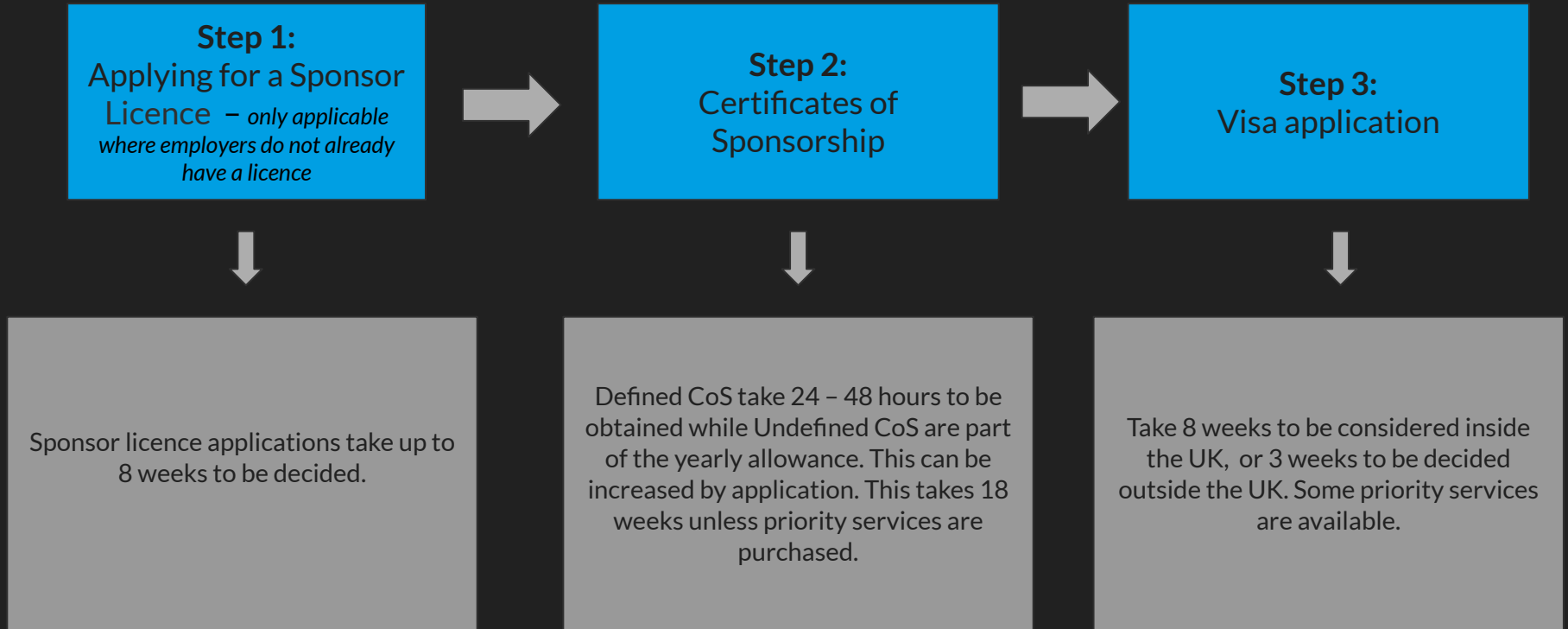
6) **Evidence of any commercially successful established business, share ownership or businesses dissolved in the last 5 years if a founder or senior executive**

Skilled Worker



immigration barristers

Overview of the Skilled Worker route



What do I need to know when making a change of employment application?

Timing is everything!

- CoS can only be assigned 3 months in advance of a start-date, this can be difficult for those with 3 month notice periods.
- If your permission has been cancelled and will expire within 60 days, you only need to submit the application before your permission expires.
- You must start your role within 28 days of the intended start date / grant of permission, whichever is later.
- As an exception to the above, you can continue to work for your previous employer if your new permission is granted, provided that is to serve your notice period.
- You cannot work for your new employer until your new permission is granted, unless it is supplementary employment.

SKILLED WORKER APPLICATIONS – requirements?

CERTIFICATE OF SPONSORSHIP

- Defined CoS or entry clearance applications and Undefined CoS for permission to stay applications.
- CoS will stipulate your personal details, your job title, occupation code, job description, working hours, and place of work.

GENUINE VACANCY

- Must be a genuine vacancy in the company that the applicant is able, based on their skills and experience, to undertake.
- No resident labour market test – Home Office expects explanation of how applicant was identified.

APPROPRIATE SKILL LEVEL

- Not all jobs are eligible for sponsorship – the role must appear on the list of [eligible occupations](#).
- Companies must choose the most appropriate, and must not be guided by the lower salaries of other occupation codes. Using the wrong code, can result in a refused application.

ENGLISH LANGUAGE

- You must be competent in the English language to CEFR level B1 in all four components. You do not need to show this if you have done so in a previous application.

FINANCIAL REQUIREMENT

- No requirement to provide evidence if have lived here for 12 months at date of application. Maintenance may be certified on CoS – no further evidence required. Amount to show is £1,270 held for 28 period, ending no later than 31 days prior to date of application.

What level of Salary do I need to show for a Skilled Worker application?

- Migrants must be paid at least £26,200 pa, £10.75ph, or the 'going rate' for their job code – whichever is higher.
- There is no minimum number of hours which must be worked, so long as the appropriate salary is at least £26,200 / (going rate if higher taking hours into account).
- If the role is on the [shortage occupation list](#), the minimum salary is £20,960 per pa, £10.70ph, or 80% of the going rate for the role.

Example: using [Appendix Skilled Occupations](#), the highest salary is that of a CEO/senior official (1115) of £59,300pa or £30.41 per hour. This is based on a 37.5 hour work week.

For higher hours, the going rate increases – a 40 hour work week would require payment of £63,253.33 and 45 hour work week would require at least £71,160 per annum.

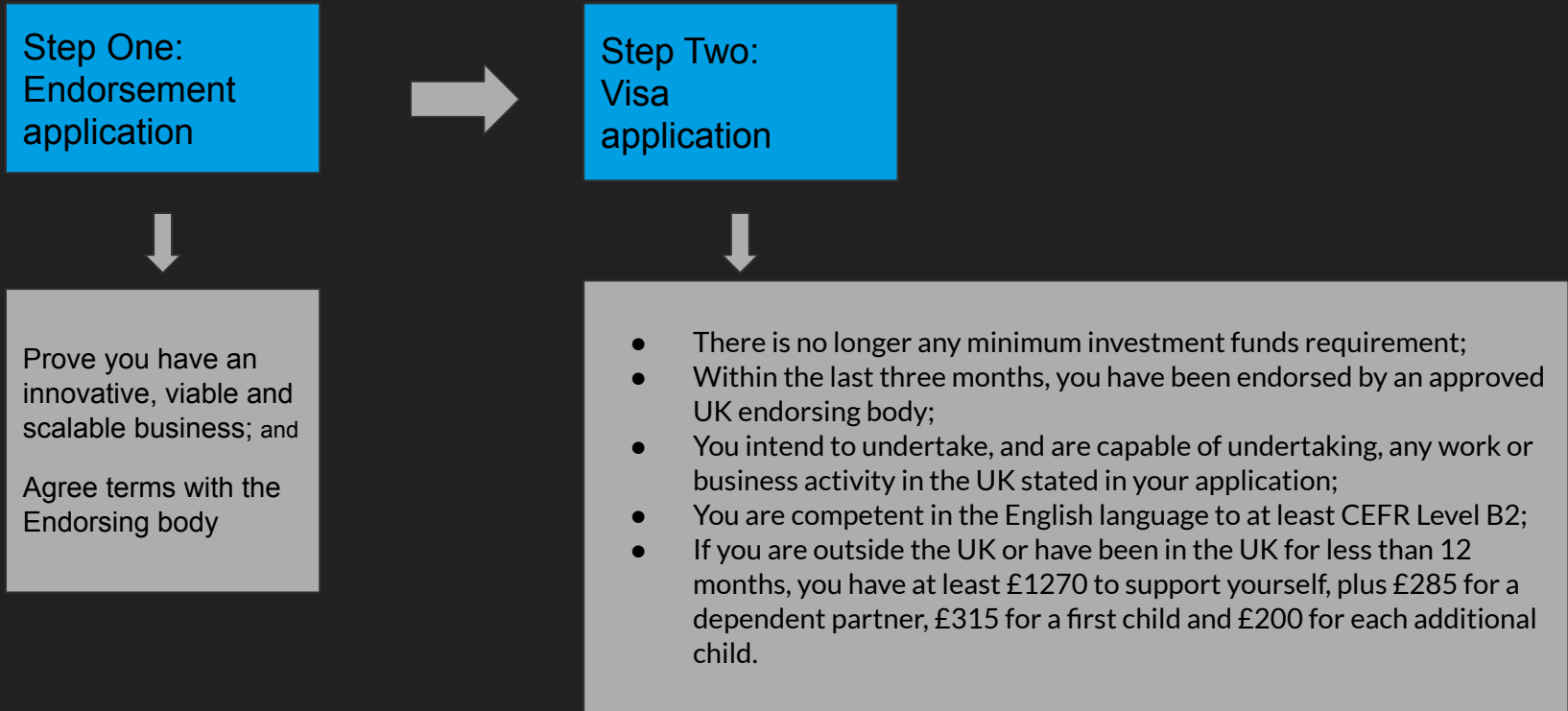
Innovator Founder



immigration barristers

Innovator – for *innovative, viable and scalable businesses*

The Innovator route is two staged, but not technically a sponsored route



Innovator – route to ILR

Applications can lead to indefinite leave to remain (ILR) after three years as an Innovator (the years as a start-up migrant do not count).

To obtain ILR you would need to show that you meet the Knowledge of Life in UK requirements, have continuously resided in the UK, your business is still active and trading and you are involved, and can show significant achievements in your business, including at least two of the following:

- had £50,000 of investment, which you've spent on developing the business;
- doubled the number of customers in the last 3 years – and this number is higher than the average for similar businesses
- undertaken research and development and applied for IP protection in the UK;
- made £1 million revenue in the last full year covered by accounts;
- made £500,000 revenue in the last full year covered by accounts, with £100,000 of this from exporting overseas;
- created the equivalent of 10 full-time jobs that have existed for 12 months;
- created the equivalent of 5 full-time jobs that have existed for 12 months, with an average salary of £25,000 a year.

Speakers



Gillian McCall
gillian.mccall@richmondchambers.com



Georgina Griggs
georgina.griggs@richmondchambers.com



immigration barristers