

## COVID-19 IMMIGRATION RULES RELAXED FOR SPONSORS OF NON-EU NATIONALS



Immigration rules for employers who have a valid licence to sponsor non-EU nationals have been relaxed in response to the ongoing COVID-19 crisis.

Employers who sponsor non-EU nationals who are Tier 2 or Tier 5 employees, or Tier 4 students prevented from attending their studies or employment due to illness, will not be required to report absences which they have authorised.

This means employees and students can follow Government guidelines on self-isolation without the fear of having their visa removed.

This is a move welcomed by specialist immigration lawyer Mandie Sewa who says it takes some pressure off of both employers and employees.

Mandie, from national law firm Clarke Willmott LLP said: "The COVID-19 crisis has brought uncertainty and disruption to businesses across the country. Employers with foreign employees or students are facing unprecedented times, and a rapidly changing situation.

"Many employers wish to stand by their staff and assist them in any way they can. These new rules will help them to do so.

The most important thing at the moment is to follow Government guidelines on staying home, everyone should be able to do that without the threat of losing their job or removal from the UK, looming over them."

In addition, sponsors will not need to withdraw sponsorship when an employee is absent from work without pay for four weeks or more or when a student is unable to attend for more than 60 days. It will be at the sponsor's discretion if they think there are exceptional circumstances e.g. relating to the coronavirus.

Mandie continued: "Decisions on whether to terminate employment or withdraw individuals from their studies are for sponsors themselves to make.

“This is good news for sponsors and their employees or students. The Home Office recognises the current situation is exceptional and won’t take compliance action against students or employees who can’t attend work, college or university due to the coronavirus outbreak.

Also, action won’t be taken against sponsors who authorise absences and continue to sponsor employees or students despite absences for this reason. The Home Office will keep absence periods under review. We suggest that where possible they ask for some evidence that the absence is related to the coronavirus. Of course, as the NHS isn’t currently actively testing for the virus this may be difficult to obtain.”

As well as helping businesses navigate immigration issues relating to the pandemic, Mandie is also helping individuals such as Chinese nationals in the UK whose visa has recently expired or is about to expire and other nationals in the UK usually resident in China.

Mandie said: “This situation is constantly changing, and advice will continue to be updated. Whilst the Government’s daily briefings can be very useful and informative, if you are an overseas national or employer who is not sure how these updates apply to you please contact us.

We are happy to help you to ensure you continue to comply with the law and best practice in this this uncertain period.”

Clarke Willmott is a national law firm with offices in Birmingham, Bristol, Cardiff, London, Manchester, Southampton and Taunton.

For further advice from Mandie Sewa contact her directly at [mandie.sewa@clarkewillmott.com](mailto:mandie.sewa@clarkewillmott.com) or visit [www.clarkewillmott.com](http://www.clarkewillmott.com)

**ENDS**

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