



Home Office

Points-based system sponsor compliance visits

Version 16.0

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About this guidance

This guidance gives compliance officers guidance for pre and post licence sponsor compliance visits and assessments.

It gives guidance on the:

- areas you must consider when carrying out a visit
- processes you must follow before, during and after a visit

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, email the PBS and Economic Migration team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on), or have any comments about the layout or navigability of the guidance, you can email the Guidance Rules and Forms team.

Publication

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

- version **16.0**
- published for Home Office staff on **19 December 2023**

Changes from last version of this guidance

The main changes reflect the updated Immigration Rules. There are also new sections on:

- visiting Secure English Language Test centres
- visiting Life in the UK test centres

The guidance on conducting interviews has been expanded, as has the guidance on key personnel.

Other minor housekeeping changes have also been made.

Related content

[Contents](#)

Sponsor compliance visits

This section explains the principles of sponsorship compliance visits.

Sponsorship is based on 2 fundamental principles:

- those who benefit most directly from migration (that is the employers, education providers or other bodies who are bringing migrants to the UK) must play their part in making sure the system is not abused
- the Home Office needs to be sure those applying to come to the UK to do a job or study are eligible to do so, and a reputable employer or education provider genuinely wishes to employ or enrol them

Sponsor duties

A sponsor is responsible for fulfilling certain duties from the day their licence is granted until:

- [they surrender their licence](#)
- they let their licence lapse
- the Home Office revokes their licence

Their responsibility for a worker or student starts on the day they assign a certificate of sponsorship (CoS) or a confirmation of acceptance for studies (CAS) and ends:

- when they notify the Home Office that they are no longer sponsoring the worker or student for any reason
- when the worker or student leaves the UK and their entry clearance or leave to remain expires
- when the worker or student is granted further leave to remain with a different sponsor or in another immigration route

Key personnel

The sponsor is required to give certain responsibilities to members of their staff, some or all of whom will have access to the sponsorship management system (SMS) once they have been granted a licence. These are known as 'key personnel'. There are 4 roles:

- an authorising officer (AO)
- a key contact (KC)
- a level 1 user
- a level 2 user

These roles can be filled by the same person, or a combination of different people.

Each of the sponsor's key personnel must be:

- permanently based in the UK for the duration of the period that they fill the role appointed to them, unless the AO hasn't yet entered the UK under the UK Expansion Worker route
- a paid member of the sponsor's staff or be engaged by the sponsor as an office holder unless an exception applies

A sponsor must always have in place a level 1 user who is able to undertake their day-to-day sponsorship activities. Only level 1 and 2 users have access to the SMS. SMS users must not assign a CoS or CAS to themselves, a close relative or a partner. A close relative or partner is a:

- spouse or civil partner
- unmarried or same-sex partner
- parent or step-parent
- son or step-son
- daughter or step-daughter
- brother, step-brother or half-brother
- sister, step-sister or half-sister
- nephew, niece, cousin
- aunt or uncle
- father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law

If an AO or KC requires access to the SMS, they must be set up as a level 1 or 2 user as well.

Exceptions

Key personnel need not be a paid member of staff or engaged an office holder in the following circumstances:

- a level 1 or level 2 user can be an employee of a third-party organisation to whom the sponsor has contracted some or all of its human resources function to, however, the sponsor must have at least one level 1 user who is an employee, partner or director in the company
- a level 2 user can be a member of staff supplied by an employment agency
- an overarching sponsor licensed under Temporary Work - Government Authorised Exchange can appoint level 2 users within the organisations taking part in the exchange programme
- an insolvency professional who has been appointed because the company has gone into administration can fill any key personnel role
- a UK based representative can fill any key personnel role except the role of authorising officer

The Worker, Temporary Worker and Student routes

The routes that you will assess are:

[Worker and Temporary Worker](#) routes

The Worker routes are:

- [Skilled Worker](#)
- [Global Business Mobility](#) (including former Intra-Company routes):
 - Skilled or Specialist Worker
 - Graduate Trainee
 - Secondment Worker
 - Service Supplier
 - UK Expansion Worker
- [International Sportsperson](#)
- [T2 Minister of Religion](#)

The [Temporary Worker routes](#) are:

- [Creative Worker](#)
- [Charity Worker](#)
- [Religious Worker](#)
- [Government Authorised Exchange](#)
- [International Agreement](#)
- [Seasonal Worker](#)
- [Scale-up](#)

[Student routes](#)

Student sponsors routes are:

- [Student](#)
- [Child Student](#)

You will also assess the equivalent routes in the previous Points-Based System

Compliance officer role

It is important you understand the responsibility of your sponsor compliance role. You play a vital role in:

- assessing sponsors
- making sure the principles of sponsorship are maintained
- contributing to the Home Office priorities of:
 - securing our borders
 - reducing immigration
 - protecting citizens from terrorism

The main focus of your role is on the sponsor, with a secondary focus on the sponsored workers or students.

Assessing the sponsor

You are primarily assessing:

- that a licensed sponsor is meeting their sponsorship obligations
- that a prospective sponsor has the necessary systems and procedures in place to meet their sponsorship obligations
- the accuracy of information given on the sponsor licence application
- whether the sponsor is complying with their obligations to prevent illegal working

Your assessment will lead to one of the following outcomes:

- the sponsor licence application will be approved, or, in the case of an existing sponsor, they will maintain their current licence status
- refusal of the sponsor licence application or, in the case of an existing sponsor, they may:
 - have their allocation of CoS or CAS reduced or removed
 - for Worker and Temporary Worker sponsors, be downgraded to a B-rating and be issued with a time-limited action plan
 - for Student sponsors, be issued with a time-limited action plan (downgrading to a B-rating does not apply to Student sponsors)
 - have their licence suspended
 - have their licence revoked

Your assessment could also decide if a sponsor qualifies for premium customer service.

Assessing workers and students

In assessing sponsor compliance, you will come across information either through interviews or through information that the sponsor provides about workers or students. Based on this information, you may need to make more checks which might lead to you:

- reporting intelligence on potential abuse by a sponsored worker or student such as working contrary to the conditions of their leave
- providing intelligence to other parts of the Home Office about someone who may not be a sponsored worker or student but may be breaching the Immigration Rules

When completing the report, you must:

- state only facts without reliance on assumptions, inferences or opinions
- only refer to the information you gather about a sponsored worker or student in your assessment of the sponsor
- include any compliance issues about workers or students that do not relate to the assessment of the sponsor in a separate [supplementary evidence form](#)

The '[Sponsorship: guidance for employers and educators](#)' advises sponsors that they must act honestly in any dealings they have with the Home Office and other government departments. If the sponsor provides you with false information during your visit, or you obtain evidence that shows they are involved in dishonest activity, you must report this as a breach of their sponsorship obligations.

Related content

[Contents](#)

Other visits

This page tells you about other visits you may have to undertake. These include:

- Visiting English language testing centres
- Visiting Life in the UK testing centres

Visiting Secure English language testing (SELT) centres

You will audit the test centre premises, processes and systems and report any non-compliance to the Home Office SELT team. You will undertake an audit on a purely observational basis. You will not interfere with any of the practices on the day nor will you advise centre staff of any processes that are not compliant with SELT requirements.

You will only audit the SELT test and must not audit a non-SELT test, which may take place in the same test centre.

You will arrive approximately an hour before the start of the test and introduce yourself to the test centre manager (or most senior person in the test centre on that day).

Visiting Life in the UK (LitUK) testing centres

You will audit the test centre premises, processes and systems and report any non-compliance to the UKVI LitUK team. You will undertake an audit on a purely observational basis. You will not interfere with any of the practices on the day nor will you advise centre staff of any processes that are not compliant with UKVI LitUK requirements.

Where clarification or further information is required, you will discuss this with the test centre manager or most senior person present. You will employ discretion, obtaining sufficient information to be satisfied that the test is being administered securely, whilst allowing the test centre to perform its usual functions.

You will arrive approximately 30 minutes before the start of the test and introduce yourself to the test centre manager (or most senior person in the test centre on that day).

Compliance visits

This section tells you the types of compliance visit you can carry out.

You will deal with 3 main types of visit:

- pre-licence assessment visit
- post-licence compliance visit

Pre-licence assessment visit

A pre-licence assessment visit is visiting the premises of an employer or educational institution that has applied for a sponsor licence, or has an existing sponsor licence, but is applying to add another route to it. Your visit findings will be considered by Sponsor Operations when they decide whether to grant the potential sponsor a licence or add another route to an existing licence.

Pre-licensing visits also include where a Student probationary sponsor has applied for Student sponsor status.

When carrying out a pre-licence assessment visit, you must check:

- the potential sponsor has the necessary human resource (HR) systems in place to make sure that, if they are licensed, they will be able to carry out their sponsor duties
- the number of workers or students they want to sponsor is appropriate to the size and nature of the organisation
- whether there is any evidence that suggests the potential sponsor would pose a threat to immigration control
- any areas of concern that Sponsor Operations have identified as requiring further inspection relating to the potential sponsor's application, for example, verifying the original documents they failed to submit with their application
- if the potential sponsor has applied under a Skilled Worker route, that they will genuinely be able to offer employment that meets the Skilled Worker requirements at the correct skill and pay level

Unless they are applying to add another route to an existing licence, the sponsor will not yet be sponsoring workers or students. This means you will not be able to use information about workers or students to assess the sponsor's HR systems.

The sponsor may, however, be employing non-resident workers or have non-resident students. If and when appropriate, you may check that their current processes for verifying the status of these students or workers are satisfactory.

Employers or educators applying for sponsor licence must be able to demonstrate they have systems in place or ready, so they can meet their sponsorship duties.

Post-licence compliance visit

A post-licence compliance visit is to a sponsor who already holds a sponsor licence. You may be carrying out a visit because:

- Sponsor Operations have requested the visit in connection with:
 - intelligence about the organisation
 - the sponsor hitting a trigger point for the number of workers or students they have sponsored
 - a sponsor licence renewal application

- another unit in the Home Office has requested the visit as part of a joint operation
- the sponsor is B-rated and is therefore subject to an action plan that now requires assessment
- the sponsor has requested the visit
- a probationary sponsor requires assessment because they have applied for Student sponsor status
- the Premium Service team have requested a visit

This list is not exhaustive but covers the main reasons you might need to carry out a post-licence compliance visit.

During a post-licence compliance visit, you must assess:

- the sponsor's HR systems to ensure they are meeting their sponsor duties
- whether the sponsor or the sponsor's activities pose a threat to immigration control
- whether the original number of CoS or CAS requested on the sponsor application or annual request is still justified
- whether those working or studying with the sponsor are complying with any conditions of their leave to stay in the UK
- whether the sponsor continues to have a trading presence
- whether sponsored workers were recruited to fill genuine vacancies which meet the requirements of the relevant immigration route in respect of skill level and pay all aspects of the tasking referral

Related content

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Announced and unannounced visits

This page tells you about announced and unannounced visits.

You can make an announced or unannounced visit, as the sponsor guidance makes clear to sponsors that they must allow Home Office staff access to any of their premises or sites under their control, on demand. Diplomatic or consular premises are exceptions to the requirement to provide access on demand.

If a sponsor refuses to allow you access on demand, the visit report should record that the sponsor was non-compliant, which may result in the sponsor licence being refused or revoked.

What you cannot do

You must not force entry to a sponsor's or potential sponsor's property, as you are not a warranted officer. You may politely remind the sponsor, or potential sponsor, that they agreed to provide access when they signed their application and that failure to do so would be seen as non-cooperation, which could lead to their application being refused or licence being revoked.

This gives the sponsor the opportunity to respond or to allow entry. You must clearly state any reason given by the sponsor for not allowing you entry in the visit report.

Unannounced visits

The compliance team must assess if the visit should be announced or unannounced. Visits should normally be unannounced, and, in particular, will be unannounced where:

- the request has specifically asked for the visit to be unannounced as it is intelligence led
- the compliance team consider an unannounced visit would achieve more accurate results - for example, for a sector-based risk reason
- there are serious concerns from previous visits that make the compliance team consider it more appropriate to visit unannounced

Secure English language and Life in the UK test centre visits are normally unannounced.

This list is not exhaustive.

Advantages of unannounced visits

An unannounced visit can be useful because it allows you to:

- see the sponsor in their normal working environment rather than allowing the possibility that the sponsor may have altered the environment for the purpose of assessment
- verify a permanent trading presence
- (for Student sponsors) verify that sponsored students are attending their scheduled lessons

Disadvantages of unannounced visits

The drawbacks can be that:

- the right personnel may not be there to speak to, so you are unable to collect all the required information
- the organisation may be closed

If the [key personnel](#) are unavailable when an unannounced visit is taking place, you should nevertheless continue with the visit. If Sponsor Operations require further information that means you need to speak to key personnel on the licence, you may have to re-visit or contact the sponsor by telephone, email or post after the visit to request additional information.

If the key personnel are not available during the visit you must speak to a relevant person, for example:

- an owner
- a director
- anyone involved in the day-to-day running of the sponsor's organisation

In all cases, you must seek proof of identity from the people you interview.

Announced visits

Announced visits allow certain benefits, for example, having the right person to speak to or having the full attention of the sponsor, since you were expected. There is a risk, however, that the sponsor may have altered the working environment in order to fit the sponsor duties they would not normally carry out - for example, by retrospectively completing a 'signing-in' book to give the impression an ongoing record of attendance is maintained when in fact it is not, or by making sure a sponsored worker is working as stated in their conditions of employment on that day when, ordinarily, they are engaged in lower skilled work.

You must advise the sponsor in advance what documents you need to see when going on an announced visit.

Deciding which visit is appropriate

To decide the most appropriate type of visit to carry out, you must consider:

- the specific tasking request

- the information provided about the sponsor
- the type of request
- the sponsor's rating

Announced visits: sponsor advises intention to surrender licence

If you announce a visit and the sponsor states they intend to surrender their licence, you must send the sponsor an email to confirm that:

- they have told you they wish to surrender their licence
- they must report this on the sponsor management system (SMS)
- they must send a hard copy of the surrender declaration form with an original signature within the next 10 working days to:

Sponsor Casework Operations
UK Visas and Immigration
Vulcan House Steel
Millsands
Sheffield
S3 8NS

Failure to comply with this requirement will result in a visit (announced or unannounced) which may see action taken against them. For sponsors in the Worker and Temporary Worker routes, this may result in them being subject to a cooling off period before they can reapply if we suspend their licence, as set out in the Worker and Temporary Worker [sponsor guidance](#).

The visit may take place even if the sponsor states that they intend to surrender their licence, for example, to obtain information about whether sponsored migrants are being compliant with the conditions of their leave.

If the compliance officer obtains the hard copy of the surrender declaration form during the visit, they should forward it to the address above.

Related content

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Illegal working

This page tells you what to consider about illegal working.

You may come across cases where, during a visit or after a sponsor provides information, you find a potential illegal worker. If you do, you must report the information to the Intelligence team using the online referral form.

Employers must comply with their record keeping duties for each worker they sponsor as set out in [Appendix D](#) of the sponsor guidance.

They also have a duty to comply with the law by not employing workers who do not have permission to work the hours or do the job in question, for example, a student who works for 30 hours a week during term time or a visitor with no right to work.

If you find an illegal worker on a sponsor's premises but the sponsor has carried out checks as recommended in the [illegal working guidelines](#), the sponsor will be classed by the Home Office as having a 'statutory excuse'. You should, however, still report your findings to any or all the following:

- Intelligence team
- Civil Penalties Compliance team
- Immigration Compliance and Enforcement (ICE)

Such checks for non-sponsored staff are not mandatory, and a sponsor is not in breach of their sponsor duties if they do not make these checks. They are also not operating illegally, or in breach of their sponsor duties, if they do not make follow-up checks for sponsored workers.

Students who have the right to work must provide an employer with evidence of their academic term and vacation dates for the duration of their studies in the UK so they can take employment. This allows an employer to show and retain a statutory excuse against a civil penalty.

The need for annual follow-up right to work checks was replaced with checks at the point of expiry of leave, except where there:

- is no expiry date (for example with application registration cards (ARC))
- are no acceptable documents because there is an outstanding application or appeal with the Home Office

If the sponsor chooses to show a statutory excuse, they must make a follow-up check 6 months after the date of the initial check. To show a statutory excuse against a civil penalty, copies taken must be clear, and a record of the date the sponsor made the check must also be kept.

Related content

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Safeguarding and other immigration issues

This page tells you about other immigration issues you must deal with if you find them during or after a visit.

You must be aware of the following situations which you may encounter. While it may be rare to come across one of these situations during a visit, you must be aware of the basic principles.

Human trafficking and modern slavery

Modern slavery includes human trafficking, slavery, servitude and forced and compulsory labour.

Since 1 April 2009, the UK has been bound by the Council of Europe Convention on action against trafficking in human beings. The purpose of the convention is to:

- prevent and combat trafficking of human beings
- identify and protect victims of trafficking and to safeguard their rights
- promote international cooperation against trafficking

If you suspect someone is a victim of human trafficking or modern slavery, you must refer them to the relevant competent authority.

Safeguarding children

The Home Office has a duty regarding the welfare of children as stipulated in [Section 55 of the Borders, Citizenship and Immigration Act 2009](#).

Other government regulations

If you suspect a sponsor is in breach of other government regulations such as the National Minimum Wage or health and safety, you must email the Sponsor Assurance and Investigations team who will share the information with the relevant agencies and government departments.

Related content

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Allocation of visits

This page tells you about the process for allocating visits.

Operational Support Team (OST)

All requests for sponsor visits are received by OST through a new email inbox. They are triaged, prioritised and given to a research officer.

Prioritising visits

Pre-licence assessment visits are prioritised ahead of intelligence-led operations and are given an action target date in line with service level agreements. Other visits are given an action target date in line with the tasking where possible.

Research officers

Research officers allocate the visit to regional higher executive officer (HEO) team leaders based on their team's pre-declared weekly capacity to undertake visits. They will:

- undertake [background checks](#) on the sponsor, the authorising officer and any level 1 users
- [risk assess](#) the visit

Regional Higher Executive Officer team leaders

Regional HEO team leaders notify OST of their compliance officer's weekly capacity to undertake visits 3 weeks in advance. They are then allocated visits accordingly. Once received, visits are then allocated to compliance officers.

Arranging visits

Once a visit has been allocated to you, you are responsible for ensuring the visit is undertaken before or during the weekly slot identified by OST. This makes sure that reports can be sent within target dates. Failure to undertake the visit before or within the weekly slot will not reduce your allocation of visits in future weeks.

If the visit can't be completed or is otherwise delayed, you must rearrange it during the same week or as soon afterwards as you can.

Related content

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Health and safety

This page tells you what health and safety issues to consider when planning a visit.

You must read and take account of 'Safe systems of work' (appendix A of the sponsorship national visits risk assessment), which:

- outlines the minimum level of pre-visit checks needed
- tells you the considerations needed to see if a visit is suitable for one person to carry out on their own
- explains the need to carry out 'dynamic risk assessments'

Health and safety concerns

You must familiarise yourself with the following health and safety guidelines issued by the Home Office:

- driving on official duty
- fire, bomb and emergency procedures
- first aid
- bullying and harassment
- homeworking
- lone working
- smoking

When you plan a visit, you must take into account all of the following safety measures:

- if you are concerned about health and safety, you must discuss this with your line manager before you go
- you must keep to local reporting procedures
- you must not start a visit without telephoning your duty office or line manager before you enter the premises you are visiting
- you must call your duty office or line manager after the visit but only when you have safely left the visit premises:
 - you should ensure you are aware of your duty office's procedure for phoning in and out of a visit before the visit takes place
- if you are on a visit and have any health and safety concerns, you must stop the visit at the earliest possible opportunity, and make sure you contact your line manager or duty office immediately afterwards to discuss the details

Personal safety training

You must not carry out a sponsor visit until you have completed personal safety training (PSTIs). You must also go through periodic refresher training to maintain your PSTI certification. To find out more information on how to book a course, ask your line manager.

Gifts and hospitality

You must not accept gifts, hospitality or rewards that do not meet the Home Office's procedures and processes. You must always be aware of the potential for either actual or perceived conflicts of interest which could lead to charges of bias or corruption. You must record any gifts or hospitality that is offered or received using the gifts form or the hospitality form.

Related content

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Pre-visit guidelines

This section tells you the guidelines to be followed before you carry out a visit.

It is important that you gather the relevant information and are well prepared for the visit and there are various actions you must take. You must:

- ensure a risk assessment has been carried out following the processes outlined in both the risk assessment section and safe systems of work of the Sponsorship national visits risk assessment:
 - this includes a mandatory trading presence check and a check for any relevant current or past history on the PRONTO database
 - these 2 checks are in the Operating mandate making them compulsory for every visit
- ensure a mandatory check with both the local police in the relevant area and the local Immigration Compliance and Enforcement (ICE) team has been done to provide additional information to the risk assessment where any of the following apply:
 - where intelligence concerns exist and identify a specific risk or risks that could be mitigated
 - where history/suspicion of criminal activity is present
 - where a PRONTO check results in information of concern
 - where there is a history of non-compliance
 - where a visit is to an organisation in the agriculture sector
 - where a visit is to a private further education or English language college (but not international study centres run in partnership with universities)
 - where a visit occurs outside normal business hours (0900-1700)
 - where it is apparent that the business premises are of a domestic nature, unless authorised by a Sponsor Compliance Network operations manager
 - where the location is in a current area of concern
 - any visits to sectors for which a risk profile document exists
 - any visits to clothing retailers, manufacturers, distributors, warehouses that are not a common household name
- check the sponsor referral form where applicable to see if any specific information was requested
- make sure any pre-visit checks have been done
- [consider any religious, belief or cultural factors](#) which may be relevant to your visit

Related content

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Pre-visit sponsor checks

This page tells you what sponsor checks must have been made before carrying out a licensing visit.

Before you receive the visit case on Jira, the Allocation, Monitoring & Performance Team will have researched:

- details of the key contact, authorising officer and representative
- the location of the premises
- the relevant licence history of the sponsor and any previous or current action plans
- the sponsor's status on Metastorm
- notes on Metastorm to verify there is no litigation action currently being carried out by or against the sponsor
- any casework marker on Metastorm

You will need to:

- make sure you understand any extra information asked for on the visit referral form:
 - if not, contact the caseworker directly using the details on the referral form
- read any previous visit reports to think about any potential issues before the visit
- verify the certificate of sponsorship (CoS) or confirmation of acceptance for studies (CAS) assigned using the CoS or CAS checker:
 - if appropriate, request CoS or CAS data from the Performance Reporting and Analysis Unit (PRAU)

Premium customer service scheme

The Worker and Temporary Worker [premium customer service](#) offers an enhanced level of support for sponsors.

Any licensed sponsors can apply to join the premium customer service providing they meet the criteria. They must:

- not have been issued with a civil penalty in the past 3 years, and must have paid in full any civil penalties before that
- have an A-rating in all tiers of their licence (and Student sponsor status where applicable)
- be fully able to satisfy a pre-licence assessment or a post-licence compliance check either before or during their application

The [Student premium customer service](#) offers an enhanced level of support for Student sponsors who do not have any compliance issues.

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Worker and student checks

This page tells you what worker and student checks you need to make when you visit a sponsor.

Worker and student file checks

You must check:

- at least 10% of sponsored worker and student files
- a minimum 3 files where there are 3 or more workers or students
- all files where there are fewer than 3 workers or students
- a minimum 15 sponsored worker files where there are over 150 sponsored workers (seek guidance from your line manager or referrer)
- between 10% to 20% of student files where there are between 151 to 299 sponsored students, with a 20% minimum where the initial 10% reveals a breach
- a minimum of 17% or 50 files where there are more than 300 sponsored students (seek guidance from your line manager or referrer)

Right to work checks

You must check right to work documentation for:

- 40% where there are 1 to 50 workers
- a minimum of 3 workers where there are 3 to 9 sponsored workers
- all sponsored workers where there are fewer than 3
- a minimum of 25% where there are 51 to 150 sponsored workers
- 10% where there are over 150 sponsored workers (seek guidance from your line manager or referrer)

You can apply discretion to the above minima on a case by case basis provided your decision can be operationally justified. You must refer to your line manager if you are unsure.

Worker and student interviews

As a guide, where there are fewer than 3 sponsored workers or students, all must be interviewed.

Where there are 3 or more sponsored workers or students, you should normally interview a minimum of 3 to corroborate sponsor accounts and check for non-compliance.

Where your initial batch of 3 interviews have identified new breaches or produced evidence which may justify further compliance action, you must conduct more interviews. This should not ordinarily exceed 10 interviews, but may need to in

exceptional circumstances, or where instructed by the Sponsor Assurance and Investigations team.

Although discretion can be applied to the above minima on a case by case basis provided the decision can be operationally justified, you must always interview workers and students, as required, when you are specifically tasked to do so. In the latter case, if workers or students are not available for interview on the date of your visit, you must arrange a revisit and not submit a report until that has happened.

Giving early notice

You may inform the sponsor in advance of the visit of any sponsored worker or student you may wish to interview, if you have no concerns about doing so and you believe it will ensure they are present to interview. If you want to interview a particular person, you must check their immigration status and, if appropriate, immigration history on Atlas.

If you are carrying out a prearranged visit, you can ask the sponsor for specific documents before the visit. This can include any documents:

- requested on the visit referral
- required to show compliance, for example:
 - worker payslips
 - company bank statements
 - copies of passports
 - documents used by a Student sponsor when assessing whether they wished to sponsor a student to whom they issued a CAS, such as evidence of English language ability

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Risk assessments

This section tells you the checks you must make for before you carry out a sponsor pre-licence assessment visit.

Checks already made by sponsor operations

Sponsor Operations will have already made checks with the following before they ask for a pre-licence assessment visit:

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

Any adverse information would either:

- stop them from sending the referral
- be noted on the referral for you to consider before the visit

Checks already made by the Sponsor Assurance and Investigations team (SAIT)

The following checks are made as part of the tasking process:

- previous SAIT activity
- premium customer service check
- PRONTO database, which must not be used if it is more than 4 weeks old
- referral notice or civil penalty check
- intelligence check, which must not be used if it is more than 4 weeks old
- relevant planning permission:
 - where SAIT have access, they carry out a check - since this is not always possible, SAIT may ask officers to carry out checks on visits
 - if SAIT has already got this information, officers must still identify, get the evidence and verify
- stakeholder checks
- asylum data analysed

If it is a Student sponsor, the following additional checks are also made:

- Basic compliance assessment data analysed
- courses checks to make sure it leads to an [approved qualification](#)
- educational oversight check
- Student sponsor status check
- the course, or courses, for which the Student sponsor has been issuing CAS

- whether the sponsor is managed by the Higher Education Assurance team (HEAT)

Officers must consider whether pre-visit checks are out of date. It is recommended, as a maximum, to only use them if they are less than 4 weeks old.

Important checks you must make before the visit

UK Visas and Immigration's (UKVI's) operating mandate defines the minimum mandatory checks which must be carried out across all UKVI business areas. It states that before carrying out any visit, you must ensure:

- the national operating database (NOD) has been checked to make sure there are no planned enforcement visits or intelligence recorded:
 - you must contact the local enforcement unit if any information or planned enforcement action is recorded, to confirm whether the visit can still go ahead
- a search for a web presence has been done

You must refer to the sponsorship national visits risk assessment Safe systems of work (appendix A) to find out if any further checks are needed.

Immigration Compliance and Enforcement (ICE) team

If the sponsorship national visits risk assessment Safe systems of work (appendix A) shows an ICE team check is needed, you must ensure:

- the details of the visit are recorded on the ICE and police check form
- it has been sent to the relevant ICE team

Additional research tools for officers to consider on a visit by visit basis

Additionally, there are optional checks for pre and post licence visit activities you may choose to make. These include checks on:

- integrity search (I-search) – searches an extensive range of Home Office caseworking systems which are not elsewhere routinely checked
- HM Revenue and Customs (HMRC) data – through various data sharing protocols potential information includes real time information – which show the pay information logged by 'pay as you earn' (PAYE) employers every time they make a payment to their employees
- [Companies House](#) information
- Intelligence Management System (IMS) (Mycroft or new versions)
- local authority websites for food and/ or catering businesses, to make sure they are a registered food business – if you are not sure, contact the local authority

- civil penalty database – currently accessed by contacting the Civil Penalty Compliance team, for example, to check if civil penalties have been issued or if there has been non-payment
- the [Charity Commission](#) website which lists current charities (including some limited information on accounts)

This list is not exhaustive. If you need more information on how to access the above, please speak to your line manager.

Related content

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Religious, belief and cultural considerations

This page tells you what religious, belief and cultural considerations you must make before carrying out a sponsor visit.

You will carry out visits to a large range of different types of sponsors or potential sponsors. Some of these sponsors may have cultural, religious or belief requirements you will need to consider when you plan or carry out a visit.

These guidelines are not an exhaustive list. You are expected to consider the needs attached to each individual visit on its own merit.

You must consider:

- clothing when visiting a religious organisation:
 - female officers may need to make sure their upper body, legs or hair are covered
 - male officers may be required to cover their heads and hair in some religious organisations
- footwear when walking into some buildings, or areas of a building, as it may be culturally insensitive to wear shoes – you must:
 - ask if you are required to take off your shoes before you enter a building or a room
 - take the lead from the sponsor

This page does not attempt to list every possible scenario that you may come across. You must take a common-sense approach during any visit and, where you are unsure of the customs, ask the person you are visiting.

Unannounced visits

You are not recommended to make unannounced visits to religious premises because of the potential sensitive nature of the visit. To make an unannounced visit to religious premises, you must:

- seek a minimum of senior executive officer (SEO) approval
- be able to justify why the visit should be unannounced

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Route specific considerations

This section tells you some of the things to consider when carrying out a route specific visit. It does not replace the sponsor guidance and you must still read, learn and take account of the sponsor requirements. This section tells you some of the areas of the sponsor guidance that you must consider when carrying out a sponsor visit.

Some of the sponsor requirements only apply to some sponsors and some routes. It is important you still consider compliance with the [sponsor duties](#).

Resident labour market test (RLMT)

During a visit to a Worker and Temporary Worker sponsor, you must find out whether or not the sponsor has attempted to find a resident worker before offering a position to a non-resident worker, if appropriate (see [exemptions](#)). This involves advertising the job as set out in the [sponsor guidance for employers](#).

To make sure the sponsor has followed the correct procedures, you must read the:

- relevant sections of [the Immigration Rules](#) for the job role
- relevant sections in the [sponsor guidance](#) about carrying out an RLMT
- [keeping documents guidance in appendix D](#) of the sponsor guidance

The information in the codes of practice was updated on the 6 April 2014 with revised standard occupation classification (SOC) codes, which meant that some SOC codes information changed. You must refer to the [sponsor guidance for employers and educators](#) for full details.

The sponsor must not make an offer of employment to a worker until they have completed the RLMT where this is required. If you find evidence the sponsor has made a job offer before the RLMT was completed, you must give the sponsor a 'Not met' under area 3 of the human resource systems on the visit report form.

The justification is that the sponsor could not have genuinely been trying to find a resident worker in the period between the offer of employment and the end of the RLMT period.

Exemptions

Before you carry out a visit, you must make yourself aware of the RLMT exemptions set out in the sponsor guidance. These exemptions include:

- specific creative sector jobs
- jobs in a shortage occupation before December 1, 2020 in [the Immigration Rules](#), other than as a nurse, with the occupation code '2231Nurses', which are not exempt and do require a RLMT
- Skilled Worker roles

- intra-company transfer routes
- Global Business Mobility routes
- supernumerary research positions before December 1, 2020
- charity workers
- overseas government employees
- where the worker has, or was last granted, permission to stay in the UK under:
 - Tier 1 (Post-study work)
 - Tier 1 (Graduate Entrepreneur)
 - Tier 1 (Entrepreneur)
 - Tier 2, Tier 5, Skilled Worker or in a Temporary Worker route as a doctor or dentist in speciality training applying for further leave to complete their training, including where they are returning from an out of programme experience
- where the worker had previously been sponsored to work for a higher education institution and is returning to resume their post following a period of academic leave
- where the worker will be sponsored as a doctor in speciality training where their salary, and the cost of their training is being met by the government of another country under an agreement with that country and the UK government
- where the gross annual salary package was £159,600 or above in Tier 2 (General), however, between:
 - 6 April 2015 and 5 April 2017, it must have been £155,300 or more
 - 6 April 2014 and 5 April 2015, it must have been £153,500 or more
 - 6 April 2013 and 5 April 2014, it must have been £152,100 or more
 - 6 April 2012 and 5 April 2013, it must have been £150,000 or more
- from 11 January 2017, where the worker has, or was last granted, permission to stay in the UK as a Tier 4 migrant or Student, and they have:
 - completed a course of study leading to (having sat all exams and presented all academic papers) either a UK recognised bachelor or postgraduate degree or a UK postgraduate certificate in education
 - completed a minimum of 12 months' study in the UK towards a UK PhD

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Skilled Worker

This page tells you what you must consider on a visit to a Skilled Worker sponsor.

[Minimum skill level](#)

[Skill level exceptions in Tier 2 \(General\)](#)

[Minimum salary](#)

[Experience based rates of pay](#)

[Reductions in salary](#)

[Certificates of sponsorship: restricted and unrestricted](#)

[Genuine employment assessments](#)

Minimum skill level

This sponsorship route is for skilled workers only. During a sponsor visit, you must check that all workers sponsored under are filling a job vacancy in a role listed in [Appendix Skilled Occupations](#).

Skill level exceptions in Tier 2 (General)

If the sponsor holds a licence under which they still sponsor individuals granted leave under the Tier 2 (General) route prior to 1 December 2020, job vacancies must have been at graduate level unless there is a [skill level exemption](#). Graduate level equates to Regulated Qualifications Framework (RQF) level 6. You must remember that this does not mean the worker has to have a degree level education, but the work they do must be at graduate level.

For those with leave granted before 6 April 2011, the minimum level was set at RQF level 3. A sponsor can still issue a certificate of sponsorship (CoS) for a migrant at this level provided:

- the worker's leave was granted:
 - under a Tier 2 (General) before 6 April 2011
 - under a work permit
 - to a representative of overseas newspaper, news agency or broadcasting organisation
 - to a member of operational ground staff of an overseas airline
 - to a Jewish Agency employee
- the worker has not been granted leave in any other route

This transitional arrangement for extension and change of employment applications for workers sponsored before 6 April 2011 at RQF level 3 only applies to CoS assigned before 6 April 2017.

From 6 April 2011, the skill level was raised to RQF level 4 (or the equivalent in Scotland), and from 14 June 2012, it was raised again to RQF level 6 (or the equivalent in Scotland).

This transitional arrangement for extension and change of employment applications for workers sponsored between 6 April 2011 and 13 June 2013 at RQF level 4 only applies to CoS assigned before 6 July 2018.

It remained at RQF level 4 (or the equivalent in Scotland), however, for jobs in a [shortage occupation](#) or are a creative sector occupation as listed in the [Worker and Temporary Worker sponsor guidance](#).

Minimum salary

You must ensure that any worker sponsored under the Skilled Worker route is paid in line with the salary rates set out in [Appendix SW to the Immigration Rules](#). The going rates are set out in Tables 1 and 2 of Appendix Skilled Occupations.

The worker must be paid at least one of the following:

- £26,200 per year, the going rate for the occupation code and £10.75 per hour
- £23,580 per year, £10.75 per hour and 90% of the going rate for the occupation code if the worker has a PhD in a subject relevant to the job
- £20,960 per year, £10.75 per hour and 80% of the going rate for the occupation code if the worker has a PhD in a Science, Technology, Engineering or Mathematics (STEM) subject relevant to the job
- £20,960 per year, £10.75 per hour and 80% of the going rate for the occupation code if the worker's job is a listed shortage occupation
- £20,960 per year, £10.75 per hour and 70% of the going rate for the occupation code if the worker is a new entrant to the labour market
- £20,960 per year and the going rate for the occupation code if the worker's job in a listed health or education occupation

For Skilled Workers granted permission under the rules between 1 April 2021 and 12 April 2023 these were:

- £25,600 per year, the going rate for the occupation code and £10.10 per hour
- £23,040 per year, £10.10 per hour and 90% of the going rate for the occupation code if the worker has a PhD in a subject relevant to the job
- £20,480 per year, £10.10 per hour and 80% of the going rate for the occupation code if the worker has a PhD in a Science, Technology, Engineering or Mathematics (STEM) subject relevant to the job
- £20,480 per year, £10.10 per hour and 80% of the going rate for the occupation code if the worker's job is a listed shortage occupation
- £20,480 per year, £10.10 per hour and 70% of the going rate for the occupation code if the worker is a new entrant to the labour market
- £20,480 per year and the going rate for the occupation code if the worker's job in a listed health or education occupation

Before 1 April 2021 these were:

- £25,600 per year and the going rate for the occupation code

- £23,040 per year and 90% of the going rate for the occupation code if the worker has a PhD in a subject relevant to the job
- £20,480 per year and 80% of the going rate for the occupation code if the worker has a PhD in a Science, Technology, Engineering or Mathematics (STEM) subject relevant to the job
- £20,480 per year and 80% of the going rate for the occupation code if the worker's job is a listed shortage occupation
- £20,480 per year and 70% of the going rate for the occupation code if the worker is a new entrant to the labour market
- £20,480 per year and the going rate for the occupation code if the worker's job is in a listed health or education occupation

For Tier 2 (General), the sponsor must be paying the worker at least the minimum appropriate rate for the job stated in [Appendix Skilled Occupations of the Immigration Rules](#) or £30,000 per annum (unless an exception listed in [Appendix A of the Immigration Rules](#) applied), whichever is the higher.

The minimum salary level is for gross salary packages including any guaranteed bonuses and any allowances permitted, as detailed in the [sponsor guidance for employers](#). It is important you recognise that bonuses must be 'guaranteed' to qualify. Allowances must also have been available to settled workers. You can check this by asking to see the contract of employment or payslips, for example.

New entrants

To qualify as a 'new entrant', the worker must have met one of the following requirements:

- the applicant was under the age of 26 on the date they applied for entry clearance or permission to stay
- the job offer was a postdoctoral position in any of the following occupation codes:
 - 2111 Chemical scientists
 - 2112 Biological scientists and biochemists
 - 2113 Physical scientists
 - 2114 Social and humanities scientists
 - 2119 Natural and social science professionals not elsewhere classified
 - 2311 Higher education teaching professionals
- the job offer was in a [UK-regulated profession](#) and the worker is working towards a recognised professional qualification for that profession
- the worker is working towards full registration or chartered status with the relevant professional body for the job they are being sponsored for
- the worker applied for permission to stay and their most recent permission was as a Graduate or a Tier 1 (Graduate Entrepreneur) Migrant
- the worker was a recent UK graduate and met the additional requirements below

To qualify as a new entrant on the basis of recent graduate-level study, the worker must have met all of the following conditions:

- their most recent permission must have been as a Student or Tier 4 (General) Migrant
- that permission must have expired less than 2 years before the date of application
- in that permission (or any previous permission as a Student or a Tier 4 (General) Migrant, the worker was sponsored to study any of the following:
 - a UK bachelor's degree
 - a UK master's degree
 - a UK PhD or other doctoral qualification
 - a Postgraduate Certificate in Education
 - a Professional Graduate Diploma of Education
- the worker either:
 - must have completed the relevant course mentioned above
 - applied no more than 3 months before they were expected to complete the relevant course above
 - was studying a PhD and had completed at least 12 months' study in the UK towards that PhD

Workers do not qualify as a new entrant if granting their application would have meant their permission as a Skilled Worker, Tier 2 Migrant and/or Graduate, would exceed 4 years in total. This applies whether or not the 4 years is continuous or cumulative.

Previously, from 6 April 2013, rates of pay for 'new starters' and 'experienced staff' were introduced.

Where the worker applied under Tier 2 to stay in the UK beyond 3 years and one month, the 'experienced rate' must have been paid.

The new entrant rate could only be paid if the worker was:

- recruited using a milkround (the process of recruiters attending graduate careers fairs and presentations located at various universities)
- switching into Tier 2 (General) from Tier 1 (Graduate Entrepreneur), Tier 1 (Post-study Work) or Tier 4 and its predecessor routes
- applying under the Tier 2 (Intra-Company Transfer) – graduate trainee sub category
- under the age of 26 on the date of their application for Tier 2 leave

In all other cases, the 'experienced rate' must have been paid.

As of 6 April 2014, sponsors under Tier 2 (General) and Tier 2 (Intra-Company Transfer) long-term staff sub category were able to assign a CoS for any period up to 5 years. In these instances, the 'experienced salary rate' must have been paid from the moment the worker started work with the sponsor.

The sponsor may pay a worker more than stated on the CoS, however, you must consider whether there would be a breach of the resident labour market test (RLMT)

in these instances. Be aware that the sponsor guidance does not specify a limit in terms of an increase in salary. You would expect to see this if the worker has:

- been employed for some time
- gained a promotion
- started in a new job which falls under the same standard occupation classification (SOC) code and does not require a change of employment application to be made

Reductions in salary

If the sponsor decides to reduce a worker's salary package to a lower rate than that stated on the CoS after they have started employment, the new rate must meet the current going rate requirements which are stated in [Appendix Skilled Occupations of the Immigration Rules](#).

One exception to this rule is if the worker is undertaking professional examinations to assess whether they meet UK standards before starting work. This includes where passing is a regulatory requirement, for example, where a doctor is taking the Professional and Linguistic Assessments Board (PLAB) test.

The provision to allow sponsors to make a temporary reduction to salary due to the economic climate was removed on 6 November 2014. Reductions beginning after that date are not acceptable.

The permission to reduce salary on that basis was time-limited to one year. Sponsors having these existing arrangements may have continued for any remaining time within the specified 12 months. After the 12 month period ended, the salary must have been paid the level they were before the arrangement was in place.

Temporary reductions in salary to the Co-vid 19 pandemic were permitted providing:

- the reduction is part of a company-wide policy to avoid redundancies, under which migrant workers treated no differently to resident workers
- the worker continues to be paid at least 80% of their salary, up to £2,500 per month (in line with Government support for businesses under the Coronavirus Job Retention Scheme which ran between March 2020 and October 2021)
- the reduction is temporary and the worker's pay will return to at least the level it was, after the arrangements end

If a reduction in salary is due to the worker being absent from work without pay for one calendar month or more in total during any calendar year (1 January to 31 December), either as a single period of unpaid leave or an accumulation of shorter periods, the sponsor cannot continue to sponsor the worker and must make a sponsor management system (SMS) report, unless the absence is due to one or more of the following reasons:

- statutory maternity leave
- statutory paternity leave

- statutory parental leave
- statutory shared parental leave
- statutory adoption leave
- sick leave
- assisting with a national or international humanitarian or environmental crisis overseas, provided you agreed to the absence for that purpose
- taking part in strike action as part of a legally organised industrial action

Certificates of sponsorship: defined and undefined

Certificates of sponsorship (CoS) may be defined or undefined (previously restricted or unrestricted). You must check that the right types of CoS have been issued during a sponsor visit.

Defined and restricted certificates of sponsorship

A defined CoS is required for all workers who want to apply for entry clearance.

Before 1 December 2020, a restricted CoS was required for:

- new hires earning under £159,600 per year coming to work in the UK from overseas
- the dependant of a worker who was last granted leave under Tier 4, where that dependant is already in the UK and wishes to switch into Tier 2 (General) and was paid less than £159,600

A restricted CoS was not required if the applicant is Croatian.

The sponsor must gain permission from the Home Office before assigning a defined CoS. They must include details about the position being applied for, such as the job and salary, on the CoS application.

Assigning an undefined or unrestricted CoS where a defined or restricted one is or was required is a breach of the sponsor's duties.

When you carry out a visit, if you come across a worker who is not doing the job stated on the defined or restricted CoS application or not being paid at least the appropriate rate as described in the sponsor guidance (this includes the minimum appropriate salary and the appropriate rate for the job as stated in [Appendix Skilled Occupations](#) or [appendix J of the Immigration Rules](#)), you must mark this as a breach on the visit record.

There are some occasions where the sponsor needed to change some of the details they gave on a defined or restricted CoS application. All of the information they give in a defined or restricted CoS application is 'locked down' and cannot be amended on the restricted CoS itself. By adding a sponsor note to the defined or restricted CoS, however, they can change any of the following:

- a salary decrease where:

- the rate is still at or above the appropriate rate for the job
- the figure would have scored the same number of points in the relevant table given in the sponsor guidance
- the rate is within any salary range quoted in the associated job advertisement, or no resident labour market test (RLMT) was required
- a salary increase where the salary is still within the range quoted on the job advert, if an RLMT was required
- a change to start and end date

Where an RLMT was required, the sponsor must also have stated in the sponsor note the salary range that was advertised.

Undefined or unrestricted certificates of sponsorship

Sponsors do not need permission in advance to assign a CoS under Skilled Worker, if the worker is applying for permission to stay from within the UK. Similarly, in Tier 2 (General), the sponsor did not need advanced permission if the worker was:

- newly hired, coming from overseas and earning £159,600 or more a year
- already in the UK with valid leave under Tier 2 (General)
- already in the UK under another immigration route, with valid leave, and is entitled to switch into Tier 2 (General) - this excludes a dependent of a Tier 4 migrant earning less than £159,600 who would need a restricted CoS
- Croatian

When you carry out a visit, if you come across a worker who is not doing the role stated on the undefined or unrestricted CoS or is not being paid at least the appropriate rate as described in the sponsor guidance (this includes the minimum appropriate salary and the appropriate rate for the job as stated in [Appendix Skilled Worker](#) or [appendix J of the Immigration Rules](#)), you must mark this as a breach on the visit record.

You must also check the sponsor has not assigned an undefined or unrestricted CoS to a worker who should have had a restricted one. To do so is a breach of the terms and conditions of their licence and you must mark them down under area 5 of the 'human resource systems' on the visit report for incorrectly issuing a CoS and as a risk to immigration control.

Using a defined or restricted CoS to fill any vacancy other than the one set out in the application for that CoS is a breach of the sponsor guidance and you must mark a sponsor down under area 5 of the human resource systems in these cases.

All applications related to defined or restricted CoS are held on the 'correspondence tab' on Metastorm. The decision outcome of the application is contained in the decision letter.

Related content

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Genuine employment assessments

This page tells you about assessing genuine employment of Skilled Workers.

From April 2014, prospective and existing sponsors must satisfy the genuine employment criteria to be granted or retain their sponsor licence.

Process

Each compliance visit which requires a credibility assessment will follow the process below:

1. The caseworker will produce the visit case and process it in the normal way, highlighting in the 'additional notes' field the credibility concerns.
2. The caseworker will use the following numbering in the visit priority box:
 - 1 - credibility
 - 2 - normal
 - 3 – urgent
3. The case will be given to a trained interview officer.
4. The lead compliance officer will ask their second trained interview officer to go with them and help on the visit.
5. The lead officer will prepare for, and carry out, the visit.
6. The lead officer will write the report on the standard report template.
7. The lead officer will save the report in the shared folder 'Sponsor Specific Files'

Related content

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T2 Minister of Religion

This page tells you what to consider when carrying out a sponsor visit for T2 Minister of Religion.

This route can be complex. The large numbers of religions and belief systems that exist in the UK have varying titles and names for the organisation's workers. For the purpose of immigration control, the Home Office collectively groups individuals that form part of a particular role or job description as ministers of religion. It is important you consult the [sponsor guidance for employers](#) when assessing the criteria.

The role must not be mainly clerical or administrative (unless it is a senior post, for example, the financial controller) but you must not make assumptions about a sponsored worker under this route based on a job title.

The worker:

- must not undertake any other employment unless it meets the rules for supplementary employment
- must be qualified to do the job in question
- must only work at locations given on the certificate of sponsorship, or reported to us by the sponsor through the sponsor management system (SMS)
- must not displace or deny the opportunity to a suitably qualified settled worker
- can be a novice under training but cannot be a student working towards a qualification

Preaching and pastoral work

The T2 Minister of Religion route includes anyone undertaking preaching and pastoral work. Pastoral duties may include:

- leading worship regularly and on special occasions
- providing religious education for children and adults by preaching or teaching
- leading marriages, funerals and other special services
- offering counselling and welfare support to members of the congregation
- recruiting, training and coordinating the work of any local volunteers and lay preachers

You must consider the role of any individual sponsored worker under this route. For varying religions, the list above may have stronger elements of one area of pastoral work compared with another. A sponsored worker under this route may not be doing everything on the list above. Workers under this route may also be doing more than the duties listed above. You cannot penalise a worker or a sponsor for this but the role must not be mainly an administrative one, unless the worker is filling a senior post.

Missionaries

his route also includes missionaries or members of religious orders.

Missionary work can include:

- translating religious texts
- preaching and teaching
- filling a senior post within the organisation, for example, in charge of accounts, personnel management or information technology (IT)
- coordinating the work of missionaries

Missionary work cannot include:

- teaching in a faith run school
- general administrative or clerical work, unless the missionary is in a senior role

T2 Minister of Religion sponsor visits

During a visit, you must:

- check the roles of sponsored workers under this route
- check pay and conditions are at least equal to those of a settled worker in the same role, and comply with [National Minimum Wage regulations](#) where they apply
- make sure the organisation continues to have registered charity status
- make sure the organisation is meeting their sponsor duties under this route
- ask questions about the roles of the type of workers the organisation is intending to sponsor, including how the sponsor supports and accommodates them

Resident labour market test (RLMT)

Prior to 1 December 2020, the role must normally have been advertised for 28 days in a national form of media appropriate to the organisation's religion, denomination, or in line with the requirements within the [sponsor guidance for employers](#) but there were [exceptions to the RLMT](#).

Where the sponsor holds national records on all qualified individuals and could show, using the records, no settled workers were available for the role in question, the RLMT was also met.

Exceptions to the RLMT

An RLMT was not required where the:

- role was supernumerary
- worker lives mainly within a religious order and is a member of that order

When identifying if a role was supernumerary, you must consider:

- how vital the role is to the sponsor's requirements, for example, could key religious services and rites continue without this role
- who would do the job if the worker was not employed, for example, if evidence suggests that the role would simply not exist, the role is likely to be supernumerary

When identifying whether a role involves living within and being a member of a religious order, you should consider:

- evidence supporting a clear lineage between the order and a larger bona fide religious group
- to what extent the group are 'set apart from society'
- the details of the 'specific religious devotion' they live in accordance with
- how much of their time is spent outside the group
- how much of their work is unconnected to their membership of the religious order

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[Religious Workers sponsored under T5](#)

International Sportsperson

This page tells you what to consider when carrying out a sponsor visit for International Sportsperson.

This route is for elite sportspeople and coaches. They must be internationally established at the highest level and their employment must make a significant contribution to the development of their sport at the highest level in the UK.

Coaches also must be appropriately qualified.

Governing body endorsement

There are 2 kinds of sports governing body endorsements:

- one for the sponsoring club or team
- one for the sportsperson or coach

Endorsements are given by Home Office approved sport governing bodies. The approved sports governing bodies are included in [Appendix Sports Governing Bodies of the Immigration Rules](#).

Sports players moving on loan

Loan arrangements are acceptable provided the governing body allows them and the player in question will return to the original sponsor at the end of the loan period. You must consider:

- whether the sponsor has notified the Home Office of any player on loan, using the sponsor management system (SMS)
- whether a player on loan is being effectively monitored, as the original sponsor is still responsible for the player
- whether the player has permanently transferred, if they have:
 - the sponsor must have informed the Home Office
 - the new club will need to have a licence and have assigned a new certificate of sponsorship (CoS)
- any player who is a non-European Economic Area (EEA) national on loan from an overseas club must be sponsored and must have a governing body endorsement, even if they are here temporarily

International Sportsperson sponsor visits

When visiting a International Sportsperson sponsor, you must:

- verify the sport governing body endorsement - the sponsor and each sponsored worker must have an endorsement from the appropriate governing body

- make sure the CoS was not assigned for longer than the validity of the governing body endorsement - if the sponsor has issued a CoS for longer than the period of endorsement, they have breached their sponsor duties

Related content

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Global Business Mobility routes

This page tells you what to consider when carrying out a sponsor visit for Global Business Mobility routes, previously Intra-Company routes.

These routes are for sponsors to bring workers to the UK on temporary assignments where those workers are working for a linked organisation outside the UK. There are five Global Business Mobility routes that cover the following types of assignment:

- Senior or Specialist Worker – for established employees transferring to the UK to do a senior or specialist role that could not be done by a local worker or new recruit.
- Graduate Trainee – for workers coming to the UK as part of a structured graduate training programme leading to a senior management or specialist position
- Secondment Worker – for workers seconded to the UK in relation to a high value contract between the sponsor and the worker's employer overseas
- Service Supplier – for either a contractual service supplier employed by an overseas service provider or a self-employed independent professional based overseas coming to the UK to provide services covered by one of the UK's international trade commitments
- UK Expansion Worker – for senior managers or specialist employees who are assigned to the UK to undertake work related to a business's expansion to the UK

Workers sponsored under the Global Business Mobility routes can normally only work in a skilled role listed in Appendix Skilled Occupations that is identified as eligible for the Global Business Mobility routes. Service Suppliers, however, can be sponsored in occupations not otherwise eligible for Global Business Mobility provided that the work is covered by one of the UK's trade agreements and they have the required qualifications and experience.

Workers sponsored under the Global Business Mobility routes must have worked outside the UK for the linked overseas business for a cumulative period of at least 12 months except where they are a:

- Senior or Specialist Worker or UK Expansion Worker in a job with a gross annual salary of £73,900 or more (based on working a maximum of 48 hours per week) and were working for the sponsor group on the date of their visa application
- Graduate Trainee and worked outside the UK for the sponsor group for a continuous period of at least 3 months immediately before the date of their visa application
- UK Expansion Worker if they are a Japanese national seeking to establish a UK branch or subsidiary of the sponsor group under the UK-Japan Comprehensive Economic Partnership Agreement or an Australian national, or permanent resident of Australia, seeking to establish a UK branch of the sponsor group under the Free Trade Agreement between the United Kingdom

of Great Britain and Northern Ireland and Australia and were working for the sponsor group on the date of their visa application

- Secondment Worker and they:
 - applied for permission to stay (from within the UK)
 - had, or last had, permission as a Secondment Worker
 - applied to continue working for the same sponsor as in their last grant of permission (known as an 'extension of permission' application)

Senior or Specialist Workers and UK Expansion Workers must be paid at least £45,800 per year (previously £42,400 per year between 11 April 2022 and 12 April 2023 and £41,500 between 1 December 2020 and 11 April 2022) and at least the going rate for the job as stated in [Appendix Skilled Occupations](#) of the Immigration Rules. The only exception is where someone has extended their stay in the UK and:

- were previously granted permission as a Tier 2 (Intra-Company Transfer) Migrant under the rules in force before 6 April 2011, or as a Work Permit Holder under the rules in force before 27 November 2008
- since then have continuously had permission as a Senior or Specialist Worker

Such workers, however, must still be paid at least the going rate for the job as stated in [Appendix Skilled Occupations](#) of the Immigration Rules.

Graduate Trainees must be paid at least £23,100 (previously £23,000 per year between 1 December 2020 and 12 April 2023) and either:

- **70% of the going rate for the job as stated in Table 1 of [Appendix Skilled Occupations](#)**
- **the going rate for the job as stated in Table 2 of [Appendix Skilled Occupations](#)**

The salaries of Service Suppliers and Secondment Workers must comply with National Minimum Wage legislation.

Intra-Company routes

The Intra-Company routes were for workers of a multinational organisation, who were transferred to the UK to a linked organisation under one of the following:

- Intra-Company Transfer - for established employees who were transferred by their overseas employer to do a skilled job for a linked employer in the UK
- Intra-Company Graduate Trainee - for employees taking part in a structured graduate training programme who were being transferred by their overseas employer to a linked employer in the UK

Workers sponsored in the Intra-Company routes can only work in a job in a standard occupation classification (SOC) code that is identified as eligible for these routes listed in [Appendix Skilled Occupations](#) of the Immigration Rules.

Workers sponsored under the previous Tier 2 (ICT) routes can only work in a skilled occupation at, or above, regulated qualifications framework (RQF) level 6 (or the equivalent in Scotland). There are, however, exceptions for existing employees. For details, see [skill level exemptions](#) under Skilled Worker.

Previous Intra-Company routes staff must have been working for the sponsor's organisation lawfully and continuously for at least 12 months before the transfer, unless they were absent for any of the following reasons:

- statutory maternity, paternity, parental or shared parental leave
- sick leave
- assisting in a national or international humanitarian or environmental crisis
- taking part in legally organised industrial action

From 6 April 2017 to 1 December 2020, workers earning £73,900 per year or more did not need to have a minimum of 12 months' experience of working for the sponsor.

If staff were previously granted leave in the UK under the rules before 6 April 2011, the sponsor must be paying them at least the appropriate rate stated in [Appendix Skilled Occupations of the Immigration Rules](#).

Global Business Mobility routes sponsor visits

During a Global Business Mobility sponsor visit, you must consider whether:

- sponsored workers have been employed by the organisation for the correct length of time before coming to the UK
- CoS have been assigned for the correct length of time for the route
- salaries are compliant with the rules for the route
- for Service Suppliers, they are, or were, appropriately qualified and experienced as outlined in Option A or Option B in [Appendix Global Mobility – Service Supplier](#)
- any graduate trainees are working towards a managerial or specialist role
- for previous Intra-Company Graduate Trainee routes, no more than 20 graduate trainees are transferred to the UK during any financial year

Related content

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Scale-up Workers

This page provides information about the Scale-up immigration route.

The Scale-up route allows employers who are in a sustained period of high growth to recruit people to work in the UK in highly skilled roles. The worker must have a high-skilled job offer from a qualifying Scale-up sponsor at the required salary level for a minimum period of 6 months.

There are 2 ways a sponsor can meet the definition of a 'qualifying Scale-up sponsor':

- the standard pathway (where we automatically assess employment growth and / or turnover growth, based on information submitted to HMRC)
- from 12 April 2023, the endorsing body pathway (where an approved endorsing body confirms the sponsor's eligibility to apply for a sponsor licence)

The standard pathway

Scale-up sponsors must have had:

- an annualised growth of at least 20% for the previous 3-year period based on either employment (their staff count) or their turnover
- a minimum of 10 employees at the start of the relevant 3-year period

The endorsing body pathway

The endorsing body pathway is for organisations who are unable to qualify under the standard pathway because their HMRC history is not long enough. To be eligible, sponsors must first obtain an endorsement from a [Home Office-approved endorsing body](#).

To qualify for an endorsement, sponsors must satisfy the approved endorsing body that they:

- have a minimum of 10 employees who pay income tax and national insurance through a PAYE scheme operated by them
- are registered for VAT
- are solvent and trading in the UK
- have an HMRC footprint of less than 4 years
- are able to demonstrate a potential growth rate consistent with the requirements of the Scale-up route and be reasonably expected to meet the Home Office definition of a qualifying Scale-up sponsor under the standard pathway within the next 4 years
- have sufficient finance to offer appropriate salaries to individuals working in roles that meet the skill level of this route
- have a UK-registered corporate bank account

In addition to the requirements above, sponsors must also have met at least three out of the following 5 criteria:

- Growth - sponsors must be able to show more than 20% growth in turnover or employment per year over a 2-year period
- Participation in a relevant Government programme or receipt of relevant Government funding – sponsors must have either:
 - participated in a recognised scale-up programme, such as Innovate UK EDGE or DCMS Creative Scale-up
 - received an Innovate UK loan or grant
 - participated in the Small Business Research Initiative
- Finance – sponsors must have raised a minimum of £1 million in equity finance in a single round in the 12 months immediately before the date of application to the endorsing body
- International – sponsors must have global offices or operations and be generating a minimum threshold of 10% of turnover from exports
- Research and development expenditure - sponsors expenditure on research, development or innovation must be either 10% of overall operating costs per year for 3 years or 15% in one of the last 3 years

The letter from the relevant endorsing body must contain a valid endorsement reference number, which must have been issued no more than 3 months before the date of the licence application.

Scale-up workers

Scale-up Workers must have the skills needed to enable the business to continue to grow. This means:

- the job must be at the required skill-level (graduate level or above)
- the worker must be paid at least £34,600 per year based on a maximum of a 48 hour week (£33,000 and £10.10 per hour before 12 April 2023) or the 'going rate' for the occupation code as listed in [Appendix Skilled Occupations](#) of the Immigration Rules, whichever is the higher of these figures
- the worker must work for the sponsor for at least the first 6 months of their permission

After 6 months, the worker can continue to work for the sponsor without being sponsored or change employers providing they continue to meet the requirements of the Scale-up route.

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Temporary Worker

This page tells you what to consider when carrying out a sponsor visit for Temporary Worker routes.

[Creative Worker](#)

[Charity Worker](#)

[Religious Worker](#)

[Government Authorised Exchange](#)

[Seasonal Worker](#)

[International Agreement](#)

There are 7 routes:

- Creative Worker
- Charity Worker
- Religious Worker
- Government Authorised Exchange
- Seasonal Worker
- International Agreement
- Youth Mobility Scheme

This guidance does not include any specific details about the Youth Mobility Scheme, as they are not sponsored in the same way as workers in other Temporary Worker routes.

Creative Worker

Workers entering the UK under the Temporary Worker - Creative Worker route must be entertainers or creative artists coming for a maximum period of 12 months, with the option to extend their stay in the UK up to a maximum 24 months

During a visit to a sponsor using the Creative Worker route, you must make sure that they have met all the requirements of the relevant code of practice in [Appendix Creative Workers Codes of Practice of the Immigration Rules](#), where applicable.

Non-visa nationals

Non-visa nationals coming to the UK under this route can enter the UK without applying for entry clearance before they come if they are being sponsored for less than 3 months. They cannot extend their stay in country.

You must consider this when verifying the documents the sponsor has on record for the worker. You would not expect to see a visa issued overseas but should see a valid leave stamp in the migrant's passport or, if they have entered from the Republic of Ireland, on a remote clearance form.

A list of countries whose nationals qualify as non-visa nationals can be found in [Appendix Visitor: Visa National of the Immigration Rules](#).

There are codes of practice categories in [Appendix Creative Workers Codes of Practice of the Immigration Rules](#) for:

- ballet
- dancers (in dance forms other than ballet)
- performers in theatre or opera
- performers in film and television
- workers in film and television
- models

You must be familiar with these codes of practice before going on a visit to a creative sector sponsor. If the role, such as a performer in the music industry, is not included in a code of practice, the sponsor must show they could not fill the role with a resident worker. This could be through:

- evidence of recruitment activity
- written support from an appropriate body, or sector labour market information
- evidence the migrant is internationally famous in their field
- evidence the migrant is part of a unit company
- evidence the migrant has a certain attribute or physical appearance
- evidence the migrant is required for continuity

This list is not exhaustive.

The period covered on a certificate of sponsorship (CoS) for a creative sector worker can include any rehearsal periods required. The sponsor may also assign a group certificate of sponsorship for several artists that form part of the same group, paying just one fee. The sponsor will still need to assign an individual CoS for each worker, and must either:

- indicate the worker's share of the group fee
- enter £0.01 where the share of the group fee is not known

If the worker has several engagements

The worker can have one or more sponsors covering a period of engagements.

For example:

- one sponsor can be responsible for the worker for the period of their stay in the UK for each venue or engagement (with just one CoS being issued)
- the worker can have several sponsors over the period of their stay where, each sponsor assigns a CoS for the relevant period, but the dates on these CoS must not overlap

There must not be more than 14 days between each engagement during any period of sponsorship. If there is, the worker must leave the UK and return for the following engagements.

During a visit, you must check if the sponsor has assigned a CoS for a worker with a gap of more than 14 days between engagements. If so, they will be in breach of their sponsor duties and you should record this in the visit report.

Groups

It is common for migrants in the creative sector to be part of a group. If you ask to see records of such a migrant, you should also know the group they are part of, as sponsors often file their records under the group's name rather than the migrant.

Creative and Sporting

This route was for [creative workers](#) as above and sports people (and their entourage where appropriate) and coaches:

- who are internationally established at the highest level in their sport
- whose employment will make a significant contribution to the development of the sport in the UK

Sports people must have met the following rules before 11 October 2021:

- the sponsor must have a governing body endorsement from the appropriate Home Office-approved sports governing body
- the sponsor cannot be an agent
- the worker must have a personal endorsement from the appropriate Home Office-approved sports governing body before being assigned a CoS

Approved sports governing bodies are in [Appendix Sports Governing Bodies of the Immigration Rules](#).

See also: [International Sportsperson](#).

Permitted paid engagements

On 6 April 2012, a visitor route was created which allows workers in the creative and sporting sectors to come to the UK for less than one month to undertake certain permitted paid engagements, see Visitors undertaking permitted paid engagements.

You must remember that visitor routes are not subject to the rules of sponsorship. You must not mark a sponsor as not complying with their sponsor duties when considering the sponsor's dealings with a visitor.

If you encounter a visitor in breach of their conditions on a compliance visit, you must refer this to intelligence using the online referral form. If this involves illegal working, you must also make a Civil Penalties Compliance team referral.

Charity Worker

During a sponsor visit you must check that charity workers:

- are not being paid for the work they are doing, it must only be voluntary, but they can be paid reasonable, permitted expenses
- only do fieldwork that is directly related to the purpose of the sponsoring organisation (see below)

For more information on permitted expenses, see section 44 of the [National Minimum Wage Act 1998](#).

Fieldwork

This is defined as activities which would not normally be offered at a waged or salaried rate and which contribute directly to the achievement or advancement of the sponsor's charitable purpose. It does not include work ancillary to the sponsor's charitable purpose including, for example, routine back office administrative roles, retail or other sales roles, fund-raising roles and roles involved in the maintenance of the sponsor's offices and other assets.

Interviewing

It is particularly important that when you interview the sponsor and any sponsored workers under this route you check:

- any payments made to sponsored charity workers
- any duties that such workers have

Religious Worker

The workers coming into the UK as Temporary Worker - Religious Workers can be:

- religious workers where duties may include preaching, pastoral and non-pastoral work
- visiting religious workers employed in the same role overseas, although the exact details of their duties in the UK may differ, the employment should be ongoing and time spent in the UK consistent with a break from their main employment overseas
- a member of a religious order such as an order of monks or nuns, or a similar religious community involving a permanent commitment

Religious workers with a CoS assigned on or after 10 January 2019, can no longer fill the role of a minister of religion. A minister of religion is someone who is a religious functionary whose main regular duties comprise the leading of a congregation in performing the rites and rituals of the faith and in preaching the essentials of the creed.

You must be familiar with the types of genuine religious institutions listed in the [sponsorship guidance for employers and educators](#) that qualify for a licence under this route.

The sponsor must support the worker, for example, by providing funds and/ or accommodation to help maintain them while they are in the UK.

The worker will have been given a maximum of 24 months leave.

During a sponsor visit, you must consider the conditions relating to the worker, their role and the resident labour market test for this route, which are identical to [T2 Minister of Religion](#).

Government Authorised Exchange

The Temporary Worker - Government Authorised Exchange (GAE) route is for workers coming into the UK through an approved scheme, where the sponsor is an overarching body that has the support of a UK government department or one of its executive agencies.

The exceptions are that a sponsor can be a:

- Higher Education Institution (HEI) or UK Research and Innovation (UKRI) and organisations endorsed in the Science, Research and Academia programme, that is recruiting:
 - a sponsored researcher
 - a visiting academic who will give lectures, act as an examiner or work on a supernumerary research collaboration
- government department or a government department executive agency

The worker:

- can only come into the UK for up to the maximum length of time permitted under the scheme
- cannot be filling a job vacancy or providing unskilled labour

During a visit, consider whether the work they do is:

- over and above the normal staffing requirements of the host organisation - the worker must not be filling a UK vacancy
- at minimum RQF level 3 or above on the regulated qualification framework (or its Scottish equivalent) unless they are coming to the UK as part of a European Union Lifelong Learning Programme

If not, you should record this in the visit report.

Categories of approved government authorised exchange schemes

All GAE schemes fall under one of 4 categories:

- work experience programmes (workers can participate for a maximum of 12 months)
- research programmes (workers can participate for a maximum of 24 months)
- training programmes (workers can participate for a maximum of 24 months)
- overseas government language programmes – these schemes are professional language training programmes that are fully or partially paid for by an overseas government or an organisation affiliated to an overseas government for up to 24 months

Permitted paid engagements

On 6 April 2012, a visitor route was created which allows visiting academics to come to the UK for less than one month to undertake certain permitted paid engagements.

You must remember that visitor routes are not subject to the rules on sponsorship. You must not mark a sponsor as not complying with their sponsor duties when considering the sponsor's dealings with a visitor.

Seasonal Workers

This route is for workers coming to the UK as seasonal workers in the horticulture sector through an approved scheme operator, not a direct employer.

Between 11 October 2021 and December 31 2021, poultry work was also permitted as was haulage driving work involving transportation of food goods from the same date until 28 February 2022. Temporary visas were also made available for workers undertaking specified pork butchery work.

From 2022, poultry work was permitted for up to 2000 workers for specified sponsors between 3 October and 31 December.

The 'horticulture sector' 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 (for example, in glasshouses or a polytunnel), such as strawberries, raspberries, blackcurrants, blueberries and all ribes and rubus species
- top fruit (orchard fruit) – trees that bear fruit, such as apples, plums, cherries, and apricots
- vine and bines – both twining or climbing flexible stems of certain plants – for example, hops is a bine, and grapes is a vine

- mushrooms – typically covers *Agaricus bisporus* species but can also include more exotic species; typically 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

Work in the poultry production sector means in one of the following roles:

- 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 9134)

Haulage driving involving transportation of food goods means:

- large goods vehicle drivers (occupation code 8211)
- the work involves the transportation of food goods

‘Specified pork butchery work’ means a butcher (occupation code 5431) involved in slaughtering and butchering pigs or preparing and processing pig meat. For the role to be eligible under this route, the work must take place at a slaughterhouse, a processing site, or a farm.

‘Seasonal work’ means employment which fluctuates or is restricted according to the season or time of the year.

Sponsors must be:

- endorsed by the Department for Environment, Food and Rural Affairs (DEFRA) to be an approved scheme operator
- licensed by the Gangmasters and Labour Abuse Authority

Individual employers and organisations are not allowed to sponsor workers under this route, even if they are licensed as a sponsor under other routes within the points-based system.

Any work or activity carried out by workers on a Temporary Worker Seasonal Workers scheme must be in a seasonal role with an employer in the horticultural or poultry production sectors assigned by an approved scheme operator.

This pilot is subject to an annual quota, set by the Home Office, and divided between the scheme operators. For 2019, the quota was 2,500; for 2020, it was 10,000 and for 2021, it was 30,000. Temporary quotas of 800 for certain types of butchery workers, 5,500 for poultry workers and 5,000 for haulage drivers were also set. In 2022, the quota was 40,000, 2,000 of which were reserved for poultry workers. For 2023, the quota was 47,000, 2,000 of which were reserved for poultry workers.

Sponsors must undertake robust and comprehensive monitoring of all the workers they 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 satisfying National Living Wage, 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 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
- workers are made fully aware of the expectations on the sponsor and the employer, and how to report any concerns where those expectations are not met

If the applicant is sponsored to work in the horticulture sector, they should be paid at least £10.42 (£10.10 before 12 April 2023) for each hour worked.

If the applicant is sponsored under occupation code 5431 or 5433 in the poultry production sector, they should be paid at least £26,200 pro rate each year (£25,600 before 12 April 2023), at least £10.42 for each hour worked (£10.10 before 12 April 2023) and receive at least 32 hours of paid employment each week (30 hours before 12 April 2023).

If the applicant is sponsored to work in any other eligible role in the poultry production sector, they should be paid at least £10.42 for each hour worked (£10.10 before 12 April 2023) and receive at least 32 hours of paid employment each week (30 hours before 12 April 2023).

Sponsors must not place any additional charges on participating workers, beyond the costs of administrating the scheme.

They cannot use the Temporary Worker - Seasonal Workers route to source their own labour needs.

Workers taking part in a Temporary Worker - Seasonal Workers scheme must:

- be at least 18 years old
- not establish a business in the UK
- only take employment in a seasonal job permitted by this scheme, and with an employer in an approved sector that has been assigned by the sponsor
- will comply with the conditions of their entry clearance and will leave the UK when it expires

Sponsors must not assign a CoS than for longer than they need the worker or beyond the maximum period permitted by the scheme (6 months).

You must check if, within any 12-month period, any of the following occur:

- fewer than 95 percent of the sponsored workers were granted entry clearance
- 3 percent or more of the sponsored workers who obtain entry clearance fail to arrive at their place of employment
- fewer than 97 percent of the sponsored workers who obtain entry clearance return overseas at the end of their permitted stay

You may also be asked to visit places where Seasonal Workers are employed during which you will interview both the employer and a number of sponsored workers.

International Agreement

The Temporary Worker - International Agreement route is for workers who are coming to the UK under contract to provide a service that is covered under international law, which includes:

- employees of overseas governments and international organisations
- private servants in diplomatic households or households of employees of international organisations

Before December 2020, this route also used to include:

- the general agreement on trade in services (GATS)
- similar agreements between the UK or EU and another country or countries

Before going on a visit under this route, you must familiarise yourself with the relevant sections of the [sponsorship: guidance for employers and educators](#).

You must remember visits to organisations under this route may be politically and/ or culturally sensitive. If you wish to take action against a sponsor in this route, you must get authorisation at a minimum of senior executive officer (SEO) level, who must countersign the visit report.

Private servants in diplomatic households or households of employees of international organisations

On 6 April 2012, some important changes were made for domestic workers in this route that mean the worker must:

- have a contract of employment with the diplomat or employee of an international organisation
- not take up any employment with the employer other than for which the CoS was assigned
- comply with the conditions of their permission to stay and leave the UK when it expires
- be employed as a private servant in the household of:
 - a named member of staff of a diplomatic or consular mission who has diplomatic privileges and immunity as defined by the Vienna conventions on diplomatic or consular relations
 - a named official employed by an international organisation who enjoys certain privileges and immunities under UK or international law
- not be related to the employer or their spouse, either by blood or by marriage

You must consider these conditions when carrying out a visit to a sponsor under this route. It is also important to note that you must be aware of your responsibilities in the prevention of human trafficking if interviewing workers and their employers in this route.

Related content

[Contents](#)

Student sponsors

This page tells you what to consider when carrying out a sponsor visit to, or 'basic compliance assessment' of, a Student or Child Student sponsor.

Student and Child Student are the education routes in the Points-Based System.

For educational institutions to provide courses to overseas students, they must hold a Student licence. Sponsors are given probationary Student sponsor status when first granted a licence. A probationary sponsor must demonstrate that it can fulfil its sponsorship duties, will continue to do so, and can be trusted to hold Student sponsor status. When a probationary sponsor applies for, and passes, its first annual basic compliance assessment, it will be given Student sponsor status.

Probationary Student sponsors

Probationary sponsors cannot:

- offer courses at Regulated Qualifications Framework (RQF) level 3 (and equivalent), unless they are a Child Student probationary sponsor and wish to offer courses to Child Students at this level
- offer courses below degree level that include work placements
- allow a student to re-sit an examination more than twice
- allow a student to start studying until UKVI has granted their application for leave to remain to study the course

Basic compliance assessment (BCA)

Student sponsors must apply for and pass a BCA every 12 months. This is a check carried out by the sponsor operations team to see if the sponsor meets the minimum compliance requirements of the Student routes. The sponsor operations team will consider:

- for probationary sponsors, whether the minimum qualifying period of probation (12 months) has been met
- visa refusal rate – must be less than 10%
- enrolment rate – must be at least 90%
- course completion rate – must be at least 85%
- student monitoring
- attendance

Sponsor operations request information from the sponsor in relation to their student attendance figures, which also monitors student drop-out rates. The sponsor has 21 days to provide the information.

Where checks identify concerns or there is intelligence relating to the sponsor, a compliance visit may be requested.

Student sponsor visits

Before the visit

Before going on a visit you must read the relevant sections of the [sponsorship: guidance for employers and educators](#) paying particular attention to the:

- types of courses that probationary and full Student sponsors can and cannot offer
- restrictions on probationary sponsors
- rules about reporting, including the option for Student status sponsors to report sponsored student withdrawals due to non-attendance at 2 'checkpoints' during the year rather than individual withdrawal for non-attendance:
 - checkpoints can only be used to report withdrawal due to attendance and not for anything else that a sponsor is required to report, for example, non-enrolment or withdrawal of sponsorship for other reasons
 - Probationary sponsors are not able to benefit from this 'checkpoint' arrangement
- English language requirement for Student including exceptions for:
 - Child Students
 - those switching from Child Student to Student
 - gifted students (for more information, see the [sponsor guidance for educators](#))
 - those who have recently completed a course of study equivalent to a UK degree in a majority English speaking country
 - nationals from a majority English speaking country (a full list is provided in the [sponsor guidance for educators](#))

This is not an exhaustive list. To test English language ability, all sponsors must use the testing systems published in approved secure English language test and test centres guidance with the exception of Higher Education Institutions (HEI), which may choose their own method of assessment.

During the visit

You must make sure that, if the sponsor has a Worker or Temporary Worker licence as well as a Student licence, the sponsor understands which licence you are assessing. You must not expect that personnel responsible for administering Student in an educational establishment to be able to discuss Worker issues, although there may be instances when responsibilities overlap. If your visit involves assessing both an employment and an education route, you may need to speak to more than one member of staff to get the answers to your questions.

During the visit you must investigate:

- whether the sponsor has recruitment practices to make sure that only genuine students are assigned a confirmation of acceptance for studies (CAS)
- whether the sponsor has suitably tested that students have the required level of English language capability - Common European Framework of Reference for

Languages (CEFR) level B2 and above for Regulated Qualifications Framework (RQF) level 6 courses ((SCQF level 9 in Scotland) or CEFR level B1 for courses below RQF level 6

- whether they have clearly stated when they assigned the CAS how they have assessed the English language level
- whether the sponsor is compliant with the reporting requirement in the guidance for sponsors, including notification of adding a site, exceptional arrangement or partnership to its licence
- whether the sponsor has a system in place to monitor student attendance throughout the year, including:
 - whether they have a reporting mechanism for student non-attendance that allows them to flag up 10 consecutive missed expected contacts or clearly identifies reporting checkpoints within the year
 - the dates of any reporting checkpoints, when this option used
 - whether any sponsored students have 10 or more consecutive unauthorised missed expected contacts and the sponsor has withdrawn sponsorship as a result
 - if they did not report any missed contacts which happened before the last checkpoint, and record the reasons given for any such lack of reporting

Genuine students

The sponsor must have recruitment practices in place which ensure that only genuine students are accepted and assigned a CAS.

Options for reporting student non-attendance

All Student sponsors must report to the Home Office any student who fails to attend 10 expected consecutive contacts with the sponsor without authorisation where they have withdrawn sponsorship as a result.

Sponsors with Student sponsor status may set 2 checkpoints during the reporting year to report any withdrawals.

When assessing a Student sponsor institution, you must consider whether there is a genuine system to monitor and report. You must assess the sponsor has a system in place to:

- monitor students throughout the year, even if they have chosen to adopt the checkpoint approach to reporting
- report student non-attendance that:
 - allows them to identify 10 consecutive missed expected contacts
 - or clearly identifies reporting checkpoints within the year

Sponsors do not need to make a report to the Home Office if they have:

- given permission for the student to miss a contact

- decided not to withdraw sponsorship even though a student has missed 10 consecutive contacts - this should be a very rare occurrence and evidence of the reasons for the decision must be retained by the sponsor

How to assess checkpoint reporting

If the sponsor has chosen to report student non-attendance at checkpoints, you must first find out when those checkpoints are. If the sponsor has no clear checkpoint dates, check previous reporting activity to find out the checkpoint dates, for example, the sponsor may only ever have reported a group of students once during the year. This could be shown as a checkpoint, in the absence of concrete dates from the sponsor. If the sponsor is unable to state the checkpoint dates, you must consider whether they have adequate student monitoring and reporting systems in place.

When assessing attendance, you must select a sample of students to test against, and you must:

- provide the organisation with a list of the students you wish to sample
- establish if any sponsored students have 10 or more consecutive unauthorised missed expected contacts and the sponsor has withdrawn sponsorship as a result
- find out if the 10 consecutive instances of missed expected contact occurred before or after the last reporting checkpoint

If the 10 consecutive missed expected contacts occurred after the last reporting checkpoint, you must:

- find out from the sponsor when the next reporting checkpoints will be
- take away a list of all students that are due to be reported at the next checkpoint
- make checks after the next checkpoint to see if the sponsor has reported the students in line with their sponsor duties

If the sponsor fails to report at the next checkpoint, you must arrange to either re-visit the sponsor or contact the sponsor to discuss the reasons why they have failed to report. If no valid reason is provided in line with the [sponsor guidance](#), you must take action against the sponsor using the usual reporting mechanisms.

If the 10 consecutive instances of missed expected contact were before the last reporting checkpoint, you must:

- query with the sponsor why they did not report this in line with their sponsor duties
- consider if their explanation is credible or not, in line with the sponsor guidance

You must mark the sponsor down in the report if they cannot provide a reasonable explanation for why the sponsored student was not reported, in line with the sponsor guidance.

The sponsor cannot use the checkpoints for reporting anything other than attendance monitoring. All other reporting must be performed in accordance with the sponsor guidance.

Related content

[Contents](#)

Student

This page tells you what to consider when carrying out a sponsor visit under the Student route.

This route is for students coming to the UK for post-16 education, although students who are 16-17 and studying at RQF level 3 may be sponsored under Child Student.

Below is a list of important things you must consider when you carry out a Student visit:

- the institution will, when first granted a Student licence as a probationary sponsor, be given a confirmation of acceptance for studies (CAS) limit of up to a maximum of 50% of their total student body, calculated in line with their latest inspection report:
 - if there is evidence that the organisation has become smaller since they applied for their licence, you must state this in your visit report, as this could alter their CAS allocation
- the institution cannot offer distance learning to sponsored migrants
- any work placement undertaken as part of a course:
 - cannot be more than 33% of the total length of the course ([see exceptions below](#))
 - must be assessed
- a Student probationary sponsor cannot offer a course of study below degree level with a work placement
- all study must take place either:
 - on the sponsor's premises
 - at a temporary location authorised by the organisation
- the students' work placement location is not a temporary authorised location, as described in the [sponsor guidance for educators](#) - any study they do there cannot contribute to the 15 hours of classroom study we require for courses below RQF level 6

The only exceptions to the rule that work placements cannot be more than 33% of the total length of the course are:

- where the course is at degree level or above and is studied at a higher education institution:
 - in these circumstances the work placement must not be more than 50% of the total length of the course
- where the course forms part of a study abroad programme:
 - in these circumstances the work placement must not be more than 50% of the total length of the course
- where the student is sponsored under Child Student and is aged 16 or above:
 - in these circumstances the work placement must not be more than 50% of the total length of the course
- where there is a UK statutory requirement for the course to contain a specific period of work placement which exceeds this limit:

- the work placement must also be an integral and assessed part of the course

Sponsors remain responsible for a student who is on a work placement and must still monitor the student.

Minimum level of study

The sponsor can only assign a CAS for a course of study:

- that leads to a qualification at a minimum of Regulated Qualification Framework (RQF) level 3 or above (or its equivalent in Scotland)
- at level of B2 or above of the common European framework of reference for languages (CEFR), for English language students

There are some exceptions to the above including where the sponsor has probationary status or a higher education institution has provided evidence the student is 'gifted'. You must read the relevant parts of the [sponsor guidance for educators](#).

The course

All courses for students must involve full-time study, or part-time in some limited circumstances, which either:

- lead to a UK recognised qualification at RQF level 6 or above or its equivalents in the devolved administrations
- is with an overseas higher education course which is recognised by NARIC as being equivalent to a UK higher education qualification at an overseas higher education institute
- is a course of study below UK degree level (degree level is RQF level 6) that involves a minimum of 15 hours of classroom-based, daytime study each week

Part-time course

A part-time course can only be offered by a Higher Education Institution (HEI) and must be a part-time course of study above degree level that leads to a UK recognised qualification at a minimum of RQF level 7 or its equivalents.

Pre-sessional courses

A sponsor can only issue a CAS to cover both a pre-sessional course and a full-time course of study if they are:

- a Higher Education Institution making an unconditional offer for a degree level course, and:
 - the pre-sessional does not last more than 3 months and the degree level course starts within one month of the end date of the pre-sessional course

- the pre-sessional course is delivered by the institution itself, or it is being delivered by a partner institution listed as a partner institution on the main sponsor's licence
- an independent school making an unconditional offer for a main course of study to a Child Student, and:
 - the total duration of the pre-sessional course and main course of study does not exceed the maximum duration of leave allowed for the applicant
 - the pre-sessional course is delivered by the institution itself, or it is being delivered by a partner institution listed as a partner institution on the main sponsor's licence
- issuing a CAS for a pre-sessional English language course no more than 3 months long and ending no more than one month before the start of the main degree course, for:
 - a student who has demonstrated their ability to speak English at a minimum of B1 level by providing a secure English language test and the institution is satisfied that on completion of the pre-sessional course the student will have reached the required B2 level

In the latter case, sponsorship must be withdrawn if the student has not reached the required B2 level on completion of the pre-sessional course.

Overseas HEIs

To be recognised as an overseas HEI, the institution's students must:

- enrol in their home country
- come to the UK for no more than 50% of the total length of their course
- return home to finish their degree course

If the organisation is delivering study using classroom space rented from a third party, the classroom space must be within an institution that holds a Student licence.

Student sites and partnerships

The Student sponsor guidance defines a site as any location at which students may be taught and a partnership as a collaborative arrangement between a Student sponsor and another organisation. Teaching partnerships are permitted under Student but they must not distort or dilute the relationship between a sponsor and a student, as that relationship underpins the effective functioning of the Student system.

Depending on the category of sponsor, the way in which it lists its sites and the requirements of any partnership arrangements will vary, including some exceptional arrangements and partnerships which need prior authorisation. You must familiarise yourself with the sites and partnerships requirements in document 1 of the [Student sponsor guidance for educators](#) ahead of visits.

The sponsor must apply to the Home Office if they want to add a site, exceptional arrangement or partnership to their licence. They must:

- use the sponsor management system (SMS) to apply to the Home Office
- give details of the site, partnership or exceptional arrangement so that the Home Office can carry out compliance checks
- provide information the Home Office ask for to help reach a decision
- notify the appropriate educational oversight body, and provide confirmation of this

If a sponsor does not apply to the Home Office before adding a new site, partnership or exceptional arrangement, they will have breached their sponsor duties.

Academic progression

If a sponsor assigns a CAS to a student to undertake study in the UK after they have finished another course in the UK under Student, the new course must represent academic progression from the previous course.

Academic progression does not need to be shown if:

- it will be the student's first application under Student or its predecessor routes
- the sponsor is assigning a CAS for a student applying from overseas
- the sponsor is assigning a CAS to a Child Student
- it will be the student's first application to move to a new institution to complete an existing course commenced at a Student sponsor that had its licence revoked
- the sponsor is assigning a CAS for a student to re-sit an examination or repeat a course module or they have previously re-sat examinations or repeated modules and require leave to remain to complete the course:
 - a maximum of 2 exam re-sits or module repeats are allowed if student is studying at a probationary sponsor
- the sponsor is assigning a CAS for a student to complete a doctorate for which they were last given Tier 4 or Student leave
- the student is applying to undertake a role as a Student Union sabbatical officer or to complete the qualification for which they were last given Tier 4 or Student leave after a period as a Student Union sabbatical officer
- the student is applying under the doctorate extension scheme
- the student is applying as a postgraduate doctor or dentist on a recognised foundation programme
- the student is applying to undertake a study abroad programme, or work placement that is both integral to, and assessed as part of the course; or to complete their course having completed a study abroad programme or work placement
- the sponsor is assigning a CAS at the same level at degree level and above, is a HEI and has confirmed on the CAS that the course in combination with the previously studied course represent genuine career aspirations

Doctorate extension scheme

The Doctorate Extension Scheme (DES) allows higher education institutions to sponsor students who are currently following a course leading to a PhD to stay in the UK for up to 12 months after their course has ended. Sponsored students apply for the DES by making a new Student application. You must check that the sponsor is applying the doctoral extension scheme rules correctly, if it sponsors students under this route.

This page does not attempt to explain the full Student rules, it just gives an overview. Before you go on a Student visit, you must study the Student part of the [sponsor guidance](#).

Student English language requirements

During a Student sponsor visit, you must check for compliance with the rules covering English language assessment by Student sponsors.

If a sponsor does not comply with the requirements below, they will be in breach of their sponsor duties and you must record this in the visit report.

Minimum level of English

Since 21 April 2011, all courses at or above level 6 on the regulated qualifications framework (RQF) must only be offered to migrants who can demonstrate English language ability at level B2 or above. Students must have used an [approved language test](#) unless the sponsor is a higher education institution, who may choose their own method of assessment.

Courses below level 6

For courses at RQF levels 3, 4 or 5 (Scottish Credit and Qualification Framework 6, 7 or 8 in Scotland), the sponsor must make sure the migrant is competent to at least level B1 or above. All sponsors, including higher education institutions, must use one of the secured [English language testing systems](#) approved by the Home Office. This also applies to students who are:

- taking foundation degrees
- taking pre-sessional courses before a degree course
- studying English as a foreign language under Student at level B2

Confirmation of acceptance for studies (CAS)

The sponsor must clearly state on the sponsor management system when they assign the CAS how they have assessed the English language level, where applicable.

Exemptions

The following categories of migrant do not need to prove their English language ability:

- Child Students
- students moving from Child Student to Student
- qualifying gifted students
- those who have successfully obtained an academic qualification (not a professional or vocational qualification) from an educational institution in the UK, which is a Bachelor's degree or above
- those who have previously completed an academic qualification equivalent to a UK degree which was taught in a majority English speaking country
- nationals from a majority English speaking country - you should note that South Africa is not classed as a majority English speaking country for the purpose of this assessment
- those who are applying under Student to undertake a short-term study abroad programme in the UK as part of their course at an overseas higher education institute in the USA which leads to a qualification of at least equivalent level to a UK bachelor's degree

Related content

[Contents](#)

Child Student

This page tells you what to consider when carrying out a sponsor visit to an independent school which sponsors students under the Child Student route.

This route is for children between the ages of 4 to 17 who are coming to study at independent fee-paying schools.

Private foster care

When the child is in private foster care, you must check that either the carer or the sponsor has provided the full details to their local authority. This is an obligation of the sponsor duties as well as a statutory requirement. Failure to do so is a serious breach of sponsorship duties.

Under 16s

You must check that the sponsor has not issued any confirmation of acceptance for studies (CAS) to students aged under 16 who are coming to the UK to study English. For this type of study, the migrant must come to the UK as a short-term student (child).

16 and 17-year olds

You must be aware that an eligible sponsor can assign either a Child Student or Student CAS for 16 or 17-year old children provided the course is at regulated qualifications framework (RQF) level 3 or above. The following sets out various options:

- those who wish to study RQF level 2 courses (for example GCSEs) must be sponsored as a Child Student
- those who wish to study a course at RQF level 3 or above, other than a foundation course, may be sponsored under either Student or Child Student
- those who wish to study a foundation course must be sponsored as a Student
- those who wish to study English as a foreign language must be sponsored as a Student, unless the course is a pre-sessional language course to be taken before their main course of study at an independent school

Related content

[Contents](#)

Visitor routes

This page tells you what to consider when finding migrant visitors on a sponsor visit.

Employment

Visitors of any route do not have the right to work while in the UK unless they are doing [permitted activities](#). If you find a visitor undertaking employment which is not permitted while on a sponsor visit, you must report this.

Short-term students

For some organisations, particularly English language colleges, the short-term student route (STS) would be more appropriate if the level of the course does not meet the Student route requirements.

When on a Student visit, you cannot assess attendance monitoring of STS students as they do not fall under the rules of sponsorship.

STS students cannot undertake employment or work placements. You must report any evidence that the sponsor is allowing STS students to work.

For more information on visitor categories, see: [‘Tourist and short-term visas’](#).

Related content

[Contents](#)

Proving your identity

This page explains the requirement to be able to prove your identity to sponsors and migrants.

Identification cards

When visiting sponsors, it is important you have an identification card to prove who you are. The Home Office issues identity cards to non-warranted officers who need to prove their identity to the general public. It is your responsibility to also make sure your identity card is in date as the team issuing the card will not remind you when it is due to expire.

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

As you are not a warranted officer, you cannot force entry to a sponsor's premises. The sponsor guidance makes clear that:

- as part of their sponsor duties, the sponsor agrees to cooperate with the Home Office
- compliance officers may prearrange a visit or carry out an unannounced visit

It is perfectly reasonable for a sponsor to ask you to prove your identity.

Extra verification

With or without an identification card, a sponsor or prospective sponsor may still insist on another means to verify your identity. Sponsors can call the Home Office on 0300 123 4699 to verify your identity.

Uniforms

You must wear a uniform when carrying out a visit if one has been provided. This is one way of proving your identity. You must have your line manager's permission and a valid reason for not wearing a uniform on a visit, unless the risk assessment advises you not to.

Compliance officers in Northern Ireland are exempt from this requirement.

Related content

[Contents](#)

Counter terrorism referral process

This page tells you how to refer a case of potential counter terrorism (CT) interest to the police, where immediate action is required.

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

Related content

[Contents](#)

Interviewing the sponsor

This page explains the procedures and considerations needed when interviewing a sponsor on a sponsor visit.

You must use the current sponsor interview record in the interview:

- Work and Temporary sponsor interview record
- Student sponsor interview record

Starting the interview

You must start by making sure that:

- the interviewee understands you
- they are fit and well to be interviewed
- the location of the interview has been carefully considered to protect the privacy of the interviewee

If, during the interview, the sponsor tells you they wish to surrender their licence, you must follow the guidance on [sponsors who want to surrender their licence](#).

Breaks

You must make sure that interviewees are offered refreshment breaks of at least 15 minutes every 2 hours, including meal breaks where appropriate. The start and end time of breaks should be recorded on the interview record. If the interviewee has refused a break and stated they wish to continue, this should also be noted.

Refusal to co-operate

The sponsor guidance makes clear that:

- the sponsor must co-operate with the Home Office
- visits will happen and that they may be prearranged or unannounced

If, during the visit, the sponsor appears not to be cooperating, you must politely remind the sponsor that when they signed their sponsor application they agreed to co-operate.

If the sponsor refuses to cooperate in the interview, you must:

- note any signs of non-co-operation in the visit report
- not make any judgemental remarks about the sponsor
- back up your comments with evidence as to why you considered the sponsor was not co-operating

Language considerations

Sponsors in Wales must be given the:

- opportunity to speak in Welsh if they so wish, and you must not force them to speak in English
- option to speak in Welsh through an interpreter if you do not speak Welsh

Where an authorising officer or key contact cannot speak English or Welsh, the interview may be carried out through the use of an interpreter. See '[use of interpreters and translators](#)' section for more details.

On return to the office you must carry out a systems check on Atlas to identify if the person has gained citizenship or some other form of indefinite leave which requires an example of English language ability. If this is the case, you must send to the intelligence team through the IMS referral process as possible abuse.

The interview

Topic-based interview prompts have been produced. The following guide you on the areas you should be investigating:

- Worker and temporary Worker interview topic prompts
- Student and Child Student interview topic prompts

Investigative interviewing involves exploring topic areas rather than simply asking a series of questions. You are expected to use active listening skills to decide the direction the interview should take. Each area on the prompt relates to a potential breach of the sponsor's duties, but:

- the prompts do not contain an exhaustive list of relevant topics:
 - you may wish to ask other questions related to immigration practice that is outside the scope of sponsorship or work permit compliance - if you are asking these questions, you must be sure you have the subject knowledge to ask them
- you must not ask questions about any non-immigration related subject
- when you ask questions about sponsorship, you must only be asking questions which are relevant to compliance with the sponsor guidance

You must use the current standard interview record form to record:

- your name
- the name of the interviewee
- the time, date and location of the interview
- what was said at interview

You must not use your own version of an interview record form. Additional pages of interview notes must be recorded on the interview continuation sheets. The sponsor name must be written at the top along with the page number.

Once you have completed the interview record form, you must ask the sponsor to sign it to confirm that it is an accurate record of the interview. The sponsor must sign each side of every continuation sheet that contains interview notes.

If the sponsor refuses to sign the form, you must record this as evidence of non-compliance. You must note any reasons that the sponsor gives for refusing to sign.

Key personnel

On a visit, you may not get to speak to the authorising officer or key contact. You must not terminate the interview unless the sponsor tells you they:

- are not the appropriate person to talk to
- would prefer you to come back another time

It may be that by continuing the interview, you can gather enough evidence to make a re-visit unnecessary, but if not, Sponsor Operations may ask you to re-visit at a later date.

The sponsor wishes to surrender their licence

If, during the visit, the sponsor tells you they wish to surrender their licence, you must:

- tell them there are implications for doing this which means:
 - they will not be able to sponsor new workers or students
 - where applicable, this will affect the leave of existing workers or students
- ask the sponsor to log on to the sponsor management system to fill in the 'surrender declaration', print it off and sign it
- if the authorising officer has left the organisation, request a signed covering letter to verify the surrender – this will give casework colleagues the authorisation to act on the surrender request

At the earliest opportunity on returning to the office, you must send the surrender declaration form and where applicable, a covering letter, to:

Sponsor Casework Operations
UK Visa and Immigration
L4 Vulcan House Steel
Millsands
Sheffield
S3 8NS

Related content

[Contents](#)

Worker and student interviews

This page tells you how to carry out a worker or student interview on a sponsor visit.

The purpose of the worker interview is to assess whether the worker is working and being paid in line with the conditions attached to their leave.

The student interview is to assess if the student is studying in line with their conditions attached to their leave. The areas on the interview prompt directly relate to this aim but are not intended to be exhaustive.

You must start by verifying that:

- the worker or student is fit, well and content to be interviewed
- the worker or student can understand you
- the worker or student can show you identification to prove their identity
- the worker or student is subject to immigration control
- the location of the interview has been carefully considered to protect the privacy of the interviewee

Sponsored workers or students must be interviewed either in English or Welsh. If a language barrier exists that makes this impossible, the inability to carry out an interview in an official language should be clearly noted on the visit report. The interview should not continue in a language other than English or Welsh whether through the officer's ability to speak the language or through any local translation.

Workers and students not subject to sponsorship

There may be occasions where the worker or student you are interviewing has:

- now moved into a different immigration route
- indefinite leave to remain or citizenship
- acquired a right of abode under the EEA Regulations

If they are not subject to sponsorship, you must not continue the interview unless either:

- the individual wishes to speak to you, such as, they wish to make an allegation
- you think continuing the interview may be of benefit to any investigation

If you do continue with the interview, you must explain to the worker or student that they:

- are under no obligation to speak to you
- can stop the interview at any time

Only where the worker or student has poor or non-existent English language skills and you suspect potential illegal working or criminal activity may you use official

interpretation services to interview them. See [interpretation and translation](#) section for more details.

The interview

If, during the interview, the worker or student does not appear to understand your question, you must re-phrase it in a way they do understand. You must give them every opportunity to explain their answers and this is even more important if their answer appears to contradict that given by the sponsor or if the answer indicates any breach of the conditions of their leave.

Breaks

You must make sure that interviewees are offered refreshment breaks of at least 15 minutes every 2 hours, including meal breaks where appropriate. The start and end time of breaks should be recorded on the interview record. If the interviewee has refused a break and stated they wish to continue, this should also be noted.

The interview record

Updated worker and student interview records have been devised to maximise flexibility of questioning, and better support investigative interviewing techniques. The following are the only records you may use to record migrant interviews:

- Work and Temporary Work migrant interview record
- Student migration interview record

Topic-based interview prompts have been produced. The following guide you on the areas you should investigate:

- Worker and temporary Worker interview topic prompts
- Student and Child Student interview topic prompts

Investigative interviewing involves exploring topic areas rather than simply asking a series of questions. You must use active listening skills to decide the direction the interview should take.

You must ask the worker or student to sign the interview record form. This form is used as evidence in a revocation or curtailment case, so you need to make sure you have followed the correct procedure. You must use the current standard interview record form. You must not use your own version of an interview record form. Additional pages of interview notes must be recorded on the interview continuation sheets.

Related content

[Contents](#)

Interpretation and translation

This page explains the rules about translation and interpretation during or after a sponsor visit.

Use of interpreters and translators

You must carry out interviews with sponsors, workers or students in English or in Welsh. It is crucial you verify the sponsor, worker or student understands you and they are able to carry out the interview in English or Welsh. If they are unable to do so, you must note this on the visit report. You must only use an official interpreter to:

- interview a worker or student where potential illegal working or criminal activity is suspected, and an interview is needed for evidence
- interview a sponsor who is unable to speak English or Welsh
- interview a sponsor who wishes to speak in Welsh

During the visit, you must keep to the following guidelines:

- never allow someone encountered during the visit to interpret for you, as you cannot guarantee they are interpreting correctly
- you must not use your own language skills to interpret in another language unless:
 - you have registered those skills with the Home Office
 - are accredited to do so
- if you are able to speak fluently with a sponsor in Welsh, you are exempt from registering your language skills

If you fail to follow this guidance, any evidence you have gathered during the visit may be invalid if the interviewee, at a later date, challenges the interpretation skills.

Interpretation: Big Word

The Sponsor Management Unit use Big Word for interpretation, an on-call language service. An accredited interpreter does the interpretation, by telephone.

To use this service, you must:

1. Call 0800 321 3026 to access Big Word.
2. Enter your access code:
 - if you do not know your access code, contact your line manager or duty office
3. Enter the language code or enter 0 if you do not know the language code:
 - for a list of the top 30 languages, see the Big Word country access codes list
4. Explain to the interpreter the purpose of the call.
5. Carry out the interview.
6. Make sure you record the interpreter's identification number on the interview record sheet.

Documents

All documents the sponsor keeps in relation to their sponsor duties must be in English or Welsh. If you request to see any documents and they are not in English or Welsh, the sponsor must supply a certified translation.

You must not request to see documents if it does not form part of the sponsor duties within the sponsor guidance. Requesting documents without a valid reason, particularly after a visit, that need translating may result in the sponsor attempting to make a claim against the Home Office if it is not seen as relevant.

Related content

[Contents](#)

Interview notes

This page explains the procedures concerning interview notes.

When carrying out an interview with a sponsor, a potential sponsor, a worker or a student, you must make interview notes. Interview notes must be legible and on the correct template, as these may be called into evidence as part of legal proceedings. You must use the current standard interview record form.

For Secure English Language Test and Life in the UK test centre visits, you must use the personalised audit records

The following procedures must be covered during the visit:

- ask the sponsor, potential sponsor, worker or student if they are fit and well to be interviewed
- ask if they are happy to carry out the interview in English or Welsh and if they understand what you are saying to them
- read out the statements from the interview record form and ask them to sign to say they agree to continue with the interview
- explain the purpose of the interview
- confirm the arrangements for breaks, for example, a break of at least 15 minutes will be taken every 2 hours
- record the start and finish time of the interview and note the time of any breaks
- ask the interviewee to sign the interview record form after the interview
- give them a copy of the interview records if they ask for one, either:
 - immediately if they have photocopying facilities
 - send a recorded copy in the post when you return to the office

You must not destroy the interview records under any circumstances. They are important pieces of information, which you may need to use as evidence at a later stage.

You must not use your own version of an interview record form.

Related content

[Contents](#)

Sponsors' documents

This page explains the procedure for retaining documents from a sponsor visit.

Checking documents

During a visit, you will come across various kinds of documents. For the purpose of the visit, you are only required to examine documents that a sponsor or a potential sponsor is required to possess under its sponsorship duties. You should not normally keep copies of the documents as you will:

- verify most documents
- certify you have seen them (where necessary) in the visit report

[Keeping records for sponsorship \(appendix D\)](#) of the sponsor guidance gives a comprehensive list of the types of documents you may need to verify.

Keeping documents

There may be occasions during a sponsor visit when you may decide it is necessary to keep documents, for example, if:

- the sponsor is significantly failing in their sponsor duties and copies of documents will support your visit report
- the amount of information in the documents is vast and you need to examine it further back at the office
- you may have found an illegal worker and documentary evidence will benefit the Home Office in its ability to maintain immigration control
- there is evidence of a crime being committed and the documents will prove useful to:
 - partners within the Home Office
 - another government department
 - law enforcement officers
- Sponsor Operations or another unit has asked you to keep copies of documents

You must transport documents securely.

Original documents

You must avoid keeping original documents where possible. There will, however, be occasions when you need to keep original documents, such as payslips or documents that Sponsor Operations wish to see.

You must take copies of the original documents and return them to the sponsor as soon as possible. You must ensure that:

- the documents are returned

- the delivery is signed for
- a copy of the signed for postal record number is kept on file

You must make a note on Jira in the 'Comments' tab:

- confirming you have returned the documents
- clearly noting the signed for postal reference number

This will assist the Customer Contact Centre if the sponsor contacts them about the documents.

Sponsor compliance

The sponsor must provide you with any documents you request which are relevant to the running of the organisation. If the sponsor refuses to show you a particular document or allow you to take any documents away from the premises, you must consider the circumstances and decide whether the sponsor either:

- is non-compliant and refuses to cooperate
- has valid reasons or concerns and you agree the refusal is reasonable

If you decide the sponsor is not cooperating, you must reflect this in the visit report.

Timescales for producing documents

The documents specified in [Keeping records for sponsorship \(appendix D\)](#) of the [sponsor guidance for employers](#) must be made available to the compliance officer, but the guidance does not specify that this must be at the time of the visit.

You may mark a sponsor as 'not met' in the visit report if they tell you they do not have the documents.

If the sponsor tells you they have the documents requested but they are not immediately available, you must allow reasonable timescales for the documents to be produced. The timescales you allow will depend on the situation and is at your discretion.

In most cases, 3 working days will be appropriate, as the sponsor should have reasonable access to them. In exceptional circumstances, you may allow the sponsor up to 20 working days to produce their documents.

If the visit has been announced and the sponsor was told that the documents would be required during the visit, it is up to you to decide if more time should be given to provide the documents.

If the issue is that key personnel are not present, then you must agree a time with the organisation when they will be able to provide the documents. If, for example, the authorising officer is out of the country, and will not be back for a week, it would be reasonable to expect all the documents to be provided in 10 working days.

In these cases, for clarity, transparency and agreement, you must request the:

- documents and / or evidence required
- timescales agreed to send the documentation
- method for sending the documents

If key personnel are present but tell you the documents are kept at another location, you and they must agree how long it would take them to gather and provide this information. The sponsor guidance does not give timescales but the reasonable expectation is 3 working days, unless the sponsor tells you this would not be possible. The sponsor must provide you with a valid reason why it would not be possible to provide the information in 3 working days. You must agree a timescale with the sponsor and follow the procedure described above for issuing a Further Document / Information Request form.

Special circumstances

There may be occasions where the sponsor is unable to send in the documents within the timescales agreed on the 'Further Documentation / Information Request' form. This may be because of:

- death
- serious illness
- being stranded overseas
- regulatory inspection
- regulatory seizure of documents
- flood or fire damage

This list is not exhaustive. If you have a situation where it may be deemed reasonable that the sponsor has not been able to provide the documents or information within the agreed timescales, you must discuss this with a manager before completing your report.

Data Protection Act 2018

As a compliance officer, you are covered by [section 4 of Schedule 2 of the Data Protection Act 2018](#). This allows you to take away an individual's personal information to maintain effective immigration control or to investigate or detect activities that might undermine that. You do not need to inform the individual you have their information.

You can share this information with:

- other interested units within the Home Office
- other government departments
- local authorities
- the police

The [Immigration Exemption Policy Document](#) contains more information.

Related content

[Contents](#)

Checks on record-keeping and reporting systems

This page tells you about the procedures and considerations involved in assessing a sponsor's record-keeping and reporting systems.

Sponsor document storage

You must take into account that sponsors can keep documents in either an electronic or paper version. They do not have to store documents in any particular format or in any particular way. It is up to the sponsor how they store the documents but they must allow you to look at them if you ask.

Length of time to store documents

A sponsor must keep documents, unless otherwise stated in [Keeping records for sponsorship \(appendix D\)](#) of the sponsor guidance, for whichever is the shorter of:

- one year from the date sponsorship of the migrant ended
- the date on which you examine and approve them, if the migrant is no longer sponsored by that sponsor

A sponsor may need to keep documents for longer to satisfy the requirements of other legislation. This is irrelevant to your assessment and you must only assess the sponsor on the above requirements.

Documents sent with a sponsor licensing application

A sponsor is required to keep these documents for the length of their licence. It would be unusual for you to need to see these but Sponsor Operations may ask you to verify a document the sponsor sent as part of their licensing application. If they have made a request, you will find it recorded on the visit referral form.

Approach to assessing human resource (HR) systems

When you assess HR systems, you must consider whether you are carrying out a pre-licence or post-licence compliance visit.

When on a pre-licence assessment visit, you are assessing:

- if there are HR systems in place or in readiness
- if the systems are likely to meet all the Home Office requirements if the sponsor licence is approved
- any additional evidence that may suggest the sponsor will, or will not, be able to fulfil their sponsor duties

When on a post-licence compliance visit, you are assessing:

- all of the points listed above for a [pre-licensing visit](#)
- that acceptable systems are actually being applied for any sponsored workers or students

Worker and Temporary Worker and Student sponsor guidance

The guidance in these pages on checking a sponsor's HR systems relate directly to paragraphs within the sponsor guidance. You must read the appropriate sections of the [Worker and Temporary Worker guidance for employers](#) and [Sponsor guidance for educators](#).

Related content

[Contents](#)

Checks on immigration status monitoring

This page tells you what to assess when examining the systems in place for monitoring a worker's or student's immigration status when carrying out a sponsor visit.

You must check the sponsor:

- has a system for monitoring a worker's or student's immigration status, so that it can stop sponsoring any who no longer has permission to work or study in the UK
- keeps copies of workers' or students':
 - passports, including any page showing leave stamps
 - immigration status documents including their period of permission to stay in the UK
 - UK biometric residence permits where applicable
- has proof, such as a copy of an asylum registration card, that each:
 - worker can legally work for them
 - student is allowed to study with them

If a sponsor does not take copies of passports or immigration documents

If a sponsor does not take copies of passports or immigration documents for sponsored workers or students, they automatically fail the record keeping and maintaining documents section of the visit report because they have failed the requirement of:

- immigration status monitoring
- maintaining documents

Such checks for non-sponsored staff are not mandatory and a sponsor is not in breach of their sponsor duties if they do not make these checks. If, however, the sponsor was found to be employing an illegal worker, the sponsor would not be classed by the Home Office as having a 'statutory excuse'. For further information [see the section on migrant issues and illegal working](#).

Monitoring expiry dates

You must be satisfied the sponsor is able to comply with the sponsor duty to stop employing workers or teaching students who no longer have the right to work or study.

How the sponsor makes sure they can comply is their decision, but they must be able to show an effective way of doing so. You may test the effectiveness of a system in place by questioning the sponsor about how they know when a particular

worker's or student's leave is due to expire. Some examples are listed below, although this list is not exhaustive. They may:

- record the expiry date in an Outlook calendar
- record the expiry date in a diary
- have an excel spreadsheet or database with a list of dates
- have only a few staff and keep the date on an individual or group in a human resources file
- keep copies of visas or immigration stamps as a record of the expiry date

You must mark the sponsor as 'Not Met' in 'Area 1: Monitoring Immigration Status' on the visit report if they answer:

- 'because they will tell me'
- 'I don't know'
- 'I didn't know I had to know'
- any similar answer

You must not mark the sponsor as 'Not Met' because, for example, they:

- do not have a system for alerting them 1, 2, or 3 months before the expiry date is due
- do not have a written procedure for how monitoring the expiry dates works
- only hold an electronic format and not a paper format
- only hold a paper format and not an electronic format
- have no worker or students so they can't monitor expiry dates

If you use any of the reasons above to mark down the sponsor, or use any other reasons that do not relate to the sponsor duties, your report will be rejected by the suspensions or re-rates teams.

Related content

[Contents](#)

Checks on maintaining worker and student contact details

This page explains how you need to assess maintenance of worker and student contact details during a sponsor visit.

The sponsor must:

- keep a history of sponsored workers' and students' contact details including, where applicable:
 - UK residential address
 - telephone number
 - mobile telephone number
 - email address
- have a system to make sure the details are always up to date

You can expect the sponsor to:

- have in place some kind of system for updating contact details
- have a system for recording the history on contact detail changes
- provide you with a worker's or student's current contact details
- provide you with a worker's or student's contact history

You cannot:

- decide the system the sponsor uses to record the contact details
- insist on both an electronic and paper copy
- insist on the sponsor having a back-up system in case of fire or flood damage
- penalise a sponsor without a worker's or student's contact history, if they have not moved or changed telephone number since being sponsored

When you check the human resources system, consider any differences in contact details between those the sponsor provided and those any worker or student provided when interviewed. If you find any differences, this indicates that the sponsor may not be fulfilling its duties, so you must check further.

Related content

[Contents](#)

Checks on record keeping and recruitment practices

This page tells you how to assess record keeping and recruitment practices during a sponsor visit.

Worker and Temporary Worker

The sponsor must:

- have a system for keeping the required documents for each migrant sponsored including:
 - professional accreditations and registrations
 - any relevant documents listed in [Keeping records for sponsorship \(appendix D\)](#) of the sponsor guidance
- be able to show a certificate of sponsorship (CoS) was assigned within 6 months of the first advert for the vacancy being placed, if applicable to the route
- keep a copy of the worker's national insurance number as listed in [Keeping records for sponsorship \(appendix D\)](#)
- keep copies of the worker's payslips or other evidence of migrants having been paid
- be able to show documents to support how they confirmed that the worker can do the job they are sponsored to do
- keep details of all applicants shortlisted for interview (where applicable) in line with [Keeping records for sponsorship \(appendix D\)](#)

Employment contracts

[Keeping records for sponsorship \(appendix D\)](#) does not enforce the requirement to have a contract of employment but, if there is one, the sponsor must keep a copy of it and you should ask to see it.

You must make sure the conditions are being met if the sponsored worker has been issued:

- with a contract of employment
- with written conditions of employment
- any other document that implies a contract of a sort between the sponsor and the worker

The terms and conditions of employment described in one of these documents must be the same as those stated on the certificate of sponsorship (CoS). If the salary, job title, job description or length of employment differs to that stated on the CoS, you must question the sponsor and worker further. You must be sure the worker is not doing a different job (or a job under different conditions) to the one stated on the CoS.

You must not mark the sponsor as 'Not Met' because they have not issued an employment contract or any other written statement describing terms and conditions of employment.

If, after questioning, it is clear the worker is not doing the role stated on the CoS, you must mark the sponsor as 'Not Met' under 'Recruitment Practices'. If evidence shows the worker has never done the role stated on the CoS, you must also mark the sponsor as 'Not Met' in the 'General Sponsor Duties' section due to an inappropriate CoS having been assigned. A lower salary than stated on the CoS being paid from the start of employment may suggest this. You must quote the relevant paragraph of the sponsor guidance in your report.

You can also mark down the sponsor as 'Not Met' under 'General Sponsor Duties' if either:

- it is evident the worker once did the job stated on the CoS, but has since changed roles
- the sponsor has failed to pay at least the appropriate rate for the job as set out in [Appendix Skilled Worker Occupations of the Immigration Rules](#)

Before marking a sponsor as 'Not Met', you must be satisfied that this is a breach of the requirements set out in the sponsor guidance. You should consider whether there are certain conditions within the guidance that explain a worker may change jobs within the same standard occupation classification (SOC) code.

If there is a 'General Sponsor Duties' breach, the reason will not be for the inappropriate assigning of a CoS because the worker originally performed that role under the conditions stated on the CoS. You will need to mark the sponsor down for failing to meet the job description on the CoS and under 'Migrant Tracking and Monitoring' for failing to report a change of circumstances. You must quote the relevant paragraph numbers of the sponsor guidance.

Where possible, you should obtain a copy of the contract, with the sponsor's permission. This may be relied upon as evidence at a point in the future if the migrant appeals a decision to curtail their leave, or where the sponsor is making representations against compliance action.

You must only ask to see the contract, if it exists, to examine it as potential evidence of a sponsored worker meeting or not meeting their conditions of leave, and the sponsor having assigned a CoS appropriately and recruited responsibly, in line with the sponsor's duties.

Student

The sponsor must:

- have a system for keeping required documents for each student sponsored
- keep copies of any evidence the sponsor assessed as part of the process of making an offer, for example, evidence of:
 - previous qualifications

- references
- English language testing
- test English language in line with the requirements at the time the confirmation of acceptance for studies was assigned
- keep evidence of maintaining details of private foster care arrangements for Child students and evidence this information has been provided to the local authority
- keep evidence of holding certificate for Academic Technology Approval Scheme (where appropriate) and the electronic approval notice

You can expect the sponsor to:

- have a record keeping system that works
- show they have procedures in place to follow Home Office guidelines

You cannot expect:

- to dictate the procedure the organisation has in place
- documents to be locked away
- to insist Student sponsors test English in any particular way beyond the requirements set out in the Student sponsor guidance

Related content

[Contents](#)

Checks on student and worker tracking and monitoring

This page tells you how to assess the sponsor's systems for checking and monitoring student and worker attendance during a sponsor visit.

Worker and Temporary Worker

The sponsor must:

- have a system for monitoring worker attendance
- be able to report within 10 working days workers who:
 - fail to arrive for their first day of work
 - have 10 consecutive days of unauthorised absence - the 10 days for reporting an absence start after the tenth day of absence
 - are dismissed or have otherwise ceased to be sponsored by the sponsor
 - take a period of unpaid leave for more than 4 weeks, such as a sabbatical, which means that the sponsor is no longer allowed to sponsor the worker - the [sponsor guidance for employers](#) details exceptions to this
- ensure that key personnel are still employed by the sponsor and they have reported any changes through the sponsor management system (SMS)

Student

The sponsor must:

- have a system for monitoring sponsored student attendance
- report within 10 working days any sponsored student who:
 - fails to enrol within the enrolment period, including where a student has had their application for permission to come to, or stay in, the UK refused
 - has missed 10 consecutive expected contacts without authorisation and the sponsor is withdrawing sponsorship as a result
 - has ceased or deferred their studies
 - they stop sponsoring
 - has changed their circumstances, for example, their study location changes, or duration of course shortens
- report any information that suggests a student is breaching their conditions of leave
- still employ key personnel and ensure that any changes have been reported through the SMS

From 28 November 2014, the sponsor must also withdraw sponsorship of students whose deferral of studies exceeds 60 days where exceptional circumstances, for example, serious illness, do not apply. If, at any point, the sponsor believes the student will not be able to complete their studies within their existing period of leave once they resume, they must withdraw sponsorship.

You can expect:

- the sponsor to show how they apply their student attendance procedures
- to test the sponsor's system by requesting information for specific migrants

You cannot expect:

- a Worker or Temporary Worker sponsor to show you a register of absence if the sponsor claims a student has not had any absences
- a sponsor to follow any procedures in their own staff or student handbook, that are not relevant to the sponsor guidance, for example, expecting a sponsor to have medical certificates on file

Related content

[Contents](#)

Checking compliance with general sponsor duties

This page tells you how to examine general sponsor duties during a sponsor compliance visit as required in the [sponsor guidance of employers and educators](#).

Some of these duties are generic and others are specific to a type of organisation, sector or route. When examining this area, it is important that you consider the sponsor guidance and the route specific considerations as well as the information below.

You must check the sponsor is complying with their duties. The sponsor must make sure:

- they follow [route or sector specific sponsorship guidelines](#)
- they do not pay a sponsored worker in cash
- they pay, where required, sponsored workers the appropriate rate listed in the relevant code of practice in [Appendix Skilled Occupations of the Immigration Rules](#), where required
- sponsor management system (SMS) users do not share their passwords with anyone else
- they assign a certificate of sponsorship (CoS) or confirmation of acceptance for studies (CAS) appropriately, and in line with the sponsor guidance
- information entered onto a CoS or CAS is true and they have dealt honestly with the Home Office
- they inform the Home Office, through the SMS, of any changes to the organisation's:
 - name
 - address
 - structure
 - branches, sites, partnerships or exceptional arrangements
- they inform the Home Office of any mergers, de-mergers, takeovers and partial takeovers, or if they have sold their business or part of their business, within the given timescales stated in the sponsor guidance - this is currently 28 days
- report any effect on a migrant's employment as a result of Transfer of Undertakings (Protection of Employment) Regulations (TUPE) or Cabinet Office Statement of Practice (COSOP) or similar regulatory or legislative provision
- they have sent their application themselves and it has not been sent by a representative on their behalf
- key personnel are permanently based in the UK
- they inform sponsored students of their term and vacation dates so they can meet the conditions of their leave
- they do not employ illegal workers

Related content

[Contents](#)

Post visit process

This page tells you what to do once you have completed a visit.

You must carry out the following steps to make sure you have completed the sponsor licence assessment:

- check any further information you requested, which was not available to you at the visit
- write a report
- send the report to your manager by email for sign off and move the visit case to the 'Report Written' column in Jira

Once authorised, your manager will save the countersigned report in the shared folder and allocate to the Allocation, Monitoring and Performance Team to upload it on to Metastorm and complete the process on Jira.

For more information, see the section on [reporting the decision](#).

Related content

[Contents](#)

Visit reports

This page tells you how to make sure you complete the visit report effectively after a sponsor visit.

Recording facts

It is important the visit report contains information based on fact only and not on personal opinion. The information you provide must:

- not contain any subjective comments about anyone you come across while on a visit
- include specific examples of sponsor failings, such as what exactly was missing from a file and the full name of the migrant in question
- only relate to the visit and any following correspondence in relation to the visit
- have evidence to back up any assertions you make in the report, either through:
 - questioning
 - documents seen
 - systems seen

Writing a good visit report

A visit report must, as a minimum:

- provide a record of the checks and interviews that were carried out
- demonstrate how the sponsor is either compliant or in breach of each duty in an area for sponsor visits
- provide a meaningful overview of the sponsor's state of compliance with the sponsor duties, with direct reference to the relevant 'guidance for sponsors' paragraphs
- answer any specific concerns raised by the referrer

The 'Observations' section of the report may be used to record anything not recorded elsewhere on the form, such as:

- specific tasking matters
- matters which should have been picked up in the pre-visit checks
- other fact-based observations that may have a bearing on the result of the visit

Quality assurance

Sponsor Management have introduced a quality assurance framework, incorporating quality measures for every stage of the end to end visit process.

All reports must be countersigned by a higher executive officer (HEO) or above, unless the report is completed by staff at or above that level.

Managers will also check a cross-section of reports, interview notes and visit preparation documents across a range of visit outcomes, observing a percentage of compliance visits to inform training and development and drive performance.

Report quality

You must check the report for spelling and grammar before you send it to Sponsor Operations. You must also make sure the sponsor guidance is followed correctly.

Rejection criteria

If a countersigned report is still not of the required standard, it may be rejected by operations. This is a formal process and the unit will complete a report rejection form. The form will be sent to a nominated manager within your region. The form sets out the reasons for the report's rejection.

A report is not deemed to be complete when the report is rejected. This means you are required to make any necessary amendments and re-send the form. If this is a pre-licensing visit, to make sure service level agreements are met this must be re-sent within 2 working days.

You must reference all documents seen and verified that are suitable and relevant to the visit in the compliance report and that are not kept in the file.

Related content

[Contents](#)

Litigation considerations

This page tells you what considerations you must make to ensure decisions about application refusals, sponsor downgrades and revocation are well founded and more likely to withstand any challenges brought by sponsors, workers or students through judicial review or private law claims.

Processes that help reduce potential litigation

To avoid legal proceedings, any action taken against a sponsor, worker or student by the Home Office must be robust, defensible and in line with current guidance. To make sure this happens, you must:

- make sure you write good quality reports, including correct spelling and use of grammar
- only state facts and evidence-based judgments, not opinions, in your report
- make sure you only include information in your report that is relevant to compliance with the requirements set out in the sponsor guidance
- not include information that is not relevant to requirements specified in the sponsor guidance
- detail any evidence that you gathered which is relevant to your assessment
- not mark a sponsor down for not:
 - making follow-up passport checks
 - signing and dating passport copies
 - keeping next of kin details
 - having any sponsored workers or students, so you cannot test their systems
 - having lockable cabinets
- score human resource systems and compliance in line with this guidance
- not destroy your handwritten notes
- keep the file while a decision is made if there are actionable compliance breaches – do not send it to Cody 4 for storage
- make sure scanning and document retention procedures are followed so that handwritten notes and other key evidence is readily available

The litigation team may request that you produce a written witness statement where a sponsor, worker or student is challenging any action taken by the Home Office. The provision of a witness statement is non-negotiable and you must provide this within deadlines set by the litigation team. The team will be working to deadlines set by the court. The litigation team will work with the compliance officer and will remain the liaison between you and Government Legal Department.

Related content

[Contents](#)

Sponsor scores and rating

This page explains the scoring system used when assessing sponsor compliance, and the overall rating system for Worker and Temporary Worker sponsors.

[Worker and Temporary Worker scores](#)

[Worker and Temporary Worker overall rating](#)

Worker and Temporary Worker scores

When rating the compliance of Worker and Temporary Worker licensed sponsors, or prospective sponsors, you must give an overall rating for a sponsor's human resources (HR) compliance in line with the following scores:

- 'Met' – which will usually result in an A-rating
- 'Not Met' – which, for a pre-licence assessment visit, will usually result in refusal or, for a post-licence compliance visit, may result in either a B-rating, suspension or revocation, dependent on the exact circumstances

The visit report template has been produced to reflect this, and 'Met' or 'Not Met' can now be selected from the 'overall rating' drop down menu.

Worker and Temporary Worker overall rating

You must decide the overall rating for Worker and Temporary Worker sponsors based on their compliance with HR requirements.

Sponsor 'Met' all requirements

Where sponsors have met the requirements of all 5 of the HR compliance areas, their overall HR score will be 'Met'. They cannot score 'Met' overall if you have given them a 'Not Met' for any of the 5 areas.

One or more requirements 'Not Met'

If you have scored the sponsor as 'Not Met' for any of the compliance areas on a post-licence compliance visit, you must score the sponsor as 'Not Met' overall.

You must consider the sponsor's overall willingness and ability to meet their sponsor duties, and whether or not they pose a threat to immigration control in writing your report. This will help caseworkers make a licensing decision. You should note in observations if the sponsor:

- appears genuinely not to have understood the sponsor duties
- appears very cooperative and shows eagerness to improve their systems
- has only received the 'Not Met' status because one area of their business or one franchise has let the wider business down and the sponsor is keen to rectify this

- does not give you any major concern about the sponsor posing a threat to immigration control

You must also give evidence in observations where:

- the sponsor totally ignores the sponsor duties and therefore poses a threat to immigration control
- the sponsor has no understanding of the sponsor duties and does not show the ability or eagerness to improve the situation in the future
- the sponsor is not cooperative during the visit and you have based the 'Not Met' scores on the sponsor's unwillingness to provide the required information

Failing to meet all 5 areas will result in the sponsor being suspended in all but the most exceptional circumstances.

Related content

[Contents](#)

Worker and student compliance areas to consider

This page tells you how to examine migrant compliance for sponsored workers and students.

In rating the sponsor's compliance, you must also consider the compliance of the workers and students with the conditions attached to their leave.

For sponsored workers, you must consider whether:

- the pay is the same or more than stated on the CoS - there are some exceptions where pay can be less
- the sponsor can provide evidence of a resident labour market test, where applicable
- the job role is the same and any change of job has been dealt with in line with the rules on changes of employment as set out in the [sponsor guidance for employers](#)
- any change of hours or location have been reported by the sponsor via the Sponsor Management System (SMS)
- the CoS was assigned in line with the rules set out in the [sponsor guidance for employers and educators](#)

Checks of worker or student compliance must be recorded under section 5, 'general sponsor duties', with full details of any breaches identified.

The only exception is where the worker's or student's only breach is something the sponsor could not be expected to know, and is not something that represents a corresponding sponsor breach, such as, inappropriate supplementary employment. In such cases, you must outline the breach in a supplementary evidence report. Where this highlights concerns regarding the second employer, a referral must also be made through the intel referral procedure.

Any worker or student-related non-compliance that represents a sponsor breach may lead to a B-rating, or suspension where the overall level of compliance warrants it.

Genuine vacancy

A genuine vacancy is one which:

- requires the jobholder to perform the specific duties and responsibilities for the job and meets all of the requirements of the route
- does not include dissimilar or lower skilled duties

You must consider if:

- the job description seems to be exaggerated deliberately to make it meet the requirements of the route
- the job role does not exist and is being used to enable a worker to come to or stay in the UK
- advertisements are inappropriate for the job on offer and have been tailored to exclude resident workers from being recruited

If a sponsored worker is not undertaking the role for which they are being sponsored and evidence suggests there was not a genuine vacancy for that particular role, you must demonstrate this in the report. Examples of a non-genuine vacancy would include where:

- a sponsored worker recruited as a 'business development manager' is actually found to be undertaking the duties of a care assistant
- a worker has been sponsored as a 'marketing manager' and the sponsor cannot demonstrate evidence to show the worker has carried out appropriate duties such as those listed in [Appendix Skilled Occupations of the Immigration Rules](#) for the standard occupation classification code stated on the migrant's CoS

Students

For students, you must consider whether their:

- level of English was verified
- qualifications are as stated on the CAS
- attendance is being correctly monitored and reported by the sponsor

Related content

[Contents](#)

Cross-government co-operation

This page tells you about the principals of cross-government co-operation.

Official – sensitive: start of section

The information on this page has been removed as it is restricted for internal Home Office use.

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: end of section

Related content

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Supplementary evidence

This page tells you the purpose of a supplementary evidence report.

Supplementary evidence report

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The information on this page has been removed as it is restricted for internal Home Office use.

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Reporting your findings

This page tells you about reporting your findings following a visit.

During the visit

You must not give any indication of the outcome of the visit. This is clearly stated in the sponsor guidance for employers and educators, so the sponsor should already be aware. If the sponsor asks for an indication, you must tell them you will provide them with feedback. You must not discuss any litigation issues.

Copies of the report

Authorised reports must be saved in the 'Sponsor Specific Files' folder in the shared drive by the countersigning manager who will then send an email to the Allocation, Monitoring and Performance team to inform them the case is ready for case working. The subject must read 'Report complete: Sponsor Name: Referral Source', and in the body of the email you must include a link to the shared folder location of the signed off report. Sponsor Operations will make a final decision on the action to take and will inform both you and the sponsor.

The sponsor may contact you after a visit to ask for a copy of the report. They have a right to this under the Freedom of Information Act. If they do so, you must contact Sponsor Operations to ask them to send a copy of the final report to the sponsor.

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Reporting to intelligence teams and Home Office branding

This page tells you the procedure for reporting to intelligence teams and for reporting misuse of Home Office branding.

Depending on the referral reasons for a visit, there may be interest from other units in the Home Office in your visit report findings. It is important you consider these units when you send your report.

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Home Office branding

If you come across evidence of an organisation still using the former UK Border Agency, or using the UK Visas and Immigration or Home Office logos without permission, you must gather evidence of this and email it to Design102.

If this is a sponsor, you can mark them as 'Not Met' under 'General Sponsor Duties' as it is a breach of Crown copyright.

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Referrals to Civil Penalties Compliance team

This page tells you about the procedures for referring a potential illegal worker to the Civil Penalties Compliance team (CPCT).

The CPCT are responsible for caseworking referrals from Immigration Compliance and Enforcement teams and other compliance functions with the aim of issuing financial (civil) penalties to employers who are in breach of [section 15 of the Immigration, Asylum and Nationality Act 2006](#).

Potential illegal workers or those working in breach

During a visit, you may find information about workers who do not have permission to work and who are working illegally or in breach of their conditions, for example a:

- failed asylum seeker
- dependant
- student visitor
- someone claiming to have citizenship or indefinite leave to remain

If you find this sort of information, you must follow the process to refer an illegal worker to CPCT. This guidance will also help you to identify and document potential illegal working on visits.

After the visit, you must check the individual migrants on Atlas. If you find information on an individual showing an immigration breach and suspect illegal working, you must complete a witness statement and Sponsor Management Unit referral form in line with the CPCT referral process. Within this process, you will also need to refer the information to Intelligence.

Findings that may suggest a breach include:

- a student employee with work rights on the rota to work 35 hours a week in term time
- a student visitor who is working
- an employee who claimed to have indefinite leave does not have valid leave
- an employee claiming to be a student is actually a failed asylum seeker

This is not an exhaustive list.

Evidence

You must send copies of any evidence gathered along with a referral to CPCT for them to consider the case.

Examples of evidence you may send include:

- passport or travel document copies
- incriminating documents
- staff rotas
- staff lists
- pay documents

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Action plans

This section tells you about the procedures for action plans issued to Worker and Temporary Worker sponsors who have been B-rated after a visit assessment.

[Issues found during a visit](#)

[Re-rates team role](#)

[Time limits of the action plan](#)

[Visits before the 3 month period](#)

[Initial contact](#)

[Revisiting sponsors subject to an action plan](#)

[Final decision after an action plan visit](#)

Issues found during a visit

If issues are found during a visit, you do not need to include points for improvement in the report. You must focus on highlighting each breach and supporting it with relevant facts from the visit.

All action plans are produced by the Re-rates team using the information you provide. You must only detail each issue once in the right section of the visit report and avoid duplication.

Re-rates team role

The Re-rates team will write to a sponsor when downgrading a licence and tell them that, if they want to accept the B-rating, they must:

- agree to have a time bound action plan put in place
- commit to make improvements by signing up to the measures set out in an action plan
- pay a fee to cover the cost of preparing an action plan

Once the sponsor has paid the fee and accepted the action plan, the Re-rates team will contact the Compliance team and inform them an action plan is in place.

Time limits of the action plan

The [sponsor guidance for employers and educators](#) makes it clear that a sponsor is expected to carry out the action plan recommendations within 3 months. This is the maximum time a sponsor can be subject to an action plan. If, during a visit the sponsor has not met the requirements of the plan and the 3 month period has elapsed, you must document this clearly in the report.

Visits before the 3 month period

If the sponsor requests an early visit, you can arrange the visit earlier. You must not visit early, however, unless the sponsor confirms they understand:

- the Home Office will only visit once
- the Home Office would expect a sponsor to take 3 months to carry out the recommendations in the plan
- the Home Office are happy to visit early at the request of the sponsor
- they waive their right to take 3 months to carry out the recommendations in the plan
- the Home Office may take action without a further visit

If the sponsor has failed to carry out the requirements of the action plan, you must not offer to revisit the sponsor within the 3 month period.

Initial contact

The sponsor may request advice on systems to put in place to make sure they meet the requirements of the [action plan](#).

You can provide assistance but you must keep to the following guidelines:

- you must not tell the sponsor what type of human resource (HR) procedures to put in place – if the sponsor is found at a later date not to be complying with the HR systems they could accuse you of telling them what to put in place
- to assist them in designing their own system for meeting the requirement, you must only:
 - describe the HR area
 - inform them of the requirements for that area
- if the sponsor describes to you a system they intend to put in place and want to verify if that would meet the action plan requirements, you can tell them whether you feel it would be sufficient to meet the requirement
- if you have discussed over the phone a system they intend to put in place, you must remind them they will be subject to a check when you visit them:
 - if the system does not stand up to testing, they will not pass the ‘human resource area’ of the visit report and may see their action plan extended or their licence revoked

Revisiting sponsors subject to an action plan

When you visit a sponsor with an action plan in place, you must re-assess all of the HR systems again, not just the areas the action plan refers to.

It may be the sponsor has changed the systems to meet the action plan recommendations, but that now means another HR area does not meet the requirements. You must only use the action plan sent out to the sponsor when assessing their compliance. You can find a copy on the correspondence tab on Metastorm.

Opportunity to provide evidence

If there is a reason why the sponsor still does not meet an area of the action plan, you must give them every opportunity to provide evidence to show they do meet the area. You must tell the sponsor you still have concerns and explain them to the sponsor.

The sponsor may be able to answer your concerns by showing you additional processes or systems or may not have understood your questioning. You must not come away from the visit until you have given the sponsor every opportunity to show how they meet the action plan requirements.

New areas of concern

During the visit you may identify new areas of concern. Those areas of concern must fit into the HR systems or compliance systems you assess as in any other visit.

You cannot expect a sponsor to have systems that go beyond the requirements in the sponsor guidance.

Final decision after an action plan visit

After an action plan visit, you must complete the report as you would for any other visit.

Compliant sponsors

If the sponsor has put the action plan recommendations in place, you must fully complete the HR systems sections of the visit report describing exactly what the sponsor has put in place.

For action plan visits, Sponsor Operations expect a detailed description of how the sponsor is now meeting their duties.

You must be confident you have given the sponsor every opportunity to address your concerns. You must fully complete the report and expand upon your factual findings in the report. Where possible, you must gather evidence to support your arguments.

Claims made in your report must be justified. You must gather any evidence, where possible, and you must make sure the report contains the full details, using facts and not subjective evidence.

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Quality assurance of reports

In assessing the quality of your visit and report compliance managers will consider whether:

- your report:
 - is based on strong, factual evidence
 - contains subjective opinions
- you assessed enough material in proportion to the size and nature of the organisation
- you gave the sponsor every opportunity to address your concerns
- you gave sponsor ratings in line with the sponsor guidance
- the amount of the evidence presented in the report reflects the areas of the sponsor guidance that state 'we will', 'we will normally' or 'we may' revoke your licence

If you cover the above issues in your report, you will:

- make sure your decision making process is robust
- assist Sponsor Operations in reaching the correct decision

You must also read about considering [litigation](#).

Curtailing workers' or students' leave when a licence is revoked

You do not need to do anything about curtailing workers' or students' leave if Sponsor Operations intend to revoke a licence. Sponsor Operations will contact the necessary curtailment teams to make sure they take action. The curtailment teams will then make a decision about curtailing any workers' or students' leave.

Curtailing a worker's leave when the licence is not revoked

You may find on a visit a worker is in breach of the conditions of their leave but it will not lead to licence revocation. For example, this may happen when:

- a dependant has said the person linked to their dependent visa is no longer living, working or studying in the UK
- the sponsored worker is not working for the correct employer stated on their visa
- the sponsored worker is not doing the duties they are sponsored to do, or has breached the rules of their migrant application

In these circumstances, you must follow the following steps:

- complete the worker's details in the relevant section of the report
- email the report to the relevant team in Sponsor Operations
- copy the curtailment team for workers and temporary workers into the email

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Visit documentation

This section tells you about the procedure for handling and storing visit documentation after the visit report is complete.

[Scanning](#)

[Making up the file](#)

[Sending documents to Sponsor Operations](#)

[Sending physical files to offsite storage](#)

Scanning

Certain documentation must be scanned after the visit into the corresponding locations on the shared drive, and named according to the Sponsor Management Unit file naming conventions:

T:\Shared\She_Shared\SPONSORSHIP (DO NOT USE)\Trello\SCN File Naming Conventions

The list below tells you what to do with each type of document:

- copies of documents which do not evidence a breach (passports, wage slips, contracts, general company information), and were not specifically requested by Sponsor Operations on the referral – do not scan, but retain on file for quality assurance purposes only
- copies of documents which do not evidence a breach (passports, wage slips, contracts, general company information), but were specifically requested by Sponsor Operations on the referral – scan documents, but do not retain on physical file
- copies of documents which evidence a breach (passports, wage slips, contracts, company information) – scan and retain in the file in offsite storage
- all handwritten documents, including notes taken during the sponsor visit, telephone conversations, letters or emails relating to the sponsor visit - scan and retain in the file in offsite storage unless Sponsor Operations specifically request them
- countersigned visit report- add to the sponsor 'visits' folder so that caseworkers can use it to make and communicate the decision

For managers to check the quality of decisions, handwritten notes and all other documentary evidence from visits must be retained locally for 2 to 6 weeks, before sending to offsite storage or discarding as in the above list. Once the report is complete and the necessary documents have been scanned, any original documents belonging to the sponsor or migrant must be returned to them by recorded delivery.

Scanned documents must be saved in the '1.Sponsor Specific Files' folder. They must not be stored locally. All documents saved must be named in the format:

YYYY-MM-DD _ORGANISATION NAME_ TYPE OF DOCUMENT

Making up the file

You must keep to the following standards:

- you must attach a linking request form to the file and it must be the top sheet
- the form must include:
 - the file's original application reference- that is the sponsor licence number
 - the sponsor's name as it appears on Jira
 - the file year (the year the file was created and not the year submitted)
 - full name of who is submitting the form, a contact telephone number, the sending team and the team address
- you must not send the file in a paper or plastic wallet
- the document must have a single hole punch in the top left corner and be bound by a treasury tag

Sending documents to Sponsor Operations

Once documents are scanned, if the sponsor is non-compliant and they are requested, officers must send interview notes to Sponsor Operations by mail.

You must not:

- send documents they have not requested - see '[Reporting the decision](#)'
- keep copies of these documents on the file to be sent to Cody 4

You must send the copies to the following address, clearly marking the sponsor's original application reference (their SPL number) and a covering note:

Sponsor Operations
UK Visas and Immigration
Vulcan House Steel - fourth floor
PO Box 3468
Sheffield
S3 8WA

Sending physical files to offsite storage

If the documents are scanned and Sponsor Operations do not require them, the sponsor file must be sent to offsite storage. It must contain:

- all handwritten documents, including notes taken during the sponsor visit and any telephone conversations
- any letters or emails relating to the sponsor visit
- other evidence directly relating to a breach, for example, rotas and payslips which evidence underpayment
- a linking request form

You must not include:

- any information or evidence which does not evidence a breach
- any documentation Sponsor Operations asked you to verify (see sending documents below)
- original documents belonging to the sponsor or migrant
- the visit report or previous reports
- intelligence or sensitive information

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You must:

- keep a record of when you sent visit files to Cody 4
- keep a record of when Cody 4 return files because they are requested or due to inadequate labelling
- send files in a storage box by secure internal mail and not individually in envelopes

Cody 4 will return any individual documents you send. You can get storage boxes by contacting the File Services Contract team.

Requesting a file back from Cody 4

To recall a file from Cody 4, you must complete a file request form and email Cody 4. You must:

- include all relevant details including the original application reference SPL number, the sponsor name and sponsor address
- include details of where and to whom they must send the case
- select the standard urgency level- Selecting 'high' will cost extra in courier charges
- only select 'high' urgency if it is justified and a senior manager signs it off

You must then email Cody 4 with the sponsor name and reference number in the subject field and the form as an attachment.

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Sponsor requests general advice

This page tells you what to do if a sponsor requests general advice.

Compliance officer limits on giving advice

You must remember that sponsors and members of the general public will not see you as a compliance officer but as a Home Office member of staff. There will be times when they contact you for advice or information, because they have your contact details. Remember, you must:

- not provide information or advice on immigration subjects outside of sponsorship:
 - this includes in relation to areas where you have previously worked, as your knowledge may now be out of date
- refer the person on to the relevant unit or contact centre

Request for sponsorship information

You can give information that directly relates to the sponsorship requirements but make sure you know the correct policy before giving out information. If the sponsor request is complicated and you are not clear on the sponsor requirements, discuss with your line manager. If you still don't have the answer, you must email your query to one of the following teams:

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You must not give out these email addresses to sponsors or members of the general public. They are for internal staff only. If you let members of the public have them, you will prevent the relevant teams from dealing with internal queries.

Employers can email the Business Helpdesk or call the employers' helpline on 0300 123 4699 for:

- sponsorship and employers' helpline questions
- assistance with password resets
- sponsor management system queries
- licence application queries

Educational institutions and Student sponsors can email the Educators Helpdesk or call the education providers' helpline on 0300 123 4699 for:

- general sponsorship enquiries
- checking the progress of a sponsor application or request

Premium sponsors should contact the licence manager and colleagues named in their welcome pack. If they are unavailable, they should email the Premium Customer Service.

Other useful numbers and email addresses

For queries relating to European nationals, call 0845 010 5200.

For queries relating to nationality and citizenship, call 0845 010 5200.

For queries relating to whether a representative is Office of Immigration Service Commissioner (OISC) registered, call 0845 000 0046 or email OISC.

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Employer allegations and requests for checks

This section tells you what to tell a member of the public if they want to make an allegation.

If an employer wants to make an allegation about another sponsor or about a migrant, then they can contact the sponsorship and employers' helpline. They can:

- telephone 0300 123 4699
- email the Business Helpdesk

Employer requests for checks

If an employer wants to check if a migrant has a legal right to work, they can contact the sponsorship and employer's helpline. They can:

- telephone 0300 123 4699
- email the Business Helpdesk

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