

COVID-19 and UK immigration: Advice for employers

25 March, 2020

The UK government announced a helpful new concession for people holding visas that expire between 24 January 2020 and 30 May 2020. Those who are currently unable to return to their home country due to travel restriction or self-isolation will be able to extend their visas to 31 May 2020, through a new email process. They must provide certain biographical and immigration information and explain why they cannot go home.

The Home Office guidance note does not offer any explanation of the term 'travel restriction'. We are seeking clarification, but for now we are working on the assumption that it will include those who cannot travel because of border closures or flight cancellations.

WE RECOMMEND THAT EMPLOYERS:

1. Identify employees who will need to extend their stay and could benefit from the concession.

- ▶ This will mean anybody with a visa expiring between 24 January 2020 and 30 May 2020
- ▶ You may have employees or former employees holding visas that have already expired and should already be home. You should consider whether to contact them to check whether they were able to travel
- ▶ Others with visas expiring between June 2020 and September 2020 should also be considered, although are arguably less of a priority right now

2. Categorise priority employees

Those who should have already left	Those due to leave the UK before 1 June 2020	Those due to leave on or after 1 June 2020
<ul style="list-style-type: none">▶ Get in touch to see if they are still in the UK▶ Direct them to make extension applications if still here, providing support as appropriate	<ul style="list-style-type: none">▶ Extend their stay under the new scheme▶ Be sure to keep a record of the decision and new expiry date for right to work purposes	<ul style="list-style-type: none">▶ Assess eligibility for extension, permanent residence or moving to a new work category▶ Extend their stay in the usual way, in-country▶ Those who would normally be required to leave the country to obtain a new visa will be able to apply in the UK (e.g. a move from Youth Mobility to Tier 2)

If you cannot be sure when a person is due to leave, a full extension would normally make sense, although in Tier 2, serious thought will be needed when specifying a sponsorship end date

3. Keep track

- ▶ You may wish to keep a copy of applications (emails) submitted under the new process
- ▶ Be sure to keep records of each extension. This is likely to be an email from the Home Office to the employee
- ▶ Track expiries of approvals

4. How we can help:

Current population report: A report limited to migrant workers supported by Fragomen or where we otherwise hold a record	Annotated population report: An analysis of eligibility for an extension (concession or conventional), Indefinite Leave to Remain or a switch between immigration categories	Application support: Assessment of eligibility, briefing for employee and consent to proceed (full SLA and escalation process), submission of application, full case record including decision, expiry tracking and reporting capability
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For further information and support, please contact your Fragomen representative. Alternatively visit our [Fragomen Coronavirus Update](#) page for the latest immigration updates on the Coronavirus (COVID-19) outbreak.