

Business Immigration

Global mobility and the prevention of illegal working



How can we help?

Relocating or recruiting employees from across the globe to undertake roles that could not otherwise be fulfilled by settled workers is becoming more crucial to businesses to ensure they have the right skill-set and labour force to gain an advantage over competitors.

However with the UK's Immigration Rules being strict, complex and ever changing many employers face hurdles when recruiting migrants such as employment law considerations, discriminatory risks, visa requirements and compliance with the prevention of illegal working.

Our team of business immigration lawyers are experts in both immigration and employment issues and regularly advise a range of organisations from a wide variety of sectors on the many different aspects of the immigration process and on compliance with the UK Immigration Rules.

Global mobility

Our business immigration lawyers have a lot of experience in dealing with the Home Office and advise on the Points Based Immigration System when recruiting or transferring an employee from outside the EEA.

We offer operational and employment support to your business including:

- Securing and renewing Sponsorship Licences for skilled and temporary workers – Tier 2 and Tier 5
- Sponsorship compliance and management, record keeping and HR practices
- Support throughout the Points Based Systems including:
 - Undertaking the Resident Labour Market Test
 - Assigning Certificates of Sponsorship
 - A comprehensive document checking service to support visa applicants including visa extensions and indefinite leave to remain applications
- Support with business visitors or business transfers
- Tailored training on recruitment, terminations and right to work checks and associated discriminatory risks
- Assessment of risks through disposals, mergers, and acquisitions or restructuring involved with corporate immigration
- Immigration workplace audits and follow-up advice

and most important of all - critical support when things get complex!

Prevention of illegal working

High profile cases and political interest has seen the UK Visas Immigration department focus on tackling illegal working. Our business immigration lawyers have seen an increasing number of civil penalty notices being served on employers for illegal working.

Businesses and those within a business with the responsibility of preventing illegal working could face a fine of up to £20,000 per illegal worker, or face imprisonment if an individual was knowingly employing or had reasonable cause to believe that the worker did not have the Right to Work in the UK.

Our business immigration lawyers can assist you with:

- Carrying out a mock Right to Work audit—testing processes and procedures to ensure compliance with UK Immigration Rules
- Draft bespoke Right to Work policies
- Provide training to employees responsible for ensuring compliance with the prevention of illegal working
- In the event of a civil penalty notice received from UKVI, help you prepare a response or appeal to help reduce or avoid a penalty.

What next?

Global Mobility

Step one - we can arrange a no obligation, free call to discuss your intentions to recruit a skilled worker from outside the EEA or your current practices regarding sponsorship management compliance

Step two - we can meet with you to talk through the Points Based System and legal considerations you should be aware of throughout the migrant's employment relationship.

Step three - we can provide you with on-going support to ensure compliance with the UK Immigration Rules as a sponsor licence holder.

Prevention of Illegal Working

Step one - we can arrange a no obligation, free call to discuss your concerns regarding compliance with the UK's Immigration Rules

Step two - we can carry out a thorough audit of your current policies and practices to ensure you have and carry out appropriate right to work checks.

Step three - we will then provide you with strategic advice to address any risks and work with you to put in place robust procedures that aim to prevent illegal working in your business going forward.

Get to know your expert

Laura Kirkpatrick heads our Business Immigration offering and is well known throughout Teesside for her niche legal expertise and commercial approach.

Laura's experience in advising start-ups, SMEs and large organisations, on the Immigration Rules and in particular recruitment and prevention of illegal working, enables her to give strategic and pragmatic advice to her clients.



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