

UK EXPERIENCE

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Introduction & points available

HSMP applicants with prior experience of working or studying in the UK can claim 5 points for their UK Experience. Individuals with this experience are more likely to succeed in the UK labour market.

Applicants can claim a **maximum of 5 points** in this category if they have:

- Successfully scored points under the Previous Earnings points scoring area for earnings in the UK; OR
- Studied and graduated at Bachelors degree level or higher in full-time education in the UK, or at a UK based overseas educational institution for at least one full academic year. The UK qualification should have been awarded to the applicant within the previous five years.

Points claimed for both Qualifications and Previous Earnings

Applicants cannot be awarded points for both a UK qualification and points for UK-based earnings as evidenced in the Previous Earnings section. A maximum of 5 points can be awarded in this category, for either qualifications or earnings – not both.

If an applicant claims points for both qualifications and earnings, and has provided satisfactory evidence towards both areas, caseworkers should work the application as though 'Qualification awarded in the UK' only had been claimed.

UK Experience –Earnings

In order to qualify for the 5 points, applicants must have been awarded points in the Previous Earnings points scoring area for earnings in respect of work undertaken in the UK.

Caseworkers should be satisfied that:

- The applicant has been awarded points in the Previous Earnings points scoring area; and
- The Previous Earnings for which points have been claimed were in respect of employment in the UK.

Evidence required

If applicants can satisfy the two points above, then they do not need to provide any additional evidence in support of the points claimed.

What if the applicant is awarded fewer points in Previous Earnings than were claimed?

If an applicant claims, for example, 35 points in Previous Earnings but is awarded only 30 points, they are still eligible for 5 points in this section.

What if the applicant claims for UK earnings other than those submitted towards Previous Earnings?

If the UK earnings claimed for in this section are other than those submitted towards the Previous Earnings category, no points can be awarded.

What if evidence of Previous Earnings has been supplied that does not meet the minimum scoring threshold requirements for the Previous Earnings category?

If the evidence supplied to meet the Previous Earnings section does not meet the minimum scoring threshold for the Previous Earnings category, no points should be awarded.

What if the applicant provides evidence of earnings from another English-speaking country, e.g. USA?

Earnings from any country other than the UK are not acceptable. The purpose of accepting UK earnings is to recognise the applicant's ability to function in the specific UK labour market.

What if points are claimed for earnings paid in Sterling, but where the applicant was working overseas?

Eligibility for points in this category is due only in respect of UK earnings, so in this scenario the award of points will depend on whether the earnings in question are subject to UK tax regulations.

UK earnings will be considered to include any earnings that are capable of being taken into account for the purposes of UK taxation calculations. These may have been paid either to the individual (in the form, for example of their salary on which tax has been paid in the UK) or to a UK based company or business (subject to UK tax regulation).

Conversely, overseas earnings could include payments made to a business that the applicant owns overseas and therefore not subject to UK tax regulations.

What if the applicant’s claim for points in the Previous Earnings category is based on some earnings for work within the UK but also some earnings for work conducted overseas?

Eligibility for points in this category is due only in respect of UK Earnings. Therefore, if the UK earnings element is less than £16,000, i.e. the minimum amount for which points can be awarded under Previous Earnings, then similarly, no points can be awarded in this category.

UK Experience – Qualifications

Applicants can claim 5 points for previous study in the UK, providing it meets the requirements outlined below.

Caseworkers should be satisfied that:

- The qualification has been formally awarded to the applicant; and
- The qualification is recognised by NARIC as at least Bachelor degree level (this includes Post-Graduate qualifications which are not eligible to score points in the Qualifications category) and;
- If a professional or vocational qualification, accompanied by evidence from the relevant UK professional body indicating equivalence to a UK degree; and
- The qualification was studied for at a UK institution or at a UK-based overseas educational institution; and
- The qualification was studied for at least one full academic year or three continuous terms making up one full year;
- The qualification was awarded no more than five years before the date of application; and
- The applicant studied for the qualification in the UK whilst legally entitled to do so.

UK qualifications claimed in the ‘Qualifications’ category

Where points have been awarded in the Qualifications category in recognition of a degree which was studied in the UK, then caseworkers do not need to check bullet points 1 – 4 above. However, in these circumstances caseworkers do need to be satisfied that bullet points 5-7 above have been satisfied.

UK qualifications not claimed in the ‘Qualifications’ category

In some instances, evidence submitted may be different to that provided towards the Qualifications category – for instance, where a UK Bachelor degree has been obtained but a further, higher qualification has been awarded by a higher education institution in a different country. In these cases, caseworkers will need to be satisfied that the applicant meets all of the bullet points above.

Evidence Required

In order to demonstrate this requirement, applicants must provide the following 2 pieces of evidence:

- A letter on headed paper from an authorised Institute official stating that:
 - The applicant achieved a qualification at UK degree level or above; and
 - The degree involved study for at least one full academic year or three continuous terms making up one full year; and
 - This was during the previous five years.
- AND EITHER:

- The applicant's original letter of permission from the Home Office conferring their leave to enter/remain in the UK as a student; OR
- A notarised copy of the page that indicates that the applicant was permitted to study while in the UK.

What if the applicant requests exceptional consideration of their application?

If there are exceptional and compelling reasons as to why the applicant is not able to provide the required evidence, then they may request exceptional consideration of their case. Please see section of this guidance on 'considering an application and evidence required to support and score an application' for further information on exceptional consideration.