

Finding a contractor immigration adviser in the UK

Before expatriate (expat) contractors from outside the UK and EU can come to live and work as contractors in the UK, they need to apply for a visa from the [UK Border Agency \(UKBA\)](#) using its Points Based System (PBS).

Although European Union citizens and those from Commonwealth countries can still come to the UK to work, virtually all of the previous immigration channels for highly skilled workers from outside of the European Economic Area, the Commonwealth and selected other countries are closed to contractors.

In the main, only contractors from outside these areas who have a great deal of money to invest, have internationally recognised achievements in the arts, engineering and the sciences, or who can secure a UK-based sponsor are being granted UK work visas.

So, although there is no legal requirement or convention for anyone applying for a UK visa to use an immigration adviser, it is possible that using an expert could mean the difference between being granted a visa or not.

Most UK immigration advisers are regulated by the [Office of the Immigration Services Commissioner \(OISC\)](#). There is also a professional body, the [Association of Regulated Immigration Advisers \(ARIA\)](#), and immigration lawyers/attorneys are regulated by the [Law Society](#) and other professional bodies.

What does an immigration adviser do?

Immigration advisers provide advice and a range of services on all matters to do with immigration in the UK. This means they may deal with issues such as:

- Visas
- Work permits
- Residence
- Nationality and citizenship issues.

These are all areas where expat contractors may find the need for professional and specialist expertise and advice.

Some immigration advisers also deal with other areas of immigration that contractors are less likely to be concerned with, including:

- Asylum claims
- Deportation, removal and deportation appeals
- Bail applications.

If a contractor is already working on a contract in the UK and concerned about their legal status, they should contact an immigration adviser immediately, as their residence status in the UK could be in jeopardy.

Most immigration advisers will charge fees for their advice and services, but there are some advisory services run by charities or other organisations that do not charge for their advice. These tend to focus their services on vulnerable migrants, such as asylum seekers. Contractors applying for Tier 1 high-value migrant and [Tier 2 \(General\)](#) skilled worker visas should reasonably expect to pay for advice.

Why should a contractor use an immigration adviser?

An expat contractor may want to use an immigration adviser for a number of reasons in order to assist them successfully apply for a visa. The most obvious is that the adviser should understand the visa application process and how best to negotiate the process on behalf of the contractor.

An in-depth understanding of the visa system is even more important because of the small number of Tier 2 (General) visas granted, and the higher burden of proof demanded from expat contractors applying for high-value migrant visas.

Typically, an immigration adviser is there:

To assist with an application from outside the UK

To assist with an application or extension when the contractor is already resident in the UK

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To help prepare the documentation, such as application forms

To assist with assembling the dossier of supporting documentation that is essential to secure a successful application.

What an effective immigration adviser will do is speed up and minimise the chances of the application being rejected on a technicality, for example, because a document is missing.

How to find and appoint an immigration adviser

The internet is a good place to start searching for an immigration adviser. However, some unscrupulous organisations prey on inexperienced migrants, so expat contractors are advised to use either personal/professional referrals. A good starting point is the various regulating bodies, such as the OISC or Law Society, who have databases of immigration advisers and the areas in which they specialise.

Immigration advisers have different levels of expertise. So, when selecting an adviser, contractors should consider the level of advice they are likely to need. However, a regulated and reputable adviser should not take on a case they do not have the skills and experience to manage.

Reputable immigration advisers should also provide a list of fees and schedules on request and should be able to provide an estimate of likely costs. As with any professional service provider, it is advisable to get more than one estimate and, once an adviser has been commissioned, to keep track of costs.

Do it yourself or use an adviser?

In reality, an individual with the typical profile of a contractor, who is highly skilled and educated and has a good command of English, will not need to use an immigration adviser but is well advised to do so.

An effective, experienced and suitably qualified immigration adviser should be viewed by expat contractors in the same way as an accountant is. Contractors could do a lot of the work themselves and probably succeed, but by using an adviser they are paying a premium to save their own time, buy the expertise of a specialist, and maximise their chances of success.

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