



Home Office

Points-based system sponsor licensing: applications

Version 24.0

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About this guidance

This guidance tells you about how to decide applications for a sponsor licence for Worker and Temporary Worker routes.

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 Economic Migration Policy Unit.

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 **24.0**
- published for Home Office staff on **27 March 2024**

Changes from last version of this guidance

- registration with a regulatory body section added with information on devolved areas
- genuine employment section added with example scenarios to aid caseworking
- changes reflecting 11 March 2024 Immigration Rules changes for certain care sector occupations
- special markers instructions updated Removing Automation for Change of Circumstances and Auto Allocations
- undefined Certificates of Sponsorship (UCoS) allocations section updated
- requests for Defined Certificates of Sponsorship (DCoS) new section added
- information on checking registration of regulatory bodies updated
- key personnel checks section updated
- seasonal Worker section updated
- charity status section updated
- format improvements

Related content

[Contents](#)

Sponsor licensing: background

This section gives background information on sponsor licence applications.

The online application process

Applicants can only register, apply, and pay for a sponsor licence online.

Applicants are not required to re-submit their organisation details or key personnel information when applying to add a route.

When an applicant has completed the online form, and paid for it using a credit or debit card, they must print and complete a submission sheet giving:

- their organisation details
- the supporting documents they are submitting
- details of the fee they have paid

Once the online payment is accepted and the application is submitted electronically, the applicant sends the submission sheet and supporting documents directly to the Sponsor Licensing Unit.

On receipt of the submission sheet and any supporting documents, the Workflow team files it in date order ready for the caseworker to match it with the electronic case.

Cases are then assessed to see if they are straightforward, complex or should be rejected before being made available to caseworkers.

Official – sensitive: start of section

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Official – sensitive: end of section

Related content

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Validating the application

This section tells you about the checks you must do when considering an initial sponsor licence application at the validation stage, or an application to add a route to an existing licence.

The applicant's initial application is caseworked in 2 stages:

- validation
- evaluation

A Sponsor Licensing Unit file cover sheet must be completed at the validation stage and attached to the applicant's application. The reverse of this sheet must be used when the case is placed in brought forward.

You must use this guidance with the sponsor guidance to complete the validation checks before moving to the evaluation stage. The validation checks are listed in order in the 'Metastorm perform actions: pre licensing' guide.

Caseworkers must record the outcome of each check and complete the decision summary in Metastorm 'Perform actions'.

If the applicant's application does not meet all of the criteria at validation, you must reject the application.

Related content

[Contents](#)

Checking submission sheet

This section tells you about checking the submission sheet for sponsor licence applications.

Applicants must provide a printout of the submission sheet which is part of the online application form.

The sheet must:

- be signed by the authorising officer (AO)
- include a list of which mandatory documents they have provided

If the submission sheet contains an original signature and lists the provided documents, you must check the submitted documents are appropriate to the type of sponsor and the sector in which they operate using [Appendix A of the sponsor guidance](#).

Original signatures in other language scripts are acceptable.

If the submission sheet has not been sent within 5 working days of the electronic application being submitted and subsequent reminders being sent, you must:

- reject the case if the submission sheet has not been received by sponsorship casework operations within 10 working days of the application submission date
- request a refund of the application fee
- return any documents the applicant has provided having first logged them on the document screen on Metastorm

If the submission sheet has not been signed by the AO, or has been signed by someone on behalf of the AO, you must reject the case and request a refund of the application fee.

All rejections of applications must be made using reject letter 'initial application rejection notification and ex-gratia'.

Related content

[Contents](#)

Check licence application fee

This section tells you how to check that a sponsor has paid the correct application fee.

An application is not valid unless the sponsor has paid the appropriate fee online. The fee paid must be consistent with the costs set out under the 'points-based system – sponsorship charges' section of [Home Office immigration and nationality fees](#) and the sponsor's:

- route or routes
- size
- charity status

Routes

You must check the routes currently active in the sponsor licence and record these on Metastorm 'Perform actions' using the perform actions template.

If the sponsor is licensed in:

- T2 Minister of Religion
- Religious Worker
- Charity Worker

you must check whether the sponsor is a [registered charity](#), or is an [charity that is not required to register](#).

Size

If the applicant is subject to registration with Companies House, you must determine the sponsor's size using [the Companies House website](#) and record this in Metastorm 'Perform actions' using the perform actions template.

If the applicant is exempt from registration with companies house, then you must ask the applicant to confirm if they are classed small or have charitable status and provide evidence of this (e.g. a hierarchy chart).

Small licence fee

A sponsor is eligible to pay the 'small' licence fee if it either:

- has [charitable status](#)
- is subject to the [small companies' regime](#)
- is not a company as defined by the Companies Act 2006 but has 50 or fewer employees
- applying for a licence under the Temporary Worker routes only

Sponsors that are not eligible to pay the small licence fee have to pay the large sponsor fee.

Charity status

If the sponsor claimed that they either:

- have charitable status
- have the same name as their registered charity
- are a charity exempt from registration, for example, an exempt college or university
- have applied under a different name to their registered charity

but does not meet the requirements of a [registered charity](#) or a [charity not required to register](#), then [the sponsor has paid the incorrect fee](#).

Registered charity

You must check online that the sponsor is registered with the appropriate charity regulator for the organisation according to location:

- [Charity Commission for England and Wales](#)
- [Charity Commission for Northern Ireland](#)
- [The Scottish Charity Regulator](#)

Charity registration is incomplete in Northern Ireland so not all charities will be on the Northern Ireland register. If they're not, they need to provide proof from HMRC that they have charitable status.

Charity not required to register

If a charity is not registered with the relevant charity regulator, you must [check whether the sponsor is not required to register](#). This could be because the charity is:

- not a charitable incorporated organisation and has an annual income of less than £5,000
- an [excepted charity](#)
- an [exempt charity](#)

The charities acts have more information on reasons for non-registration for England and Wales, Scotland:

- [Charities Act 2011 for England and Wales, part 3](#)
- [Charities and Trustee Investment \(Scotland\) Act 2005, part 1](#)
- [Charities Act \(Northern Ireland\) 2008](#)

Some schools have charitable status under the Charities Act 2011 but are exempt from the requirement to register. As they will not have documentary evidence to show they are a charity, you can accept they have charitable status if the school:

- is a foundation
- is a trust
- is voluntary aided
- is voluntary controlled
- has academy status

This can be checked for using the following links:

- [Get Information about Schools - GOV.UK \(get-information-schools.service.gov.uk\)](https://www.get-information-schools.service.gov.uk)
- [My local school | GOV.WALES](https://www.gov.wales)
- [Schools Plus | Department of Education \(education-ni.gov.uk\)](https://www.education-ni.gov.uk)
- [School contact details - gov.scot \(www.gov.scot\)](https://www.gov.scot)
- [Independent schools in Scotland: register - gov.scot \(www.gov.scot\)](https://www.gov.scot)

Most English universities and academies have automatic charitable status. The Office for students (OfS) maintains a [complete list of exempt charities](#) of which OfS is the principal regulator.

If an application is from a state funded school and they have paid the small licence fee, you must check to see if a change of circumstance (CoC) request has been made to change the school's name and status to that of an academy or a foundation or trust school. If there is no CoC request, you [must check](#) to find out if it is an academy or a foundation or trust school.

Companies Act

A company qualifies as small if it meets 2 of the below criteria in a financial year:

- turnover is not more than £10.2 million
- balance sheet total is not more than £5.1 million (aggregate of the amounts shown as assets in the company's balance sheet)
- number of employees does not exceed 50 (taken as an average across the financial year)

A parent company qualifies as a small company only if the group headed by it qualifies as a small group, that is it meets 2 of the above criteria.

A company qualifies as small in relation to its first financial year if the qualifying criteria are met in that year. It qualifies as small in a subsequent financial year if the qualifying criteria are met in that year.

In relation to that subsequent financial year, where, on its balance sheet date, a company meets or ceases to meet the qualifying criteria, that affects its qualification as a small company only if it occurs in 2 consecutive financial years.

A company is excluded from the small companies regime if it was at any time within the financial year to which the accounts relate any of the following:

- a public company (a company limited by shares or limited by guarantee and having a share capital, whose certificate of incorporation states that it is a public company)
- a company that is an authorised insurance company, a banking company, an e-money issuer, an Markets in Financial Instruments Directive (MiFID) investment firm or an Undertakings for Collective Investment in Transferable Securities Directive (UCITS) management company that is established in the United Kingdom and is authorised and regulated by the Financial Conduct Authority (FCA) and the Prudential Regulatory Authority (PRA).
- a company that carries on insurance market activity (a regulated activity relating to contracts of insurance written at Lloyd's)
- a company that is a scheme funder of a Master Trust scheme (a multi-employer occupational pension scheme)
- a company that is a member of an ineligible group

A group is ineligible if any of its members is:

- a traded company (a company any shares of which carry rights to vote at general meetings, and are admitted to trading on UK regulated market or an EU regulated market)
- a corporation (other than a company) whose shares are admitted to trading on a UK regulated market
- a person (other than a small company) who has permission under part 4A of the Financial Services and Markets Act 2000 (c. 8) to carry on a regulated activity
- an e-money issuer
- a small company that is an authorised insurance company, a banking company a MiFID investment firm or an UCITS management company
- a person who carries on insurance market activity
- is a scheme funder of a Master Trust scheme (a multi-employer occupational pension scheme)

The sponsor has paid the correct fee

If these checks confirm that the sponsor has paid the correct fee, record your results in Metastorm perform actions using the perform actions template and proceed with the validation.

The sponsor has paid the incorrect fee

If these checks tell you the sponsor has paid the wrong fee, you must:

- [refund](#) the balance, send details of the case to the Immigration Skills Charge (ISC) Admin team and continue to casework if they have overpaid
- reject the application if they have underpaid
- record your results in Metastorm using the perform actions template
- pass details of the case to ISC Admin Team, so that they can make the necessary adjustments for the ISC fee

If it is not clear whether the sponsor has paid the correct fee and you need further information, you must:

- issue a letter to request further information and evidence to establish their status, for example:
 - annual accounts to determine annual turnover and the amount on the balance sheet
 - staff hierarchy charts or payroll evidence to check the number of employees
 - interim accounts, if they submit these because final accounts are not available, you must decide if the correct fee was paid based on the interim accounts and other information available to you
- complete this action in line with the guidance on requesting information online
- record actions taken in Metastorm using the perform actions template

Related content

[Contents](#)

Related external content

[Financial Services Register](#)

[Companies House](#)

[UK Authorised Insurers](#)

[List of Authorised Master Trust Schemes](#)

Refunding fees

This section tells you when a fee can be refunded and how to arrange a refund for a sponsor licence application fee. These payments are also sometimes referred to as ex-gratia payments.

You must arrange a refund of the application fee when the applicant has:

- underpaid and the application is rejected
- overpaid and the application has been validated and checked for accuracy
- sent in duplicate applications and payments and one application needs to be withdrawn
- submitted and paid for an application, but has not provided the submission sheet or supporting documents

If you think that the applicant is entitled to a refund of any fee paid, you must:

- add the applicant's details to the sponsorship ex gratia spreadsheet, which can be found in the shared drive
- update the payment screen on Metastorm to reflect the refund issued

Application withdrawal requests from applicants

If the applicant withdraws their application and requests a refund of the application fee, you must discuss the request with your manager. A refund of the application would not normally be appropriate if you have started to consider the application.

If the manager agrees that you can make the refund (ex-gratia payment), you must:

- withdraw the application on Metastorm
- follow the steps in respect of [authorised refunds](#)

If the manager does not agree that you can refund (ex-gratia payment), you must:

- withdraw the application on Metastorm
- write to the sponsor informing them their application has been withdrawn but the Home Office will not refund their fee

Related content

[Contents](#)

Registration with a regulatory body

This section tells you what regulatory bodies are and how you can check for registration.

Regulatory bodies

Organisations and individuals operating in certain sectors must be registered with or inspected/monitored by a regulatory body to operate lawfully in the UK and carry out regulated activity.

Certain professions are also regulated. The Department for Business & Trade (DBT) has guidance on UK regulated professions and who their regulators are. DBT guidance can be accessed here: [UK regulated professions and their regulators - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/uk-regulated-professions-and-their-regulators)

Where an organisation is not regulated or registered when required to be so, the application must be refused.

Health & Care Regulation (Organisations)

The Care Quality Commission

From the 11 March 2024 applicants operating within the Health and Care sector in England can only sponsor migrant workers for senior care worker or care worker roles if they are registered with and undertaking activities regulated by the CQC.

Below are activities regulated by CQC in England for the Health and Care Sector.

- personal care
- accommodation for persons who require nursing or personal care
- accommodation for persons who require treatment for substance misuse
- treatment of disease, disorder, or injury
- assessment or medical treatment for people detained under the Mental Health Act 1983
- surgical procedures
- management of supply of blood and blood-derived products
- transport services, triage and medical advice provided remotely
- maternity and midwifery services
- termination of pregnancies
- services in slimming clinics
- nursing care
- family planning services

Descriptions and examples can be found in the [CQC guidance](#).

CQC guidance also uses flow charts to help companies check if registration is required if the activity they conduct is within the scope of registration for each regulated activity.

Note: In April 2024 the rules will be updated and Skilled Worker Occupations will move to SOC 2020, therefore the individual codes will be changing. You must ensure that you assess the application against the correct SOC for the roles the sponsor proposes in their application based on the date they apply.

The most commonly used Standard Occupational Classification (SOC) codes within the Health and Care sector is 6135 - Care workers and home carers (previously 6145) and 6136 Senior care workers (previously 6146).

Rather than focusing on the job title you should check the job description of each of the roles the applicant is intending to fulfil with a sponsored worker and match them to the appropriate Soc Code using the Computer Assisted Structured Coding Tool (CASCOT): you can access this here: [CascotWeb \(warwick.ac.uk\)](https://cascotweb.warwick.ac.uk)

Using the CQC guidance on regulated activity you must confirm if the job description of the chosen SOC code matches the description of the regulated activity.

If the job description is not appropriate for 6135 or 6136 and the applicant has no other care related roles then the application should be refused

Example scenario

A Care organisation based in England is seeking to be a licensed sponsor under the Skilled Worker route and sponsor care workers under SOC code 6135. The caseworker searches the applicant's job title on CASCOT and notices that job description they have provided for "care worker" does not match that of the SOC code 6135 on CASCOT. Additionally, the job description has no indication that the worker will be conducting regulated activity. The organisation also states they are not registered with the CQC. The caseworker is not satisfied that they have meet this requirement for roles based in England as well as not being registered with the CQC and will refuse the application.

Devolved areas and regulatory bodies

Devolved areas refer to the countries of Scotland, Wales, and Northern Ireland that form part of the UK. As CQC's remit extends to England only, devolved areas have separate bodies that carry out regulation/inspection for care providers.

The regulatory bodies are below and you can search the registers by clicking on the links:

- [The Care Inspectorate \(CI\)](#) in Scotland
- [The Care Inspectorate Wales \(CIW\)](#) in Wales
- [The Regulation and Quality Improvement Authority \(RQIA\)](#) in Northern Ireland

In Scotland care services must be registered with the Care Inspectorate. Organisations must not provide a care service if they are not registered.

In Wales, organisations who provide a regulated service must make an application for registration to the Welsh Ministers. The Care inspectorate carries out this function

on behalf of Welsh Ministers to provide assurance on the quality and safety of services.

In Northern Ireland it is an offence to carry on or manage an establishment in the health and care sector without registration with the RQIA.

Organisations must hold registration with an appropriate care regulator in the part of the UK they are conducting regulated activity.

Organisations based in England but conducting regulated activity in devolved areas are required to be registered with an appropriate care regulator in that devolved area.

Organisations based in a devolved area but conducting regulated activity in England are equally required to be registered with the CQC.

If the organisation covers multiple areas of the UK, then you should only approve on the condition the roles can only be based in the areas that active registration is held.

If the organisation is not appropriately registered to conduct regulated activity for the area of the UK that roles are based, then you should refuse the application on the grounds that the applicant is required to be registered with a care regulator in that area.

What to check for

When dealing with an application from an organisation in the care sector you must check:

- contracts, site information for the location of the role to determine whether it is based in England or a devolved area
- job descriptions to see if the role includes regulated activity
- if the organisation is registered with other regulatory bodies
- check that registration details are accurate, complete, and up to date

Related content

[Contents](#)

Related external content

[Scope of registration: Introduction - Care Quality Commission \(cqc.org.uk\)](#)

[Cascot: Computer Assisted Structured Coding Tool \(warwick.ac.uk\)](#)

[Public Services Reform \(Scotland\) Act 2010 \(legislation.gov.uk\)](#)

[Applying registration applicantguidance_july21-web.pdf \(careinspectorate.com\)](#)

[Register to provide a service | Care Inspectorate Wales](#)

[What we do | Care Inspectorate Wales](#)

[Regulation and Quality Improvement Authority - RQIA](#)

[The Health and Personal Social Services \(Quality, Improvement and Regulation\) \(Northern Ireland\) Order 2003 \(legislation.gov.uk\)](#)

Checking supporting documents

This section tells you how to check the applicant has provided the correct supporting documents for a sponsor licence application.

The applicant must provide certain information and documents with their sponsor licence application as supporting evidence.

In order to support and validate an application, in most cases the applicant will need to provide a minimum of 4 pieces of information. This will involve the applicant providing some documentation but there is certain information that can be verified by an online check.

You must refer to [Appendix A](#) of the sponsor guidance to check that all mandatory documents have been provided by the applicant based on the type of organisation they are and the route, or routes, for which they are applying.

Supporting documents: originals, certified or uncertified copies

An issuing body, a practicing barrister, a solicitor or a notary can certify a document as a true copy of the original. Financial documents can also be certified by a chartered accountant. The document must be:

- signed by the certifier
- have details of the organisation they represent next to the signature

Documents must be linked together with the cover page certified, stating the number of pages included.

When the document is a certified copy and the certifier is a practicing barrister, solicitor, notary or, for financial documents only, chartered accountant, you must check the certifying individual is appropriately authorised:

- for England and Wales:
 - [The Law Society](#)
 - Notaries England and Wales: [The Notaries Society](#) (which allows searches of Notaries in Scotland, Northern Ireland and Ireland)
 - [The Solicitors Regulatory Authority](#)
 - [The Bar Council](#)
 - [Bar Standards Board](#)
 - [The Institute of Chartered Accountants in England and Wales](#)
 - [Association of Chartered Certified Accountants](#)
- for Scotland:
 - [The Law Society of Scotland](#)
 - [The Institute of Chartered Accountants of Scotland](#)
 - [The Faculty of Advocates](#)
- for Northern Ireland:

- [The Law Society of Northern Ireland](#)
- [Chartered Accountants Ireland](#)
- [General Council of the Bar of Northern Ireland](#)

If the documents provided are in a language other than English or Welsh, the applicant must provide a certified translation. See the gov.uk guidance page <https://www.gov.uk/certifying-a-document> for more details.

If you doubt the translation is authentic, you must send the documents to the Home Office translation service to confirm. You must ask your manager for authorisation, as they will charge the Sponsor Licence Unit for this.

Welsh is an official UK language, so any documents submitted in Welsh do not require a translation. If you need to confirm the content of a document, contact cymraeg, and they will advise on the process of commissioning a translation.

If the applicant has provided uncertified copies of any of the mandatory documents or the documents have been stamped or signed as certified by a company rather than an individual, you must:

- check if the documents can be verified online and, if so, you can continue consideration
- reject the application if the documents cannot be verified online and request a [refund](#) of the application fee

Supporting documents: sponsor structure

If an applicant has applied to be licensed as a:

- 'head office and all UK branches'
- Global Business Mobility (GBM) routes
- group of branches
- an organisation, a sole trader or a partnership with a number of franchises under its control

the applicant must have provided a list of:

- branches
- linked entities
- partnership details
- sites, including names and addresses
- mandatory documents for each branch
- list of franchises under their control

and you must then check the company structure information online and compare this to the information the sponsor has supplied.

When checks are completed and the evidence that the branches or entities are linked by common ownership has been verified, open a Word document and:

- record the branch, entity, partnership, franchise details, and site names and addresses
- record the date the applicant made the application
- save the document to Metastorm using 'ad-hoc' letters function under the correspondence tab entitled 'branches/linked entities / partnership details'
- complete the Metastorm 'perform actions' and insert "all branches are recorded under the 'correspondence tab'" in the status comments box

Supporting documents: other document checks

Registration with a regulatory body checks

As mentioned in '[Registration with regulatory body](#)' section, if the applicant is required to be registered with or inspected/monitored by a regulatory body to operate lawfully in the UK and carry out [regulated activity](#). You must check the registration with the regulatory body online by visiting the regulatory body guidance and checking regulatory requirements or if necessary, contacting the regulatory body to verify details provided.

For example, if a care home is seeking to be a licensed sponsor under the Skilled Worker route has indicated that they are registered and regulated by the Care Quality Commission (CQC) taking part in regulated activity within the sector. You must check that the details on the CQC Certificate, CQC website (checking the "Specialisms/Services) and details on Companies House match against the licence application.

Inspection reports

If the organisation has been inspected, you must read the inspection report to determine if the services provided are consistent with the application details, including contract and vacancy details. This includes checking the description of the service provided and type and number of users. Any inconsistencies in information must be considered as set out in the 'Genuine Employment' section of this guidance.

For example, an inspection report highlights a capacity for 25 service users, and the number of vacancies they are wishing to fill does not match this, you must consider whether the applicant can offer genuine employment, including the minimum required hours of work for each sponsored worker. If they are not able to evidence this, then the application should be refused on genuine vacancy grounds. This would also be the case if the type of service highlighted on the report does not match what the applicant has stated they provide for the sector.

CQC Regulatory guidance can be found on the [CQC website](#). Additionally, you can [also search for a health or social care service](#) on this website by searching the applicant's company name.

Ofsted inspection reports can be located on the [GOV.UK Website](#)

Refer to Table 6 of the Operating Mandate for more details on checks to be made on sponsor licence applications: More information about the UKVI operating Mandate can be accessed on this link here [Operating mandate for UK Visas and Immigration](#).

Hierarchy charts

Skilled Worker and T2 Minister of Religion applicants must provide the most recent hierarchy chart detailing owners, directors, and board members. If the organisation has 50 or fewer employees, then they should also list names and titles of all staff.

You should check:

- whether there are any vacancies to fill
- what type of workers the applicant currently employ.
- where the vacancy fits in to the organisation.
- if the vacancy reports to a specific person

If you cannot determine where the worker will fit in from the hierarchy chart, then you should refuse the application.

Insufficient or inappropriate documents

If the applicant has not provided mandatory documentation appropriate to the route applied for, or their type of organisation, you must reject the application and request a [refund](#) of the application fee.

Related content

[Contents](#)

Related external Links

[CQC](#)

[OFSTED](#)

Verifying supporting documents

This section tells you how to check if supporting documents for sponsor licence applications are genuine and how to verify the documents if you have doubts about their authenticity.

As part of your consideration, you must decide if the supporting documents provided are genuine. The list below gives examples of things to look for to help you verify the documents (this is not an exhaustive list).

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Verifying documents using external bodies

If you cannot contact the issuing body by email, you must telephone them or write to them.

If you verify documents with an issuing body by telephone, you must confirm:

- the name of the person you are speaking to
- their position in the organisation

You must note this information on the document screen in Metastorm with the results of your enquiry. If the evidence confirms a document is false, you must get confirmation from the third party in writing, either by email or letter. You must keep this with the other case papers in case of judicial review.

If you send a written verification request to an issuing body, bring forward the case for 5 working days and note Metastorm with the date.

If you refer a document to the UKVI Enrichment Team, bring forward the case for 5 working days and note Metastorm with the date. As verifying documents from overseas can take a considerable amount of time, however, you must only request verification of them if your manager agrees to it. If it is required, discuss a longer timescale to bring forward the case with your line manager.

Verification outcome

If the third party does not respond to the final request, or the result of the check is inconclusive, you must not use the document as evidence and must request another supporting document from the applicant.

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Search for previous applications

This section explains the initial checks you must make before you consider an application for a sponsor licence.

Before you check the application, you must establish if the Home Office have had any previous dealings with the applicant using the 'sponsor summary search' and the 'cases linked to sponsor' functions or the 'case search' function in Metastorm.

Previous dealings include if they have previously:

- applied for a licence and been refused
- rejected applications
- withdrawn applications
- held a sponsor licence for the same or similar company name
- surrendered a licence
- had a licence revoked
- had a licence which has expired

Previous refusals

If the applicant has had a licence application refused previously, you must check if the 'cooling off period' applies. If it does, you must refuse the application. If it doesn't, you must investigate the reasons for refusal and establish whether the applicant has addressed those reasons or otherwise has valid reasons for re-applying. If they appear to have, you must request a [compliance visit](#) to verify that. If the applicant has not addressed the reasons for the previous refusal, you must refuse the application. See [Section L9 of Part 1: Apply for a licence](#) for further information on 'cooling off periods'.

Previous surrenders, rejections or withdrawals

If the applicant has previously surrendered a licence, withdrawn an application or had had an application rejected, you must find out why.

You must continue to consider the application:

- if the applicant had a valid reason to surrender their licence, such as not having any workers to sponsor
- if the applicant had a valid reason to withdraw their application, such as their immediate recruitment plans changing
- if we rejected the application for whatever reason

If the applicant does not have valid reasons for re-applying after a previous surrender, rejection or withdrawal, however, you must discuss with your manager whether you should request a compliance visit.

Previous revocations

If the applicant has had a licence revoked previously, you must:

- make sure over 12 months has elapsed between the licence revocation and receipt of the current application
- continue caseworking
- [request a compliance visit](#) to check if the applicant has addressed the reasons for revocation if they meet all other checks and there are no further concerns

If the applicant has re-applied less than 12 months since the licence was revoked, you must refuse the application.

Previous expiries

If the applicant has allowed a licence to expire, you must check with the applicant whether they did not renew because they did not need to sponsor workers at that time or because they did not submit a renewal application in time.

If the applicant did not submit a renewal application in time, you must [request a compliance visit](#) to investigate why they allowed their licence to expire.

Related content

[Contents](#)

Duplicate application checks

This section tells you how to check for duplicate sponsor licence applications.

When you are considering an application, you must check if:

- there are any duplicate applications
- there is another current application for the applicant
- the applicant wants the licence to be linked

If there is a previous or another current application, you must:

- check the 'cases linked to sponsor' tab to view any other applications linked to the case
- contact the applicant to check if they require a separate licence

If the applicant confirms they intend to add a route to their current sponsor licence, you must:

- reject the application
- [refund](#) the fee
- write to the sponsor using the 'Initial application rejection notification and ex-gratia' letter and advising they must apply to 'Add a Tier'

If the applicant confirms they want separate licences, you must continue to casework the application normally.

If the applicant sent in duplicate applications and payments, one of the applications must be withdrawn. You must:

- ask the applicant which is to be withdrawn
- [refund](#) the fee
- withdraw the application on Metastorm

Related content

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Checking details in the application are accurate

This section tells you what to do if you identify any errors in the application.

When you consider the application, and make the mandatory checks, you must also proofread the application to make sure:

- the information the sponsor has submitted is consistent
- there are no spelling mistakes
- the sponsor has completed all sections correctly

Minor errors you can amend include:

- additional letters in an address
- names spelt differently from in the rest of the application
- too many digits in the telephone number provided

You can check or cross reference many of these by searching for the applicant's webpage (if they have one). This may also help you identify any other potential errors in the application.

Information submitted by the sponsor

When considering an application, you must check submitted information for accuracy and authenticity. This is including but is not limited to:

- Companies House website details
- the organisation's own website, checking it is up to date and any descriptive information about the company, matching what has been submitted in the sponsor application
- registration with other governing or regulatory bodies
- contractual agreements with another organisation, Local Authority, trust, or other governing bodies, to provide services

For example, if the applicant states they are a licensed care provider with an NHS trust, you should confirm this using the [NHS provider directory and registers of licensed healthcare providers](#).

Minor errors

If you identify a minor error which you can clearly identify as a typing error or spelling mistake, you must write to the applicant detailing the errors in the application requesting they confirm the amendments. If they do not confirm the amendments, then you must reject the application for the applicant to resubmit correctly.

Alternatively, if the applicant confirms the amendment, use the 'maintain sponsor' tab on Metastorm and mark the change as 'sponsor request'.

Errors that could affect the caseworking or decision-making process

If you identify an error that could affect the caseworking or decision-making process, you must contact the applicant to discuss the error identified.

If the error does not affect caseworking or the decision process, you should treat it as a [minor error](#).

In instances such as submitting:

- an address or contact details which may be for a representative
- contradictory information in the application
- applying for the incorrect route or routes

you must take these into consideration when reaching a decision, as these may lead to the application being refused.

Related content

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Evaluating the application

This section tells you about the checks you must do before you make a decision on an initial application or an application to add a route to an existing licence.

Once the sponsor application has been validated, you must:

- complete the evaluation checks which are listed in order in the 'Metastorm perform actions: pre licensing' guide
- record the outcome of each check and complete the decision summary in Metastorm 'Perform actions'
- review customer service standards and update Metastorm

Related content

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Civil penalty checks

This section tells you how to find out whether there is a civil penalty against the applicant or those named on the application as key personnel.

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Company and insolvency checks

This section tells you how to undertake checks with Companies House and the insolvency register.

Check the sponsor's entry on the Companies House website

You must search on [the Companies House website](#) for:

- the sponsor, to see whether:
 - the organisation has ceased trading or been dissolved
 - the organisation is in administration
 - the directors have been struck off
- the company contact details, to see whether:
 - the applicant uses a web-based email address, such as Hotmail or Yahoo, rather than one with the company name in the address
 - the telephone number is an 0870 or mobile number, rather than local to the area
- the length of time the company has been trading
- that the Company Number matches the one given at the application stage.
- the nature of the business

You must complete the above checks for all applicants, regardless of sector, size of company or any other profiling attribute and record the outcome of the checks in Metastorm 'perform actions' using the perform actions template.

Check the insolvency register

An undischarged bankrupt cannot act as an authorising officer (AO) or a Level 1 user. You must check the named AO or Level 1 user on the [English and Welsh](#), [Scottish](#) and [Northern Irish](#) insolvency registers, regardless of where the person is currently based. See section on [how to perform insolvency checks](#) for more information.

You can also [visit 'searching disqualified company directors' on GOV.UK](#) as an additional resource for Companies House and insolvency checks on directors.

Related content

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Genuine employment checks

This section tells you how to undertake genuine employment checks, to determine whether the sponsor is able to offer genuine employment.

Contracts with a third party & agency workers

If the applicant mentions they have a contract with a third party, you should ensure that the agreement doesn't amount to hiring out of sponsored workers or for routine work. If the applicant is a care provider the contract should specify details on the care requirements and hours required to facilitate care, if appropriate. If these details appear to be speculative then the application should be refused. This could lead to situations where workers have no guaranteed work as the applicant has overestimated how many workers they needed to fulfil this agreement.

You should assess the contracts holistically with other details of the application. If you are unable to determine this with the information provided then you should confirm these details with the third party.

Contracts with a third party are acceptable where they are for the delivery of a non-routine service or project which has a clear end date.

Where possible you should look for:

- how many people will be using this service (service users)
- guaranteed hours of work
- how many roles are required to be fulfilled by the applicant
- details of tasks to be fulfilled by the applicant
- whether the contract is a guarantee of work or simply puts them on a list of providers who can be used
- the lifespan of the contract:
 - checking if there are any escape clauses, for example, if it is a 2-year contract but with a review period after 12 months or alternatively if the contract comes with extension clauses (and if so what are the terms – how far in advance can it be exercised)
 - whether this contract has been awarded or if the applicant is bidding for it
 - the expected start and specific end date (after which the service is completed and will not be operated by the applicant or anyone else)
- check terms around regulatory requirements – checking whether the contract requires work which is regulated and, if so, is the applicant required to maintain a certain standard (for example, are required to obtain and hold a good rating at all times during the life of the contract)

More information on regulated requirements can be found in the [Registration with a regulatory body](#) section.

Note: If the applicant has provided additional information that indicates a contract is in place with a third party, you should also check this to ascertain details of the agreement in place.

Example scenario A

A domiciliary care service provider has a 6-month contract with a local authority to provide bespoke 1 to 1 care plans for individuals in their home. The contract provides a detailed breakdown of the amount of service users requiring care, the tasks the care provider must undertake and number of hours needed to do this. The local authority and the applicant have agreed the details of the drawn-up care plans. You must confirm these details with the local authority and determine that the applicant is appropriately registered and regulated by the CQC, responsible for the care to be administered and be satisfied the work undertaken is not routine, has guaranteed hours, and has a clear end date.

Checking previous dealings with applicant

As mentioned in “Search for previous applications” section on Metastorm, you should check previous records to see if the applicant has previously had an application refused and determine if the cooling off period has expired. If the applicant was previously a licensed sponsor and their licence was revoked or suspended you should confirm if the new application addresses the previous refusal/revocation grounds, where applicable.

If previous compliance action led to the creation of an action plan, examining this could flag any concerns you may have on genuine employment that don't appear to be addressed in their new application.

Example scenario B

The applicant was previously an A-rated sponsor that was downgraded to a B rating following compliance action. They were issued with an action plan requiring improvement to be made on reporting requirements, monitoring migrant status and record keeping. Metastorm shows that after 3 months, they failed to address the issues raised and provided no representations. The sponsor licence was subsequently revoked and the sponsor subjected to a 12-month cooling-off period. After the cooling off period they have reapplied for a sponsor licence. On further assessment of the compliance history, it was discovered that workers were not assigned enough work which led to revocation action. On this application they appear to be speculative on the number of workers they need and want to over-prescribe the amount of CoS allocations they have which does not match the hours of work available. The caseworker refuses the application on the basis they cannot determine genuine employment on the evidence provided.

Salary

Has the applicant included information on what they intend to pay sponsored workers? If this doesn't comply with the National Minimum Wage (NMW) Regulations, applicable general threshold or the going rate for the occupation, you can refuse the application on that basis.

If the salary proposed shows to be less than the average for that sector in the region, but still meets the going rate or more than the going rate, you should check this with the applicant for an explanation of why the salary is lower than what is expected and assess the information provided.

Skill requirements

Information on the roles/jobs the applicant is offering for sponsorship could be indicative on their ability to offer genuine employment. You must check if the proposed occupation codes match the job description and sector the applicant operates in. For example, where the applicant states they operate in the IT and Communications sector but also state that they have vacancies for care workers.

This can be checked using [Cascot: Computer Assisted Structured Coding Tool](#) searching the job title provided and checking if the job description matches the sector they operate in and confirming the choice with the applicant.

If you believe the applicant has intentionally chosen an inappropriate occupation code, you must refuse the application on the basis the occupation code chosen is not appropriate for the roles they offer and the sector they operate in.

Example scenario C

A small care home company wants to sponsor a web designer to manage their website. They have proposed the occupation code for a web designer stating this individual would be designing websites for prospective clientele. They have also mentioned this individual would be working with them for 5 years. Due to the nature of business (domiciliary care) and the length of employment, this may not be appropriate and raises concerns on whether they can offer genuine employment.

Example scenario D

A care company has 25 service users, each with personalised care plans drawn up and agreed with the local authority. These plans state that a worker would be providing personal care, cooking food, cleaning areas of the service user's home and administering medication. The applicant has indicated that they wish to sponsor a nurse overseas to undertake this role in their company. This wouldn't be appropriate as these are tasks a senior care worker or care worker would usually undertake. Therefore, you must refuse the application on these grounds.

Hierarchy charts

If the applicant has submitted a hierarchy chart as part of their application, check where sponsored workers would fit in. If it is unclear, then there are credibility concerns on genuine employment and you should check these with the sponsor

Additionally, as hierarchy charts often show line management chains, these can show if an applicant has credible roles for managing workers.

Example scenario E

A care provider wishes to sponsor 50 new care workers for their company. The applicant has included a hierarchy chart with their application. It shows where the 50 workers fit in but doesn't show that there are any more senior care workers in place to supervise the new workers. You should question whether there would need to be more experienced staff in place to supervise this number of new carers. This would be a risk factor for genuine employment.

Registration with a regulatory body

You must check that the organisation is regulated with the appropriate body, and they are regulated for the service they are seeking to provide through the worker they seek to sponsor.

Confirming the registration with the regulatory body suggests the applicant is able to take part in regulated activities and can offer genuine employment in the sector to fulfil this responsibility.

If the applicant states they are exempt from registration but is in a business area that usually requires regulation, they must provide evidence of their exemption. There are concerns the employment may not be genuine if the worker is undertaking a role that doesn't correctly reflect the applicant's business area. If evidence is not provided, then you should check with the regulatory body. More information about checking of regulated can be found in the supporting documents section: [Registration with a regulatory body](#).

Example scenario F

An applicant wishes to sponsor support workers on the health and care visa route. They are a care provider who state they are exempt from registration with the CQC as they do not take part in regulatory activity. On a closer look, under a list of responsibilities, workers will be undertaking domestic tasks such as cleaning and cooking as well as personal care tasks such as washing and dressing individuals and administering medication. As the responsibilities include personal care, which is a regulated activity, evidence of CQC registration is required.

Operating/ trading presence

If the applicant has operated or traded for less than 12 months, they may pose a risk for genuine employment as there may not be a verifiable record of their presence in the industry and ability to manage employees.

You can check trading presence/history using:

- submitted corporate or business bank statements, looking for transactions related to services or goods prior to the date of application
- audited/unaudited accounts or balance sheets
- contracts for goods or services, looking for specifics on what the applicant is responsible for delivering as part of the agreement

- evidence of advertising for services or goods offered by the business

For applications under the Global Business Mobility: UK Expansion Worker route, unless an exception applies, they must submit evidence of their overseas trading presence.

If you have any concerns, you should flag this for a digital compliance Inspection, this is the process of verifying an applicant's trading presence. See '[Digital compliance inspection](#)' for further details.

Related content

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Special interest markers

This section tells you how to identify whether an applicant has any special interest markers and how to set markers if you have concerns about an application.

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Checking for markers

You must confirm whether there are any markers against the Sponsor, what the markers relate to and the action you have taken.

To find out whether there is a marker you must:

- look in Metastorm 'sponsor summary search' for a red banner along the top of the window
- view the markers tab in Metastorm
- check notes in Metastorm and cases linked to sponsor

If there is a marker against the Sponsor:

- discuss with the team that put the marker on
- discuss with your line manager before contacting the following teams:
 - SAIT
 - Litigation
 - Sponsor Compliance Team
 - Student Sponsor Compliance Team
 - Spare markers, 1, 2, 3, 4 & 5 - see local guidance.

You must record all findings and actions taken in Metastorm 'Perform actions' as in the perform actions template.

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Special markers - removing automation for change of circumstances and auto allocations

If a marker is added to a Sponsor after the monthly automation script has been run, the automation will remain until it is removed manually. If you encounter a Sponsor who has a marker on their licence that means automation is no longer appropriate, remove the automation and follow the casework guidance for the marker before continuing.

How to remove automation:

- 1) Select 'Blank Forms'.
- 2) To initiate action to remove automation on a sponsor record, select Update Automation areas.

Selecting a sponsor:

- 1) Enter sponsor details in the appropriate search field.
- 2) Select the 'Search' button.
- 3) Search results are displayed within the grid in the centre of the screen.
- 4) If the correct sponsor details are displayed, select as required.
- 5) If the correct sponsor details are not displayed, select the 'Clear' button and restart the search.
- 6) When the appropriate sponsor has been selected, select 'Submit'.

Removing automation:

- 1) To remove automation on Change of Circumstances, select the 'type'. Change the auto setting from 'auto' to 'manual' and press 'update'
- 2) When all selections have been made, select 'Submit'.
- 3) To remove automation on Auto Allocations, select the 'type'. Change the auto setting from 'auto' to 'manual' and press 'update'
- 4) When all selections have been made, select 'Submit'.
- 5) Once updated, proceed to follow local guidance relating to the marker.

Markers - reviewing automation after a marker has been removed

If a marker is removed from a Sponsor after the monthly automation script has been run, you must consider whether automation should be reset or refer to Sponsor Ops to consider.

How to add automation;

- 1) To initiate action to set automation on a sponsor record, select Update Automation areas.

Selecting a sponsor

- 1) Enter sponsor details in the appropriate search field.
- 2) Select the 'Search' button.
- 3) Search results are displayed within the grid in the centre of the screen.
- 4) If the correct sponsor details are displayed, select as required.
- 5) If the correct sponsor details are not displayed, select the 'Clear' button and restart the search.
- 6) When the appropriate sponsor has been selected, select 'Submit'.

Setting automation:

- 1) To set automation for change of circumstances, select the 'type'. Change the auto setting from 'manual' to 'auto' and press 'update'
- 2) When all selections have been made, select 'Submit'.
- 3) To set automation for auto allocations select the "Tier/Category". Change the auto setting from 'auto' to 'manual' and press 'update'
- 4) When all selections have been made, select 'Submit'.

See the Metastorm user guide 'Special Markers' for how to check and update automation settings with screenshots.

Related content

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Metastorm user guide - Special markers

Representative checks

This section tells you how to check the applicant's representatives.

An applicant's representative can:

- help the applicant complete the online application
- be named on the application and act as key contact (KC)
- be added to the sponsor's Metastorm record if they are also the KC, however, if the contact name does not match the one on the representative record, you must make sure the application is linked to the existing managed representative record on Metastorm

A representative cannot:

- be named as the authorising officer (AO), or a Level 1 user at the sponsor licence application stage
- submit the online application on behalf of the applicant

If you suspect that the representative has submitted the sponsor licence application, you must:

- check (if applicable) whether the submission sheet has been folded, as this could indicate it has been in an envelope and sent between the sponsor and the representative
- check the submission sheet properties to see if there's any embedded authorship details and whether those don't match the applicant:
 - if you save the document and right click 'properties' then navigate to 'details' authorship details will be displayed
- email the applicant and ask if they submitted the application themselves
- allow 5 working days for a response

If, following investigations, you are satisfied that the representative has submitted the application, you must:

- 1) Refuse the application.

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Compliance visits

This section explains what a compliance visit is, when you must refer for a visit and actions to take following a visit.

This includes how:

- the workflow of visit cases between casework and compliance teams must be managed
- you can request a visit
- the compliance team manage the visit case
- the visit case is returned to casework teams

All actions, unless specified, are performed using the Metastorm function 'Visit Case'.

You must also review customer service standards and update Metastorm.

Related content

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When to refer for a compliance visit

This section explains what a compliance visit involves and when you must refer for a visit or Digital compliance inspection.

Compliance visits are undertaken by compliance officers and involve an on-site visit to an applicant or existing sponsor's address. Key personnel and workers already working with the applicant or existing sponsor are interviewed to:

- assess the applicant's or sponsor's ability to meet their duties
- assess the applicant's or sponsor's compliance with immigration legislation
- get answers to any specific questions you may raise as part of the visit referral

You must refer for a compliance visit if the applicant's licence was previously revoked, refused or surrendered.

You must consider referring for a compliance visit if:

- the application has hit a risk profile that recommends a compliance visit takes place
- the application has hit a risk profile and genuine employment checks are required
- the application is to add a new route (including highly trusted sponsor status) to an existing licence and the sponsor has not had a visit in the previous 12 months
- the sponsor has applied to renew their licence and is in a route where a compliance visit is required
- the sponsor has applied for premium sponsor status (and has not been visited in the previous 3 months)
- the applicant or sponsor has no previous immigration history
- you need additional information on the applicant's ability to meet their sponsor duties or compliance to make a decision on an application
- when considering a change of circumstances, follow-on and in-year request from a sponsor, you need further information or identify concerns which can only be resolved by an on-site visit to the sponsor
- the applicant did not apply to renew a previous licence and that licence expired
- the rating with another governing body suggests an improvement is required in an area of the sponsors business, for example, if a CQC or Ofsted rating suggests the business "needs improvement" or is unsatisfactory
- you have concerns about the sponsors ability to offer genuine employment

Related content

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How to refer for a compliance visit

This section explains how you make a visit referral.

All referrals for a compliance visit are made through the sponsor case on Metastorm. A 'visit case' can be created from other caseworking activity such as:

- licence applications
- suspension
- action plan
- a standalone case

Completing the 'Referral source' fields

The majority of visit requests will be from the Metastorm case and the referral source will be automatically populated. To create a visit case manually, use the case related options below, based on the type of referral to:

- manage the workflow for casework and compliance teams
- capture consistent management information

Type of referral	Limitations of use
Case related	You must select this for: <ul style="list-style-type: none">• change of circumstances• re-rate• surrender
Monthly tasking	Only the Sponsorship, Assurance and Investigations Team must select this option
Self generated	Only the sponsor management unit (SMU) regions and compliance officers must select this option
Special operations	Only select with senior manager discretion
Litigation	Only the litigation team must select this option
Stakeholder awareness	Only select with senior manager discretion
Other	Only select with senior manager discretion
Courtesy visit	Only select for a non-premium related courtesy visit

Do not use any of the following options:

- Tier 1 migrant casework
- Tier 2 migrant casework
- Tier 4 migrant casework
- Tier 5 migrant casework
- Q6

Completing the 'Visit category' and 'Visit priority' fields

You must use these fields in line with the service level agreements (SLA). These are subject to negotiation and individual teams may not have these agreed. If you are not sure, speak to your line manager.

If you have agreed the category and priority, you must enter these into the applicable fields. If there is no agreement, these fields must be left blank, as they are not mandatory fields.

Adding username in the 'Additional info' box

When you open a visit case in Metastorm and record the visit details, you must insert your username in the 'additional info' box on the 'visit details' page.

You can add other appropriate information but your username must appear first. This helps identify you as the case owner and allows you to re-assign the visit case from the compliance teams.

Saving the visit referral and 'lodging' the request

You must:

- save the details of the referral to the visit case in Metastorm and 'lodge' the request
- add the SLA target date to the case file (the hard copies of an application for instance) and place in the required brought forward filing box or cabinet

Re-assigning the visit case

You must re-assign the visit case as soon as you have 'lodged' the request in Metastorm. If you do not, the compliance teams will not be aware of the referral and the target date may not be met.

Holding accounts

You must re-assign a 'lodged' visit request to the compliance team holding account 'CO Pre'.

All requests for sponsor visits are then directed to the Allocation, Monitoring and Performance team (AMPT) where they are triaged, prioritised and allocated to a research officer.

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The visit referral is urgent

If you identify an urgent pre-licence visit referral you must:

- select the 'Visit category' as 'Red'
- select the 'Visit Priority' as '3'
- include reasons for urgency in the visit referral
- add the reasons to the 'Additional info' box
- re-assign the visit case to your line manager

If your manager agrees with the reason for the urgent visit, they must:

- update the 'Additional info' box to show authorisation
- re-assign the visit case to the regional Metastorm account

If your manager does not agree with the reason for the urgent visit, they must:

- update the 'Additional info' box to indicate reasons for rejecting the urgent visit
- re-assign the visit case back to you to re-assign to the regional Metastorm account with a revised visit category and priority

The compliance team reject the visit referral

Compliance teams may reject a visit referral for a number of reasons. These include:

- the applicant or sponsor has been recently visited and there is no value in conducting a further visit
- there is an ongoing police or enforcement operation and a visit could threaten the investigation

Compliance teams must complete the 'Request rejection details' to the visit case but must not 'Confirm rejection' as it closes the visit case. Once the 'Request rejection details' are completed, the visit case must be re-assigned to the referral source holding account.

Rejected visit referrals will be captured on daily management information by the Sponsor Workflow team. The workflow officer or manager must re-assign the visit case to the originating caseworker or their manager if they are absent. You must complete the 'Confirm rejection' actions in the visit case to close the visit case before taking any further action.

Digital compliance inspection

A Digital Compliance Inspection is when we carry out a compliance check by verifying a sponsor or applicant's trading presence digitally. Interviews are conducted using remote video conferencing facilities and includes interviewing anyone coming under the general definition of ['you'](#), or any sponsored workers and may involve the applicant or Sponsor having to present evidence prior to, during or after the video conference interview.

Related content

[Contents](#)

Compliance visit workflow

This section explains how you are notified when a compliance report is completed and available.

Once the visit is concluded, the visit case is re-assigned to the appropriate sponsor team holding account, as listed in the table on this page. Visit cases will be returned to the team which requested the visit, unless the visit was self-generated.

Compliance officers will re-assign self-generated visits to the appropriate sponsor team based on the visit outcome. For example, if a self-generated visit has resulted in the sponsor stating they wish to surrender their licence, the 'Visit outcome' in the visit case is 'Surrender' and you must re-assign the case to 'ZZRevoke'.

Team	Holding account	Cases
Sponsor casework operations.	AASCO	All Worker and Temporary Worker pre-licence.
Sponsorship, Assurance and Investigations Team.	AASAIT	All monthly tasking.
Licence renewals.	AARenewal	All sponsor licence renewals.
Sponsor re-rates.	ZZRating	All Worker and Temporary Worker licence re-rates.
Sponsor suspension and revocation.	ZZRevoke	All suspension and revocation licence surrenders.

The visit case is re-assigned to a casework team

Once the visit case has been assigned to you, you must bring the case file out of brought forward.

You must go to the 'Licence outcome' page in Metastorm. The 'Visit outcome' will have already been completed by the lead compliance officer and the visit report will be attached to the visit case under the correspondence tab.

Owners of parent cases (post-licensing activity)

A parent case is one which remains open whilst a visit case is completed. Parent cases are:

- action plans
- suspend or revoke
- premium sponsor applications

Visit cases will be re-assigned to the casework team holding account and managers must re-assign to the parent case owner.

The target date has been exceeded

Allocation, Monitoring and Performance team, using the daily visit case management information, must identify:

- any visit cases which will exceed their target date
- if it relates to an open case with a service level agreement (SLA) (such as application or renewal case) report on when the 'Visit outcome' is to be completed and re-assigned to the casework team

You can check on the progress of individual visit cases by using the 'Sponsor summary search' and the 'Visit' tab to identify what stage the visit is at.

Related content

[Contents](#)

Compliance report rejections

This section tells you about checking and amending a sponsor licence compliance report.

When an issue is identified with a compliance report, you must complete a report reject form and complete the rejection action in the visit case on Metastorm. You must also review customer service standards and update Metastorm.

Issues can include:

- personal comments made by the compliance officer
- conflicting or contradictory information
- unsubstantiated claims made in the report
- information which is wrong or not factual
- failure to fully complete any tasking requirements

The compliance officer must either submit a new compliance report or query the rejection. For those reports about a:

- new licence
- licence renewal
- premium sponsor application
- premium sponsor renewal application

an amended report or response from the compliance officer must be received within 5 working days of the report being rejected. If the application is close to the customer standard service level agreement, you must agree a shorter timescale for response with the compliance officer.

Visit report rejections

If you reject a visit report, you must:

- complete the 'Report reject' form and save this to the visit case as an ad-hoc letter
- complete the reject visit report screen on the visit case in Metastorm
- set the revised visit report target date for the next day to make sure that the rejection will appear on the management information for the compliance team to re-assign
- re-assign to the appropriate regional Metastorm account

If the visit report is returned with amendments, you must:

- update the 'Report received date' in Metastorm
- continue to casework

If the visit report rejection is challenged by the compliance officer, you must:

- consider any information submitted by the compliance officer
- discuss with your manager

If the visit report is not returned, you must:

- check on the progress of individual 'Visit cases' by using 'Sponsor summary search' and 'Visit' tab
- speak to Allocation, Monitoring and Performance team as to whether a report has been provided for the visit case exceeding the target date

Related content

[Contents](#)

Compliance visit outcome

This section explains what you must do when the compliance report is completed and available.

Your team workflow will re-assign a visit case to you if the visit case:

- is linked to a case assigned to you
- falls within your team's responsibility

You must quality check the compliance visit report to ensure that it meets tasking, is factually correct and has been written in line with the published guidance. If you have concerns about the visit report, you must ask your line manager for advice.

You must complete the visit case and, when you have reached a decision on the applicant or sponsor, record the outcome. You must also review customer service standards and update Metastorm.

Related content

[Contents](#)

Risk checks

This section tells you about risk checks for sponsor licence applications.

As part of making your decision, you must check to see if the application meets any of the attributes on a sponsor risk profile.

Sponsor profiles have been developed for sponsors in specific sectors. These have been developed by analysing previous sponsor behaviour and evidence about abuse of the immigration system in these sectors.

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You must record the results of your checks in Metastorm 'Perform actions'.

Related content

[Contents](#)

Key personnel checks

This section tells you what checks you must do on an applicant, and their key personnel, before you decide to grant or refuse a sponsor licence.

You must:

- use the case search facility on Metastorm to check if the authorising officer (AO) or key contact (KC) named on the application has previously acted as either Key Personnel for a licensed sponsor previously
- use the Companies House website to check if any of the named key personnel, including the Level 1 user, are disqualified directors
- use Atlas - Person Search, CID and CRS to check if the AO, KC or Level 1 user named on the application are subject to immigration control but, if the application states they are British citizen or British overseas territories citizen, you don't need to do this
- use the insolvency register to check if the AO or Level 1 user named on the application are undischarged bankrupts
- use the insolvency and bankruptcy register to check if any key personnel are subject to a:
 - bankruptcy restriction order or undertaking
 - debt relief restriction order or undertaking
- record the results of the checks in the appropriate 'Perform actions' in Metastorm
- check if a representative has been nominated as a Level 1 user or AO as part of the application, if this is the case then you should reject the proposed Level 1 user and/or AO advising the applicant that they cannot nominate an employee of a third party or a representative at this stage and give the applicant the opportunity to nominate a more appropriate person - if the applicant fails to do this, then the application should be refused on that basis

Representatives can act as key contacts on numerous applications for different sponsors, but this does not automatically mean there are issues with compliance.

If the AO or KC are named on a previous sponsor licence with the same name or on unconnected sponsor licences, you must check whether that sponsor has a history of non-compliance and what action was taken.

If there is a history of non-compliance warnings or the visiting officer's report confirms concerns, you must ask your manager to consider if you must refer the applicant for a pre-licence visit to make full checks.

You must refuse the application if the named key personnel are:

- disqualified directors, unless they were disqualified through being an undischarged bankrupt and named as a Level 2 user or KC - they cannot be a Level 1 user or AO
- subject to a bankruptcy restriction order or undertaking, or a debt relief restriction order or undertaking

- legally prohibited from being a company director
- a representative who is not based in the UK
- a contractor or consultant who is contracted for a specific project

Applicants must nominate at least one Level 1 user that is a [‘settled worker’](#) unless one of the following exceptions applies:

- the organisation is a diplomatic mission or international organisation applying to be licensed under the International Agreement route
- the nominated Authorising Officer is a person with valid entry clearance or permission to stay as:
 - a Representative of an Overseas Business
 - a Tier 1 (Graduate Entrepreneur) migrant
 - a Tier 1 (Entrepreneur) migrant
 - a Tier 1 (Exceptional Talent) migrant
 - a Start-up migrant
 - an Innovator
 - a Global Talent migrant
 - a UK Expansion Worker

Additional Level 1 users are not required to be a settled worker.

If the named key personnel are subject to immigration control, you must use Atlas - Person Search to check and establish that the named key personnel has the required leave to remain, and are based in the UK for the duration of the role. You must contact the applicant to request passport details where there is any doubt about the individual’s status.

Excluding AOs based overseas on the UK Expansion Worker route, if key personnel are not based in the UK for the period they’ll be performing the role, or do not have leave to remain, you must contact the applicant and request that they nominate new key personnel.

Related content

[Contents](#)

Criminality and immigration history checks

This section tells you about the criminality and immigration history checks you must do for sponsor licence applications.

Before you casework an application, you must make sure that the Workflow team have completed and recorded the following checks:

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The Workflow team request cross checks on the day following receipt of the electronic licence application submission and record the outcome on the relevant spreadsheet. When evaluating the application, you must check the relevant spreadsheet for the results.

You must record the results of your checks in Metastorm 'Perform actions'.

Related content

[Contents](#)

Legacy and current system checks

This section tells you how to check the legacy and current systems for adverse information about an applicant's key personnel and representatives.

You must:

- carry out the following checks as part of your consideration
- record the results of the checks in the appropriate 'Perform action' on Metastorm

Metastorm

You must check:

- the applicant's and representative's history
- the immigration status of any key personnel named on the application form
- any previous or current applications from the applicant

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Atlas, CID and CRS

If the authorising officer, key contact or level 1 user named in the application indicates they are under immigration control, you must check to confirm that:

- non-British or Irish key personnel named on the application have the right to be in the UK and under what conditions

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If the key personnel named in the application have appropriate permission, you must continue to consider the application.

If the leave to remain of key personnel named on the application has expired, you must:

- contact the applicant to confirm the immigration status of the person named in the application
- if the person does not have permission to work, refer the application to your manager to consider:
 - refusing the application
 - requesting a visit with a view to issuing a civil penalty

Related content

[Contents](#)

Insolvency checks

This section tells you how to do insolvency checks for sponsor licence applications.

Anyone subject to a Bankruptcy Restrictions Order, Debt Relief Restrictions Order, Bankruptcy Restrictions Undertaking or Bankruptcy Restrictions Undertaking cannot act as key personnel. You must check the named authorising officer, key contact or level 1 user on the English, Welsh, Scottish and Northern Irish [insolvency registers](#), regardless of where the person is currently based.

England and Wales

To search the [Insolvency Service database](#) for England and Wales:

- choose to search 'by name details'
- select 'all offices in England and Wales' and 'all courts' then click 'go'
- enter the surname and first name of the named key personnel and click 'start search'

Scotland

To search the [Register of Insolvencies for Scotland database](#) search on the surnames of all key personnel.

Northern Ireland

To search the [Northern Ireland insolvency register database](#), select 'search now' and enter the surnames of the key personnel.

The results of your search

If the searches result in a match, you must double check the name and details on the website are a definite match with the named key personnel.

If it is not clear whether the details on the website are a definite match, for example, the website shows several people with the same name and the same or similar date of birth, you must:

- write to the proposed key personnel and request their residential addresses for the last 10 years
- compare the details provided with the address held on the relevant website

If:

- the searches do not result in any matches
- the details on the website are not a match to the named key personnel
- the details are a definite match and the named individual has an individual voluntary arrangement (IVA) against them

you must accept the key personnel and continue to casework as normal.

You must refuse the application if the details are a definite match for the key personnel and the named individual is noted as being an undischarged bankrupt.

Related content

[Contents](#)

Sponsor file management

This section explains how you can submit sponsor files to storage, how to link documents to existing files and how to request files from storage.

All sponsor files are managed by an approved contractor, Iron Mountain. Sponsor files are created and documents retained to:

- provide a record of applicant or sponsor interactions which cannot be recorded against the sponsors licence on Metastorm as a note or document
- retain primary evidence

Sponsor file requirements include the following:

- all sponsor files are referenced by the original application reference, the sponsorship licence (SPL) number
- all original documents must be returned to the applicant or sponsor
- copies of documents used in application refusals or punitive (disciplinary) action against the applicant or sponsor must be retained in case the decision is challenged
- original signatures must be retained where the sponsor authorises changes to their licence
- sponsor licences have a duration of 4 years and a file destruction date of 5 years, however, sponsors can renew their licence so the requirement for storage of sponsor files is potentially indefinite if the sponsor renews their licence every 4 years

You must make sure you comply with the requirements for storage. For further information on file compliance and storage requirements, see record services guidance (borders, immigration and visas).

Your team may have its own workflow which collates files for sending to Iron Mountain and you must follow any team arrangements for file management.

If you do not have any on team workflow arrangements, all files that need to be sent to storage, including:

- new files
- linking requests
- files returned when recalled

must be sent to the following address:

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All sponsor files will be input to the record management system (RMS) on receipt by Iron Mountain.

Related content

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Creating a sponsor file

This section explains how you create a new sponsor file.

New sponsor files are created when a Worker or Temporary Worker licence application submission sheet is received.

Applications for additional routes, premium and SME+ service must relate to an existing sponsor licence. Documents from these applications which need to be retained must be linked to the original sponsor file.

For a new sponsor file, you must complete and attach the 'Sponsor licensing unit cover sheet' to the submission sheet.

You must send the submission sheet, cover sheet and any additional documents to storage, whether the application is rejected, granted or refused.

When creating a new sponsor file, you must make sure you comply with the requirements for storage. For further information on file compliance, see record services guidance (borders, immigration and visas).

Iron Mountain will create a barcode for the file and input the file to the record management system (RMS).

Related content

[Contents](#)

Linking to a sponsor file

This section explains how you create a linking request to link documents to an existing sponsor file.

Once a sponsor file has been created, you can link additional documents to the file. You must only link documents that you are required to retain as evidence of applicant or sponsor interactions:

- which cannot be retained electronically
- where retention of original signatures is required

This can include:

- evidence relating to applications for additional routes, renewal applications and applications for premium and SME+ service
- change of circumstances submission sheets, where a signature is required to authorise a change to a sponsor's licence at the sponsor's request
- files where a sponsor licence has been re-rated invoking a fee
- files where a sponsor licence has been suspended and revocation of the licence is initiated and any subsequent representations submitted by the sponsor
- all original interview notes from compliance visits

All original documents submitted by the applicant or sponsor must be returned to them.

Performing a file search

Before completing a linking request, you must check to make sure the file has been created or is in storage. If the linking request relates to a new sponsor application, for example, linking the interview notes from a compliance visit, the file may not yet have been sent to Iron Mountain and the linking request will be rejected and returned to you.

Files for existing sponsors may be recalled from storage and any linking requests received when a file is out of Iron Mountain will be rejected and the linking request returned to you.

You must check the file you are linking to is in storage by searching for the file on record management system (RMS).

If the search on RMS returns a 'hit' and the file is in storage, you can submit the linking request.

If the search on RMS returns a 'hit' and the file is not in storage, you must identify the file location and either:

- bring forward the linking request until the file is in storage
- if the file is with someone at your location, add the documents to be linked to the file

If the search on RMS does not find a matching file, you must bring forward for a month and conduct another search for the file. If the second search also does not find a matching file, in accordance with the records compliance and storage guidance (borders, immigration and visas), you must raise this with the Record Services team, as the file may be missing.

You must complete the RSCU5 linking request and submit this as the top sheet for all linking requests. Iron Mountain will reject all linking requests submitted without a RSCU5 or completed incorrectly. For guidance on completing the RSCU5, see Combining and renumbering records in the record management system .

When linking documents to an existing file you must make sure that you comply with the requirements for storage.

Related content

[Contents](#)

Recalling a sponsor file

This section explains how you recall a sponsor file from storage.

You can only recall a sponsorship file by accessing the record management system (RMS) and submitting a request.

All sponsor files are recorded on RMS and you can search for a sponsor file by their sponsorship licence (SPL) number.

When you have submitted your request on RMS, Iron Mountain will recall the file from storage and send it to you. You must then update the file location on RMS upon receipt of the file.

Related content

[Contents](#)

Route specific information

This section gives you additional information for sponsor licence applications for Worker routes

You must conduct the perform actions for the relevant route and record the outcome of these in Metastorm 'Perform actions'.

Related content

[Contents](#)

Skilled Worker

This section tells you what you must consider for a Skilled Worker route applicant.

This sponsorship route is for skilled workers only. Any worker fitting into this route must be coming to fill a skilled job vacancy in a skilled role listed in [Appendix Skilled Occupations](#) or Appendix Shortage Occupations . You must remember that this does not mean the worker has to have a level of education that meets the skilled occupation, but the work the worker will do must be pitched at that level. Sponsors must be able to support vacancies at this level or, where an [exception](#) applies, at least at the appropriate level.

Certificate of sponsorship (CoS)

The sponsor must provide justification for the reason they are applying for an amount of CoS and DCoS. This can be:

- a summary of a job description explaining how the worker meets the requirements of the route (including salary)
- a brief summary of any contract or agreement with another body

Defined Certificate of Sponsorship (DCoS)

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

A sponsor assigning an undefined CoS where a defined one is required is a breach of the sponsor's duties which will normally result in a revocation.

Related content

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Global Business Mobility routes

This section tells you what to consider for a Global Business Mobility route sponsor licence application.

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.

Applicants for Senior or Specialist Worker, Graduate Trainee and UK Expansion Worker must show a direct link by common ownership or control with the overseas entities from which they will bring workers to the UK. The evidence they must supply is listed in [Appendix A](#) of the sponsor guidance. If they can't show the link, the application must be refused.

In addition, UK Expansion Worker applicants must show that the overseas entity has been operating or trading for at least 3 years prior to their application. They must also show that their expansion into the UK is credible.

Applicants for Secondment Worker must have a contractual relationship with the overseas entity from which they will bring workers to the UK. The evidence they must supply is listed in [Appendix A](#) of the sponsor guidance. If they can't show the link, the application must be refused.

If you are considering a sponsor licence under Service Supplier where the applicant wants to bring contractual service suppliers or independent professionals to the UK to provide a service to them, you must check that the:

- organisation is contracted with an overseas supplier for the supply of services under GATS or a similar international trade agreement as listed in [eligible trade agreements and sectors gov.uk document](#)
- organisation is contracted with an independent professional as listed in [eligible trade agreements and sectors gov.uk document](#)
- sector is covered by an international trade agreement as listed in [eligible trade agreements and sectors gov.uk document](#)

Although contracts do not have to be supplied with applications, if one is, it must cover a period of no longer than 12 months. Any that do cover more than 12 months should be discussed with your manager.

Related content

[Contents](#)

Scale-up

This section provides information on 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 person 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 two 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)
- the endorsing body pathway (where an approved endorsing body confirms the sponsor's eligibility to apply for a sponsor licence)

The standard pathway

To be eligible, sponsors must meet both of the following criteria:

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

You must check data provided by HMRC to decide whether the sponsor meets these conditions. Sponsors must provide:

- their Companies House reference number, if they are required to be registered with Companies House, or their Unique Taxpayer reference number
- their VAT registration number
- at least one of their Pay As You Earn (PAYE) reference numbers (up to a maximum of 10)

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For detailed information on how we assess employment growth and turnover growth, see Annex SCL1 of [Sponsor a Scale-up Worker](#).

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 meet 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

Sponsors will just need to provide their endorsement reference number on the online sponsor licence application form. This is a number provided by the endorsing body. Applications without a ERN this must be rejected.

Related content

[Contents](#)

T2 Minister of Religion

This section tells you about the specific requirements to consider for T2 Minister of Religion sponsor licence applications.

In this route, the applicant organisation must be a genuine religious institution and must have charitable status.

The organisation must provide justification for the reason they are applying for x amount of CoS and DCoS. This can be:

- a summary of a job description explaining how the worker meets the requirements of the route (including salary)
- a brief summary of any contract or agreement with another body

As mentioned earlier In Northern Ireland the register is not complete and not all charities will be listed. If this applies to the organisation, you must request that they provide proof of the charitable status from HM Revenue and Customs.

Charities that are not registered according to the relevant charity legislation must explain the reason for non-registration when they apply.

Related content

[Contents](#)

International Sportsperson sponsor licences

This section gives you additional information for considering sponsor licence applications for International Sportsperson.

This route is for the employment of elite sportspeople and coaches who are internationally established at the highest level. All applications from applicants under International Sportsperson must be accompanied by an endorsement from the relevant sport's governing body. For example, a sponsor applying to sponsor footballers in England must be endorsed by the Football Association (FA).

The governing body endorsement for each club must include a unique reference number (URN) and the applicant must provide it on the electronic application form. The endorsement from the governing body must be on headed notepaper. You must make sure that the governing body endorsement is relevant to the route that the applicant is applying under.

The unique reference number must be in the following format:

- four letters: the first 4 letters of the sport, for example, rugby union would be RUGU
- two numbers: these relate to the approved number of governing bodies for that sport, for example, in rugby union there are 4 governing bodies, one for each of the home nations, so Wales may be 01, England 02, and so on (some sports only have one governing body in which case this number will be 01)
- two numbers: the year of issue, for example, a reference issued in 2016 would be number 16
- one letter and 3 numbers: the letter being 'S' for sponsor and numbers reflecting the number of endorsements issued by that governing body, for example, if Northampton Saints is the 16th rugby union club to be endorsed by their governing body, then this would be S016

An example of a governing body endorsement is: RUGU02 / 17 / S016.

Applicants cannot sponsor any sportspeople or coaches under this category until the governing body has been approved by the Home Office and listed in Appendix [Sports Governing Bodies](#) of the Immigration Rules.

If you are considering an International Sportsperson sponsor licence application, you must check:

- how many sports the applicant is applying for
- there is a sports governing body endorsement from a recognised governing body for each sport

If the application is accompanied by a governing body endorsement, you must check if the sports governing body has been approved and is listed in Appendix [Sports](#)

[Governing Bodies](#) of the Immigration Rules. If it is, you can continue to casework as normal.

If the governing body is not listed in Appendix [Sports Governing Bodies](#) of the Immigration Rules for the sport applied, you must contact the Economic Migration Policy Unit (EMP) to establish if a new sports governing body has been approved and is due to be listed in the rules. If it is, you must casework as normal but advise the sponsor that a worker cannot apply for leave until the new governing body is listed in the Immigration Rules.

You should also advise the sponsor to time the assignment of any CoS carefully as once they assign a CoS to a worker, they must use it in an application for entry clearance or permission to stay within 3 months, otherwise it will expire, and we are likely to reject their application.

Additionally, if we decide an application for entry clearance or permission to stay before the relevant governing body was added to Appendix [Sports Governing Bodies](#), we will refuse that application.

If a governing body is not listed in Appendix [Sports Governing Bodies](#) of the Immigration Rules and EMP tells you they have not agreed endorsement requirements, you must refuse the application. If, however, the sport's governing body are in discussions with EMP about their endorsement requirements, you may bring forward the application until agreement has been reached or the governing body withdraw from discussions.

Related content

[Contents](#)

Temporary Work sponsor licences

This section gives you additional information for considering sponsor licences for Temporary Work routes.

There are 5 Temporary Work routes:

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

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

Related content

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Charity Worker

This section tells you what you must consider for Charity Worker licence applications.

Workers coming into the country under this route:

- cannot be paid for the work they are doing, it must only be voluntary, but they can be paid reasonable expenses
- must only do fieldwork that is directly related to the purpose of the sponsoring organisation
- must not be filling a permanent position, including on a temporary basis

For more information on 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 additional 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.

Charity status

All applicants in this route must have [charity status](#).

Related content

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Creative Worker

This section tells you what to consider for Creative Worker licence application.

Sponsors under this route must be seeking to bring to the UK 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.

Sponsors must be operating, or intending to operate, in the creative sector. Examples include, but are not limited to:

- a national body
- event organiser
- producer
- venue
- agent
- other similar organisations

Related content

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Religious Worker

This section tells you about the route specific requirements to consider for Religious Workers sponsor licence applications.

In this route, the applicant organisation must be a genuine religious institution. It must have charitable status.

The applicant must be being sponsored to perform religious duties, which:

- must be work which is within the Sponsor's organisation, or directed by the sponsor's organisation
- may include non-pastoral work
- does not include work which falls under the role of a minister of religion, as set out in [RW.4.3\(b\) from Appendix Temporary Work – Religious Worker of the Immigration Rules](#)
- if the Sponsor's organisation is a religious order, that the applicant is a member of that order
- that the applicant will receive pay and conditions at least equal to those given to settled workers in the same role
- that the remuneration complies with or is exempt from National Minimum Wage regulations, and provides details of the remuneration

Details of how the resident labour market test has been complied with or why the role is exempt from the test needs to be evident, as set out in [RW.4.2\(b\) from Appendix Temporary Work – Religious Worker of the Immigration Rules](#).

In Northern Ireland, the register is not complete and not all charities are listed. If this applies to the organisation, you must request that they provide proof of the charitable status from HM Revenue and Customs.

Charities that are not registered according to the relevant charity legislation must explain the reason for non-registration when they apply.

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Government Authorised Exchange

This section tells you about the route specific requirements to consider for Government Authorised Exchange (GAE) sponsor licence applications.

Under this route, both the exchange scheme and overarching body must:

- have the support of a UK government department, or executive agency of a government department
- be approved by the Home Office
- be listed in Appendix Government Authorised Exchange Scheme of the Immigration Rules

An applicant or sponsor cannot sponsor any workers to participate in a new scheme until it is listed in Appendix Government Authorised Exchange Scheme of the Immigration Rules.

Sponsors cannot use this route to:

- fill job vacancies
- bring unskilled labour to the UK

Individual employers and organisations cannot sponsor workers under this scheme even if they are licensed sponsors under all other routes.

The only exceptions to this are if the organisation is a:

- higher education institution and wishes to sponsor an individual under the Sponsored Researchers scheme
- UK Research and Innovation (UKRI), or an organisation endorsed by UKRI, and wishes to sponsor individuals under UKRI's Science, Research and Academia scheme
- UK government department or one of its executive agencies
- diplomatic mission or consular post that has a Memorandum of Understanding currently in place with the Foreign, Commonwealth and Development Office (FCDO) to sponsor interns under the Diplomatic Missions Interns Scheme

GAE is split into the following programmes:

- a work experience programme
- a research programme
- a training programme (including training provided by HM Forces and the UK emergency services)
- an overseas language programme

Workers' leave will be limited to a maximum of 12 or 24 months depending on which route they apply under.

There must be an overarching body to administer the scheme and both the sponsor and scheme must have the support of the UK government or executive agency of a government department.

If you receive an application for a GAE sponsor licence, you must check that the:

- overarching body of the exchange scheme or an acceptable excepted organisation has submitted the application
- scheme is listed in [Appendix Government Authorised Exchange Scheme of the Immigration Rules](#)

If an overarching body or an acceptable excepted organisation has not submitted the application, you must reject the application and arrange for the fee to be [refunded](#).

If the applicant is not listed in Appendix Government Authorised Exchange Scheme of the Immigration Rules, you must contact the Economic Migration Policy Unit (EMP) to establish if a new scheme has been approved and is due to be listed in the Immigration Rules. If it is not and the scheme has not been submitted for approval by the Home Office, you must refuse the application.

If a new scheme has been approved by the Home Office but has not yet been listed in Appendix Government Authorised Exchange Scheme of the Immigration Rules, you must casework as normal but advise the applicant that a worker cannot apply for leave until the new governing body is listed in the Immigration Rules and they (the sponsor) should not assign CoS for a scheme for which they are not authorised.

You must discuss whether you can bring forward the application with your manager if EMP is considering the new scheme.

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Seasonal Worker

This route is for those coming to the UK as seasonal workers in the horticultural or poultry production sectors through an approved scheme operator.

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

The 'Poultry production sector' means work 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)

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

To be allowed to apply for a licence to sponsor seasonal workers, 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 of the points-based system.

Note: You can refuse a sponsor licence application, even where a DEFRA endorsement has been secured.

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

The scheme is subject to an annual quota of 47,000 for 2023, divided between the horticultural and poultry production sectors set by the Home Office. Scheme operators will not be permitted to exceed their allocated part of the quota.

Horticulture seasonal workers can be sponsored for a maximum period of 6 months' employment in the UK within any 12-month period. Workers cannot stay in the UK for longer than 6 months on this scheme.

Poultry seasonal workers can be sponsored in poultry production from 2 October to 31 December (inclusive) each year.

Approved scheme operators must undertake robust and comprehensive monitoring of all sponsored workers in their workplace, including ensuring that:

- their work environment is safe and complies with relevant Health and Safety requirements
- they understand Health and Safety procedures, (including providing translations into the workers' first language if required)
- they are treated fairly by their employer
- they are given an employment contract in their first language, as well as in English and that these are must not be zero-hours contracts
- they are paid properly, paying the minimum hourly rate, alongside satisfying relevant National Minimum Wage regulations, including those on fair rates for piece work, and holiday pay
- they are allowed time off, and proper breaks
- they are made fully aware of procedures if they are sick or injured
- they are provided with appropriate equipment to do their job safely
- employers of which the approved scheme operator has placed workers, does not directly or indirectly impose unnecessary charges on workers
- they are housed in hygienic and safe accommodation
- they are not transported in unsafe vehicles
- they are not threatened with, or subjected to, violence
- they are not subject to discrimination
- their passport is not withheld from them
- there are procedures are in place to enable workers to report any concerns to the approved scheme operator, and to enable them to move to another employer where possible

- they are made fully aware of the expectations of the sponsor and the employer, and how to report any concerns where those expectations are not met

For guidance on how sponsors can meet these requirements see: '[Employing people](#)' and '[Agricultural workers' rights](#)'.

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

Sponsors cannot use the Seasonal Worker route to source their own labour needs or place workers at an employment business or agency.

Workers must have prior entry clearance (a visa) to come to the UK in this route. They will not be permitted to extend their stay in the UK.

When sponsors assign a CoS to a worker who will take part in the Seasonal Worker scheme, they guarantee that the worker:

- is at least 18 years old
- will not establish a business in the UK
- will only take employment in a seasonal job permitted by this scheme, and with an employer in the horticultural 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

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International Agreement

This section tells you about the route specific requirements to consider for International Agreement sponsor licence applications.

If you are considering an International Agreement sponsor licence application to bring to the UK any of the following:

- employees of overseas governments
- employees of international organisations
- private servants in diplomatic households or household of officials working for international organisations

the application must have been submitted by either:

- a diplomatic mission or consulate, for example, the US Embassy
- an international organisation recognised by the UK, for example, the United Nations

You must email the Diplomatic Missions and International Organisations Unit of the Foreign, Commonwealth and Development Office's Protocol Directorate to ensure that any application submitted by an international organisation is recognised by the UK.

Official – sensitive: start of section

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

Official – sensitive: end of section

If it isn't, you must refuse the application.

Such an application must be accompanied by a letter from the head of mission or organisation confirming they:

- agree to the application being made
- wish to sponsor workers under International Agreement
- accept the sponsorship requirements

If a letter isn't supplied, or it doesn't contain all of the required information, you must request the letter, or a new letter, be supplied.

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Decision making

This section tells you what to do when you grant or refuse a sponsor licence application.

You must use this guidance with the existing [sponsor guidance](#) before you make your decision.

When checks are completed, including any route specific checks, you must record the outcome and enter the decision summary in Metastorm 'Perform actions'.

Granting applications

If you grant the applicant an A-rated licence in any route, you must:

- determine the applicant's certificate of sponsorship (CoS) allocation
- update Metastorm with all decisions and allocations awarded
- send the 'Initial application decision notification - grant A' letter informing the sponsor of the decision and their CoS allocation in each route

If you grant the application to add a route or routes to an existing sponsor licence, you must:

- determine the applicant's CoS allocation in that route, or routes
- update Metastorm with all decisions and allocations awarded
- send the 'Add a tier decision notification – grant A' letter informing the sponsor of the decision and their CoS allocation in each route

Refusing applications

If you refuse the applicant's licence in all routes, you must send the 'Initial application decision notification –refusal' letter, including all reasons for refusals.

Official – sensitive: start of section

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

Official – sensitive: end of section

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Allocations

This section tells you how to decide on the number of undefined certificates of sponsorship (CoS) the applicant can be granted and information on route specific requirements which may apply.

When making an online application for a sponsor licence, applicants can indicate the number of CoS they will require for the first 12 months of their licence, either to:

- extend existing workers whose leave is due to expire
- recruit new workers who are already in the UK

The applicant or sponsor must provide:

- a justification in support of the number of CoS they require
- details of the routes they are required for

Note: applicants cannot request DCoS in their sponsor licence application, this can only be requested once they are granted a sponsor licence.

New applications

You must consider:

- the number of undefined CoS the applicant has requested to cover the first year of the sponsor licence
- whether there is any indication that the applicant has included DCoS in their justification
- if the sponsor has been visited, any recommendation of allocation by the compliance officer
- whether the applicant hits a risk profile
- whether the applicant has undergone a genuine employment check
- Whether the application is for Expansion Worker

An allocation of undefined CoS is only available to the applicant or sponsor a year. Any CoS not assigned within that year will be automatically withdrawn.

For Expansion Worker, a single CoS should be allocated to allow the Administration Officer (AO) to enter the UK. A further allocation of up to four undefined CoS can be allocated once the AO has entered the UK.

However, if the organisation is given a 'provisional' rating and has an eligible AO in the UK, then they can be granted the full 5 CoS allocation

Requests for additional undefined CoS

Sponsors can request these during the allocation year by submitting in-year requests so, if you do have doubts about how the sponsor has calculated their allocation, you

can still limit the request without disrupting the sponsor. Any such requests must be justified.

B-rated sponsors

For B-rated sponsors who have paid the action plan fee, additional CoS can only be granted for workers who need to extend their existing permission to work for the same sponsor.

Allocating CoS

If the applicant:

- does not hit a risk profile
- has not undergone Skilled Worker genuine employment checks
- is granted an A-rating
- has been visited by the sponsor management unit (SMU)
- is clearly recorded (either in the sponsor's justification or the SMU visit report) as intending to use the allocation for undefined CoS

you must update Metastorm with your decision and issue the 'grant A' letter.

If the applicant:

- does not hit a risk profile
- has not undergone genuine employment checks
- is granted an A-rating or a provisional rating for Expansion Worker
- has not been visited by the SMU
- has stated, or you have concerns, that the applicant intends to use the allocation incorrectly because they would actually need a defined CoS

you must not allocate any CoS, must update Metastorm with the decision and issue the 'grant A' letter.

You should also inform the applicant that because UCoS was limited upon granting them a licence, we have also limited DCoS to the same amount, and if they wish to have more DCoS they must provide a further justification for each request. Each new request will need to be matched against the initial request for undefined CoS.

If the applicant:

- hits a risk profile
- has undergone genuine employment check and there are no concerns
- is granted a licence
- has provided justification for their CoS request

you must update Metastorm with your decision and issue the 'grant A' letter.

If the applicant is a small business or classed as a micro business requesting a large CoS allocation, you must consider the hierarchy chart and vacancies the applicant has submitted, ensuring the allocation is not in excess of what is required.

In all other allocation scenarios, you must consider refusing the application.

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Requests for Defined CoS

Applicants, once granted a licence, are required to submit a defined certificate of sponsorship (DCoS) application if a worker they wish to sponsor will be making an application for permission (entry clearance) from outside the UK.

Applicants can also apply for DCoS if they have not yet identified a worker but believe they may need to sponsor a worker from overseas. This can be submitted as long as the sponsor is able to offer genuine employment that meets the skill level and any salary requirements of the route.

Note: Applicants can apply for more than one Defined CoS in a single application, provided the DCoS requests have the same, job description, occupation code, start date and salary.

If the applicant has not justified the need for the number of DCoS requested, then you must request that they send an email providing justification for the request. This will need to be considered before deciding the application/request.

Information on the roles/jobs the sponsor is offering for sponsorship could be indicative of their ability/intention to offer genuine employment.

You must check:

- occupation code for the role is correct and compatible with their business. (Skilled Worker Applications)
- the role is in an eligible skilled occupation (Skilled Worker Applications)
- the sponsor has passed genuine employment checks or if the role amounts to the hire of the worker to a third party
- if the applicant is unsure whether or when they may need to recruit any workers in the future within the time limit for assigning a DCoS if granted
- the credibility of the request against the applicant's circumstances (for example: can the applicant afford to pay the salary as detailed on the DCoS)
- if any agents linked to immigration abuse were used to recruit workers
- the applicant's previous record in dealing with us
- the number of workers employed at the organisation
- the kind of business the applicant conducts
- if the business covers multiple job roles in their organisation

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Management checks

This section tells caseworkers and executive officer (EO) managers about primary management checks for sponsor licence applications.

When you have made a decision on a sponsor licence application, depending on your system management check percentage, the system may automatically select the application for an EO manager to review it. If your line manager is not available, another EO manager must review it.

Checks the manager must do

As an EO manager doing a primary check, you must make sure that the caseworker has completed all the required 'Perform actions' on Metastorm and recorded the results.

When checking the required perform actions have been undertaken and completed correctly by the caseworker, the primary manager should refer to: Metastorm perform actions: pre licensing.

If the application is 'high profile', for example, if the applicant is large or well known or if there is a reason the case may be politically sensitive, you must discuss it further with a higher executive officer (HEO) or senior executive officer (SEO).

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