Home Office

Workers and Temporary Workers: guidance for sponsors

Part 2: Sponsor a worker

Version 10/26

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About this guidance

This document forms part of the collection 'Workers and Temporary Workers: guidance for sponsors' and provides guidance for licensed sponsors on how to sponsor a person on the Worker and Temporary Worker immigration routes. See the glossary for a definition of the terms 'Worker routes' and 'Temporary Worker routes'.

Other guidance you must read

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

- Part 1: Apply for a licence – this contains detailed information on how to apply for a sponsor licence and how we assess applications
- Part 3: Sponsor duties and compliance – this contains detailed information about your duties as a licensed sponsor and the action we can take if you fail to meet these duties
- the appendices to this guidance (Appendix A, Appendix B and Appendix D)
- the relevant route-specific guidance for the route, or routes, on which you intend to sponsor workers
- the glossary – this contains definitions of terms used through the sponsor guidance (including this document)

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

Contacts

If you think the guidance has factual errors or broken links, you can email the Business Helpdesk.

If you have read this guidance, and the relevant route-specific guidance, and you still have any queries, you can call us on 0300 123 4699 or email the Business Helpdesk.

Version number and publication

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

- version 10/26
- published on 8 October 2026

You can view previous versions of this guidance on the National Archives website.

Changes to this guidance

This version replaces version 08/26 (published on 3 August 2026). The guidance has been updated to reflect changes to the Immigration Rules coming into force on 8 and 29 October 2026 (as set out in Statement of Changes HC 584, published on 3 September 2026) and changes to the Right to Work Scheme that came into force on 1 October 2026.

Details of the changes are set out below. Where new paragraphs have been added, subsequent paragraphs in the relevant section have been renumbered accordingly:

- S1.19, S3.42, S9.15: references to the 'resident labour consideration' for Religious Workers have been deleted as this requirement will no longer apply to applications submitted on or after 29 October 2026 – if you are sponsoring a Religious Worker who intends to apply before that date, you must continue to follow the guidance contained in section MRW5 of Sponsor a Minister of Religion or Religious Worker in force before 29 October 2026
- S1.40 to S1.43 (former S1.40): redrafted and updated to reflect the extension of the Right to Work Scheme to other working arrangements from 1 October 2026
- S2.4: updated to reflect that the Level 2 User role will cease to exist after 8 March 2027
- S7.22 to S7.31 (former S7.22 to S7.29): these paragraphs have been redrafted for clarity and updated to reflect changes to the financial requirement from 29 October 2026 for Ministers of Religion and Religious Workers who are not entitled to National Minimum Wage
- S7.53 (former S7.51): transitional references to the age requirements for certain routes have been deleted as these are no longer required
- S7.60 (former S7.58): sentences regarding how to carry out right to work checks deleted as this is covered in other guidance
- S8.28, S8.29: new paragraphs added to reflect a new provision from 8 October 2026 for Skilled Workers who are identified as victims of modern slavery; a consequential amendment has also been made to paragraph S8.5 to reflect this new provision
- other minor housekeeping changes

Contents

S1. Sponsoring a worker: overview

Content in this section:

- Who needs to be sponsored (including a definition of 'settled worker')
- Who can sponsor workers
- How you sponsor a worker
- Employment relationship between sponsor and worker
- Working for a different branch or related organisation
- Working on a contract basis
- Right to work checks
- Understand your sponsorship duties

Who needs to be sponsored

S1.1. You will need to sponsor any overseas worker you wish to employ or engage if they:

- are not a settled worker (as defined below); or
- do not have other immigration permission allowing them to work for you

Definition of 'settled worker'

S1.2. A 'settled worker' is any one of the following:

- a British citizen
- a person who can prove they have the right of abode in the UK
- an Irish citizen (with limited exceptions – see 'Employing Irish citizens')
- a person who has indefinite leave to enter or remain (settlement) in the UK – this includes 'settled status' under Appendix EU to the Immigration Rules (also known as the EU Settlement Scheme (EUSS))
- a person who has been granted limited leave to enter or remain ('pre-settled status') under the EUSS
- a person who has made a valid application under the EUSS and is awaiting a decision on that application
- an EU, an EEA or a Swiss national who started working for you on or before 30 June 2021, if you carried out the relevant right to work checks in force at that time
- a British overseas territories citizen, except for those from sovereign base areas in Cyprus, provided their immigration status doesn't prevent them from doing the work in question
- a Commonwealth citizen (as defined in section 37 of the British Nationality Act 1981) who has been granted permission on the UK Ancestry route on the basis they have a grandparent born in the UK or Islands

S1.3. You do not need to sponsor a settled worker. You must still, however, carry out the appropriate right to work checks before employing the worker, and make any necessary follow-up checks if they have time-limited permission.

Workers awaiting a decision on an EUSS application

S1.4. You can employ a worker without sponsoring them if they can show they:

- have made a valid application under the EUSS; and
- are awaiting a decision on that application (or the outcome of any administrative review of, or appeal against, that decision)

S1.5. A person who makes a valid application under the EUSS will be issued with a 'Certificate of Application' (CoA). A CoA should be used to evidence their right to work until their application (and any administrative review or appeal) is finally determined. For detailed guidance on how to carry out a right to work check on individuals who have been issued with a CoA, see Right to work checks: an employer's guide.

S1.6. You must stop employing the person if you become aware that their EUSS application has been refused and any application for an administrative review of, or an appeal against, that decision is unsuccessful (and they are otherwise unable to evidence their right to work).

EU, EEA and Swiss nationals who started working for you before 1 July 2021

S1.7. You can continue to employ an EU, an EEA or a Swiss national without sponsoring them if they started working for you on or before 30 June 2021, have been employed by you continuously since then and you carried out a right to work check before that date in line with the legislation and published guidance in force at the time you made the check.

S1.8. You do not have to carry out a retrospective right to work check on such individuals. You will maintain a continuous statutory excuse against liability for a civil penalty if the initial checks were undertaken in line with the guidance that applied at the time you made the check.

S1.9. If, however, you subsequently become aware that a person you are employing in the above circumstances has not yet applied for status under the EUSS, and does not otherwise have the appropriate immigration permission to work for you, you should advise them to apply as soon as possible. If they do not, they may lose their right to live and work in the UK and you may become liable for a civil penalty or prosecution for employing an illegal worker. Detailed information on what you should do in these circumstances is available under the heading 'EEA Citizens and non-EEA family members without lawful immigration status' in Right to work checks: an employer's guide.

Employing Irish citizens

S1.10. Irish citizens do not need permission to enter, live or work in the UK, unless they are subject to a deportation order, an exclusion decision or an international travel ban. You can therefore employ, or continue to employ,

Irish citizens (including those who arrived in the UK after 31 December 2020) without needing to sponsor them. They are not required to apply for status under the EUSS (although they can do so if they wish).

S1.11. Irish citizens can prove their right to work in the UK with an Irish passport or a passport card (current or expired), or other documents specified in Right to work checks: an employer's guide.

S1.12. For further information on the immigration status of Irish citizens, see the Common Travel Area guidance on GOV.UK.

People with other immigration permission allowing them to work

S1.13. You do not need to sponsor a worker who:

- has immigration permission to be in the UK which does not prevent them from doing the work in question – examples include, but are not limited to:
  - a person with permission under Appendix FM to the Immigration Rules as the partner of a British citizen or settled person can take any kind of employment
  - a person with permission as a dependant of a Skilled Worker can take any kind of work, except as a professional sportsperson or coach
  - a person with permission as a Student may be allowed to work for 10 or 20 hours per week during term-time and full-time outside of term time (with restrictions on the type of work they can do), depending on the type of course they are following – see 'Work conditions' in the Student and Child Student caseworker guidance for further information
- is an asylum seeker with a valid application registration card (ARC) and the ARC is endorsed to say they have permission to work and do the work in question – see Permission to work and volunteering for asylum seekers for detailed guidance on the type of work an asylum seeker may be permitted to do
- is exempt from requiring permission – for example:
  - a diplomat or senior official of an international organisation who is exempt from immigration control
  - an EU, EEA or a Swiss national who qualifies as a frontier worker

S1.14. You must check the person has the right to work before you employ them and carefully check for any restrictions on the type of work they can do. If the worker has time-limited permission, you will need to carry out follow-up checks. For guidance, see Right to work checks: an employer's guide.

Who can sponsor workers

S1.15. To sponsor a worker, you must hold a valid sponsor licence for the route on which you intend to sponsor them. If you do not already hold the relevant licence, you must apply for, and be granted, one before you can sponsor the worker. See:

- Part 1: Apply for a licence

- the relevant route-specific guidance

How you sponsor a worker

S1.16. You must assign a valid Certificate of Sponsorship (CoS) to the worker so they can make a successful application for permission to enter or stay in the UK. You will have to pay a fee for each CoS you assign. If you are sponsoring a Skilled Worker or a Senior or Specialist Worker, you will normally need to pay the Immigration Skills Charge for each worker you sponsor. For further information, see:

- sections S2, S3, S5 and S6 of this guidance
- the relevant route-specific guidance

S1.17. Before you assign a CoS, you must:

- check the role is eligible
- ensure you will pay the worker appropriately
- check the worker is eligible
- meet any other route-specific requirements

Check the role is eligible

S1.18. You must check the role in which you wish to sponsor the worker is eligible for the relevant route. For example, if you wish to sponsor a Skilled Worker, Global Business Mobility worker, Government Authorised Exchange worker or Scale-up Worker, the job must meet the skill-level requirement for the relevant route. In most cases, this means the job must be listed as eligible in the relevant table of Appendix Skilled Occupations but there are some exceptions to this – see the relevant route-specific guidance for details.

S1.19. For some routes, you will need to take additional steps before you can sponsor a worker. For example:

- before you can sponsor a Creative Worker, you may have to follow a 'code of practice' for the specific sector in which you wish to sponsor the worker
- before you can sponsor an International Sportsperson, you will need to obtain an endorsement from the relevant sports governing body for the worker
- if you have a Provisional rating on the UK Expansion Worker route, you must make a successful request to have your rating changed to an A-rating before you can sponsor any workers other than the Authorising Officer
- before you can sponsor a Service Supplier or Secondment Worker, you must have registered (via your sponsorship management (SMS) account) the relevant contract on which the sponsored individual will be working

S1.20. Refer to the relevant route-specific guidance for further information.

S1.21. There are additional rules you will need to follow if the person you wish to

sponsor will be working on a contract basis.

Pay and conditions

S1.22. If you are sponsoring a Skilled Worker, Senior or Specialist Worker, Graduate Trainee, UK Expansion Worker, Scale-up Worker or Seasonal Worker, you must pay them at least the minimum salary specified for that route. For all routes, you must ensure the role you are sponsoring the worker for complies with both the National Minimum Wage and the Working Time Regulations. We will check you are meeting these requirements through regular HMRC checks and, if appropriate, compliance visits. For further information, see:

- section S4 of this guidance
- the relevant route-specific guidance

Check the worker is eligible

S1.23. You must satisfy yourself that the worker you wish to sponsor will be able to make a successful immigration application under the Worker or Temporary Worker routes and, if granted, will comply with their conditions of stay. For further information, see:

- sections S7 to S9 of this guidance
- the relevant route-specific guidance

Employment relationship between sponsor and worker

S1.24. As the sponsor, you will normally be the sponsored worker's employer and responsible for their duties, functions, and outcomes or outputs, and for paying the worker. We recognise, however, there are certain circumstances where there is no direct employer-employee relationship. In such cases, the worker must still have a sponsor that is able and willing to accept all of the responsibilities and duties associated with being their sponsor.

S1.25. There will also be circumstances where there is a clear statutory relationship between the employing body and a publicly funded body, where the publicly funded body can intervene in the running or funding of the employing or paying body. In these cases, the publicly funded body can be the sponsor. Below are 2 examples of this.

Example 1
A local authority has powers of control and direction over self-governing schools, so the local authority can sponsor teachers in these schools.

Example 2
A Strategic Health Authority, through its Deanery, Local Education and Training Board (LETB), provider, or commissioning organisation, has funding control of training posts for doctors and dentists within NHS Trusts, even though it is not the paying body. In this case, the Deanery or LETB can be the sponsor.

S1.26. Where a worker is not your direct employee, we will look closely at the arrangement to make sure you can meet your sponsor duties and we will take action against you if we find you are not. See also 'Working for a different branch or related organisation' and 'Working on a contract basis below'.

Working for a different branch or related organisation

S1.27. A sponsored worker can work for any part of your organisation (such as a branch office, subsidiary, parent company or sister company of yours) registered as a 'branch' on your sponsor licence. See section L5 of Part 1: Apply for a licence for more information about including branches on your licence.

S1.28. You must tell us (within 10 working days of the change) if a sponsored worker moves to a different registered branch to the one recorded on their CoS. See 'Change of worker location' in section C1 of Part 3: Sponsor duties and compliance for further information.

S1.29. If you wish to move a sponsored worker to work for a branch that is not yet registered on your licence, you must make a request to add it to your licence. The worker can start working for that branch before it has been added to your licence, provided all of the following conditions are met:

- the relationship between you and the branch meets the definition of 'common ownership or control' in section GBM2 of Sponsor a Global Business Mobility worker
- you have, and will continue to have, full responsibility for the worker's duties, functions and outcomes or outputs
- you have notified us of the worker's change of work location within 10 working days of the change
- you have made a request to add the relevant branch to your licence within 20 working days of the date the worker started working for that branch

S1.30. You should be aware that if the request to add the branch to your licence is rejected, you must not continue to sponsor the worker to work at that branch (but they can continue to work for you or any branch currently registered on your licence). If they continue to work for the unregistered branch, they will be in breach of their conditions and may have their permission cancelled. We are also likely to take compliance action against you.

S1.31. If you do not currently have control of the worker's duties, functions and outcomes or outputs (for example, if you have acquired a new subsidiary or sister company who will have day-to-day responsibility for the sponsored worker), you must wait until the request to add the branch to your licence has been approved before the worker can start working for them.

S1.32. Provided the conditions in this section are met, you do not have to assign a new CoS and the worker does not have to make a change of employment application to work for the branch.

S1.33. For guidance on how to add a branch to your licence, see SMS Manual 4 (Guide 4).

Working on a contract basis

S1.34. Where a person is, or will be, working on a contract basis (being supplied as labour by one organisation to another), the sponsor must be whoever has full responsibility for all of the duties, functions and outcomes or outputs of the job the worker will be doing.

S1.35. If you are the sponsor, and the worker is employed by you to do work for a third party to fulfil a contractual obligation on your behalf, they must be contracted by you to provide a service or project within a certain period of time. This means a service or project which has a specific end date, after which it will have been completed or the service provided will no longer be operated by you or anyone else, as explained in the example below:

Example
Company A has a contractual obligation with a client Company Z to deliver an IT solution within an agreed period of time.

A worker who is sponsored by Company A to do a job on the IT project may be sent to work for the length of the contract at Company Z's premises, but they remain employed by Company A throughout the whole period of the contract.

As Company A is fully responsible for all the worker's duties, functions, outputs or outcomes, Company A can be the worker's sponsor and therefore assign the CoS.

S1.36. You cannot sponsor a worker if you will not have full responsibility for all the duties, functions and outcomes or outputs of the job they will be doing, or if either:

- the job amounts to the hiring out of the worker to another organisation (third party) who is not the sponsor to fill a position with them, whether temporary or permanent, regardless of any genuine contract between you and the third party
- the worker will be contracted to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between you and the third party

S1.37. Where we think you are, or will be, hiring a worker to a third party as routine labour, we may ask for confirmation from the other organisation that the worker:

- works, or will work, independently from them, and that you, as the sponsor, have full control over all their duties, functions, outputs or outcomes
- is not being supplied to them to undertake a routine role

S1.38. If we find you are supplying the worker, or workers, as labour to another organisation to undertake a routine role or you do not have full responsibility for their duties, functions and outcomes or outputs, we will revoke your licence.

S1.39. If the worker is self-employed, there must be a genuine contract for employment or services between you and the worker. This contract must show:

- the names and signatures of all involved (which must include you and the worker)
- the start and end dates of the contract
- details of the job, or piece of work, the worker has been contracted to do
- how much the worker will be paid

Right to work checks

S1.40. You must check that any worker you wish to sponsor or employ has the appropriate immigration permission to work in the UK and do the work in question. This applies even if you believe the worker is a British citizen or other settled worker. You must carry out a right to work check before they start working for you and any necessary follow-up checks if they have time-limited permission.

S1.41. If you are the worker's sponsor, this duty applies regardless of the nature of the working arrangement. If you are not sponsoring the worker but are considered to be their employer for the purposes of the Right to Work Scheme, you must carry out this check both to comply with your sponsor duties and to establish a 'statutory excuse' against liability for payment of a civil penalty under the Right to Work Scheme.

S1.42. You should be aware that, from 1 October 2026, the Right to Work Scheme applies to working arrangements beyond traditional employment relationships. You must read the 'Right to Work checks' guidance at the link below to ensure you fully understand your obligations under the Scheme.

S1.43. If you are issued with a civil penalty for employing an illegal worker or you otherwise fail to carry out right to work checks as required by this guidance, we are likely to revoke your licence. For guidance on how to carry out a right to work check and the evidence you must keep, see:

- Right to work checks: an employer's guide
- Appendix D to the sponsor guidance

Understand your sponsorship duties

S1.44. You are responsible for checking that your sponsored workers carry out the role for which they are being sponsored and for monitoring their attendance. You must tell us if they don't turn up for work, are absent without permission, or there are significant changes to their employment or to your organisation. For further information on your reporting and other sponsorship duties, see section C1 of Part 3: Sponsor duties and compliance.

S1.45. You must also keep records for each worker you sponsor – see Appendix D to the sponsor guidance. This includes evidence of any recruitment activity you have undertaken to fill the role, even if you were not required to carry out a formal resident labour market test.

S1.46. If you fail to comply with your reporting and record-keeping duties, we may take compliance action against you – this could include revoking your licence.

Contents

S2. Certificates of Sponsorship

Content in this section:

- What is a Certificate of Sponsorship?
- Types of CoS
- CoS fees
- Your CoS allocation

What is a Certificate of Sponsorship?

S2.1. Before a worker can make a successful immigration application, you must assign them a valid Certificate of Sponsorship (CoS).

S2.2. A CoS is not a paper certificate or document, but a database record which confirms details of the worker you intend to sponsor and the job they will do. You assign one using your sponsorship management system (SMS) account. This involves working through a short online form where you give us the relevant information. All of the information you enter will be stored and can be viewed by us.

S2.3. A CoS is confirmation from you, as a licensed sponsor, that you:

- wish to sponsor the worker
- are satisfied the worker can meet the relevant immigration requirements
- are eligible to sponsor the worker on the relevant route
- agree to abide by the terms and conditions as stated on the SMS

S2.4. A CoS can only be assigned by a person who has access to the SMS as a Level 1 or (until 8 March 2027) Level 2 user – see section L4 of Part 1: Apply for a licence for information on Level 1 and Level 2 users.

S2.5. Assigning a CoS does not guarantee the worker will be granted entry clearance or permission – they must meet all of the immigration requirements of the route on which they are applying.

S2.6. Before you assign a CoS, you should talk to the worker about their current immigration status, as this may affect any application they make because of the rules on 'switching' (changing from one immigration route to another) or maximum time limits for the route on which they are applying.

S2.7. You must follow the rules set out in the sponsor guidance when assigning or applying for a CoS. We can revoke, suspend or downgrade your licence, or reduce or remove the number of CoS you can assign, if you do not comply with these rules. See Part 3: Sponsor duties and compliance for further information on the action we can take.

Types of CoS

S2.8. There are 2 types of CoS:

- 'Defined' CoS: these are for Skilled Workers applying for entry clearance (a visa) from outside the UK
- 'Undefined' CoS: these are:
  - CoS assigned to Skilled Workers applying for permission to stay from within the UK
  - CoS assigned to workers on all other routes, whether applying for entry clearance, permission to enter or permission to stay

S2.9. You must assign Undefined CoS from your annual allocation.

S2.10. You cannot have an annual allocation of Defined CoS – you must apply for one, using a separate process, each time you need one. For guidance on the process, see section SK12 of Sponsor a Skilled Worker.

S2.11. If you are sponsoring Skilled Workers, you must ensure you understand the difference between Defined and Undefined CoS and assign the correct type. We will normally revoke your licence if you assign:

- a Defined CoS for a job other than the one described in the application for that CoS
- an Undefined CoS where a Defined one is required

CoS fees

S2.12. You must pay a fee for each CoS you assign. If you fail to pay the correct fee, we may cancel the CoS. This may result in any application which relies on that CoS being rejected or refused. For information on current CoS fees, see the UK visa fees page on GOV.UK.

S2.13. You are responsible for paying the CoS fee. You must not recoup, or attempt to recoup, by any means, any part of the CoS fee, or associated administrative costs, from a worker you are sponsoring, where you assign them a CoS:

- in the case of a Skilled Worker, on or after 31 December 2024
- in the case of the following routes, on or after 9 April 2025:
  - any of the Global Business Mobility routes
  - Minister of Religion
  - International Sportsperson
  - Scale-up
  - Seasonal Worker

S2.14. If we find you have done so, we will normally revoke your sponsor licence.

S2.15. For further information, see 'Sponsorship fees' in section L6 of Part 1: Apply for a licence.

S2.16. If you are sponsoring a Skilled Worker or a Senior or Specialist Worker, you may also have to pay the Immigration Skills Charge each time you assign a CoS.

Your CoS allocation

S2.17. When you apply for a licence, we ask you for an estimate of the number of Undefined CoS you may wish to assign in your first year in each route in which you are applying to be licensed. You must justify your request and we may ask you for further information before we make a decision.

Deciding your allocation

S2.18. If we grant your licence application, we will tell you what your CoS allocation is for the year. When we set your CoS allocation, we may consider relevant factors including, but not limited to, the following:

- any agents you will use to recruit workers and whether they have been linked to immigration abuse in the past
- your previous record in dealing with us, including under the current sponsorship scheme or the previous Tier 2 and Tier 5 scheme
- the number of workers employed at your organisation
- the kind of business you conduct
- the extent of the business you conduct
- the length of time you have been trading
- if you are applying on the UK Expansion Worker route, whether the Authorising Officer named in your sponsor licence application is based in the UK or overseas – see section GBM3 of Sponsor a Global Business Mobility worker for further information

We will apply the same considerations when deciding any applications for Defined CoS under the Skilled Worker route. See section SK12 of Sponsor a Skilled Worker for further information.

S2.19. If we allocate fewer CoS than you requested, or set your allocation to zero, this could be for reasons including, but not limited to:

- you have a history of non-compliance
- we are not satisfied that you have provided sufficient justification for the number of CoS you have requested
- we do not consider your need to be credible, based on your current circumstances
- we are not satisfied you can offer work that meets the definition of 'eligible role' in the glossary (including, but not limited to, any requirements relating to salary or skill level)
- you are unsure whether or when you may need to recruit any workers in the future

Your CoS year

S2.20. Once we have decided your CoS allocation, we will allocate them (if any) to your SMS account. You will then have up to 12 months to use them. This is known as your 'CoS year' (or 'allocation year'). Your CoS year runs as follows:

- if you held a valid Tier 2 (General) or Tier 2 (Intra-Company Transfer) licence on 30 November 2020 and this was converted into a Skilled Worker or Intra-Company routes licence on 1 December 2020 and your allocation renewal has been automated: from 6 April in one year to 5 April the following year
- if you held a valid Tier 2 (General) or Tier 2 (Intra-Company Transfer) licence on 30 November 2020 and this was converted into a Skilled Worker or Intra-Company routes licence on 1 December 2020 and your allocation renewal has not been automated: 12 months from the date your allocation renewal request was granted in 2021 and, in subsequent years, 12 months from the date your allocation renewal request is granted
- in all other cases: 12 months from the date your licence was granted and, in subsequent years, 12 months from the date an allocation renewal request is granted

Reducing your allocation

S2.21. We may reduce your allocation (or set it to zero) if your circumstances change. This could be if you downsize, or if we believe you pose a threat to immigration control – for example, if, after your original CoS allocation has been decided, we take compliance action against you.

Increasing your allocation during the CoS year

S2.22. If, part way through your CoS year, you think you will not have enough CoS to last until the end of the year, or if your allocation was previously set to zero, you can apply to increase your allocation via your SMS account. You must give reasons for doing so and we may ask for evidence. For guidance on increasing your allocation, see guide 7 in SMS Manual 2: managing your licence.

Renewing your annual CoS allocation

S2.23. Your CoS allocation will need to be renewed each year while your licence is valid. Any CoS that remain unused at the end of your CoS year will be removed from your SMS account. You cannot carry over any unused CoS to the next CoS year.

S2.24. At the end of your CoS year, you will either:

- receive an automatic allocation for the following CoS year equal to the number of CoS you assigned during the previous CoS year
- have to make a 'manual' request via your SMS account for a further allocation (also known as a 'follow-on' allocation)

S2.25. You will receive an automatic annual allocation if all of the following are true:

- your licence is A-rated
- your current annual CoS allocation is marked as 'active' in your SMS account
- you are licensed on an eligible route, or routes

S2.26. An 'eligible route' is any Worker or Temporary Worker route, except for the following routes (which are ineligible for automatic renewal):

- Seasonal Worker
- Secondment Worker
- Service Supplier
- UK Expansion Worker

S2.27. If you are eligible for automatic renewal, you will receive an annual allocation equal to the number of CoS you assigned during the previous CoS year. For example, if your allocation for one CoS year was 15, and you assigned 10 of those CoS, you will receive an allocation of 10 for the following year. If you need any more CoS, you will have to make a manual request to increase your allocation.

S2.28. If you are licensed on the Skilled Worker route, you will only receive an automatic allocation of Undefined CoS – you will need to continue to request Defined CoS as and when you need them, using the process set out in section SK12 of Sponsor a Skilled Worker.

S2.29. If you do not meet the eligibility criteria for automatic renewal, you will need to submit a manual request via your SMS account (which will be considered by a UKVI caseworker). You can submit your request up to 3 months before the end of your CoS year.

S2.30. For further guidance on how to renew and manage your CoS allocation, see guide 8 in SMS Manual 2: managing your licence.

Contents

S3. Assigning a CoS

Content in this section:

- Technical guidance on assigning a CoS
- Your sponsor rating (how this may affect whether you can assign a CoS)
- Restrictions on who a CoS can be assigned to
- Information you must include on the CoS (including start and end dates, what to do if either of those change, and occupation codes)
- Amending or updating a CoS

Technical guidance on assigning a CoS

S3.1. Detailed information on how to assign a CoS, including how to complete an application for a Defined CoS for a Skilled Worker, or report changes to the details on the CoS, can be found in the Sponsorship management system (SMS) manuals – see, in particular, Manuals 8, 9, 11 and 12.

Your sponsor rating

S3.2. Sponsors are rated either A or B (except for sponsors on the UK Expansion Worker route where the Authorising Officer is based overseas, who will be given a 'Provisional' rating initially). We will not grant you a licence unless you are able to achieve an A-rating (or, in the case of UK Expansion Worker, at least a Provisional rating). In some cases, after your licence has been granted, we may downgrade you to a B rating if you are not meeting all of your sponsor duties or we have other concerns about you. For further information, see:

- 'Sponsor ratings' in section L8 of Part 1: Apply for a licence
- section C8 of Part 3: Sponsor duties and compliance
- for UK Expansion Worker sponsors, section GBM3 of Sponsor a Global Business Mobility worker

S3.3. If you are sponsoring a Scale-up Worker or a Seasonal Worker, you can only assign a CoS if you have an A-rating. For all other routes, you must be an A-rated sponsor, unless either of the following exceptions applies:

- you are a B-rated sponsor and all of the following are true:
  - the worker is applying for permission to stay (from within the UK) on the same route as in their last grant of permission
  - you assigned the CoS which led to the worker's last grant of permission
  - you are continuing to sponsor the worker
- you are licensed on the UK Expansion Worker route, you have a Provisional rating, and the person you assigned a CoS to is your Authorising Officer

S3.4. You cannot assign a CoS if your licence is suspended, made dormant, or revoked.

Restrictions on who a CoS can be assigned to

S3.5. An SMS User must not assign a CoS to themselves, to their partner or to a close relative of theirs. We will revoke your sponsor licence if we find out this has happened. See the glossary for a definition of 'partner or close relative'.

S3.6. The only exception to this is if you have a Provisional rating on the UK Expansion Worker route, in which case your Authorising Officer (who must also be the Level 1 User) must assign their own CoS to make an application for entry clearance. See section GBM3 of Sponsor a Global Business Mobility worker for more information.

S3.7. An SMS User must add a sponsor note to the CoS if they are aware (or can reasonably be expected to be aware) they have assigned a CoS to a partner or close relative of somebody else who is working for the sponsor.

Information you must include on the CoS

S3.8. When you assign a CoS, there is certain information you must include on it for it to be valid. This includes:

- the route on which you are sponsoring the worker
- personal details of the worker, such as their name, nationality, date of birth, passport details, contact address
- usual work address or addresses
- total weekly hours of work – if this varies, you should enter an average figure
- details of the worker's job, including job title, job description, start date, end date, salary (unless applying as a Charity Worker) and occupation code
- whether you used an agent (such as a recruitment agency, employment business or other intermediary) to find the worker and, if so, details of that agent
- whether you (the sponsor) wish to certify that the worker meets the financial requirement
- for some routes, whether the worker needs an Academic Technology Approval Scheme (ATAS) certificate
- any other information required for the specific route in which you are sponsoring the worker – see the relevant route-specific guidance for details

Job details

S3.9. It is essential that the role and job description for which you assign a CoS is an accurate reflection of what the worker will actually be doing. If the worker's role changes after they have been granted permission, and that change does not require a change of employment application, you must inform us within 10 working days of the date from which the change in duties is effective.

S3.10. If you fail to report a permitted change in role and we identify as part of a compliance check that a worker's role is not accurately reflected on the CoS you assigned to the worker, we are likely to take action against you.

Start date on the CoS

S3.11. You must enter a start date on the CoS. This should be the date you expect the worker to start working for you if their application for entry clearance or permission is granted. If the worker is making an extension of permission to stay application, we recommend the start date is the day after the worker's current permission ends.

S3.12. The worker must use the CoS in an application for entry clearance or permission no more than 3 months after the date it was assigned to them. However, they cannot apply for entry clearance or permission more than 3 months in advance of their employment start date, as stated on their CoS. You must make sure the timing of your recruitment and the date you assign the CoS does not put the worker in a situation where they cannot make a successful application for entry clearance or permission.

S3.13. If the start date (or end date) changes before the worker has applied for entry clearance or permission, or before a decision has been made on their application, you should report this, as this may affect the period of entry clearance or permission that can be granted. You do this by adding a sponsor note to the CoS.

S3.14. A worker can start working in their sponsored role as soon as they have permission to enter or stay in the UK, even if this is before the start date recorded on their CoS. You do not have tell us if the worker's start date has been brought forward after they have been granted permission.

S3.15. Once a worker has been granted permission, they should normally start working in their sponsored role no later than 28 days after whichever is the latest of:

- the start date on the worker's CoS (taking into account any changes to that date reported by you before their application for entry clearance or permission was decided)
- the 'valid from' date on the worker's eVisa or (if applicable) entry clearance vignette
- the date the worker is granted permission to enter, if they entered the UK without entry clearance under the Creative Worker visa concession (see section CRW6 of Sponsor a Creative Worker for details of this concession)
- the date the worker is notified of a grant of entry clearance or permission to stay

S3.16. If the worker does not start working in their sponsored role by the end of this period, you must either:

- tell us the worker's new start date and the reasons for the delayed start, if you wish to continue sponsoring them
- stop sponsoring the worker

S3.17. In either case, you must report this by the end of 10 working days after the 28-day period using the 'Report migrant activity' function in the SMS.

S3.18. If you wish to continue sponsoring the worker, you should be aware that UKVI may cancel the worker's permission if they do not consider there is a valid reason for the delayed start. You must therefore ensure you carry out a right to work check before they start their employment, and any follow-up checks as required. If the worker tells you their permission has been cancelled, you must stop sponsoring them and report this within 10 working days via your SMS account.

S3.19. Acceptable reasons for a delayed start may include:

- travel disruption due to a natural disaster, military conflict or pandemic
- the worker is required to work out a contractual notice period for their previous employer – if the worker is in the UK, their conditions of stay must allow them to do this
- the worker requires an exit visa from their home country and there have been administrative delays in processing this
- illness, bereavement or other compelling family or personal circumstances

S3.20. This is not a comprehensive list and each case will be judged on its merits.

S3.21. You do not have to report a change to start date (where the worker has been granted permission) if it is delayed by no more than 28 days (as defined in paragraph S3.15 above).

S3.22. If you are sponsoring a Scale-up Worker and they are granted entry clearance or permission to stay, you must also tell us the date the worker actually starts working for you via the 'Report migrant activity' function in the SMS. You must do this within 10 working days of the actual start date.

End date on the CoS

S3.23. Unless you are sponsoring a Scale-up Worker, you must enter an end date on the CoS. This should cover the period you intend to sponsor the worker, up to the maximum period permitted for the route on which you are sponsoring them.

S3.24. 'Maximum period' means the maximum period of entry clearance or permission that can be granted on the relevant route if the worker's application is successful (excluding any additional period that may be granted beyond the work end date). For example, if you are sponsoring a Skilled Worker, you can assign a CoS for up to 5 years.

S3.25. In some cases, the SMS will prevent you from assigning a CoS beyond the

maximum period. However, there may be other restrictions on how long you should assign a CoS on a particular route or to a particular type of worker. For example:

- if you are sponsoring an International Sportsperson, you must not assign a CoS beyond the period stated on the worker's sports governing body endorsement letter
- if you are sponsoring a Skilled Worker who intends to claim points for being a 'new entrant', the longest you can assign the CoS is 4 years (less any time the worker has already spent in the UK as a new entrant on the Skilled Worker or Tier 2 (General) routes, or on the Graduate route)
- most routes have a maximum cumulative period for which a worker can be granted (including time they've already spent in the UK on that route) – for example, a Charity Worker cannot be granted beyond 12 months in total

S3.26. If you assign a CoS for longer than the maximum period permitted on the route, we will do one of the following:

- limit the amount of permission we will grant to the worker if they make a successful application for entry clearance or permission
- refuse the application, if the worker has already spent the maximum period permitted on that route
- if you are sponsoring a Government Authorised Exchange worker or Seasonal Worker, report you to the relevant endorsing government department – if they then withdraw their endorsement, we will revoke your sponsor licence

S3.27. Read the relevant route-specific guidance for further information on maximum periods.

S3.28. You do not have to enter an end date if you are sponsoring a Scale-up Worker but you must confirm (when you complete the CoS declaration) that the worker is expected to work for you for at least the first 6 months of their permission.

Occupation code

S3.29. When you assign a CoS to a worker, you must specify the 4-digit occupation code (also known as the 'standard occupational classification (SOC)' code) relevant to the job. The SOC is a common classification of occupations developed by the Office for National Statistics.

S3.30. For CoS assigned on or after 4 April 2024, you must specify the relevant SOC 2020 occupation code from Appendix Skilled Occupations. The SOC 2020 system has replaced the SOC 2010 system previously in use. SOC 2010 occupation codes remain valid for CoS assigned on or before 3 April 2024. See the glossary for definitions of the terms 'occupation code', 'SOC 2010 occupation code' and 'SOC 2020 occupation code'.

S3.31. Appendix Skilled Occupations contains information about each occupation

code, including example job titles that fit within each code and whether the code is eligible for PhD points on the Skilled Worker route. Tables 1 to 5 also include information about the applicable salary 'going rates' for the Skilled Worker, GBM and Scale-up routes.

S3.32. If you are sponsoring a Skilled Worker, the job must normally be in an occupation code (or an eligible job within an occupation code) listed in Table 1, 2, or 3 of Appendix Skilled Occupations, depending on the option the worker is claiming salary points under. These are jobs that are skilled to graduate level or above. Occupations below graduate level are listed in Tables 1a, 2aa, 2a and 3a and are only eligible if the job is on the Immigration Salary List or the Temporary Shortage List, or the worker meets a relevant transitional provision. See section SK4 of Sponsor a Skilled Worker for further information.

S3.33. If you are sponsoring a worker on any of the GBM routes, the job must be in an occupation code listed in Table 2, 2b or 3 of Appendix Skilled Occupations. Occupations in Table 2b are only eligible under a transitional provision. There is an exception for Service Suppliers, who may satisfy the skill-level requirement if they have a degree or other eligible qualification and relevant professional experience. In all other cases, if the job is not listed in one of these tables, it is not eligible to be sponsored. See section GBM6 of Sponsor a Global Business Mobility worker for further information.

S3.34. If you are sponsoring a Scale-up Worker, the job must be in an occupation code listed in either Table 2 or Table 3 of Appendix Skilled Occupations. For further information, see section SC4 of Sponsor a Scale-up Worker.

S3.35. If you are sponsoring a worker on the Government Authorised Exchange route, the job must be in an occupation code listed in Table 1, 1a, 2, 2aa, 3 or 3a of Appendix Skilled Occupations. For further information, see section GA3 of Sponsor a Government Authorised Exchange worker.

S3.36. Table 6 of Appendix Skilled Occupations lists occupations which are not eligible for the Skilled Worker, GBM (other than Service Suppliers in specified circumstances) or Scale-up routes. They are also ineligible for the Government Authorised Exchange route.

S3.37. For routes other than those listed above, the job can be in any table of Appendix Skilled Occupations (including Table 6) but it must meet the relevant eligibility criteria for the particular route. For further information, see the relevant route-specific guidance.

S3.38. You are responsible for choosing the correct occupation code – we cannot help you with this. If you are unsure which code to select, there is detailed guidance on the SOC 2020 system on the Office for National Statistics website. The University of Warwick has also developed a Computer Assisted Structured Coding Tool (CASCOT) which can help you choose the correct SOC 2020 code.

S3.39. It is essential that you select the correct occupation code. If you use the wrong occupation code when assigning a CoS or applying for a Skilled Worker Defined CoS, this could lead to an application being delayed or refused. If you have provided false, misleading or otherwise incorrect information about the skill or salary level of the job on a CoS – for example, to enable the worker to score points on the Skilled Worker or GBM routes – we will take compliance action against you. This could include revoking your sponsor licence. For further information, see Part 3: Sponsor duties and compliance.

'Multiple-entry' CoS

S3.40. If a worker is likely to need to travel abroad regularly in connection with their job, you may choose to tick the 'multiple-entry' option on the CoS, although you do not have to. For further information, see Leaving and returning to the UK.

Group CoS for Creative Workers

S3.41. If you are sponsoring a group of people (for example, all members of a musical group or dance troupe, or a creative worker and their entourage) on the Creative Worker route, you can assign a 'group CoS' to all members of the group. See Sponsor a Creative Worker for information on this.

Amending or updating a CoS

S3.42. After you've assigned a CoS, you can return to it and add a 'sponsor note' to amend a start date or an end date, amend or update salary details or working hours, or correct minor errors. You can also use this feature to provide additional information or clarification – for example, if the CoS is for a Skilled Worker applying for a Health and Care visa, you must add a sponsor note to explain how the worker is eligible for that visa.

S3.43. You can only add a sponsor note to a CoS that is showing in your SMS account with the status of 'Assigned'. If you need to report any changes after a CoS has been used, you must use the 'Report migrant activity' function in the SMS. For further information, see SMS Manual 9: Reporting worker activity.

Correcting a minor error on a CoS

S3.44. You can use the sponsor note feature to amend a minor error on a CoS with the status of 'assigned', such as a mistyped name or date of birth. However, if you make more than one error in the worker's personal details, you will normally need to assign a new CoS (see below).

Significant error on the CoS

S3.45. You must withdraw a CoS and assign a new one if you've made a significant error such as:

- you've entered the wrong occupation code
- you've assigned the CoS on the wrong route, or in the wrong sub-category
- you've given incorrect details for more than one of the following:
  - the worker's nationality
  - the worker's date of birth
  - the worker's surname

Contents

S4. Pay and conditions for sponsored workers

Content in this section:

- How much you have to pay your workers
- Compliance with National Minimum Wage and the Working Time Regulations
- Salary information you must include on a CoS
- How you can pay your workers
- Absence from work without pay or on reduced pay
- Salary otherwise reduced

How much you have to pay your workers

S4.1. If you are sponsoring a Skilled Worker, Senior or Specialist Worker, Graduate Trainee, UK Expansion Worker, Scale-up Worker or Seasonal Worker, you must ensure the worker's salary meets or exceeds the relevant salary thresholds for those routes, as set out in the Immigration Rules and route-specific guidance. We will refuse any application for entry clearance or permission, and reject any application for a Skilled Worker Defined CoS, if we are not satisfied the worker will be paid the appropriate salary.

S4.2. In all cases (even if the Rules or this guidance do not specify a minimum salary threshold for a particular route), you must ensure the worker will be paid in accordance with National Minimum Wage legislation and the role will comply with the Working Time Regulations.

S4.3. There are limited circumstances in which a worker can be paid less than the relevant salary threshold, or the amount stated on their CoS. You will normally need to report any salary reductions to us and the worker may need to make a new application for permission – see:

- Absence from work without pay or on reduced pay
- Salary otherwise reduced

S4.4. We will make regular checks with HMRC (and, where necessary, compliance checks) to ensure you are paying your sponsored workers the amount you said you would. Unless an exception applies, if we find you are paying them less, and the new amount would not be eligible for a grant of permission on the relevant route, we will cancel the worker's permission and take compliance action against you – this could include revoking your licence.

S4.5. For more information on the salary requirements for the route in which you are sponsoring the worker, and how we assess whether you are meeting these requirements, refer to the relevant route-specific guidance.

Compliance with National Minimum Wage and the Working Time Regulations

S4.6. The role you are sponsoring the worker for must always comply with both the:

- National Minimum Wage Regulations 2015
- Working Time Regulations 1998

S4.7. We will refuse an application for entry clearance or permission, or reject an application for a Skilled Worker Defined CoS, if we have reasonable grounds to believe the role does not comply with these regulations. We will also normally revoke your licence if we find you are breaching these regulations.

National Minimum Wage

S4.8. The worker's pay must always comply with National Minimum Wage legislation. If you are sponsoring a worker on a route with a minimum salary threshold (Skilled Worker, Senior or Specialist Worker, Graduate Trainee, UK Expansion Worker, Scale-up, or Seasonal Worker), and their salary meets or exceeds the relevant threshold, it is likely to be compliant with National Minimum Wage. However, National Minimum Wage legislation is complex and contains provisions not expressly covered by the Immigration Rules or sponsor guidance. It is your responsibility to ensure you are compliant with these.

S4.9. If you will not be paying National Minimum Wage to a worker because an exemption in the legislation applies, you must explain this when you assign a CoS. You can do this either in the salary details box or by adding a sponsor note.

S4.10. For guidance on National Minimum Wage, how to calculate it, and exceptions, see:

- The National Minimum Wage and Living Wage
- Minimum wage for different types of work
- Calculating the minimum wage – Department for Business and Trade guidance
- National Minimum Wage – HMRC technical guidance

Working Time Regulations

S4.11. The Working Time Regulations provide a number of important protections for workers on things like maximum weekly working hours, holiday entitlement and rest breaks. You must ensure the role you are sponsoring the worker for complies with these.

S4.12. For example, a worker aged 18 or over can choose to work more than 48 hours per week but, unless an exception in the Working Time Regulations applies, you cannot force them to do this.

S4.13. For detailed guidance on the Working Time Regulations, see:

- Maximum weekly working hours
- Holiday entitlement
- Rest breaks at work
- Night working hours

Salary information you must include on a CoS

S4.14. When you assign a CoS to a worker, you must give the following information about the salary you will pay them:

- the gross salary figure, which must:
  - represent the total amount paid to the worker, gross of any tax paid, whether paid in the UK or from overseas
  - if the worker is being sponsored as a Skilled Worker, Senior or Specialist Worker, Graduate Trainee or UK Expansion Worker, not include any allowances, unless expressly permitted by the Immigration Rules for those routes – see the relevant route-specific guidance for further information
  - for all other routes, include any allowances and guaranteed bonuses
- a separate figure for the total of all allowances and guaranteed bonuses (where these are permitted by the route)
- a detailed breakdown of each allowance and each guaranteed bonus showing their value (where these are permitted by the route)
- if you are sponsoring a Skilled Worker, Senior or Specialist Worker, Graduate Trainee, UK Expansion Worker, or Scale-up Worker, the PAYE scheme reference number through which the worker will pay tax and national insurance – if you are not required to operate PAYE on that worker's earnings, you must provide a clear explanation of this (you cannot sponsor a Scale-up Worker who will not be paid through PAYE)

S4.15. The figure you give for the gross salary must not be inflated in expectation of any tax relief, such as relief on expenditure related to the employment, or tax incurred by the employment of a settled worker, but not incurred for a sponsored worker. For example, if the gross salary package is £34,500 per year, but the sponsored worker will have the same net package after tax as a settled worker who is paid £40,000 per year before tax, the CoS must show that the salary package is £34,500, not £40,000.

Period the salary must cover

S4.16. When you assign a CoS to a worker, or apply for a defined CoS for them, the gross salary figure you enter can cover any of the following time periods:

- hour
- day
- week
- month
- year (this option is not available for Seasonal Workers)

- contract (this option is not available for Skilled Workers or Scale-up Workers)
- performance (International Sportsperson and Creative Worker only)

How you can pay your workers

S4.17. Salary may be paid in the UK or from abroad but the salary you enter on a CoS must always be in pounds sterling. Where the worker will be paid from abroad in a currency other than pounds sterling, the salary you enter must be based on the exchange rate for the relevant currency on the day the CoS is assigned, taken from the rates published on OANDA. If you are applying for a Defined CoS for a Skilled Worker, the amount must reflect the exchange rate on the date you applied for that CoS. You should update this, by adding a 'sponsor note', when you assign the CoS to a worker.

S4.18. All payments to sponsored workers must be made into their own bank account in the UK or overseas. You must not pay them in cash – if you do, we are likely to revoke your licence. Pre-paid cards such as FOREX are acceptable, but you must be able to give evidence that you have made payments onto the worker's card. If you pay the worker by cheque, this must be paid into the worker's own bank account.

Absence from work without pay or on reduced pay

S4.19. Unless a valid exception reason applies, you must normally stop sponsoring a worker who is absent from their sponsored work without pay, or is absent on reduced pay, for more than 4 weeks in total during either:

- if the worker is a Scale-up Worker, the period you have sponsorship responsibility for that worker (see 'Your responsibilities for the first 6 months of permission' in section SC3 of Sponsor a Scale-up Worker)
- in all other cases, in any calendar year (1 January to 31 December)

S4.20. This applies whether the worker is absent from work for a single period of more than 4 weeks, or if they have a number of absences which cumulatively total more than 4 weeks.

S4.21. The 4 weeks is calculated according to the sponsored worker's normal working pattern. For example, if the worker normally works 5 days per week, this would be 20 working days (5 (days) x 4 (weeks)). If they normally work 3 days per week, this would be 12 working days (3 (days) x 4 (weeks)).

S4.22. If a worker has been, or will be, absent from work without pay, or on reduced pay, for more than 4 weeks in total (as defined above), you must either:

- stop sponsoring the worker and report this via your SMS account
- if the period of absence is due to a valid exception reason, or you believe there are compelling reasons for you to continue sponsoring the worker, report the period of absence (including reasons, duration and any changes to salary) via your SMS account

S4.23. You must also tell us if a sponsored worker has been absent from work for more than 10 working days without your permission ('unauthorised absence'), whether or not you make any salary reductions for the period of unauthorised absence.

S4.24. You do not have to report shorter absences without pay, or on reduced pay. However, you may find doing so will help you monitor whether a sponsored worker has exceeded, or is likely to exceed, the permitted periods of absence.

S4.25. For more information on your reporting duties, including time limits for reporting changes, see section C1 of Part 3: Sponsor duties and compliance.

Valid exception reasons: permissible absences

S4.26. The following are permissible absences. You do not have to stop sponsoring a worker if they are absent without pay, or on reduced pay, for any of the reasons listed below (and they would not otherwise have been absent without pay, or on reduced pay, for more than 4 weeks):

- statutory maternity leave
- statutory paternity leave
- statutory parental leave
- statutory shared parental leave
- statutory adoption leave
- sick leave
- assisting with a national or an international humanitarian or environmental crisis, provided you agreed to the absence for that purpose
- taking part in legally organised industrial action
- jury service
- attending court as a witness
- statutory neonatal care leave

S4.27. However, you should still report the period of absence via your SMS account, as outlined above.

S4.28. If a valid exception reason does not apply but you believe there are compelling reasons for you to continue sponsoring a worker who has been absent from work without pay, or on reduced pay, for more than 4 weeks, you must report the absence and reasons via your SMS account for UKVI to consider. You should be aware that UKVI may cancel the worker's permission if they are not satisfied there is a satisfactory reason for continuing to sponsor the worker. If this happens, you must stop sponsoring the worker.

Salary otherwise reduced

S4.29. You must tell us via your SMS account if a worker's salary is reduced for a reason not related to absence after you have assigned a CoS (including after

they have been granted entry clearance or permission). If you are sponsoring a Skilled Worker or Tier 2 (General) Migrant, you must check if you will need to assign a new CoS (and if the worker will need to apply for new permission) before you can reduce their salary. See section SK8 of Sponsor a Skilled Worker for further information.

S4.30. You must stop sponsoring the worker if their revised salary no longer meets any salary, hourly or going rate requirement for the job or the route on which they are being sponsored, or the change is otherwise not permitted by the Immigration Rules or sponsor guidance. You must tell us you have stopped sponsoring the worker via your SMS account.

Salary reductions: exceptions

S4.31. You must tell us via your SMS account if the worker's salary is reduced in any of the circumstances set out below but you do not have to stop sponsoring the worker:

- the reduction coincides with a temporary reduction in the worker's hours, or a phased return to work, for individual health reasons, provided:
  - this is supported by an occupational health assessment; and
  - the reduction does not result in the hourly rate falling below any hourly rate requirement which applied when the person obtained their most recent grant of permission
- the worker is on a GBM route and a temporary reduction in salary coincides with working for the sponsor group or linked overseas business while the worker is not physically present in the UK
- the person is a Skilled Worker, GBM worker or Scale-up Worker and, after the change in salary, would continue to be eligible for points for salary, as set out in Sponsor a Skilled Worker, Sponsor a Global Business Mobility worker, or Sponsor a Scale-up Worker
- despite the reduction, the worker otherwise continues to meet the salary requirements on the route on which they are being sponsored

Contents

S5. Immigration Skills Charge

This section tells you about the Immigration Skills Charge (ISC) you may have to pay to sponsor a Skilled Worker or a Senior or Specialist worker.

Content in this section:

- About the ISC
- When you have to pay the ISC
- When you are exempt from paying the ISC
- If you fail to pay the ISC in full: 'top-up' payments'
- ISC refunds
- How TUPE or similar protection affects the ISC

About the ISC

S5.1. You may have to pay the ISC each time you assign a Certificate of Sponsorship (CoS) to a Skilled Worker or a Senior or Specialist Worker.

S5.2. The amount you have to pay is specified in the Schedule to the Immigration Skills Charge Regulations 2017 and depends on:

- the size and type of your organisation on the date you assign the worker's CoS
- the length of employment stated on the CoS

S5.3. If you are a small or charitable sponsor, as defined in regulation 2 of the Immigration Skills Charge Regulations, you will pay the 'small' ISC fee:

- £480 for any stated period of employment up to 12 months (or £364 where the CoS was assigned before 16 December 2025)
- an additional £240 for each subsequent 6-month period stated on the CoS (or £182 for each subsequent 6-month period where the CoS was assigned before 16 December 2025)

S5.4. In all other cases, you must pay the 'large' ISC fee:

- £1,320 for any stated period of employment up to 12 months (or £1,000 where the CoS was assigned before 16 December 2025)
- an additional £660 for each subsequent 6-month period stated on the CoS (or £500 for each subsequent 6-month period where the CoS was assigned before 16 December 2025)

S5.5. When you apply for a licence, it is essential that you select the correct size or type for your organisation, as this will determine both the licence fee you will pay and the level of ISC you will pay throughout the life of your licence (or until you tell us of a change of circumstances through the sponsorship management system (SMS) and we have processed and accepted this change).

S5.6. To comply with your reporting duties, you must tell us as soon as possible (and in any case within 20 working days) if the size or type of your organisation changes. This will ensure you pay the correct ISC for each CoS you assign. If you fail to tell us within 20 working days, we may take compliance action against you. This could include downgrading, suspending or revoking your licence. For further information on reporting changes to your organisation, see section C2 of Part 3: Sponsor duties and compliance.

S5.7. You must not pass on any of the ISC to, or attempt to recoup it from, any of your sponsored workers. If we find out that you have done so, we will normally revoke your licence.

When you have to pay the ISC

S5.8. Unless an exception in paragraph S5.9 applies, you must pay the ISC each time you assign a CoS to a Skilled Worker or a Senior or Specialist Worker and the worker is either:

- applying from outside the UK for entry clearance (a visa) for a period of 6 months or more
- applying from within the UK for permission to stay of any duration, including for less than 6 months

When you are exempt from paying the ISC

S5.9. You do not have to pay the ISC if you assign a CoS to a worker in any of the following circumstances:

- a worker who is applying for entry clearance from outside the UK for a period of less than 6 months
- a worker who is being sponsored for any of the following occupations:
  - 2111 Chemical scientists
  - 2112 Biological scientists
  - 2113 Biochemists and biomedical scientists
  - 2114 Physical scientists
  - 2115 Social and humanities scientists
  - 2119 Natural and social science professionals not elsewhere classified
  - 2161 Research and development (R&D) managers
  - 2162 Other researchers, unspecified discipline
  - 2311 Higher education teaching professionals
- a worker you have previously assigned a CoS to (or who has transferred to you under TUPE or similar protection), provided both of the following conditions are met:
  - you assign them a new CoS to work for you
  - the new period of permission they intend to apply for will not exceed their current period of permission – if the application would result in a longer grant of permission, you must pay the ISC for the additional period that would be granted, unless another exemption applies

- a worker who has valid permission for the purpose of study (as defined in paragraph S5.11 below)
- a worker who had valid permission for the purpose of study when you previously sponsored them (and you therefore did not have to pay the ISC), and you assign a new CoS to that worker to continue sponsoring them in the same role (see also 'How TUPE or similar protection affects the ISC' below)
- a worker who was assigned a CoS under Tier 2 (General) or Tier 2 (ICT) Long-term Staff before 6 April 2017 and all of the following are true:
  - that CoS resulted in a grant of entry clearance or permission to stay
  - the worker undertook the role for which that CoS was assigned
  - the worker has not since ceased to have permission under Skilled Worker (or its predecessor route, Tier 2 (General)) or Senior or Specialist Worker (or its predecessor routes, Intra-Company Transfer, or the Long-term Staff sub-category of Tier 2 (Intra-Company Transfer))
- a Senior or Specialist Worker who benefits from the 'EU-UK Trade and Co-operation Agreement' exemption – this applies if all of the following requirements are met:
  - you assign the CoS to the worker on or after 1 January 2023
  - the worker is a national of an EU country or is a Latvian non-citizen (this concession does not apply if the worker is a national of Iceland, Norway, Liechtenstein or Switzerland)
  - the worker has been assigned to the UK by a business established in the EU, and which forms part of the same 'sponsor group', as defined in the glossary to Sponsor a Global Business Mobility Worker
  - the worker has worked for the sponsor group for at least one year before the CoS was assigned
  - the end date of the assignment, as specified on the CoS, is no more than 36 months after the start date

S5.10. You do not have to pay the ISC for any of the worker's family members (dependants) who are not themselves sponsored workers on the Skilled Worker or Senior or Specialist Worker routes. The ISC does not apply to any other sponsored work route.

'Valid permission for the purpose of study' exemption

S5.11. You are exempt from paying the ISC if you assign a CoS to a worker who has current permission on one of the following routes:

- Student
- Child Student
- Tier 4 (General)
- Tier 4 (Child)
- Short-term Student (English Language)

S5.12. The exemption applies whether or not the worker is in the UK, provided they have current permission on one of the above routes on the date you assign the CoS. However, if the person has permission as a Short-term Student, they must make their application from outside the UK, as they will not

normally be allowed to 'switch' to either the Skilled Worker route or the Senior or Specialist Worker route from within the UK.

S5.13. This exemption does not apply if the worker's permission:

- has already expired by the time you assign the CoS
- is on any route not listed above – for the avoidance of doubt, you will not be exempt from paying the ISC if the worker's permission is as a Graduate or as a dependant of someone on one of the study routes listed above

S5.14. If this exemption applies, you will continue to be exempt from paying the ISC if you later assign a new CoS to the same worker to continue working in the same role. See also 'How TUPE or similar protection affects the ISC' below.

If you fail to pay the ISC in full: 'top-up' payments

S5.15. If you fail to pay the ISC in full (where required), the relevant CoS will become and remain invalid until the outstanding fee is paid in full. This means any application for entry clearance or permission to stay made on the basis of that CoS will be delayed until you have paid the outstanding amount.

S5.16. We will therefore ask you to make a 'top-up' payment if you have either:

- not paid any ISC at all: in this case, we will ask you to pay the full amount appropriate to your size and status
- made a partial payment – for example, you a 'large' sponsor and you have paid the 'small' fee: in this case, we will ask you to pay the difference between the amount you have paid and the amount due

S5.17. Where a top-up payment is required, we will send a payment link via email to your Key Contact. This link will be valid for 72 hours. If you do not make the full top-up payment within 72 hours, the link will expire. We will send you one further link (which will also be valid for 72 hours) to allow you to make the necessary payment. If you fail to make the payment by the end of this period, we will refuse the worker's application.

ISC refunds

S5.18. Regulation 6 of the Immigration Skills Charge Regulations allows the Secretary of State to refund or waive all or part of the ISC. This section sets out the circumstances in which we may offer either a partial or full refund.

S5.19. We will always attempt to make any refund to the original payment method you used. If this fails, we will contact you for alternative payment details. Do not send any alternative payment details unless we ask you to.

Partial refund: change in size or charitable status

S5.20. We will make a partial refund of the ISC if both of the following are true:

- you assign a CoS to a worker and pay the large ISC fee
- before you assigned that CoS, you had notified us that your company had changed from large to small, or gained charitable status, and we have verified this information

S5.21. In these circumstances, we will refund the difference between the large fee and the small fee once we have verified the information you have provided. We will only issue refunds for CoS issued on or after the date you notified us of your change in status. It is therefore important you tell us of any change in status as soon as possible.

Partial refund: other reasons

S5.22. We may issue a partial refund in the following circumstances:

- the worker is granted permission for a shorter period than the period requested on their CoS
- the worker starts work for one sponsor but then voluntarily changes to another sponsor (except where the worker has changed sponsor under TUPE or similar arrangements)
- the worker otherwise leaves their post earlier than expected – for example, if they return home due to ill health, are made redundant or dismissed, fail their probation, or fail to secure a necessary professional qualification

S5.23. In these circumstances, we will always retain the first 12 months of any ISC you have paid. We will issue a partial refund for any subsequent unused 6-month periods you have paid for. For example, if:

- you assigned a CoS (and paid the correct ISC) for 5 years but the worker is granted permission for 3 years, we will refund the final 2 years
- you assigned a CoS (and paid the correct ISC) for 5 years but the worker voluntarily changes to another sponsor after 18 months, we will refund 3 ½ years
- you assigned a CoS (and paid the correct ISC) for 3 years and the worker leaves their post after 6 months, we will retain the first 12 months but will refund you for the final 2 years

Full refund

S5.24. We will make a full refund in the following circumstances:

- the worker's application for entry clearance or permission is refused
- the worker withdraws their application before a decision is made on it
- the worker's application is granted but the worker does not travel to the UK or start work for you
- the relevant CoS expires before it is used in a valid application
- you withdraw the worker's CoS before it is used in any application

How soon decisions on refunds are made

S5.25. Decisions on refunds are made within 90 days of the relevant event, as follows:

- the date you notified us via the SMS that the worker didn't come to the UK to start work or has left the relevant employment early
- the CoS expiry date, if no valid visa application is made by the worker – a CoS expires if not used within 3 months of the date it was assigned
- the date you notified us that you had withdrawn the CoS
- the deadline date for making an administrative review application, if the worker's visa application has been refused and they have not applied for an administrative review
- the date the worker's administrative review is dismissed
- the date you notified us of the change in your organisation's size or charitable status

Contact UKVI if your refund hasn't been paid within 90 days of the relevant date.

When no ISC refund will be made

S5.26. We will not refund any ISC you have paid in the following circumstances:

- the worker changes job but remains working for the same employer or sponsor
- the worker changes ('switches') from the Skilled Worker or Senior or Specialist Worker route to another immigration route but remains employed in the same job
- the worker moves to another sponsor under TUPE or similar protection
- your licence is made 'dormant' (for example, following a takeover of your company)
- your licence is revoked
- the worker's permission is cancelled (unless the reason for cancellation is because the worker failed to start the relevant employment or finished the employment early – in these circumstances, we may make either a full or partial refund, as outlined above)

How TUPE or similar protection affects the ISC

S5.27. If a sponsored worker transfers to you under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations or similar protection, you do not have to pay the ISC if the worker still has valid permission and is not changing role.

S5.28. You will need to pay the ISC if you later assign a CoS to sponsor an application by that worker for further permission, unless an exemption applies. You will not have to pay the ISC if the previous sponsor was exempt from paying it and either of the following is true:

- the new CoS will not result in the worker's permission being longer than their existing permission
- the previous sponsor was exempt from paying the ISC because the worker had valid permission for the purpose of study when they were originally sponsored and you are continuing to sponsor that worker in the same role

S5.29. If you were the original sponsor and the worker moves to another sponsor under TUPE or similar protection, you will not receive a refund of any ISC you have paid to sponsor that worker.

S5.30. For further information on TUPE and similar protection, see section C4 of Part 3: Sponsor duties and compliance.

Contents

S6. After you have assigned a CoS

Content in this section:

- Using the CoS in an immigration application
- Cancelling or withdrawing a CoS
- Providing immigration advice or immigration services to your sponsored workers or students

Using the CoS in an immigration application

S6.1. Once you have assigned a valid CoS to a worker, and you have paid any Immigration Skills Charge, if required, they can use it to make an application for entry clearance, permission to enter or permission to stay.

S6.2. When you assign a CoS, a reference number is generated and you must give this number to the worker you wish to sponsor. They must then include the reference number in their application for entry clearance, permission to enter or permission to stay. When you give the CoS reference number to the worker, you should treat it as secure and confidential information.

S6.3. You can give the worker a copy of their CoS if they ask for it (although they do not need it to make an immigration application). There is a function within your SMS account to print any CoS you have assigned. You can do this by using the 'View CoS' function, where you can open the CoS and choose 'Print'. The SMS user guide has more information on how to use this function.

S6.4. The worker must use the CoS in a valid application no more than 3 months after the date you assigned it, otherwise it will expire. If this happens and you still wish to sponsor the worker, you will need to assign (and pay for) a new CoS for the worker. See 'start dates' in section S3 for further information.

S6.5. The CoS will show as 'assigned' in your SMS account until a decision has been made on the worker's application. Once a decision to grant or refuse the application has been made, it will show as 'used'. This means the CoS cannot be used in another application, unless the worker is eligible to enter the UK under the Creative Worker visa concession, in which case they can use the same CoS each time they re-enter the UK, provided it's still valid and they continue to qualify under the concession.

S6.6. If the worker's application is refused (and any administrative review is dismissed), and you still wish to sponsor the worker, you must assign them (and pay for) a new CoS.

S6.7. If the worker's application is rejected as invalid or withdrawn, the CoS will still show in your SMS account as 'assigned'. The worker can reuse the same CoS to make another application, provided the CoS has not expired.

How to make an immigration application

S6.8. Once the worker is ready to make an application for entry clearance or permission to stay, they must:

- complete the relevant online application form – the relevant forms can be found in the Work visas section of the GOV.UK website
- pay the application fee – see the UK visa fees page on GOV.UK
- pay the immigration health charge, if required
- prove their identity (and provide any required biometrics) by either:
  - attending a biometric appointment at a visa application centre
  - if eligible, using the 'UK Immigration: ID Check' app
- in some cases, take a tuberculosis test
- provide all relevant documents and information with their application, as specified in the application form or guidance notes

S6.9. Different arrangements are in place for people eligible to enter the UK without entry clearance under the Creative Worker visa concession.

S6.10. All applications for entry clearance or permission to stay must now be made online. As the sponsor, you should be prepared to give the worker any assistance they need to complete the online application. This could include allowing them to access a computer on your premises if the person would not otherwise have access to a computer or the internet, or by offering technical support to those who do not have the ability or confidence to use online services on their own.

S6.11. You may also, subject to certain restrictions, provide immigration advice or immigration services to individuals you are sponsoring.

Cancelling or withdrawing a CoS

S6.12. We can cancel a CoS assigned by you if we find it should not have been assigned – for example, if it was assigned through misrepresentation or fraud, or if you have not paid the correct CoS fee in full.

S6.13. You can withdraw a CoS assigned to an individual which has not yet been used to support an application for entry clearance, permission to enter or permission to stay. This can be done through your SMS account.

S6.14. A worker can normally only have one CoS assigned to them for use in an application at any given time. The only exception to this is where the worker is undertaking 'consecutive engagements' with more than one sponsor on the Creative Worker route.

S6.15. If you have assigned a CoS to a person who intended to start working for you, but they then decided to take up a job offer with a different sponsor, they must contact you to arrange the withdrawal of their CoS. This is because the sponsor they want to start work with will not be able to assign a CoS to them until you have withdrawn the one you assigned. They must request this in

writing or by email and give you 5 working days to withdraw the CoS. If you do not carry out their request, they must send a reminder, after which you will have a further 5 working days to withdraw it.

S6.16. If you refuse or fail to withdraw the CoS within this time, the individual can ask us to cancel it. We will not cancel it until we have talked to you about why you have not withdrawn the CoS as requested by the individual. We may take compliance action against you if you fail to withdraw a CoS when requested within the specified time limit.

S6.17. If a CoS is cancelled or withdrawn, we will not refund your CoS fee and we will refuse any application that is supported by that CoS.

S6.18. If a worker is in the UK with entry clearance or permission, we will cancel or shorten their permission if we find the CoS which supported their application was improperly assigned. If this happens, their permission will be cancelled or shortened in one of the following ways:

- if they were not actively involved in the CoS being improperly assigned, permission will normally be shortened so they have 60 days' permission remaining to give them a chance to find a new sponsor, apply on another immigration route or make arrangements to leave the UK (we will not shorten their permission if they already have no more than 60 days' permission remaining)
- if they were actively involved in the CoS being improperly assigned, their permission will be cancelled completely so that they have no permission remaining and will be required to leave the UK immediately.

Providing immigration advice or immigration services to your sponsored workers or students

S6.19. It is prohibited under section 84(1) of the Immigration and Asylum Act 1999, and a criminal offence under section 91(1) of that Act, to provide immigration advice or immigration services if you are not one of the following:

- registered with the Immigration Advice Authority (IAA) (formerly the Office of the Immigration Services Commissioner (OISC))
- authorised by either a designated professional body or a designated qualifying regulator
- acting on behalf of and under the supervision of a person who meets either of the above requirements
- otherwise exempt

S6.20. Licensed sponsors are exempt from the general prohibition, although this will apply only in specified circumstances. As a licensed sponsor, you can provide immigration advice and immigration services, free of charge, to individuals you are sponsoring (and, where relevant, their eligible family members), within the limits set out in the Immigration and Asylum Act 1999 (Part 5 Exemption: Licensed Sponsors) Order 2022 ('the 2022 Order').

S6.21. This Order has replaced the Immigration and Asylum Act 1999 (Part V Exemption: Licensed Sponsors Tiers 2 and 4) Order 2009 from 11 April 2022. Whereas the exemption created by that Order applied only to Worker and Student sponsors, the exemption in the 2022 Order applies to all licensed sponsors, including Temporary Worker sponsors.

S6.22. If you provide immigration advice or services in accordance with the 2022 Order, you must comply with the Code of Standards issued by the IAA.

What you can do

S6.23. Under the 2022 Order, you can only provide immigration advice and immigration services if they are given:

- free of charge
- in relation to an individual you are sponsoring ('the main applicant') or an 'eligible family member' of the main applicant (see paragraphs S6.29 to S6.35)
- in connection with a 'relevant application'

S6.24. In this section, a 'relevant application' is an application:

- by the main applicant for entry clearance or permission for the purpose of work or study in the UK (where you are the main applicant's sponsor in relation to that work or study); or
- by a family member of the main applicant for entry clearance or permission as their 'eligible family member'

S6.25. This includes an application the individual is proposing to make, has made and is awaiting a decision on, or which has already been determined.

S6.26. Advice and services you can provide in connection with a relevant application include:

- advising the individual how to make an application and of the immigration requirements for the route on which they're applying
- making enquiries with the Home Office on behalf of the individual about the progress of the application
- advising the individual of the length of permission they have been granted and the conditions attached to it
- assisting the individual in an administrative review application if their application for entry clearance or permission has been refused, or their permission has been cancelled –however, the exemption does not extend to the provision of immigration advice or immigration services in relation to an appeal or judicial review proceedings

S6.27. You can only provide immigration advice and immigration services to the main applicant (and, where relevant, their eligible family members) during the period for which you have sponsorship responsibility for the main applicant – see paragraph C1.8 of Part 3: Sponsor duties and compliance for a definition

of when this period begins and ends.

S6.28. If you are sponsoring a person with permission as a Scale-up Worker, you will only sponsor them for the first 6 months of their permission – you cannot provide immigration advice or immigration services to the worker (or their family members) after this period, unless you are otherwise authorised or exempt. The 6-month period is calculated from the date the worker's entry clearance as a Scale-up Worker becomes effective (the 'valid from' date on their visa) or the date they are notified of a grant of permission to stay as a Scale-up Worker.

Immigration advice or services provided to eligible family members

S6.29. You can provide immigration advice and immigration services in relation to an individual other than the person you are sponsoring (the main applicant) in connection with their application for entry clearance or permission but only if you reasonably believe both of the following:

- the application will be, or was, made as an eligible family member of the main applicant
- the outcome of that application is, or was, dependent on the outcome of the main applicant's application

S6.30. This includes where the individual is applying, or has applied, as an eligible family member at the same time as the main applicant, or after the main applicant has already been granted permission.

S6.31. The 2022 Order also covers the situation where the individual has existing permission as an eligible family member, and the main applicant subsequently applies to vary their permission (for example, to work for another sponsor, or to do a different job or course of study). In such situations, the eligible family member may not necessarily need to apply to vary their own permission in line with the main applicant (for example, if they already have sufficient existing permission) but they may need advice on (for example) their conditions of stay or whether they need to make a further application.

S6.32. In all cases, to be eligible to provide immigration advice or services, you must be the sponsor of the main applicant. Where the main applicant has more than one sponsor (for example, if they're doing secondary employment), each sponsor can provide immigration advice and services to both the main applicant and their eligible family members, if the requirements in this section are met.

Meaning of 'eligible family member'

S6.33. For routes other than Child Student and Seasonal Worker, eligible family members are the main applicant's:

- partner (spouse, civil partner or unmarried partner)
- dependent children aged under 18
- dependent children aged 18 or over if they have previously been granted permission as a dependent child of the main applicant or of their partner

S6.34. A Child Student can be accompanied or joined by one parent (on the Parent of a Child Student route) if the child is aged between 4 and 11 and is attending an independent fee-paying school. The Seasonal Worker route does not permit any family members.

S6.35. The exemption in the 2022 Order does not cover immigration advice or services provided to family members other than those listed above.

What you cannot do

S6.36. You must not provide immigration advice or immigration services if they are not covered by the 2022 Order. For example, you are not permitted to:

- charge any fee to the main applicant (or their eligible family members) for providing immigration advice or services to them
- provide immigration advice or services if this is not in connection with a relevant application – for example, you cannot provide advice in connection with an application for settlement, an appeal, a judicial review or other litigation, or on wider immigration issues
- provide immigration advice or services to individuals you are not currently sponsoring (other than their eligible family members) – this applies even if you have previously sponsored them

S6.37. If you wish to undertake any of the above activities (or provide any other immigration advice or services not covered by the 2022 Order), you must register with the IAA, or be otherwise qualified or exempt. If you are unsure whether you can provide such advice or services, you should contact the IAA for assistance.

Contents

S7. Immigration requirements

This section tells you about the main immigration requirements a Worker or Temporary Worker must meet to qualify for entry clearance or permission.

It is not a complete statement of the requirements and you must refer to the relevant Immigration Rules and route-specific guidance for further details.

Content in this section:

- Relevant Immigration Rules
- Applying from outside the UK: entry clearance
- Applying from inside the UK: permission to stay
- Former government-sponsored students
- Genuine intention requirement
- Financial requirement
- Academic Technology Approval Scheme (ATAS) requirement
- English language requirement
- Age requirement
- Decision on application: proof of immigration status
- Leaving and returning to the UK
- Further information on immigration requirements

Relevant Immigration Rules

S7.1. You must be satisfied that any workers you wish to sponsor can meet the relevant Immigration Rules. The fact that you have assigned a valid Certificate of Sponsorship (CoS) does not guarantee they will be granted entry clearance or permission – UKVI will make the final decision on this.

S7.2. The relevant requirements are contained in the following parts of the Immigration Rules:

- Appendix Skilled Worker
- Appendix Global Business Mobility – Senior or Specialist Worker
- Appendix Global Business Mobility – Graduate Trainee
- Appendix Global Business Mobility – UK Expansion Worker
- Appendix Global Business Mobility – Service Supplier
- Appendix Global Business Mobility – Secondment Worker
- Appendix Skilled Occupations
- Appendix Immigration Salary List
- Appendix T2 Minister of Religion
- Appendix Scale-up
- Appendix International Sportsperson
- Appendix Sports Governing Bodies
- Appendix Temporary Work – Seasonal Worker
- Appendix Temporary Work – Creative Worker
- Appendix Creative Worker Codes of Practice

- Appendix Temporary Work – Religious Worker
- Appendix Temporary Work – Charity Worker
- Appendix Temporary Work – International Agreement
- Appendix Temporary Work – Government Authorised Exchange
- Appendix Government Authorised Exchange schemes

S7.3. Even if the worker meets all of the relevant Rules and you have met all of your sponsorship duties, the worker can still be refused permission to enter or stay in the UK, or have their permission cancelled, under Part Suitability of the Immigration Rules, if the worker has (for example) used deception in their application, has previously breached their conditions of stay, or has a criminal record.

Applying from outside the UK: entry clearance

S7.4. If the worker you wish to sponsor is outside the UK, they must obtain entry clearance (a visa) on the relevant route before they come to the UK. The only exception to this is where the worker is eligible to enter the UK under the Creative Worker visa concession. See section CRW6 of Sponsor a Creative Worker for information on this concession.

S7.5. If a worker tries to enter the UK without the required entry clearance, they will be refused entry, even if they meet all of the other requirements of the Rules.

S7.6. Some applicants applying for entry clearance may need to undergo a test for pulmonary tuberculosis in order to get their visa – for further information, see Tuberculosis test for visa applicants on GOV.UK.

Applying from inside the UK: permission to stay

S7.7. If the worker you wish to sponsor is already in the UK, they must apply for 'permission to stay' (also known as 'leave to remain'). This could be to:

- extend their existing Worker or Temporary Worker permission, either to continue working in the same job or to change employment – see section S9 for further information
- 'switch' from a different immigration route where the Rules allow this

S7.8. Applicants applying from within the UK must not be either:

- in breach of immigration laws (that is, they must not be an overstayer, an illegal entrant, in breach of their conditions of stay, or have used deception in their most recent application for entry clearance or permission), except that where the 'Exceptions for overstayers' section of Part Suitability of the Immigration Rules applies, that period of overstaying will be disregarded
- on immigration bail, except where the 'Exceptions for overstayers' section of Part Suitability applies

Switching immigration route while in the UK

S7.9. Switching is the term we use when a person who is already legally in the UK changes from one immigration route to another, where the Rules allow this.

S7.10. People can switch to, or between, the Worker, Global Business Mobility or Scale-up routes, provided they:

- were not last granted permission:
  - as a Visitor (there is a limited exception to this for some people on the International Sportsperson route – see section SPT3 of Sponsor an International Sportsperson for details)
  - as a Student, unless they meet the additional rules for people switching from the Student route (as set out below)
  - as a Short-term Student
  - as a Parent of a Child Student
  - as a Seasonal Worker
  - as a Domestic Worker in a Private Household; or
  - outside the Immigration Rules; and
- meet all of the requirements of the route they are applying to switch to

S7.11. Switching to, or between, the Temporary Worker routes (other than the Global Business Mobility routes or the Scale-up route) is not generally permitted. There is an exception which allows some students to switch to the Government Authorised Exchange route (see section GA4 of Sponsor a Government Authorised Exchange worker).

S7.12. If you want to sponsor a person who is already in the UK on another immigration route, you should check that their current immigration status allows them to switch. This is important because if the individual is in the UK on a route that does not allow them to switch, we will normally reject their application. If they are not in the UK on a route that allows them to switch, they must leave the UK and apply for entry clearance.

Switching from the Student route

S7.13. If the person you wish to sponsor will be applying for permission to stay on the Worker, Global Business Mobility or Scale-up routes, and they have, or last had, permission as a Student (including as a Tier 4 (General) Migrant), they must meet one of the conditions below on the date they make their application to be allowed to switch:

- they must have completed the course of study for which they were being sponsored as a Student
- they must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance, and the start date on their CoS must be no earlier than the course completion date
- they must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of

compliance, and the start date on their CoS must be no earlier than 24 months after the start date of their PhD

S7.14. A 'higher education provider with a track record of compliance' will be shown on the register of student sponsors with the type 'Higher Education Institution (HEI)' and with the status 'Student Sponsor – Track Record'.

S7.15. If you wish to sponsor a worker who has, or last had, permission as a Student, you must carefully check they can meet one of the above conditions before you assign a CoS to them. If they do not meet one of these conditions, they will not be permitted to switch.

Permission to work while a switching application is pending

S7.16. A person who has made an application to switch to a sponsored work route must not start working for you until their application has been granted, unless, on the date of application, they already have a type of immigration permission which allows them to do the work in question (for example, if they have permission as a dependant of a Skilled Worker and a right to work check confirms they are not prohibited from doing the work in question).

S7.17. Where a person is allowed to work in these circumstances, you must stop sponsoring them if their application to switch is eventually refused (and any administrative review is finally dismissed), and must not continue to otherwise employ them, unless (despite the refusal) they still have a valid immigration permission that allows them to do the work in question.

S7.18. A Student who meets the second bullet point in paragraph S7.13 above, and has made a valid application as a Skilled Worker, may be allowed to start working for you immediately if they meet certain conditions – see section SK3 of Sponsor a Skilled Worker for further information.

Former government-sponsored students

S7.19. If you wish to sponsor a worker on any of the Worker, Scale-up, Global Business Mobility, or Government Authorised Exchange routes, and they are currently being financially sponsored for the purpose of study by a government or international scholarship agency, or were so sponsored during the 12 months immediately before their application, they must obtain the written consent of that sponsor before applying for entry clearance or permission to stay. If they do not provide this consent, we will refuse their application.

Genuine intention requirement

S7.20. A sponsored worker must:

- genuinely intend, and be able, to do the role for which they are being sponsored; and
- not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by their conditions of stay

Financial requirement

S7.21. Sponsored workers are not permitted to claim public funds (benefits and other assistance from the state). We must therefore be satisfied that any worker you sponsor has enough money to support themselves, and any family members (dependants) in the UK, until they start to receive an income. This is known as the 'financial requirement' (or 'maintenance requirement').

S7.22. The following paragraphs apply to all sponsored work routes, unless you are sponsoring a Minister of Religion or a Religious Worker who is not entitled to be paid National Minimum Wage (see paragraphs S7.30 to S7.31).

S7.23. The applicant will automatically meet the financial requirement if they satisfy both of the following conditions:

- they are applying for permission to stay (from within the UK)
- they have been living in the UK with permission for at least 12 months on the date of application

S7.24. This means the applicant doesn't have to provide any evidence of their finances with their application and you do not have 'certify maintenance' for them.

S7.25. In other cases, the applicant must satisfy the financial requirement in one of the following ways:

- you can 'certify maintenance' for the worker (and their dependants, if applicable), if you are eligible to do this
- the worker (and their dependants, if applicable) must provide evidence to show they have the required level of funds

S7.26. The required level of funds:

- £1,270 for the main applicant (sponsored worker)
- £285 for their partner
- £315 for a first dependent child
- £200 for each subsequent dependent child

S7.27. To certify maintenance, you must tick the 'maintenance' box on the worker's CoS. If you do this, you undertake that you will, if necessary, maintain and accommodate the worker (and any dependants) up to the end of the first month of their employment in the UK to at least the amount (or amounts) specified above. If you do not wish to certify maintenance for the worker's dependants, you must add a sponsor note to the worker's CoS to confirm this.

S7.28. You cannot certify maintenance if either:

- you are sponsoring a UK Expansion Worker

- your licence is B-rated

S7.29. If you do not wish (or are not eligible) to certify maintenance for either the worker or their dependants, they must provide evidence they have held the required level of funds for at least 28 days with their application for entry clearance, permission to enter or permission to stay. Acceptable evidence is set out in Appendix Finance to the Immigration Rules. For further information, see the following guidance on GOV.UK:

- Financial evidence for sponsored or endorsed work routes
- Financial requirement: caseworker guidance

Ministers of Religion and Religious Workers not entitled to National Minimum Wage

S7.30. If you are sponsoring a Minister of Religion or a Religious Worker who is not entitled to be paid National Minimum Wage for their role, and their application for entry clearance or permission is made on or after 29 October 2026, you must confirm on their CoS that you will maintain and accommodate the worker (and any dependants) for the entire duration of their permission to be in the UK. This applies regardless of where the application is made or how long the worker has been living in the UK.

S7.31. You must be an A-rated sponsor to sponsor a Minister of Religion or Religious Worker in these circumstances.

ATAS requirement

S7.32. If you assign a CoS on any of the routes listed below, you will need to check and confirm on the CoS whether the worker needs an Academic Technology Approval Scheme (ATAS) certificate:

- Skilled Worker
- the Global Business Mobility routes
- Government Authorised Exchange
- International Agreement
- Scale-up

S7.33. ATAS is a scheme administered by the Foreign, Commonwealth and Development Office (FCDO). Its purpose is to prevent the transfer of information, knowledge or technology which could develop, advance or support an Advanced Conventional Military Technology (ACMT) and Weapons of Mass Destruction (WMD) programme or their means of delivery.

S7.34. Overseas nationals who wish to undertake study or research at postgraduate level or above in certain sensitive subject areas must apply for an ATAS certificate before they can start their study or research in the UK. It is your responsibility to check whether the person needs an ATAS certificate and, if so, to ensure they apply for one. The person's application is likely to be

refused, and you may lose your sponsor licence (or licences), if you do not meet these responsibilities.

Who needs an ATAS certificate?

S7.35. A worker will need an ATAS certificate if all of the following are true:

- you are also licensed as a Student sponsor
- the worker is not an 'exempt national'
- you are sponsoring the worker on any of the following routes:
  - Skilled Worker
  - any of the Global Business Mobility routes
  - Government Authorised Exchange
  - International Agreement
  - Scale-up
- the role in which you are sponsoring the worker is in a 'relevant occupation code'
- the role includes an element of research at PhD level or above in a 'relevant subject area'

S7.36. If all of the above are true, the worker must apply for an ATAS certificate before they start their research and include a copy with their application for entry clearance or permission to stay. An ATAS certificate is valid for 6 months once issued – if it has not been used in an application for entry clearance or permission to stay within this period, the worker will need to apply for a new one.

S7.37. If any of the above bullet points are not true, the worker does not need an ATAS certificate.

S7.38. For a list of relevant occupation codes, relevant subject areas and exempt nationals, see Annex S1 of this document.

Action for you as the sponsor

S7.39. When you assign a CoS on any of the routes listed above, you must confirm (by answering 'yes' or 'no' to the relevant question) whether the worker needs an ATAS certificate.

S7.40. You must make these checks each time you assign a CoS to a worker on these routes. This includes for extension of permission applications, even if the worker did not require an ATAS certificate when they were last granted permission.

S7.41. You must take care to give accurate information. If you say a worker does not need an ATAS certificate when they do, we will consider revoking your sponsor licence (or licences).

If the worker needs an ATAS certificate

S7.42. If the worker needs an ATAS certificate, you should advise them to apply for

one as soon as possible, if they have not already done so. The worker will need to include a copy of their certificate with their application for entry clearance or permission to stay. You must also keep a copy of either their ATAS certificate, or the electronic approval notice the worker received from the FCDO, as part of your record-keeping duties (see Appendix D to the sponsor guidance).

S7.43. You and the worker should bear in mind that it can take at least 2 weeks (3 weeks if applying between April and September) to process an application for an ATAS certificate. You should therefore encourage the worker to apply in plenty of time to ensure their immigration application is not delayed or refused.

S7.44. If a worker who requires an ATAS certificate does not obtain one and include a copy with their application for entry clearance or permission to stay, we will refuse their application. We will also consider revoking your sponsor licence (or licences). You must not continue to sponsor a worker who is subject to the ATAS requirement if they either refuse to apply for an ATAS certificate or the FCDO refuses their application.

If the worker does not need an ATAS certificate

S7.45. If you state that the worker does not need an ATAS certificate, you must provide additional information on the CoS if all of the following are true:

- you are also licensed as a Student sponsor
- the worker is not an exempt national
- the role in which you are sponsoring the worker is in a relevant occupation code

S7.46. You must give a brief explanation of why the worker does not need an ATAS certificate – for example, that the role does not involve any research at PhD level or above in a relevant subject area. You can include this information in either the job description field or by adding a sponsor note after you have assigned the CoS.

S7.47. If any of the above bullet points are not true, you do not have to provide this additional information.

Further information

S7.48. For more information on ATAS, including how to apply for a certificate, see the 'Academic Technology Approval Scheme' page on GOV.UK.

S7.49. For additional information on your sponsor duties in relation to the ATAS requirement, see 'Complying with our immigration laws' in section C1 of Part 3: Sponsor a worker.

English language requirement

S7.50. A worker will need to prove they have English language skills to the required

level if they are applying on any of the following routes:

- Skilled Worker
- T2 Minister of Religion
- International Sportsperson, if applying for entry clearance or permission to stay for longer than 12 months
- Scale-up

S7.51. The level required depends on the route. For further information, see the relevant guidance for work visa applicants on GOV.UK. For detailed information, you can read the Home Office staff guidance on English language requirements on GOV.UK.

S7.52. If you are sponsoring a Seasonal Worker, you must ensure they are given an employment contract in their first language, as well as in English. This is also considered to be good practice for any other route on which the worker does not have to meet a formal English language requirement.

Age requirement

S7.53. You cannot sponsor a worker who will be aged under 18 on the date they apply for entry clearance or permission to stay, except in the following circumstances:

- you can sponsor an International Sportsperson if they are aged at least 16 on the date they apply for entry clearance or permission to stay
- there is no specified minimum age on the Creative Worker or Government Authorised Exchange routes

S7.54. If you are sponsoring a worker who is aged under 18 (where this is permitted), you must have regard to your duty to safeguard children's welfare – see 'Safeguarding children' in section L2 in Part 1: Apply for a licence for further information on this.

S7.55. You have additional safeguarding duties if you are sponsoring a Creative Worker who is under school-leaving age– see section CRW2 of Sponsor a Creative Worker for further information.

S7.56. Workers aged under 18 (where permitted) must also meet a 'parental consent' requirement to be eligible for a grant of entry clearance or permission to enter or stay – see the relevant route-specific guidance for information on this.

Decision on application: proof of immigration status

S7.57. The worker will normally receive a letter or an email telling them the outcome of their application for entry clearance or permission to stay. If the application is granted, this written notification is not proof of their immigration status and cannot be used to show their right to work or access services. The worker will be issued with separate proof of their immigration status.

S7.58. The UK has transitioned to a digital immigration system, replacing physical immigration documents with a digital record of the holder's identity and immigration permission known as an 'eVisa'. We stopped producing biometric residence permits for applications submitted after 31 October 2024 and started phasing out vignettes issued to entry clearance applicants from 15 July 2025. With the exception of workers entering the UK under the Creative Worker visa concession (see paragraph S7.71), all successful applicants will now receive an eVisa.

S7.59. Where the worker has been issued with an eVisa (either on its own or in conjunction with another document), they must create a UKVI account to access it and be able to share their status where required (for example, with an employer or a landlord).

S7.60. A sponsored worker can start working in their sponsored role as soon as their immigration permission becomes valid, provided you have carried out a compliant right to work check before the employment begins, and any follow-up checks as necessary. For detailed guidance on how to carry out the check, see:

- Right to work checks: an employer's guide
- section 1.1 of Appendix D to the sponsor guidance

S7.61. You may also need to check (and retain evidence) of the date the worker entered the UK – see section 1.2 of Appendix D to the sponsor guidance for further information on this requirement.

S7.62. Your licence may be revoked if you fail to carry out these checks.

If the application is granted

S7.63. If the worker's application for entry clearance or permission to stay is granted, they will receive an eVisa as proof of their immigration status.

S7.64. In most cases, this is the only proof of immigration status the worker will now receive. The only exceptions are where all of the following apply:

- the worker applied for entry clearance (a visa from outside the UK)
- the worker does not have a Home Office accepted passport or other identity document (for example, if they have a passport or travel document issued by a country or territory not recognised by the UK)
- we are otherwise satisfied as to the worker's identity and nationality
- the worker's application was granted on or after 1 July 2026

S7.65. In this case, the worker will receive both an eVisa and a 'form for accompanying an eVisa'. They must carry this form with them when they travel to the UK.

Applications granted before 1 July 2026

S7.66. Where a worker without a Home Office accepted passport or identity document was granted entry clearance before 1 July 2026, they will have received both an eVisa and a vignette sticker attached to a 'form for affixing a visa' (FAV).

S7.67. The worker will also have received both an eVisa and a vignette if all of the following apply:

- their application for entry clearance was granted before 20 May 2026
- they did not use the UK immigration: ID check app to prove their identity when they made their application
- they applied before one of the following dates:
  - 25 February 2026 as a Seasonal Worker and their application was decided on or after 12 January 2026
  - 30 October 2025 as a Minister of Religion or Scale-up Worker
  - 15 July 2025 on any other sponsored work route (except for Seasonal Worker)

S7.68. Where the worker submitted a Home Office accepted passport or identity document with their application, the vignette will be affixed to their passport. In all other cases, the vignette will be affixed to a FAV.

S7.69. Where the worker has been issued with a vignette, it will be valid for:

- 90 days if they were granted entry clearance for longer than 6 months
- the full duration of their permission if they were granted entry clearance for 6 months or less

S7.70. Where the worker has been issued with a 90-day vignette affixed to a FAV, they must travel to the UK within that 90-day period. If they fail to do so, they will need to apply for a form for accompanying an eVisa before they travel to the UK. Where the vignette is affixed to a passport, the worker can still travel to the UK after 90 days, provided they still have a valid eVisa.

Workers who will not receive an eVisa

S7.71. The worker will not receive an eVisa if they are granted permission to enter under the Creative Worker visa concession. In this case, they will receive either

- a 'wet ink' stamp in their passport (if they entered the UK from outside the Common Travel Area)
- an electronic 'remote clearance' before they arrive in the UK (if they wish to enter the UK from another part of the Common Travel Area)

S7.72. Seasonal Workers who were granted entry clearance before 12 January 2026 (and did not apply using the UK immigration: ID check app) will normally have received a vignette only, valid for the full duration of their

permission.

If the application is refused

S7.73. If the worker's application is refused, they will be informed of the reasons why. They may have a right of administrative review against the decision.

S7.74. You must not employ a worker whose application has been refused, unless they were already legally working for you when they made that application, and you've received a 'Positive Verification Notice' from the Home Office Employer Checking Service confirming that the worker has an outstanding administrative review or appeal.

S7.75. You must stop sponsoring a person whose application has been refused (and tell us you have done so via your SMS account) if any of the following are true:

- they do not apply for an administrative review within the relevant deadline
- their administrative review (or any onward right of appeal) is dismissed
- you receive a 'Negative Verification Notice' from the Home Office Employer Checking Service

Leaving and returning to the UK

S7.76. If a worker:

- entered the UK with entry clearance (granted for any duration); or
- was granted permission to stay for more than 6 months

they can leave and re-enter the UK for business, holiday or personal reasons as often as they wish, provided their entry clearance or permission to stay has not expired or been cancelled and they otherwise continue to meet the requirements of the route on which they were granted.

S7.77. If you know or anticipate that the worker you wish to sponsor will need to travel in and out of the UK on a regular basis in connection with their job, you can choose to (but do not have to) tick the 'Multiple entry' box when assigning their CoS. If you do this, it does not involve any extra benefits or restrictions on the worker's ability to travel but does help to show their intentions and likely travel plans to us.

S7.78. This type of CoS is not needed by a sponsored worker who simply wishes to travel overseas for leisure or domestic purposes during the period you sponsor them. If they take annual leave and return home during that period, they can still return to the UK to resume work if their permission is still valid.

S7.79. If, however, a worker:

- has been granted permission to stay in the UK for 6 months or less

- has had their permission shortened so they have less than 6 months' permission remaining; or
- entered the UK without entry clearance under the Creative Worker visa concession

their permission to enter or stay will end (lapse) if they leave the Common Travel Area (CTA). The CTA is the UK, Ireland, the Isle of Man and the Channel Islands (Bailiwick of Guernsey and Bailiwick of Jersey).

S7.80. If a worker's permission lapses, or expires, while they are outside the CTA, they will not be able to re-enter the UK unless they make a further successful application for entry clearance or permission to enter. In most cases, the application must be supported by a new CoS. The only exception to this is where the worker is eligible to re-enter the UK under the Creative Worker visa concession. Such individuals can use their previous CoS to apply for a new period of permission to enter, provided that CoS is still valid.

S7.81. Religious Workers and Charity Workers applying for entry clearance will be subject to a 'cooling-off' period if they've been in the UK during the previous 12 months with permission on either of these routes – see Sponsor a Minister of Religion or Religious Worker or Sponsor a Charity Worker for further information on this.

Further information on immigration requirements

S7.82. There is general information on all work routes on the GOV.UK website in the Work visas section.

S7.83. Sections S8 to S9 of this document contain information on conditions of stay, extending permission to stay, change of employment applications, and settlement.

S7.84. Detailed guidance for Home Office decision makers handling applications for entry clearance and permission to stay can be found on GOV.UK: Working in the UK (immigration staff guidance).

Contents

S8. Conditions of stay

This section tells you about the conditions of stay a sponsored worker will be subject to if they are granted permission on the Worker or Temporary Worker routes.

Content in this section:

- Overview
- No access to public funds
- Employment restrictions
- Study

Overview

S8.1. All people granted entry clearance or permission on the Worker and Temporary Worker routes are subject to the following conditions:

- no access to public funds
- restrictions on the employment they can take
- study is permitted, subject to certain restrictions

S8.2. It is important that you and the worker understand these conditions. If the worker breaches their conditions of stay, we may take action against you and/or the worker, including:

- cancelling or shortening the worker's leave
- removing the worker from the UK
- downgrading, suspending or revoking your licence
- in serious cases, referring you or the worker to the police or other relevant authorities

No access to public funds

S8.3. All workers granted permission on the Worker and Temporary Worker routes will be subject to a 'no access to public funds' condition. This means they may not claim most state benefits or tax credits or access homelessness or housing assistance from the state. Read the guidance on public funds for further information.

Employment restrictions

S8.4. Generally, workers granted permission on the Worker or Temporary Worker routes must work for the sponsor, and in the employment, specified on their Certificate of Sponsorship (CoS). Minor changes to the details of that employment are permitted, provided:

- you notify us of the change via the sponsorship management system (SMS)

- the worker continues to meet any salary or other requirements of the route on which they are being sponsored; and
- the change would not require a 'Change of employment' application

S8.5. In addition, depending on the route on which they have been granted, sponsored workers may be allowed to:

- take additional employment (Scale-up Workers only)
- work out a contractual notice period
- take supplementary employment
- take secondary employment with a second CoS
- take limited temporary employment as a sportsperson or as a sports broadcaster
- do voluntary work

The subsections below give further information on these allowances. These restrictions may be lifted where the person is a Skilled Worker who has been identified as a victim of modern slavery.

Additional employment for Scale-up Workers

S8.6. A person granted permission as a sponsored Scale-up Worker can take employment (including self-employment and voluntary work) additional to the work for which they are being sponsored. The only restriction on this additional employment is that they must not work as a professional sportsperson or sports coach.

Working out a contractual notice period

S8.7. A worker who is sponsored on a Worker route, or a Global Business Mobility route other than Service Supplier, and is making a 'change of employment' application, is permitted to work out a contractual notice period for their existing employer, provided they were lawfully working for that employer on the date of application.

Supplementary employment

S8.8. Some sponsored workers can take additional paid employment, known as 'supplementary employment'. Except where the worker has completed specialty training as a general practitioner, they must continue to work for their sponsor and in the employment specified in their CoS while doing supplementary employment. In all cases, the additional employment must meet the conditions for supplementary employment set out below.

S8.9. Not all sponsored workers are permitted to take supplementary employment – you and the worker must ensure you understand who can and who cannot take this type of employment and, where it is permitted, what the conditions of that employment are.

Who can take supplementary employment?

S8.10. A worker can take supplementary employment if they have been granted entry clearance or permission on any of the following routes:

- Skilled Worker
- the Intra-Company routes in place before 11 April 2022
- Senior or Specialist Worker (but only if they qualify under a transitional arrangement)
- T2 Minister of Religion
- International Sportsperson
- Creative Worker
- Government Authorised Exchange
- International Agreement (but only if the worker has been granted as an employee of an overseas government or international organisation)
- Religious Worker

S8.11. There are different rules for Scale-up Workers taking 'additional employment'.

What are the rules of supplementary employment?

S8.12. Supplementary employment must meet all of the following requirements:

- it must be for no more than 20 hours a week
- the worker must continue working in the job specified in their CoS (except where they have completed specialty training as a general practitioner, as set out below)
- it must take place outside of the hours when the worker is contracted to work for the sponsor in the job for which they are being sponsored
- it must be one of the following types of eligible employment:
  - in the same profession and at the same professional level as the work specified in the worker's CoS
  - a job which is in an occupation listed in Appendix Immigration Salary List on the date the worker begins the relevant employment
  - for Skilled Workers only, a job which is in an eligible SOC 2020 occupation code listed in Table 1, 2 or 3 of Appendix Skilled Occupations
  - for Skilled Workers who were granted permission under the Immigration Rules in force before 22 July 2025, and have held continuous permission as a Skilled Worker since then, a job which is in an eligible SOC 2020 occupation listed in Table 1a, 2aa or 3a of Appendix Skilled Occupations

S8.13. Where supplementary employment is permitted, it does not have to be with a licensed sponsor. Sponsored workers do not need to advise us of any supplementary employment they undertake as long as it meets these criteria.

S8.14. If the worker undertakes additional employment that does not meet the supplementary employment criteria, and they have not been granted permission to allow them to take such employment, the worker will be in

breach of their conditions of stay.

S8.15. A sponsored worker should advise their new employer that the employment is supplementary to the work they are being sponsored to do, so their supplementary employer can make the necessary right to work checks outlined in Right to work checks: an employer's guide.

Supplementary employment for general practitioners in specialty training

S8.16. From 7 August 2023, where the worker is being sponsored on the Skilled Worker route under occupation code 2211 as a general practitioner in specialty training, they will be granted an additional period of 4 months beyond the end date on their CoS. During this 4-month period they can take supplementary employment even after they have finished working for their sponsor. The supplementary employment must otherwise meet the requirements set out above.

Who cannot take supplementary employment?

S8.17. Workers granted on the following routes are not permitted to take supplementary employment – if they do, they will be in breach of their conditions of stay:

- the Global Business Mobility routes (unless the transitional arrangement described below applies)
- Charity Worker – however, Charity Workers can do additional voluntary work for another organisation, provided it's in the same role as the one specified on their CoS
- Seasonal Worker
- International Agreement, unless they have been granted as an employee of an overseas government or international organisation – however, a private servant in a diplomatic household can take additional employment as a domestic worker in a different household, provided their main employment continues to be as a private servant in the household specified on their CoS

Transitional arrangement for Senior or Specialist Workers

S8.18. A worker granted permission as a Senior or Specialist Worker can take supplementary employment only if all of the following are true:

- the application which led to their current grant was for permission to stay (not entry clearance)
- the worker was previously granted permission under the Intra-Company routes in place before 11 April 2022
- the worker has, since then, continuously had permission as a Senior or Specialist Worker (continuous permission may include short periods without permission that were disregarded under the 'Exceptions for overstayers' section in Part Suitability of the Immigration Rules)

S8.19. In all other cases, Senior or Specialist Workers are not permitted to take supplementary employment.

Secondary employment (employment with a second CoS)

S8.20. A worker sponsored on any of the Worker routes (other than Senior or Specialist Worker) may be allowed to take a second job which does not meet the supplementary employment criteria described above. We call this secondary employment. It is distinct from the supplementary employment and requires a second CoS to be assigned to the worker.

S8.21. The worker must have used their first CoS in a successful application for entry clearance or permission on a Worker route, and have started the employment for which that CoS was assigned, before they can be assigned a second CoS.

S8.22. Any secondary employment must be with a licensed sponsor and the worker must meet the criteria relevant to the route in which their secondary employment falls. The secondary employer must assign a new CoS to the worker, so that the worker can make an application for permission to stay that will allow them to undertake the secondary employment, in addition to their main employment.

Employment as a sportsperson or sports broadcaster

S8.23. Workers granted permission on the International Sportsperson route can do any of the following:

- employment as a sportsperson for their national team while their national team is in the UK
- playing in British University and College Sport (BUCS) competitions
- temporary engagements as a sports broadcaster – this means providing guest expert commentary on a particular sporting event

S8.24. They do not need to be assigned an additional CoS to do this.

Voluntary work

S8.25. People sponsored on the following routes are permitted to do voluntary work in addition to the work for which they are being sponsored (and in addition to any permitted supplementary employment or additional employment):

- Skilled Worker
- any of the Global Business Mobility routes
- Minister of Religion
- International Sportsperson
- Scale-up
- Charity Worker, provided any additional voluntary work is in the same role as the one for which they are being sponsored and meets the definition of ‘eligible charity work’ on that route

S8.26. 'Voluntary work' has the same meaning as in section 44 of the National Minimum Wage Act 1998. People doing voluntary work must receive no payment or other remuneration for this activity, other than reasonable expenses and accommodation, as defined in section 44. For detailed guidance, see section NMWM05090 of the HMRC internal manual.

S8.27. Workers sponsored on any route not listed above are only permitted to do voluntary work if that is the role they are being sponsored for (in which case, they can do that voluntary work only).

Skilled Workers who are victims of modern slavery

S8.28. A Skilled Worker who has been identified as a victim of modern slavery may have their employment conditions lifted. This means they can take any employment (including self-employment and voluntary work), except as a sportsperson or coach, with any employer, for the duration of their remaining Skilled Worker permission.

S8.29. To be eligible, the worker must have been referred into the National Referral Mechanism and be in receipt of a positive Conclusive Grounds decision during their current period of permission as a Skilled Worker.

Study

S8.30. Workers and Temporary Workers may undertake courses of study if they wish, provided their study does not affect their ability to carry out the job they have been sponsored to do, and, if relevant, they meet the ATAS condition below.

S8.31. Study may be undertaken anywhere the individual chooses and does not have to be with a licensed Student sponsor. There is no limit on the number of hours they can study or the level of course they undertake.

ATAS condition

S8.32. If a Worker or Temporary Worker (who is not an exempt national) intends to undertake a course of study or research at postgraduate level or above in a discipline specified in Appendix ATAS to the Immigration Rules, they must obtain an Academic Technology Approval Scheme (ATAS) clearance certificate from the Counter-Proliferation and Arms Control Centre of the Foreign, Commonwealth and Development Office before starting the relevant course or research.

S8.33. If they fail to do so, they will be in breach of their conditions of stay.

Contents

S9. Extension of permission, change of employment and settlement

Content in this section:

- Overview
- Extension of permission to stay (how to extend sponsorship of a worker)
- Change of employment
- Settlement

Overview

S9.1. A person who is already in the UK with permission on a Worker or Temporary Worker route can apply for further permission to stay in the UK if they continue to meet the requirements of the relevant route. This could be to:

- continue working for the same sponsor in the same employment or occupation code – this is known as an 'Extension of permission to stay'
- change sponsor, employer or employment – this is known as a 'Change of employment application'

S9.2. Applicants who are in the UK must apply before their existing permission expires. If they apply after their permission has expired, their application will be refused (unless the 'Exceptions for overstayers' section in Part Suitability of the Immigration Rules applies).

S9.3. For routes other than Skilled Worker, Scale-up or International Sportsperson, we can only grant permission to stay up to the maximum overall period permitted on the relevant route – see the route-specific guidance for details.

S9.4. Workers sponsored on the Seasonal Worker route cannot apply for an extension of stay.

S9.5. Workers on some routes can apply to settle permanently in the UK.

S9.6. Where reference is made in this section to the 'same occupation code', this includes where the occupation code has changed as a result of the transition from SOC 2010 occupation codes to SOC 2020 occupation codes. See Tables 2, 2aa, 2a, 2b, 3 or 3a (as applicable) of Appendix Skilled Occupations for details of equivalent occupation codes.

Extension of permission to stay

S9.7. If you are sponsoring a worker whose entry clearance or permission to stay is about to expire, and you wish to sponsor them to continue in the same role, or to do a different job in the same occupation code, you must assign them a new Certificate of Sponsorship (CoS) and the worker must make an 'extension of permission to stay' application.

S9.8. When you assign a CoS for an extension of permission to stay application, the start date on the CoS should be the day after their current permission expires. The worker must not apply for permission more than 3 months before the start date on the CoS.

S9.9. Provided the worker applies before their permission expires, they can continue working in the same role (or same occupation code) for which you last sponsored them while their application is under consideration.

Different role in the same occupation code

S9.10. You can continue to sponsor a worker if they change to a different role within the same occupation code (including where the occupation code has changed as a result of the transition from SOC 2010 to SOC 2020 occupation codes), provided all of the following conditions are met:

- you assigned the CoS which led to their last grant of permission
- the new role is within the same occupation code that was on the CoS which led to their last grant of permission (or, if you were sponsoring the worker in a SOC 2010 occupation code, the new role is in an equivalent SOC 2020 occupation code)
- the new role is eligible to be sponsored on the relevant route – for example, if you are sponsoring a person on the Skilled Worker, Global Business Mobility, Scale-up or Government Authorised Exchange routes, the role must meet the skill-level requirement for the relevant route – see the relevant route-specific guidance for details and exceptions)
- if the worker is being sponsored on the Skilled Worker, Scale-up or Global Business Mobility routes, the new role meets any relevant salary requirements of the route
- if the worker is being sponsored on the Skilled Worker route, and they were awarded points on the basis of a job in Appendix Immigration Salary List (or the former Appendix Shortage Occupation List), the new role is also listed in Appendix Immigration Salary List, or the transitional provision in paragraph SW 11.2 of Appendix Skilled Worker applies (see 'Options D and I: job in Appendix Immigration Salary List' in section SK6 of Sponsor a Skilled Worker for further information)

S9.11. If a change of role as described above occurs during a period of permission and before the worker needs to make an extension of permission application, you do not need to assign a new CoS at this stage, but you must inform us of the change via your sponsorship management system (SMS) account within 10 working days of the change.

S9.12. If the worker needs to make an extension of permission application, you must assign them a new CoS, as described in paragraph S9.8.

Change of employment

S9.13. Unless an exception at paragraph S9.17 applies, a worker must be assigned

a new CoS and make a new application for entry clearance or permission to stay (even if their existing permission is not due to expire for some time) if any of the following is true:

- you wish to sponsor the worker to do a job in a different occupation code (except where the change of occupation code is as a result of the transition from SOC 2010 occupation codes to SOC 2020 occupation codes)
- the worker was previously sponsored in a job listed in Appendix Immigration Salary List (or the former Appendix Shortage Occupation List or Appendix K) and is moving to job that is not listed in Appendix Immigration Salary List (even if the job is in the same occupation code), unless the transitional provision referred to in paragraph S9.10 above applies
- the worker wishes to work for a different sponsor or employer and none of the exceptions at paragraph S9.17 apply

S9.14. This is known as a 'change of employment' application. The application must be approved, and the sponsor must carry out relevant right to work checks, before the worker can start work in their new job. This applies in all cases, even if the new job is with the same sponsor. Provided the worker applies before their current permission expires, they can continue working in the same job and for the same sponsor as in their last grant of permission until the change of employment application is granted, or (where their conditions of stay permit it) while working out a contractual notice period.

S9.15. For some routes, you may need to take additional steps before you can assign a CoS to the worker – for example:

- you may have to follow a specific code of practice before you can sponsor a Creative Worker
- you will need to obtain an endorsement from the relevant sports governing body to sponsor an International Sportsperson

S9.16. If you fail to comply with these requirements, we will revoke your licence.

Exceptions: change of employment application not required

S9.17. A worker will not be required to make a change of employment application if any of the following exceptions apply:

- there is a change of sponsor, but the worker will continue working for the same employer in the same occupation code – see Example 8 in Annex C4 of Part 3: Sponsor duties and compliance for an example of this
- there is a change of employer or sponsor but the change is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE arrangements') or similar protection, provided the worker will continue working in the same occupation code assigned by their previous employer or sponsor – see section C4 in Part 3: Sponsor duties and compliance for further information on this

- there is a change of employer but no change of sponsor where the conditions set out under 'Working for a different branch or related organisation' in section S1 are met
- the worker is sponsored on a graduate training programme covering multiple roles within your organisation and they change occupation during the programme or at the end of the programme when you appoint them permanently
- the worker is an International Sportsperson, is being sponsored by a sports club, and is moving to another sports club on loan, where the sports governing body permits this – see section SPT6 of Sponsor an International Sportsperson for information on this
- the worker is being sponsored on the Government Authorised Exchange route or the Seasonal Worker route, the change of employment is authorised by the sponsor and is otherwise permitted on that route
- the worker is being sponsored in a SOC 2010 occupation code and the change of occupation code is a result of the transition to SOC 2020 occupation codes

S9.18. In all of these cases (except where the change is solely as a result of the transition from SOC 2010 to SOC 2020 occupation codes and the worker is staying in the same role), you must tell us of the change of details via your SMS account, in accordance with your reporting duties. See section C1 of Part 3: Sponsor duties and compliance for further information on your reporting duties. If the worker's permission is about to expire, they will need a new CoS and must make an extension of permission application instead as described above.

Settlement

S9.19. Workers on the following routes can apply for settlement (also known as indefinite leave to remain or permanent residence) if they have been continuously and lawfully resident in the UK for 5 years on an eligible route, or combination of routes:

- Skilled Worker
- T2 Minister of Religion
- International Sportsperson
- Scale-up (as an unsponsored worker)

S9.20. You must normally certify that a worker applying for settlement is still working for you and will be required for the foreseeable future. You do not have to make this certification if the worker is applying for settlement as a Scale-up Worker.

S9.21. Applicants on the Skilled Worker and International Sportsperson routes must also meet a minimum salary requirement. Where a minimum salary requirement applies, you must certify you will pay the worker at least that amount for the foreseeable future. We will verify with HMRC that you are paying the appropriate salary and may also check this during a compliance check. You must not artificially inflate a worker's salary just so they can

qualify for settlement – if we have reasonable grounds to suspect you have done so, we will revoke your sponsor licence.

S9.22. If your licence is suspended when a sponsored worker applies for settlement, we will not decide their application until the reason for the suspension has been resolved.

S9.23. If your licence is revoked before a sponsored worker's application for settlement is decided, we will refuse their application.

S9.24. You can employ workers who have been granted settlement without needing to sponsor them. If, however, you were previously sponsoring them, you must notify us via your SMS account that they have been granted settlement and that you are no longer sponsoring them.

S9.25. For further information, see the 'Check if you can get indefinite leave to remain' tool on GOV.UK.

Contents

Annex S1: further information on the ATAS requirement

This annex lists the occupation codes and subject areas relevant to the Academic Technology Approval Scheme (ATAS) requirement and the nationalities exempt from that requirement.

This information is based on Appendix ATAS to the Immigration Rules For further information on the ATAS requirement, see section S7 of this document.

Relevant occupation codes

The occupation codes covered by the ATAS requirement are:

- 2111 Chemical scientists
- 2112 Biological scientists
- 2113 Biochemists and biomedical scientists
- 2114 Physical scientists
- 2115 Social and humanities scientists
- 2119 Natural and social science professionals not elsewhere classified
- 2122 Mechanical engineers
- 2123 Electrical engineers
- 2124 Electronics engineers
- 2125 Production and process engineers
- 2126 Aerospace engineers
- 2127 Engineering project managers and project engineers
- 2129 Engineering professionals not elsewhere classified
- 2161 Research and development (R&D) managers
- 2162 Other researchers, unspecified discipline
- 2311 Higher education teaching professionals
- 3111 Laboratory technicians
- 3112 Electrical and electronics technicians
- 3113 Engineering technicians
- 3114 Building and civil engineering technicians
- 5234 Aircraft maintenance and related trades

Relevant subject areas

The subject areas covered by the ATAS requirement are listed below by their Common Aggregation Hierarchy (CAH3) code:

Subjects allied to Medicine:
CAH02-02-01 - Pharmacology
CAH02-02-02 - Toxicology
CAH02-02-03 - Pharmacy
CAH10-01-06 - Bioengineering, Medical and Biomedical Engineering

Biological Sciences:
CAH03-01-02 - Biology (non-specific)
CAH03-01-03 - Ecology and Environmental Biology
CAH03-01-06 - Zoology
CAH03-01-04 - Microbiology and Cell Science
CAH03-01-05 - Plant Sciences
CAH10-03-05 - Biotechnology
CAH03-01-07 - Genetics
CAH02-05-03 - Biomedical Sciences (non-specific)
CAH03-01-08 - Molecular Biology, Biophysics and Biochemistry
CAH03-01-01 - Biosciences (non-specific)
CAH03-01-10 - Others in Biological Sciences

Veterinary Sciences, Agriculture and related subjects:
CAH05-01-02 - Others in Veterinary Sciences
CAH06-01-02 - Agricultural sciences

Physical Sciences:
CAH07-02-01 - Chemistry
CAH10-03-07 - Materials Science
CAH07-01-01 - Physics
CAH07-01-02 - Astronomy
CAH26-01-05 - Others in Geographical Studies
CAH07-04-01 - Physical Sciences (non-specific)
CAH07-04-03 - Sciences (non-specific)
CAH07-04-04 - Natural Sciences (non-specific)

Mathematical and Computer Sciences:
CAH09-01-01 - Mathematics
CAH09-01-02 - Operational Research
CAH11-01-01 - Computer Science
CAH11-01-02 - Information Technology
CAH11-01-03 - Information Systems
CAH11-01-04 - Software Engineering
CAH11-01-05 - Artificial Intelligence

Engineering:
CAH10-01-01 - Engineering (non-specific)
CAH10-01-07 - Civil Engineering
CAH10-01-02 - Mechanical Engineering
CAH10-01-04 - Aeronautical and Aerospace Engineering
CAH10-01-05 - Naval Architecture
CAH10-01-08 - Electrical and Electronic Engineering
CAH10-01-09 - Chemical, Process and Energy Engineering

Technologies:
CAH10-03-03 - Polymers and Textiles
CAH10-03-01 - Minerals Technology
CAH10-03-02 - Materials Technology
CAH10-03-04 - Maritime Technology

Exempt nationalities

Nationals of the following countries are exempt from the ATAS requirement and therefore do not require an ATAS certificate:

- Australia
- Austria
- Belgium
- Bulgaria
- Canada
- Croatia
- Republic of Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Japan
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malta
- Netherlands
- New Zealand
- Norway
- Poland
- Portugal
- Republic of Korea
- Romania
- Singapore
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland
- United States of America

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