



Home Office

Workers and Temporary Workers: guidance for sponsors

Sponsor a Seasonal Worker

Version 04/24

This document forms part of the collection 'Workers and Temporary Workers: guidance for sponsors'. It provides information for approved scheme operators in the horticultural and poultry production sectors on how to sponsor a worker on the Seasonal Worker immigration route.

This version of the guidance is valid from 4 April 2024.

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About this guidance

This document provides information for approved scheme operators in the horticultural sector on how to sponsor an overseas worker on the Temporary Work – Seasonal Worker immigration route.

The Seasonal Worker route allows employers in the horticulture and poultry production sectors to source overseas workers to do seasonal work with an approved scheme operator.

Other guidance you must read

To make sure you meet all of the relevant requirements and fulfil your sponsorship duties, you must read the following parts of the sponsor guidance, in addition to this document:

- [Part 1: Apply for a licence](#) – this contains detailed information on how to apply for a sponsor licence and how we assess applications
- [Part 2: Sponsor a worker](#) – this contains detailed information on how to sponsor Workers and Temporary Workers, including how to request and assign Certificates of Sponsorship, immigration requirements, and conditions of stay
- [Part 3: Sponsor duties and compliance](#) – this contains detailed information about your duties as a licensed sponsor and the action we can take if you fail to meet these duties
- any relevant annexes or appendices referred to in the above documents

You can access all of these documents, and other information on sponsorship, on the [Sponsorship: guidance for employers and educators](#) page on GOV.UK.

This guidance is subject to change. If you have printed or downloaded a copy of this guidance, check the version number and date on GOV.UK to ensure you are using the most up-to-date version.

Glossary

There is a glossary of terms used throughout the sponsor guidance (including this document) at the beginning of [Part 1: Apply for a licence](#).

For a definition of ‘occupation code’, ‘SOC 2020 occupation code’ and ‘SOC 2010 occupation code’, see the glossary in [Part 2: Sponsor a worker](#).

In this document:

Horticulture sector

This means those growing:

- protected vegetables – those grown in glasshouse systems

- field vegetables – those grown outdoors, including vegetables, herbs, leafy salads and potatoes
- soft fruit – those grown outdoors or under cover e.g. in glasshouses or polytunnels. Includes strawberries, raspberries, blackcurrants, blueberries and all *ribes* and *rubus* species
- top fruit (orchard fruit) - trees that bear fruit e.g. apples, plums, cherries, apricots
- vine and bines – both twining or climbing flexible stems of certain plants, e.g. hops is a bine, and grapes is a vine
- mushrooms – typically covers *agaricus bisporus* species but can also include more exotic species; normally grown indoors
- bulbs and cut flowers, such as daffodils, grown outdoors and indoors
- pot plants, such as seasonal bedding plants like pansies, violas, germaniums and poinsettias
- hardy ornamental nursery stock such as Christmas trees, shrubs, roses, ornamental trees and perennials
- tree and forest nurseries

Poultry production sector

This means work in one of the following roles ('occupation code' means the Standard Occupational Classification (SOC) 2020 occupation code in use for Certificates of Sponsorship assigned on or after 4 April 2024 – see section S3 of [Part 2: Sponsor a worker](#) for further information on occupation codes):

- Butcher (occupation code 5431)
- Bird/game dresser (occupation code 5433)
- Killer and plucker (occupation code 5433)
- Plucker (occupation code 5433)
- Poulterer (occupation code 5433)
- Poultry processor (occupation code 5433)
- Poultry sticker (occupation code 5433)
- Trusser (occupation code 5433)
- Food operative (occupation code 8111)
- Poultry catcher/handler (occupation code 9111)
- Poultry vaccinator (occupation code 9119)
- Poultry meat packer (occupation code 9132 – for CoS assigned before 4 April 2024, the equivalent SOC 2010 occupation code is 9134)

Seasonal work

This means employment which fluctuates or is restricted according to the season or time of the year.

Seasonal Worker

This means a person who is applying for, or has been granted, entry clearance on the Seasonal Worker route; or who you are sponsoring, or intend to sponsor, on that route.

Seasonal Worker route

This means the route in [Appendix Temporary Work – Seasonal Worker](#) to the Immigration Rules. Where the context requires it, it can also mean:

- the route in Appendix T5 (Temporary Worker) Seasonal Worker in place between 1 December 2020 and 10 October 2021 inclusive; or
- the Seasonal Worker sub-category of the Tier 5 (Temporary Worker) route in Part 6A of the Rules in force before 1 December 2020

You can find previous versions of the Immigration Rules in the [Immigration Rules Archive](#) on GOV.UK.

Contacts

If you think this guidance has factual errors or broken links, you can email the [Business Helpdesk](#).

If you have read this guidance, and the guidance referred to above, and you still have any queries, you can call us on 0300 123 4699 or email the [Business Helpdesk](#).

Version number and publication

Below is information on the version number of this guidance and when it was published:

- version 04/24
- published on 4 April 2024

You can view [previous versions of this guidance](#) on the National Archives website.

Changes to this guidance

This version replaces version 03/24 (published on 5 March 2024). The guidance has been updated to reflect changes to Seasonal Worker salary thresholds, as set out in [Statement of Changes HC 590](#) (published on 14 March 2024) and to make some other minor changes. Full details of the changes are set out below:

- About this guidance (glossary): occupation code for poultry meat packers updated to reflect the transition from SOC 2010 occupation codes to SOC 2020 occupation codes for Certificates of Sponsorship (CoS) assigned on or after 4 April 2024
- SE2.4: minor amendment to reflect that sponsors whose licence is due to expire on or after 6 April 2024 no longer need to apply to renew their licence
- SE6: section redrafted for clarity and to reflect new salary thresholds for Seasonal Workers with a CoS assigned on or after 4 April 2024
- other minor housekeeping changes

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SE1. Sponsor Seasonal Workers: overview

This section provides an overview of the Seasonal Worker route and the sponsorship requirements you must meet.

What is the Seasonal Worker route?

- SE1.1. The Seasonal Worker route is for workers aged 18 or over to come to the UK on a scheme to undertake seasonal work in the [horticulture sector](#) or the [poultry production sector](#).
- SE1.2. To sponsor a worker on this route, you must be an [approved scheme operator](#) which administers the scheme and acts as the licensed sponsor for any workers on the scheme.
- SE1.3. The Seasonal Worker route is subject to an annual quota. For 2024, the quota is 47,000, divided between the horticulture sector and the poultry production sector as follows:
- horticulture sector – 45,000 places
 - poultry production sector – 2,000 places
- SE1.4. This quota can be used exclusively for workers with a Certificate of Sponsorship (CoS) start date in the relevant year. The Home Office is responsible for setting this quota and apportioning it to the scheme operators. You will not be permitted to exceed your allocated part of the quota.
- SE1.5. You can sponsor Seasonal Workers in:
- horticulture for a maximum period of 6 months' employment in the UK in any 12-month period
 - poultry production for a period beginning no earlier than 2 October and ending no later than 31 December each year
- SE1.6. Seasonal Workers undertaking roles in the poultry production sector must submit their visa application on or before 15 November each year. No further CoS must be assigned to workers after this date.
- SE1.7. Seasonal Workers are not permitted to bring their family members (dependants) to the UK on this route.

Who needs to be sponsored on the Seasonal Worker route?

- SE1.8. You will need to sponsor any overseas national you wish to employ if they are not a 'settled worker' or do not otherwise have immigration permission

to work for you in the UK. This includes most [EU, EEA](#) and Swiss nationals who arrived in the UK after 31 December 2020.

SE1.9. You do not have to sponsor certain categories of worker, including:

- Irish citizens (with very limited exceptions)
- people who have been granted status under the [EU Settlement Scheme](#)
- people with indefinite leave to enter or remain in the UK (also known as 'settlement')

SE1.10. This is not a complete list. For further information on who does, and does not, need sponsorship, see section S1 of [Part 2: Sponsor a worker](#).

What are the sponsorship requirements for the Seasonal Worker route?

SE1.11. If you wish to sponsor a person on the Seasonal Worker route, you must:

- be an approved scheme operator and hold a valid [sponsor licence](#) for the Seasonal Worker route
- understand the general requirements for sponsoring a worker – see [Part 2: Sponsor a worker](#)
- understand [what the Seasonal Worker route is](#) and who you can sponsor on this route
- understand [your responsibilities as an approved scheme sponsor](#) – this includes ensuring the welfare of the workers you sponsor and that they are paid in line with the minimum pay requirements for this route
- satisfy yourself any worker you wish to sponsor can meet the [immigration requirements](#) for the route
- assign a [valid Certificate of Sponsorship \(CoS\)](#) to the worker you wish to sponsor and pay the [CoS fee](#)
- keep records for each worker you sponsor, including information on how you recruited the worker – see [Appendix D](#) to the sponsor guidance
- have eligible 'Key Personnel' in place to manage your licence and assign CoS – see section L4 of [Part 1: Apply for a licence](#) for guidance on Key Personnel
- understand and comply with all of your sponsor duties – [see Part 3: Sponsor duties and compliance](#)

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SE2. How to get a Seasonal Worker sponsor licence

This section tells you about the requirements you must meet to be eligible for a Seasonal Worker sponsor licence.

Note: this section is for information only. There are already overarching bodies (scheme operators) which have been approved for a sponsor licence for this route to sponsor workers in poultry production and/or horticulture. No further scheme operators will be issued with a sponsor licence on this route without prior approval to be a scheme operator.

General requirements

- SE2.1. If you wish to sponsor a Seasonal Worker, you must hold a valid sponsor licence for the Seasonal Worker route. If you do not already hold such a licence, you must apply for one by completing the [online application form](#), paying the relevant [application fee](#), and submitting the supporting evidence specified in [Appendix A](#) to the sponsor guidance.
- SE2.2. Before applying for your licence, you should read:
- [Part 1: Apply for a licence](#) for detailed information on the general requirements and the application process
 - this section for guidance specific to the Seasonal Worker route
- SE2.3. If you already hold a valid licence to sponsor workers, but it does not include the Seasonal Worker route, you can apply to add this route to your existing licence. For further information on adding routes to your licence, see section L10 of [Part 1: Apply for a licence](#).
- SE2.4. If you already hold a sponsor licence and it's due to expire before 6 April 2024, you should apply now to renew it. You do not need to apply to renew your licence if it expires on or after 6 April 2024. See section C5 of [Part 3: Sponsor duties and compliance](#) for further information.

Specific requirements for a Seasonal Worker licence

- SE2.5. To be eligible to apply for a licence to sponsor Seasonal Workers you must be an overarching body (scheme operator) which is:
- endorsed by the [Department for Environment, Food and Rural Affairs \(DEFRA\)](#) to be an approved scheme operator, and
 - licensed by the [Gangmasters and Labour Abuse Authority](#)
- SE2.6. Individual employers and organisations are not eligible for a sponsor licence on this route, even if they are licensed as a sponsor on other routes.

SE2.7. The Home Office reserves the right to refuse a sponsor licence application, even where a DEFRA endorsement has been secured.

How to keep your licence

SE2.8. If you are granted a licence, you must comply with all of your sponsor duties (including your [additional responsibilities](#) as an approved scheme operator). If you do not, we may take action against you, including:

- downgrading your licence rating
- suspending your licence
- revoking your licence
- reporting you to the police or other relevant authorities

SE2.9. For details, see [Part 3: Sponsor duties and compliance](#).

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SE3. Your responsibilities as an approved scheme operator

This section tells you about your responsibilities as an approved scheme operator on the Seasonal Worker route.

Overview

- SE3.1. As an approved scheme operator, you have particular responsibilities towards your sponsored workers, including ensuring their welfare. These responsibilities are in addition to your general sponsor duties set out in [Part 3: Sponsor duties and compliance](#).
- SE3.2. You must fully comply with all the requirements in this section or we will take action against you, up to and including the revocation of your sponsor licence.
- SE3.3. You are responsible for all of the workers you sponsor on this scheme. It is important that you work closely with the employers where your sponsored workers are placed. If you do not maintain a high standard of welfare and control – for example, if workers are not doing the work you said they would – we will take action against you.

Monitoring workers' welfare

- SE3.4. You must undertake robust and comprehensive monitoring of all the workers you sponsor in their workplace, including ensuring that:
- the workers' work environment is safe and complies with relevant Health and Safety requirements
 - employers take adequate steps to ensure workers understand Health and Safety procedures, including providing translations into the workers' first language if required
 - workers are treated fairly by their employer, including not penalising workers for failing to work at the fair piece rate
 - workers are given an employment contract in their first language, as well as in English – these must not be zero-hours contracts
 - workers are paid properly – this includes paying the minimum hourly rate, alongside satisfying relevant National Minimum Wage regulations, including those on fair rates for piece work, and Holiday Pay
 - workers are allowed time off and proper breaks
 - workers are made fully aware of procedures if they are sick or injured, including how to make a claim on any medical insurance they may have
 - workers are provided with appropriate equipment to do their job safely and are not charged for it, including any replacements of worn and accidentally damaged items
 - employers with whom you have placed workers do not impose additional, unnecessary charges on workers, whether directly or

indirectly

- workers are housed in hygienic and safe accommodation that is in a good state of repair
- workers are not transported in unsafe vehicles
- workers are not threatened with, or subjected to, violence
- workers are not subject to any discrimination
- workers' passports, travel documents or any other identity documents are not withheld from them
- procedures are in place to enable workers to report any concerns to you
- workers are made fully aware of the expectations on you and the employer, and how to report any concerns where those expectations are not met

SE3.5. You can find guidance on meeting these requirements in the [Employing people](#) and [Agricultural workers' rights](#) pages on the GOV.UK website.

SE3.6. If you, the Home Office or any relevant outside agency (for example the Gangmasters and Labour Abuse Authority or the Health and Safety Executive) identify issues with a grower to whom you are supplying workers that impact the safety or wellbeing of the participating workers, these issues must be addressed immediately and, as appropriate, the participating workers transferred to an alternative grower.

If the worker wishes to change employer

SE3.7. You must establish a clear employer transfer pathway, including transparent criteria for making a transfer request and a process for considering such requests. This should be communicated to workers before they start to work on the farm.

SE3.8. You must not normally refuse requests from participating workers to change employers. Participating workers can change employers if they wish and must normally be allowed to do so, unless there are significant reasons not to permit this (for example, their visa will imminently expire and the duration of the necessary training requirements would make such a move impractical).

Additional requirements

SE3.9. You must not place any additional charges on participating workers, beyond the costs of administering the scheme.

SE3.10. You cannot use the Seasonal Worker route to source your own labour needs.

SE3.11. You must not place workers at an employment business or agency.

SE3.12. You must only place workers with growers who have demonstrated to you that they are actively engaging with Jobcentre Plus to recruit UK based workers.

SE3.13. You must maintain full licensing with the Gangmasters Labour Abuse Authority at all times.

SE3.14. You must only sponsor workers in roles you have been endorsed by the Department for Environment, Food and Rural Affairs to offer.

Compliance with visa requirements

SE3.15. You must satisfy yourself that any worker you sponsor on this scheme can meet the [immigration requirements](#) of this route and will comply with the conditions of their stay.

SE3.16. We will normally revoke your licence if, within any 12-month period, any of the following occur:

- fewer than 95 percent of your sponsored workers are granted entry clearance (a visa)
- 3 percent or more of your sponsored workers who obtain entry clearance (a visa) fail to arrive at their place of employment
- fewer than 97 percent of your sponsored workers who obtain entry clearance (a visa) leave the UK at the end of their permitted stay

SE3.17. See Annexes C1 to C3 of [Part 3: Sponsor duties and compliance](#) for a full list of reasons for which we can revoke a sponsor licence.

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SE4. Immigration requirements for Seasonal Workers

This section tells you about the immigration requirements Seasonal Workers must meet and where you can find further information.

Overview

- SE4.1. People who wish to come to the UK on the Seasonal Worker route must meet the requirements in [Appendix Temporary Work - Seasonal Worker](#) to the Immigration Rules.
- SE4.2. These requirements include that the applicant:
- has a valid [Certificate of Sponsorship \(CoS\)](#) issued by an [approved scheme operator](#) for [seasonal work](#) in the [horticulture sector](#) or the [poultry production sector](#)
 - is being sponsored for a role which complies with National Minimum Wage and the Working Time Regulations
 - is aged at least 18 on the date of their application for entry clearance
 - meets the [financial requirement](#)
 - meets the [entry requirement](#)
- SE4.3. This is not the full list of requirements – you must refer to the relevant [Immigration Rules](#) for these.

Compliance with National Minimum Wage and the Working Time Regulations

- SE4.4. The role you are sponsoring the worker for must always comply with the National Minimum Wage Regulations 2015 and the Working Time Regulations 1998. We will refuse any application for entry clearance where we have reasonable grounds to believe it does not. We will also consider revoking your sponsor licence if we find you are breaching these Regulations.
- SE4.5. For further information, see ‘Compliance with National Minimum Wage and the Working Time Regulations’ in section S4 of [Part 2: Sponsor a worker](#).

Financial requirement

- SE4.6. The applicant must show they have enough funds to support themselves while they are in the UK.
- SE4.7. You can certify this requirement is met when you assign a CoS to them (also known as ‘certifying maintenance’). Otherwise, the applicant must provide evidence of funds as specified in [Appendix Finance](#) to the Immigration Rules.

SE4.8. For further information, see 'Financial requirement' in section S7 of [Part 2: Sponsor a worker](#).

Entry requirement

SE4.9. Applicants must apply for entry clearance (a visa) to be able to come to the UK on this route. If they arrive in the UK without the relevant visa, they will be refused entry, even if they otherwise meet the requirements.

Extension of permission and 'switching'

SE4.10. Workers who entered the UK with a Seasonal Worker visa cannot apply for an extension of stay from within the UK.

SE4.11. People who are in the UK on another immigration route are not permitted to 'switch' (change route) to the Seasonal Worker route. If you wish to sponsor a person on the Seasonal Worker route but they are in the UK on another route, they must leave the UK and apply for entry clearance from overseas.

How long Seasonal Workers can stay

SE4.12. If the applicant makes a successful application for entry clearance to work in the [horticulture sector](#), they will be granted whichever is the shorter of:

- the period of the role on the CoS plus 14 days before and after
- a maximum period of 6 months' stay in the UK in any 12-month period

SE4.13. If the applicant makes a successful application for entry clearance to work in the [poultry production sector](#), they will be granted whichever is the shorter of:

- the period of the role on the CoS plus 14 days before and after
- for a period beginning no earlier than 2 October and ending no later than 31 December of the year in which the CoS was assigned

SE4.14. Applicants cannot be granted permission beyond the periods referred to above.

Further information

SE4.15. You can find more information about the Seasonal Worker route on the [Seasonal Worker visa](#) pages on GOV.UK.

SE4.16. You should also refer to sections S7 to S9 of [Part 2: Sponsor a worker](#) for further information on immigration requirements and conditions of stay.

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SE5. Certificate of Sponsorship for Seasonal Workers

This section tells you how to assign a valid Certificate of Sponsorship on the Seasonal Worker route.

Overview

- SE5.1. If you have followed all the rules in this guidance and you wish to sponsor a worker on the Seasonal Worker route, you must assign them a valid Certificate of Sponsorship (CoS), using your [sponsorship management system \(SMS\)](#) account.
- SE5.2. Before assigning a CoS, you should satisfy yourself that the worker can meet the relevant [immigration requirements](#).
- SE5.3. You must be an A-rated sponsor – you cannot sponsor a person on the Seasonal Worker route if you are B-rated. For information on sponsor ratings, see section L8 of [Part 1: Apply for a licence](#).
- SE5.4. For detailed information on what a CoS is, and how many you can assign, see section S2 of [Part 2: Sponsor a worker](#).
- SE5.5. You can find technical guidance on how to complete a CoS on GOV.UK: [User manuals: sponsorship management system \(SMS\)](#) – see in particular Manual 8.

Fees

- SE5.6. You must pay a fee for each CoS you assign – see the '[UK visa fees](#)' page on GOV.UK for information on current fee levels.

Use of the CoS

- SE5.7. Once you have assigned a CoS, the worker must use it to apply for entry clearance (a visa) within 3 months of the date the CoS was assigned. If the worker is a poultry production worker, they must apply for their visa by no later than 15 November of the year in which they intend to come to the UK.
- SE5.8. If the CoS is not used by these dates, we may reject the worker's application and not consider it.
- SE5.9. The worker must not apply for entry clearance more than 3 months before the start date recorded on their CoS. If they do, we will refuse their application.
- SE5.10. We will also refuse the application if the CoS:
- has been withdrawn by you or cancelled by the Home Office – see

section S6 of [Part 2: Sponsor a worker](#) for information on when a CoS can be withdrawn or cancelled

- was used in a previous application that was refused

What the CoS must confirm

SE5.11. For a CoS to be valid, it must meet the relevant requirements set out in paragraphs SAW 4.1 to SAW 4.3 of [Appendix Temporary Work - Seasonal Worker](#) to the Immigration Rules.

SE5.12. By assigning a CoS on the Seasonal Worker route, you guarantee that the worker:

- is at least 18 years old
- will not establish a business in the UK
- will only take employment in a job permitted by this scheme, and with an employer approved by you in the [horticulture sector](#) or the [poultry production sector](#)
- will comply with the conditions of their entry clearance and will leave the UK when it expires – see section S8 of [Part 2: sponsor a worker](#) for further information

SE5.13. The CoS must confirm all of the following:

- that you are sponsoring the worker on the Seasonal Worker route
- the worker's personal information (such as name, date of birth, nationality), passport details and contact details
- the start and end date of their employment – see '[How long you can assign a CoS to a Seasonal Worker](#)'
- total weekly hours of work, which must comply with the [Working Time Regulations](#)
- where the worker will carry out their employment – this should include their main work address and any other regular work addresses, if relevant
- whether you used an agent (such as a recruitment agency, employment business or other intermediary) to find the worker and, if so, details of that agent
- the job title
- the relevant SOC 2020 occupation code (select from the drop-down list under 'Job type'), which must be an eligible occupation in the [horticulture sector](#) or the [poultry production sector](#) – see section S3 of [Part 2: Sponsor a worker](#) for more information on occupation codes
- the main duties of the role for which the worker is being sponsored
- whether you wish to [certify maintenance](#) for the worker
- that the role meets all relevant legislation, such as the relevant Agricultural Wages Order rate where this applies, [National Minimum Wage and the Working Time Regulations](#)
- that the role the worker is being sponsored for meets the salary requirements (and, where applicable, the minimum hours requirement)

for this route – see [section SE6](#) for further details

How long you can assign a CoS to a Seasonal Worker

- SE5.14. You must not assign a CoS for longer than you need the worker or beyond the maximum period permitted by the scheme including time spent working for another sponsor.
- SE5.15. For roles in the [horticulture sector](#) you should always check with the worker if they have been in the UK during the last 12 months with another scheme operator to ensure that you do not sponsor them for longer than permitted.
- SE5.16. If you assign a CoS for longer than the permitted period, we will refuse the worker's application. We will also speak to the Department for Environment, Food and Rural Affairs and ask them if they wish to continue endorsing your scheme. If they stop endorsing your scheme, we will revoke your sponsor licence.
- SE5.17. For further information on entering start and end dates, see section S3 in [Part 2: Sponsor a worker](#).

Reporting duties and record keeping

- SE5.18. Once you have assigned a CoS to a worker, you must tell us if they fail to start their employment, are absent without permission, move to a different work location or there are any significant changes to the nature of their work or salary, or to your organisation. For full details of your reporting and other duties, see: [Part 3: Sponsor duties and compliance](#).
- SE5.19. You must also keep records for each worker you sponsor as specified in [Appendix D](#) to the sponsor guidance.
- SE5.20. If you fail to meet these duties, we may revoke your sponsor licence.

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SE6. Pay requirement for Seasonal Workers

This section tells you how much you must pay a Seasonal Worker and how salary thresholds are calculated.

This section applies to Certificates of Sponsorship (CoS) assigned on or after 4 April 2024. For information on pay requirements for CoS assigned before 4 April 2024, see the [previous version of this guidance](#).

Overview

- SE6.1. All Seasonal Workers must be paid at least the rates specified in this section. The minimum amount they must be paid depends on the type of role they are being sponsored for. These rates are reviewed and updated regularly to reflect the latest available salary data.
- SE6.2. If the amount the worker is paid is below the rates specified in this section, we will refuse their application for entry clearance.
- SE6.3. If we grant entry clearance to a Seasonal Worker but later find that they have stopped receiving, or have never been paid, in line with these rates (or the rates specified in the version of the guidance in force at the time the Certificate of Sponsorship (CoS) was assigned), we will take action against you – this could include revoking your sponsor licence.

Poultry production roles: occupation codes 5431 or 5433

- SE6.4. For workers sponsored under occupation code 5431 (butchers) or 5433 (poultry dressers) in the poultry production sector, you must confirm they will be paid at least £15.88 for each hour worked and £38,700 per year.
- SE6.5. These rates are in line with the Skilled Worker median salary requirements from 4 April 2024.
- SE6.6. If the worker is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week can be considered towards the £38,700 threshold. For example, if the worker is sponsored to work 60 hours a week for £16 per hour, they will be considered to have a salary of £39,936 (£16 x 48 x 52) per year and not £49,920 (£16 x 60 x 52).
- SE6.7. The exception to this is if the worker's regular working hours are not the same each week. In these cases, more than 48 hours in some weeks can be considered towards the salary threshold, providing the average over a regular cycle (which can be less than, but not more than, 17 weeks) is not more than 48 hours a week.
- SE6.8. For example, a worker who works a pattern of 60 hours a week for £20 per

hour for two weeks, followed by an unpaid rest week, will be considered to work 40 hours a week on average and have a salary of £41,600 (£20 x 40 x 52) per year.

- SE6.9. Any unpaid rest weeks in these cases will count towards the average when considering whether the salary threshold is met. They will not count as unpaid absences from employment.
- SE6.10. The salary threshold refers to annual salaries. As the worker will be working in the UK for 6 months or less, we will pro-rate their gross actual earnings, as recorded on their CoS, to the equivalent annual figure to determine if they meet the salary requirements. For example, if the worker is assigned a CoS for 6 months, and their gross pay will be £3,500 per month, this would equate to a gross annual salary of £42,000 and would meet the salary requirement.

Horticulture sector and other poultry production roles

- SE6.11. For workers sponsored to work in the [horticulture sector](#) or in [poultry production roles](#) under occupation codes 8111, 9111, 9119 or 9132, you must confirm they will receive at least 32 hours of paid employment each week and be paid at least £11.44 for each hour worked.
- SE6.12. Where a worker is paid over a longer period than a week, for example on a fortnightly or monthly basis, some reasonable averaging of hours is permitted. We will however be monitoring this closely and workers must not be required to work excessive hours at the end of their pay period in order to achieve the 32-hour average.

Calculation of hourly rates

- SE6.13. The hourly rates (£15.88 or £11.44, depending on the role) only include guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions), and does not include other pay and benefits.
- SE6.14. We will not take into account other allowances, pay or benefits (even if they are guaranteed), such as any of the following:
- pay which cannot be guaranteed because the nature of the job means that hours fluctuate
 - additional pay such as shift allowance, or overtime or bonus pay, whether or not it is guaranteed
 - employer pension and employer national insurance contributions
 - any allowances, such as accommodation or cost of living allowances
 - any payments relating to immigration costs, such as the application fee
 - payments to cover business expenses, including (but not limited to) travel to and from the applicant's home country, equipment, clothing, travel or subsistence

SE6.15. When you enter the worker's pay on their CoS, you must not include any allowances, such as those listed above, in the figure. If we find you have done so, we may revoke your licence.

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