

## Questions:

### **1. As a legacy endorsing body, will we be endorsing graduates under the current Innovator Visa rules or the more relaxed Innovator Founder Visa rules?**

As a Legacy Endorsing Body, you are able to continue endorsing those you have previously endorsed prior to 13<sup>th</sup> April 2023 for extension and settlement applications. The Innovator Founder route has now replaced the Innovator visa route, those that make an application after 13<sup>th</sup> April will be considered against the Innovator Founder rules and will be subject to Innovator Founder conditions. For the avoidance of doubt this means those applying for a visa after the 13<sup>th</sup> April will be able to work outside their own business. It is important to note however that those who have already been granted an Innovator visa under the old Innovator visa route are subject to the conditions of their visa for the duration of that leave and until such time as they make an extension application where they would be considered under the new rules.

### **2. Will the Innovator visa completely replace the Startup Visa and if so will any of the eligibility requires change?**

It will. There is a transition period in which applications supported by a Start-up endorsement issued before 13<sup>th</sup> April will be considered under the extant Start-up rules. But you cannot otherwise endorse for this route and it will close for new applications from 3 months after this date (when the last endorsement letters issued prior to 13<sup>th</sup> April will have expired).

Where a legacy endorsement is being made for an existing Start up visa holder Switching into the Innovator Founder route the underlying Innovator eligibility criteria of Innovative, Viable and Scalable remain the same for HEIs.

### **3. I'm interested in understanding how HEIs will continue to stay close to the process of support for our graduates with an interest in the Innovator Visa as part of our approach to supporting all routes to graduate employability, especially given the cross-overs between regional graduate retention and economic regeneration. It would also help for us to have a clearer understanding of the relationship between the Innovator Visa and the Graduate Route scheme given the latter also permits self-employment and business start-up but there is no option to switch from one to the other once a business has been created.**

The Graduate Route will continue to offer flexibility for those who are undecided and would like to try out entrepreneurial activity but are perhaps not at a stage where they can fully commit, for those that are ready to take the plunge however the Innovator Founder route provides a generous, flexible offer that puts applicants on an immediate path to settlement helping give them and their business more certainty and security.

HEIs have a really important part to play in supporting international graduates in stepping into the UK entrepreneurial ecosystem, nothing about this new programme stops Universities from providing enterprise support services to their students. Indeed our hope would be that by lifting some of the immigration burden from HEIs you are empowered to concentrate on developing your enterprise support offer with less immigration related administration to deal with.

**4. How long can we continue to support existing Innovator visa holders for? The letter seems to suggest through to their settlement application - which would in our case be potentially another 6 years.**

Legacy Endorsing Bodies holding Legacy Innovator endorsing body status can continue supporting their Innovator visa endorsees until settlement; either via an Innovator visa or an Innovator Founder visa. In some cases applicants may be able to settle in as little as 3 years, others may need a further grant of leave in which case it may be longer. It is at the HEIs' discretion as to how long they are prepared to endorse Innovator founder graduates for. We would encourage HEIs to have upfront frank discussions about what they expect from those they choose to endorse for Innovator in regard to how long they are prepared to provide Innovator endorsement for. It is also worth noting that applicants endorsed for a further extension after 3 years in the Innovator route do not have to see out the entirety of that leave before applying for settlement so if they are a near miss against the settlement success criteria at the end of their first grant of leave it may be that they can settle in 12 months for example after their extension grant of Innovator leave.

**5. What are the gaps in terms of policy and practice for the current Entrepreneurial Migration?**

As referenced at Q3 we think the immigration system offers a compelling and comprehensive offer for University graduates looking to start their own businesses in the UK. It is really important that this programme delivers effectively for the UKs HEI enterprise community so we welcome feedback if there are any parts of the policy that HEIs believe are not delivering effectively. Feedback can be provided to us via the

**6. (1) from which type of visas it is possible to move to Innovator visa. (2) what will happen with existing individuals with startup visa.**

You can endorse existing Start-up visa holders who now have the additional option of applying for an Innovator Founder visa, while they still hold a Start-up visa, they will continue following the same rules as they did before.

More broadly applicants for the Innovator Founder route can switch into the route subject to the following restrictions set out in the Innovator Founder rules Validity requirements:

*INNF 1.5. A person applying for permission to stay must be in the UK and must not have, or have last been granted, permission:*

- (a) as a Visitor; or*
- (b) as a Short-term Student; or*
- (c) as a Parent of a Child Student; or*
- (d) as a Seasonal Worker; or*
- (e) as a domestic worker in a private household; or*
- (f) outside the Immigration Rules.*

If they have not had endorsement from you under either Start up or Innovator as their last grant of leave then they would need to be endorsed by one of the new Endorsing Bodies.

## **7. Will graduates be able to move from the GiR to the new visa?**

Individuals can apply from the Graduate Route into the Innovator Founder route. However, they would need to be endorsed by one of the new endorsing bodies (a HEI would not be able to endorse them)

## **8. Why have these changes been made?**

The changes implemented on the 13<sup>th</sup> April simplify and streamline the system for entrepreneurial migrants.

Under the old system we were finding that many students would come to the end of their Start up leave and then hit a cliff edge where they had to build a new relationship with another endorsing body. With over 60 different EBs in the system applicants were finding this difficult to navigate.

The new system ensures there will always be sufficient capacity in the system to consider all business. It also creates a much clearer system in terms of consistent approaches to evaluation across endorsing bodies.

The removal of the 50k minimum funds requirement also ensures the risk of this being an arbitrary barrier to otherwise quality business plans that can be founded without this level of minimum investment funds. It should be understood however that access to financial resources will still be assessed by Endorsing Bodies under the viability criteria whether this is below or above £50K. However, the point is this will always be assessed against what a business realistically requires to be viable (ie a web tech business may not need the same amount of initial funding to get started as a jet engine manufacturer)

By allowing skilled work outside own business we are also providing founders with more opportunities to support their businesses when they are in a fledgling state. This also helps those who may need to “stay in ticket” to maintain specialist qualifications etc.

## **9. What is the future of supporting international students, and is this really something we as universities should be offering?**

As above we want Universities to stay involved in terms of nurturing their graduates with the world leading enterprise support that you provide graduates already, whether they are international or domestic. Universities are particularly well placed to help international founders learn the UK business environment and to develop their business networks in a familiar and supportive environment.

**10. Can you please confirm that applicants supported by a Legacy Endorsing Body who switch out of the Start-up route will need to meet requirement for the old Innovator route (and not the new Innovator Founder route)? How will we request endorsement numbers for this purpose?**

The legacy provisions in the Innovator Founder route do not require HEIs to materially change their endorsement processes compared to the Innovator Route. You can request new endorsements from the Innovator Founder inbox:

[InnovatorFounder@homeoffice.gov.uk](mailto:InnovatorFounder@homeoffice.gov.uk)

You should set out who you require ERNs for and then tied ERNs will be issued to you for use with those applicants. We would recommend that you provide requests for Tied ERNS on a 3 month look ahead for when you expect to be re-endorsing.

**11. Will there be a single innovator endorsing body, if so who? Can universities apply to be innovator endorsing bodies – if so what is the process? What is the best route for international students who want to be sole trade freelancers?**

The Innovator Founder route does not make provision for Freelancers. There are however a number of routes that permit freelance work, these include:

- High Potential Individual
- Global Talent
- The Graduate visa

**12. How long will this scheme last? Can we still accept people on the startup visa and if so till when?**

We will keep the route under review to ensure it is delivering as intended but we do not anticipate any specific end date to the programme.

As regards the second part of this question, Universities are no longer able to endorse for the Start up visa route.

**13. What are the new responsibilities and obligations of universities as endorsing bodies under the new regime?**

As regards your legacy cohorts your responsibilities remain the same as before, under the new system you do not carry immigration obligations.

**14. What types of visas would be suitable for founders who have set up their tech start-ups in the UK, and own more than 10% of the outstanding shares?**

Tech start-up owners in the UK have several options alongside the Innovator Founder visa, dependent upon their wider eligibility, including what their

immigration status was when they started the business. These options include the Global Talent, High Potential Individual, and Graduate routes.

**15. Please clarify whether the removal of the restriction around working outside your venture under the Innovator Founder route also applies retrospectively to Innovator visa holders who were endorsed before 13/04/2023? One of our Innovator visa holders was told this was the case on the phone from someone at UKVI, when I had previously received the opposite information.**

Innovator visa holders granted leave before 13 April 2023 cannot work outside of their business, as they remain subject to the same conditions they did before. If they successfully apply for an Innovator Founder visa in a future application, they will be granted in line with the new conditions (ie will be able to work outside their business).