

Making sense of Brexit

The implications for
global mobility



The decision to 'Brexit' the EU has raised questions relating to the immigration status of workers and the impact on organisations which have an international workforce. Many employers have a significant proportion of staff who are EEA nationals.

Following the referendum, we have spoken with a number of organisations who have received urgent queries about technical immigration issues, their 'Brexit policy' and the potential impact on their ability to attract, and retain, talent from across the EU. The following guide is designed to help you navigate those issues.

Our approach

- **audit** - ensure you know who your EEA national employees are, together with any UK workers based in other EEA countries. Identify all new EEA recruits for ease of communication in the future
- **assess** - is there an area of your business that is disproportionately affected? Is this a business critical role or a hard to recruit area? How will a worker's immigration status be affected? Is permanent residency an option? What if EEA nationals choose to leave before Brexit – will you be prepared?
- **communicate** - have you communicated any messages of reassurance to your staff or let them know where they can obtain further information and how to voice concerns? Consider gathering common questions and circulating answers and/or holding meetings or surgeries for staff
- **support** - should you be proactive in explaining or supporting applications for permanent UK residence or exploring other options? Consider offering guidance, or access to external advice, on residency/citizenship and workers' options. Could you also provide practical assistance to staff taking the English language and life in the UK tests?
- **review** - check engagement documents and contracts of employment for adequate "right to work" clauses. Ensure that the organisation is fully compliant with all requirements under its Tier 2 licence and consider resource implications of adding EEA staff on to that licence if the principle of free movement falls away



Our solution

We have developed a number of integrated solutions to help you and your employees understand the implications of Brexit. These include:

- **Q & A sessions** - typically lasting one hour, an expert employment and immigration lawyer will conduct an agreed number of detailed question and answer sessions with employees explaining the potential impact of Brexit and how to respond
- **helpdesk service** - gives you immediate access to an Eversheds Sutherland employment and immigration expert to whom you can submit questions raised by employees for a prompt response. These queries and responses can be collated and management information provided in a format that best suits your needs
- **bespoke webinars** - we will provide you with a webinar facility that you and others appointed by you can access at any time, addressing those questions and issues of most importance to you and your workforce
- **practical guides** - we can provide you with online guides demonstrating how employees can complete applications for residence cards, permanent residency or citizenship. These can be accessed and used by your staff at any time
- **application support** – we can support your employees with the completion and submission of applications in order to regularise their immigration status.
- **auditing** - we can assist with auditing files to identify and categorise EEA nationals, to review contracts of employment and to ensure compliance with the points based system



Relevant experience

Our immigration team forms part of our global mobility practice, which has considerable experience of helping organisations recruit, and retain, talent from across the world. All members of the immigration team have a dual immigration and employment role and so they are able to deal with the clear overlap of issues which arise within organisations which have an international and globally mobile workforce.

We have worked with employers to assess the impact of major events, such as the introduction of sponsor licences and the corresponding increase in immigration regulation and compliance. We can help in assessing and managing risk issues such as preparation for audit, disclosure of information to UKVI or making individual applications. Our emphasis is on helping the organisation to identify the risk and plan realistic and practical strategies to successfully meet the challenge.

Key contacts

To find out more please contact:



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“The employment team have consistently provided me with innovative, responsive and pragmatic advice. From experience I have complete confidence in their ability to navigate complex and challenging issues to a successful outcome.”

Shaun Rafferty

Director of Central Services, Joseph Rowntree Foundation

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“I am very impressed with the team. A lot of employment team legal “fire power” and a burning will to win for the company.”

Toby Train

General Counsel, Rexel Northern Europe

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