Home Office

Worker and Temporary Worker

Points-based system sponsor licensing: maintenance

Version 16.0

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

About this guidance

This guidance tells caseworkers how to deal with post-licence changes relating to sponsors and how to review and monitor a sponsor's activity.

Contacts

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

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

Publication

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

- version **16.0**
- published for Home Office staff on **14 October 2026**

Changes from last version of this guidance

Changes made in this version of the guidance provide further guidance to caseworkers on sponsor changes of circumstances.

Related content
Contents

Change of circumstance requests

This section explains how sponsors tell Sponsor Operations of changes to their details and how these are processed.

Reporting change of circumstance requests

The sponsor's level 1 (L1) user must tell Sponsor Operations of any change of details online using the 'change of circumstances' function in the sponsor management system (SMS) within 10 working days of the change taking place for worker changes or 20 working days of the change taking place for organisational changes.

When sponsors send certain change of circumstance (CoC) requests through the SMS, they must also send a submission sheet and any required supporting evidence to Sponsor Operations. They must do this within 5 working days of the date they submit the request online.

Change of circumstances form

If a sponsor does not have an existing level 1 user who can access SMS, you must email the sponsor's authorising officer (AO) and key contact (KC) instructing them to appoint a new L1 user by sending in a change of circumstances form.

After the sponsor has appointed a new L1 user, they can submit change requests on SMS.

If a sponsor has no key personnel with access to SMS and wishes to surrender their licence, they can use the change of circumstances form to request licence surrender.

How requests are processed by workflow

Submission sheets are sent to Sponsor Operations and will be logged for each case under 'cases and all notes' in Metastorm, which can be viewed once you have allocated the case to yourself.

From December 2020, sponsors were encouraged to provide submission sheets and any required supporting evidence in digital form, scanning or taking pictures of any hard copy documents and sending by email to 'Sponsorship Change of Circumstances'. The content of the submission sheets has been amended accordingly and includes advice on minimising file sizes to prevent emails from being undeliverable.

Digital versions of submission sheets and supporting documents relating to changes of circumstance requests are saved in folders located on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

Related content

Contents

Starting a case

This section explains how to start processing a change request case on Metastorm, in what circumstances submission sheets and supporting evidence are mandatory, and how to check and request these from a sponsor.

Select and assign cases

You can search for view and allocate change request cases to yourself in Metastorm by completing the following steps:

1. Click on Administration Forms (top left-hand corner) and press ‘Select and Assign Case’.
2. Under Filter Criteria, select a case type from the drop down box of workstacks.
3. Select a Worker or Temporary Worker sponsor, click on ‘Select to my to do list’ and press the submit button (bottom right-hand corner).
4. Click on the ‘To Do List’ and select sponsor case.

Please note: Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests that are fulfilled automatically do not appear in the Select and Assign Case function, as the cases are closed and archived immediately. These cases can be found on licences in the 'Cases Linked to Sponsor' tab of a Sponsor Summary Search. The user ID on automatically fulfilled cases is always **AUTO**. Please see the ‘Processing automatically fulfilled key personnel requests’ section of this guidance for more information.

Review request and sponsor’s URN

After you have allocated the case to yourself, you must read the details of the change request and note the unique reference number (URN):

1. Click on the ‘To Do List’ and select sponsor case.
2. Select the ‘Review request’ tab at the top left-hand corner of the screen.

Read the request and copy the URN from the ‘Review request’ screen, which will be needed for performing a sponsor summary search on the sponsor.

Supporting evidence

Supporting evidence is not mandatory for all change requests. Whether additional documentation is required and what is required, is dependent on the type of change requested and is set out under the ‘evidence’ sections of Change requests.

Where you require evidence and it is not received, either with the initial application or after a write out, you must follow the guidance on requesting further information. From December 2020, submission sheets and supporting evidence required of sponsors should be submitted in digital form. Sponsors are instructed to provide documents as PDF, JPEG or PNG files. When received, these files are saved in

folders on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If a sponsor has demonstrated that they are unable to provide digital versions of documents, or if closer examination of the evidence is required for verification purposes, hard copies should be requested. All hard copy evidence must be either the original documents or certified copies. A certified copy is one including a wet signature from either:

- the issuing authority
- a practicing barrister
- a solicitor
- a notary
- a chartered accountant (for certification of self-produced financial documents only)

The certifier must confirm the copy of the document by:

- writing ‘Certified to be a true copy of the original seen by me’ on the document
- signing and dating it
- printing their name under the signature
- adding their occupation, address and telephone number

If a document has more than one page, the pages must be bound together, and the certification statement must include the number of pages the document contains. If a certifier’s details cannot be verified, you must reject the document.

Printouts of PDF files are copies of an original document and must be certified in line with guidelines above. The certifier must confirm that they have seen the original email containing the file.

You must not accept documents that have only been stamped with a company name.

Submission sheets

Submission sheets are not mandatory in all cases. It is only mandatory that the sponsor sends in a submission sheet with a signed declaration to support their requests to:

- replace their authorising officer (AO)
- change the name of the sponsor
- change the sponsor’s address
- surrender a licence

The sponsor must print the submission sheet and declaration necessary to their application, sign it where required, then scan or take pictures of the sheet and send by email to the ‘Sponsorship Change of Circumstances’ mailbox, along with scans or pictures of any required supporting evidence. The digital files of these documents

are saved on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If a sponsor has been unable to provide a submission sheet digitally, it must be sent as a hard copy. When received the workflow team will update Metastorm with the fact that a wet signature has been seen and the name of the individual who has signed the submission sheet. The submission sheet will be sent to Iron Mountain Storage and can be recalled, if required.

To check whether the submission sheet has been sent you must:

1. Check the above folder location for a digital version and if not found
2. Open the case in sponsor summary search.
3. Go to the 'all notes' tab and look under 'case notes'.
4. Check for the notes confirming that a hard copy of the submission sheet has been received by workflow.

If it has been received, you must:

5. Open the 'submission sheet received' Perform Action.
6. Under 'status', click the drop down box and select 'completed'.
7. Under 'outcome', click the drop down box and select 'result'.
8. In the Status Comments box type in: 'Signed submission sheet received - signed by (insert signature name) - dated (insert date signed)'.
9. Click 'Update Action'.

Signatures

The authorising officer (AO) or representative must sign the submission sheet in the following circumstances:

- requesting a licence is made dormant (requires the AO's signature on the surrender declaration)
- replacing an AO (requires the signature of the new AO)
- adding a representative (requires the signature of the new representative and the existing AO)
- surrendering a licence (requires the AO's signature on the surrender declaration)

Signatures must be displayed clearly on scans or pictures of digital files.
If a hard copy has been submitted, the workflow team will note Metastorm with the fact that a wet signature has been seen and also the name of the individual who has signed the submission sheet.

Submission sheets not received

You must wait for up to 5 days after the electronic change request has been submitted on the sponsor management system (SMS) for the submission sheet to be

sent in. After 5 days, the submission sheet is considered ‘not received’. In circumstances where the submission sheet is not received and the case type is:

- to replace an authorising officer (AO), you must:
  - reject the case by completing and sending the rejection letter using the template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
  - in the rejection letter, tell the sponsor that they need to re-send their request to replace their existing AO
  - set a diary action in Outlook calendar for 5 days to make sure the request is resent (if it is not sent, follow the non-cooperative sponsor process)
- to appoint a new representative, you must:
  - reject the case by completing and sending the rejection letter on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- to surrender a licence, you must:
  - send a copy of a surrender declaration, found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), to the sponsor and request that they fill out and return it within 5 days, then;
  - if the declaration is not received after 5 working days, request the declaration, waiting 5 working days for a response - if there is no response, follow the non-cooperative sponsor process

Where the sponsor has not sent a submission sheet and the request is not one of the above case types, no further actions are required.

You must make sure that all actions taken are recorded in Metastorm Perform Actions under ‘submission sheet received’.

1. Under Status, click the drop down box and select ‘Completed’.
2. Under ‘Outcome’, click the drop down box and select ‘Result’.
3. In the Status Comments box type in that the submission sheet was not sent and what actions were taken, if required.
4. Click ‘Update Action’.

Related content
Contents

Further evidence or information needed

This page tells you how to request further documentary evidence and information from a sponsor for cases submitted through the Sponsor Management System and what to do if a sponsor is non-cooperative.

Request information or documentary evidence

To request information or documentary evidence from a sponsor, you must complete the following steps:

1. Write to the sponsor by completing the request further information letter template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).
2. Bring forward (b/f) the case for 5 working days.
3. Note the information or documentary evidence requested, the b/f date and the length of b/f in Perform Actions under ‘Further information required’.

Digital versions of documents should be requested. Digital files of these documents are saved on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If the sponsor has indicated that they're unable to provide digital files, hard copies of the original documents or certified copies should be requested.

All requests for information or documentary evidence from sponsors, the relevant records / evidence of attempts to contact the sponsor and / or representative need to be recorded in Metastorm Perform Actions.

Recording correspondence

You must make sure that dates and times of telephone calls (successful or unsuccessful) and who you contacted are recorded and that email read receipts requested are saved on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

Further information or documentary evidence not received

Where further information or documentary evidence is requested and not provided by the sponsor, you must decide whether to write out or reject the case based on the case type:

- replacing authorising officer (AO) or appointing a new representative:
  - you must reject the case
- updating organisation details or change of address / name:

    - check if you can find the missing information by looking at other sources such as Companies House, accrediting bodies, the sponsor's website
    - if you cannot find the information yourself, you must write out for the documentary evidence and information required
- 'change of circumstances other other' or add a branch or linked entity:
    - you must refuse the request and instruct the sponsor to resend with the documentary evidence
- surrender:
    - write out for further information and documentary evidence relating to workers connected to the licence
- takeover, merger or demerger:
    - write out for information, especially if workers are being transferred under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) arrangements or similar protection

Where a sponsor fails to respond to requests for information or documentary evidence, you must follow the non cooperative sponsor process. You must make sure all actions taken are recorded in Metastorm in the status comments of the 'Further information' Perform Action.

Non-cooperative sponsor process

Where the sponsor does not respond to your initial request for further information or documentary evidence, you must:

- write out a second time by completing the request further information letter template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- if the further information is not sent again, or you receive no response to your enquiries, telephone the sponsor

If the sponsor does not provide the necessary information or evidence, or you receive no response to your enquiries, you must:

- reject the request
- complete a referral form to the Work Casework Risk team

You must record all telephone calls and read receipts appropriately.

Related content
Contents

Reject

This page explains how to reject a case in Metastorm.

To reject a case:

- fill in a ‘change of circumstances (CoC) request rejected notification’ letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- send the letter by email to the authorising officer (AO) and at least one other member of key personnel
- make sure all correspondence is logged in outlook

You must then complete the following steps in Metastorm:

1. Click on the case in the ‘To Do’ List.
2. Press the ‘Perform Actions’ button.
3. Click on the Decision summary action.
4. Under Status select ‘Completed’.
5. Under Outcome select ‘Result’.
6. In the Status Comments box, type in the reason for the rejection and confirm whether a rejection letter has been sent.
7. Click ‘Update Action’.

Related content
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Checks and Perform Actions

The subsequent pages in this section contain instructions on how to perform the various checks and considerations, called ‘Perform Actions’ in Metastorm, required when completing a Change of Circumstances request.

There are different processes for performing required checks on automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests. These processes are set out in the Processing automatically fulfilled key personnel requests section of this guidance.

Once you have allocated a case to yourself, you must open the case in your To Do List, then select the 'Perform Actions' button to display the pre-populated list of ‘required actions for that case type.

The checks you must perform vary for each case type and are listed accordingly in the Maintenance Perform Actions template.

Once you have performed a check, you must record the full details of the check done and the outcome in ‘status comments’ of the relevant Perform Action, except for allocation change requests, where the results of your checks must be recorded in the certificate of sponsorship (CoS) allocation template, which can be found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)

If the outcome of a check raises concerns about non-compliance and requires further investigation, you must:

- read the guidance for that check
- discuss the case with your line manager
- consider referring to the Work Central Risk Hub or the Sponsor Compliance team
- consider completing an IMS referral form

Official – sensitive: start of section

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

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

Official – sensitive: end of section

Related content
Contents

Sponsor summary search

This page tells you how to use the sponsor summary search function in Metastorm to access information about a sponsor's licence history and current or outstanding applications.

You must perform a sponsor summary search for all maintenance case types, except automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

To perform a sponsor summary search in Metastorm, you must complete the following steps:

1. Click on Blank Forms icon and select 'Sponsor Summary Search'(this opens a sponsor summary search case, which will remain open in your Watch List and can be re-used to search for other sponsor licences; selecting 'Abandon Search' will close the case and a new one will need to be created from Blank Forms)
2. Copy the sponsor's URN and paste it into the URN field, then click search.
3. Click on the sponsor's line in the search results and press the submit button.
4. Review the information held under each tab.

It is necessary to perform a sponsor summary search when completing checks as these tabs allow you to access the following tabs:

- summary: to ensure the 'Sponsor Status' reads as 'Licensed and Fully Active'
- sponsor: organisation details
- application: size of company, route information, accreditation registration
- cases linked to sponsor: view this to look at any outstanding requests / issues
- granted routes
- allocation history, including Defined Certificate of Sponsorship requests
- rating history: A rated or B rated
- sponsor visits: view this to look for any obligations for example restrictions, any revoked routes
- markers: look here for any alerts or flags
- all notes

This information from Metastorm means you can build a full picture of the sponsor's previous and current activity and identify whether:

- the sponsor's previous activity provides any cause for concern
- any requests the sponsor submits indicate any changes to their business or structure that they have not notified the Home Office about

When reviewing the sponsor's licence history and related activity you must consider:

- the duration or length of time the licence has been active
- when mandatory checks were last undertaken

- the number of requests submitted by the sponsor against the size of the organisation
- compliance activity (including re-rates and suspensions)
- whether the information held on the sponsor licence is accurate
- visit history

If you consider there is evidence of non-compliance or further investigation is required, you must talk to your line manager, explaining your findings from the review of the sponsor's licence and whether it is appropriate either to:

- request further information
- refer the case to the Work Central Risk Hub or the Sponsor Compliance team

Related content
Contents

Check licence status and routes

This page tells you how to perform a licence status check and check the routes the sponsor is licensed under.

This check is mandatory for all maintenance case types except automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

To perform a licence status check, you must copy the sponsor's URN and perform a sponsor summary search in Metastorm.

Details of the sponsor's route, rating and licence status will be found in the top right hand corner of the sponsor summary search 'viewing in progress' screen. Any pending considerations for suspension or revocation will be found in the 'cases linked to sponsor' and 'markers' tabs.

If there is any suggestion that the sponsor is involved in suspension or revocation action, you must discuss with your line manager and check for outstanding non-compliance activity, following the relevant instructions.

To close the check in Metastorm, you must:

- note the sponsor's rating and licence status in 'status comments' of 'check licence status' Perform Action in Metastorm
- note what routes the sponsor operates in 'status comments' under 'check tiers and categories' Perform Action
- make sure any actions taken as a result of the check is also recorded
- under 'status' select 'completed'
- under 'outcome' select 'result'
- then 'update action'

Related content
Contents

Review sponsor licence history

This section explains how to use a sponsor summary search to review the sponsor's licence history.

You must review the sponsor licence history in all maintenance case types except automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

Reviewing the sponsor's licence history prompts caseworkers to gather information about the licence that gives a more detailed understanding of the sponsor's current and past compliance with the Immigration Rules and sponsor guidance.

When reviewing the sponsor's licence history and related activity, you must do a sponsor summary search and read through the information below the tabs, noting:

- the length of time the licence has been active
- when mandatory checks were last undertaken
- the number of change requests submitted by the sponsor
- the size of the organisation:
  - you can determine whether information about the sponsor's size is correct by comparing it to the sponsor's entry on the Companies House website
  - if unable to establish the sponsor's size in Metastorm, the application tab on the pre-licence case will show the number of employees
- compliance activity (including re-rates and suspensions):
  - evidence of compliance activity should prompt further checks for check for outstanding non-compliance
- whether there are any discrepancies in the information held about the sponsor
- the sponsor's compliance visit history

You must do this to find out whether the sponsor has been flagged as a high profile case, or whether there are any outstanding non-compliance issues. High profile cases must not be given an outcome without referring for advice from senior management.

To close the check in Metastorm, you must:

- open the 'review sponsor history' Perform Action
- in 'status comments', write:
  - the results of the check
  - all actions taken
- under 'status', select 'completed
- under 'outcome' select 'result'
- then 'update action'

Related content
Contents

Review visit history

This page tells you how to review a sponsor's visit history.

You must review the sponsor's visit history for all maintenance case types except automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

To review the sponsor's visit history, you must check the 'visit history' screen in Metastorm.

If the sponsor has been visited, you must review the sponsor's visit history and, if the sponsor has been visited within the lifetime of the licence, review the visit report, making sure to note any concerns in the 'review visit history' Perform Action.

This will help you understand the sponsor's compliance history and, if the sponsor's circumstances have changed since the last visit, you must discuss whether you will need to refer to the Work Central Risk Hub or the Sponsor Compliance team with your line manager.

To close the check in Metastorm, you must:

- open the 'review visit history' Perform Action
- in 'status comments':
  - type in the results of the check
  - all actions taken
- under 'status' select 'completed
- under 'outcome' select 'result'
- then 'update action'

Related content
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Check for outstanding non-compliance activity

This page tells you how to identify current or potential non-compliance action outstanding against the sponsor and key personnel.

You must check for evidence of outstanding non-compliance for all maintenance case types.

Non-compliance activity includes:

- surrender, suspension and revocation of the licence
- downgrading of the sponsor's licence
- outstanding action plans

You must search for information held against:

- the sponsor licence, using Metastorm:
  - perform a sponsor summary search and look under 'Cases linked to sponsor', 'action plans' and 'all notes' tabs
- the sponsor and key personnel, in the following spreadsheets:
  - licensing bans
  - non-genuine vacancy

Cases linked to sponsor, action plans and all notes

This check is not required for automatically fulfilled Replace AO, Replace KC and Add New Level 1 User requests.

You must check the 'Cases linked to sponsor' tab in Metastorm to see whether non-compliance action has been taken against the sponsor in the last 4 years, and 'action plans' and 'all notes' to see if there is any further information relating to the sponsor's compliance history.

If the sponsor has outstanding compliance issues such as outstanding re-rate A to B decisions, outstanding action plans or outstanding B to A decisions or pending suspension or revocation action, you must:

- email details of the case to the Sponsor Compliance team
- await advice on whether you can casework the request

If you are told not to casework the request further, bring forward (b/f) for the length of time advised, noting all your actions in Metastorm 'b/f tab' and noting the date.

If information from the Sponsor Compliance team indicates the company has ceased trading and they have been bought out, you must:

- open the ‘outstanding compliance action’ action in Metastorm
- in ‘status comments’:
  - type in the results of the check
  - detail feedback from the Sponsor Compliance team
- under ‘status’ select ‘completed’
- under ‘outcome’ select ‘result’

You must then:

- reject the request
- email the sponsor using the ‘change of circumstances (CoC) update org details decision notification’ letter, which can be found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- advise the sponsor that the new owner must apply for their own sponsor licence
- populate the service standard with either ‘met’ or ‘not met’

Licensing bans

This check is not required for automatically fulfilled Replace AO, Replace KC and Add New Level 1 User requests.

You must check whether there are licensing bans against the sponsor’s key personnel. Find details of the key personnel and check them against the Tier 2 and Tier 5 ‘Directors and level 1 users subject to a cooling-off period’ spreadsheet.

Please refer to the ‘Licensing bans’ folder on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If there is a hit on any key personnel, you must take steps to ensure the hit is against the correct person before discussing the case with your line manager and refusing the case.

Related content
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Eligible role checks

This section explains how to check whether the sponsor can offer, and is offering where appropriate, genuine employment that meets our requirements on skill level and appropriate rates of pay.

Eligible role checks are mandatory for allocation changes (follow on and in-year).

Eligible role checks are not recorded in Metastorm Perform Actions. When completing any allocation request, you must complete the following checks and considerations, recording all resulting actions in the certificate of sponsorship (CoS) allocation template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) before pasting this into the 'justification' box under the 'decision summary' Perform Action.

You must:

- check whether the sponsor hits a risk profile
- search for the sponsor on the non-genuine vacancy spreadsheet

You must then consider whether the size and nature of the sponsor's business can justify the post on offer if, for example, the sponsor is:

- in private healthcare
- a small IT firm
- a catering company

Non-genuine vacancy spreadsheet

This section explains how to see whether a sponsor has been previously refused on the basis of a non-genuine vacancy.

You must check if the sponsor has had a worker application refused on the grounds of non-genuine vacancy by searching the Tier 2 GVR / Non Gen Vacancy database, located on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

Ineligible employment

This section explains what to do if you consider the sponsor cannot offer, or is not offering, genuine employment that meets the relevant skill level and appropriate rates of pay.

You must:

- consider whether the size and nature of the sponsor's business can justify the post on offer

- check any registration details on the regulatory bodies' website and any reports about the sponsor available if relevant
- check the sponsor's CoS and DCoS usage
- previous history of sponsoring workers who failed genuine vacancy checks
- write to the sponsor for evidence:
  - request relevant genuine employment evidence, such as any advertising if relevant, contracts if relevant and haven't been previously submitted, hierarchy chart and purpose, as detailed in the 'change of circumstances (CoC) Further Information Request' letter, found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
  - bring forward (b/f) the case for 5 working days

If the sponsor sends further evidence, you must document the evidence sent in and:

- consider if the sponsor can offer genuine employment that meets the relevant skill level using the sponsor guidance
- check if the most appropriate standard occupation code has been used as described in Appendix Skilled Occupations in the Immigration Rules
- consider whether there is a genuine need for the post or posts on offer within the sponsor's organisational structure using Appendix Skilled Occupations in the Immigration Rules

If you consider that the sponsor cannot meet eligible role requirements or does not respond to requests for further information, you must:

- discuss refusing the change request with your line manager
- refer to the Work Central Risk Hub or the Sponsor Compliance team

Genuine employment

If you consider the sponsor can offer genuine employment that meets the relevant skill level and appropriate rates of pay, you must continue caseworking as normal.

To close the check in Metastorm, you must:

- complete the CoS allocation template
- paste the notes in the CoS allocation template into the justification' box under the 'decision summary' Perform Action
- under 'status', select 'completed
- under 'outcome' select 'result'
- then 'update action'

Related content
Contents

Check certificate of sponsorship (CoS) usage

This page tells you how to check a sponsor's CoS usage.

This check is mandatory when considering the following change requests:

- allocation changes
- surrender requests
- dormant requests

To check CoS usage, view the 'allocation history' in Metastorm to see how many CoS and Defined CoS (DCoS) have been used previously during the validity of the licence. You must:

- consider the sponsor's previous allocation against the actual CoS and DCoS usage
- look for any spikes in usage or a lot of activity that could be disproportionate for the size and purpose of the company

Using MI CoS checker, search the company and consider the kind of roles that the business usually employs and whether these are consistent. This is useful when considering whether there is any potentially suspicious CoS activity, such as:

- workers leaving soon after the CoS are assigned
- long periods of inactivity on the licence

If you consider there is evidence of non-compliance or further investigation is required, you must talk to your line manager, explaining your findings from the review of the sponsor's licence and whether it is appropriate either to:

- request further information
- refer the case to the Work Central Risk Hub or the Sponsor Compliance team

To close the check in Metastorm, you must:

- open the 'Check CoS usage' Perform Action
- in 'status comments':
  - type in the results of the check
  - all actions taken
- under 'status' select 'completed'
- under 'outcome' select 'result'
- select 'update action'

Related content
Contents

Check representative

This page tells you how to check that a representative is registered with an appropriate governing body.

This check is mandatory for the following case types:

- add, change or remove representative
- add or amend key personnel, **except for** automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests

Performing a representative check means you must find out whether the sponsor's representative is:

- not also acting as an authorising officer (AO)
- based in the UK
- properly regulated
- not a high risk representative

Regulatory body

You must ensure that any current or prospective representative involved with the sponsor licence is regulated by either:

- the Immigration Advice Authority (IAA)
- The Law Society
- another relevant body

The submission sheet provided with a Change of Circs – Other request to appoint or change the appointed representative should:

- state whether representatives are registered
- provide details of the regulating body

If it is unclear whether a representative is regulated, you must search for the sponsor on Immigration Advice Authority (IAA) or The Law Society websites.

If the representative is not appropriately registered, you must:

- discuss your findings with your line manager
- write to the sponsor using the 'change of circumstance (CoC) decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access):
  - refuse the change request
  - informing them that the Home Office cannot deal with their nominated representative
  - if the representative has been named as a key contact or level 1 user, you must ask the sponsor to nominate alternative key personnel

- inform the relevant regulatory body that an organisation has attempted to act as a representative without appropriate status
- complete IMS referral form
- complete a One stop referral form and refer to the Sponsor Compliance team

Official – sensitive: start of section

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Official – sensitive: end of section

Related content
Contents

Check sponsor accreditation

Some sponsors must be inspected, audited, reviewed by and registered with an appropriate governing body to hold a licence.

This check is mandatory for change of accreditation or registration cases.

You must check whether the sponsor is required to be accredited or registered to:

- operate legally in the UK
- be a licensed sponsor

Appendix A of the Worker and Temporary Worker sponsor guidance outlines the mandatory registration requirements for sponsors operating in certain business areas.

If the sponsor is required to be accredited or registered and you can check the status of the registration online, you must check the details on the relevant body's website, Company House's website and those in the application all match.

If the sponsor's organisation has been inspected, you must check the report, paying particular attention to the services they provide and how many clients they provide them to.

For example, the inspection reports for sponsors operating in the care sector who need to be inspected by the Care Quality Commission can be checked on their online site. These can provide information useful to eligible role checks when checked against any of the sponsor's vacancy details and hierarchy charts.

If you cannot verify the accreditation or registration online, you must discuss with your line manager about contacting the relevant governing body to see if they are accredited.

If the sponsor does not hold the appropriate accreditation or registration, you must:

- refuse the change of conditions request, using the 'change of circumstance (CoC) decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- discuss your findings with your line manager and, if appropriate, refer the sponsor to the Sponsor Compliance team

To close the check in Metastorm, you must:

- open the 'check accreditation' Perform Action and in 'status comments', enter where appropriate:
  - whether the sponsor requires accreditation/registration
  - the name of governing body
  - registration number
  - all actions taken

- under ‘status’ select ‘completed’
- under ‘outcome’ select ‘result’
- select ‘update action’

Related content
Contents

System checks

The checks in this section can be done using Metastorm and spreadsheets in the shared drive to establish whether the sponsor or any key personnel pose a risk to immigration control.

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Related content
Contents

Nationality and immigration status checks

This section explains how to perform checks to ensure that a sponsor's key personnel have the correct immigration status. These checks are not required for automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

When case-working a change request relating to a sponsor's key personnel, you must check their nationality and confirm that any non-EU personnel have valid visa status in Metastorm. This is mandatory for the following case types:

- in-year allocation (if for named person)
- follow on allocation (if for a named person)
- amend authorising officer (AO) / key contact (KC) / level 1 user (L1) (if from overseas)
- replace AO/KC/L1 (if from overseas)

Nationality check

The nationality of a KC, L1 or AO can be viewed under the 'Review Request' tab in Metastorm under 'Proposed User Details'.

If the nationality of the proposed KC / L1 / AO reads 'British Citizen' or 'Irish Citizen', you can close off the check:

- open 'Immigration Status Checks' in Metastorm Perform Actions
- under 'Status' select 'Completed'
- under Outcome select 'Result'
- in the Status Comments box write 'GBR'
- select 'update action'

If the nationality of the proposed KC / L1 / AO is not a British or Irish Citizen, further Immigration status checks are required before the check can be completed on Metastorm.

Immigration status check

You must ensure that the sponsor's key personnel have valid leave to remain (LTR) in the UK by searching the names of the sponsor's AO, KC and L1 using Atlas.

If you are able to find out the individual's visa status, record the results in Metastorm under the 'immigration status' perform action and complete all necessary checks for your case type before going ahead with the change request.

Should one of the sponsor's key personnel have expired leave, or appear to be breaching conditions of their leave, you must discuss the case with your line manager and consider referring to the Work Central Risk Hub or Sponsor Compliance team.

If you are unable to find out the individual's visa status, you need to request further evidence. You must:

- email the sponsor's AO and one other member of key personnel, requesting immigration documents for the AO / KC / L1 using the 'change of circumstances (CoC) further information request' letter from SharePoint (this link is to a local SharePoint folder which you will need to obtain permission to access).
- bring forward (b/f) the case up to 5 working days to await a response

If the sponsor does not send the immigration documents, follow the non-cooperative sponsor process.

If you receive no response, and you need to reject the request:

- inform the sponsor using the 'CoC request rejected notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- complete an IMS referral form

You must record the immigration status of all the sponsor's key personnel and any actions taken as a result of the checks (excluding IMS Referrals) in Metastorm Perform Actions under 'Immigration Status Checks'.

To close the check in Metastorm:

- open the 'immigration status' Perform Action
- in 'status comments':
  - type in the results of the check
  - all actions taken
- under 'status', select 'completed'
- under 'outcome' select 'result'
- then 'update action'

Related content
Contents

Company and insolvency checks

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

Check Companies House

This section tells you how to check Companies House.

You must do this check for all case types, except for change key personnel, change representative and automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests.

You must search on the Companies House website for:

- the sponsor, to see whether:
  - the organisation has stopped trading
  - the organisation is in administration
  - the directors have been struck off
- the length of time the company has been trading

You must complete the above checks for all sponsors or applicants, regardless of sector, size of company or any other profiling attribute. Record the outcome of the checks in Metastorm 'Perform Actions':

- open 'check companies house' in Metastorm 'Perform Actions'
- under 'status' select 'completed'
- under 'outcome' select 'result'
- in the 'status comments' box, write the findings from the check
- select 'update action'

Check for disqualified company directors

You must check if anyone falling under the definition of 'you or your' as defined in the glossary of Part 1 of the sponsor guidance is legally prohibited from being a company director (for any reason, including bankruptcy), unless a court has given permission for that person to act as a director, or to promote or form a business, and acting as key personnel would not contravene that permission. This applies whether or not the individual is acting, or intends to act, as a director within the organisation.

You must visit 'searching disqualified company directors' on GOV.UK to check and record the outcome in Metastorm 'perform actions' using the perform actions template.

Check the insolvency register

This section tells you how to check the insolvency register.

You must carry out an insolvency check when adding new, or replacing, members of key personnel, except for automatically fulfilled Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests; and when changing the names and dates of birth in amend key personnel requests. The check should be carried out against all members of key personnel.

The sponsor's key personnel must not have a:

- bankruptcy restriction
- debt relief order

unless a court has permitted them to be a company director.

Individual Voluntary Arrangements (IVA) are accepted.

An undischarged bankrupt cannot act as key personnel unless a court has permitted them to be a company director. You must check the named authorising officer, key contact or level 1 user on the English, Welsh, Scottish and Northern Irish insolvency registers, regardless of where the person is currently based.

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The results of your search

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

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

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

If:

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

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

You must refuse the application if the details are a definite match for the key personnel and the named individual is noted as being an undischarged bankrupt unless a court has permitted them to be a company director.

The Northern Irish insolvency register will not record details of debt relief orders. These must be searched for in the debt relief order register for Northern Ireland. You can also visit 'searching disqualified company directors' as an additional resource for Companies House and insolvency checks on directors.

You must record the outcome of the check in the 'check insolvency register' Perform Action in Metastorm, then:

- under 'status' select 'completed'
- under 'outcome' select 'result'
- in the 'status comments' box, write the findings from the check
- select 'update action'

Other trading checks

This section tells you how to check whether the sponsor is trading.

If you are in doubt about the sponsor's trading status after you complete the previous checks, you can search the internet for:

- any news items relating to the sponsor
- details of the sponsor's premises

Related content
Contents

Check the civil penalties register

This page tells you how to check for civil penalties issued to a sponsor.

This check is mandatory for all case types.

For all case types, you must check whether the sponsor has been issued with a civil penalty and record your findings and actions taken in Metastorm ‘perform actions’ under ‘check civil penalties register’.

To check whether an employer has been issued with a civil penalty under civil penalty legislation, you must search:

- the company name
- the company postcode
- any key personnel involved in the change

The spreadsheets listed in the civil penalties guidance (this link is to a local SharePoint folder which you will need to obtain permission to access) will identify whether the civil penalty has been issued to the company or the individual.

If there is a ‘hit’ on the civil penalties database:

- discuss the case with your line manager
- check that the name is for your sponsor and not one with a similar name
- check the reason for the penalty
- follow the civil penalties guidance
- send an email to the Civil Penalties team to confirm whether we can continue with the consideration

If civil penalties email to confirm there is an existing issue or fines haven’t been paid, you must discuss the case with your line manager. You may be advised by your line manager to refer the Sponsor Compliance team as a result of your findings, in which case you must make sure to complete the pre-visit referral checks.

If the civil penalty is within:

- the objection or appeal period
- the outcome has not yet been decided

You must continue to consider any maintenance requests from the sponsor until it becomes clear that all appeal rights have been exhausted and the penalty has been imposed.

If there is no civil penalty held against the sponsor / individual, you record the outcome of the check in Metastorm ‘perform actions’ and go ahead with the case.

To close the check in Metastorm:

- open the ‘check civil penalties’ perform action
- in ‘status comments’:
  - type in the results of the check
  - all actions taken
- under ‘status’, select ‘completed’
- under ‘outcome’ select ‘result’
- then ‘update action’

Related content
Contents

Change of circumstances

The guidance found in the subsequent pages explains how to complete change of circumstances requests.

The checks that must be performed for each case type found past this page link back to the check instructions are found in Checks and Perform Actions.

Related content
Contents

Change of sponsor name

This page tells you what you must do when a sponsor changes their name.

Allocate

Changes to sponsor names reported by sponsors generate an 'Update Org Details' case type in Metastorm. To start the case, use the ‘select and assign’ function and select a case of this type to your ‘to do’ list.

The sponsor selects a 'Reason for change' in SMS, which is displayed on the Summary tab of the Update Org Details case. The sponsor can provide free text details if the 'Other' option is selected.

You must:

- review the sponsor’s reason for the request and unique reference number (URN)
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab, to check whether there are any outstanding cases, arrange for these to be worked by either yourself or a co-worker.

Documents required

The following documents need to be sent by the sponsor to complete a change of name request:

- submission sheet with indicating the reason or reasons for the change of name supporting evidence provided
- documentary evidence, such as:
  - a sworn affidavit (change of name or address)
  - solicitor’s letter

If there is evidence that the change of name request is part of merger, demerger, takeover or acquisition and we have not been notified, you must discuss the case with your line manager to reach the appropriate decision.

Digital versions of submission sheets and supporting documents submitted by sponsors are saved on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If hard copies have been submitted, details will be recorded by the workflow team in ‘All notes / case notes’ on Metastorm.

You must:

- open ‘check supporting documents received’ in Perform Actions
- in ‘status comments’ record:
  - what evidence was received
  - details of the new name

If no documents have been received, you must check if documents have been provided for a duplicate case. Check ‘cases linked to sponsor’ to find potential duplicates and outstanding cases, and any sent documents may be logged there.

If the sponsor has submitted duplicate requests, look at both and proceed with the one with the strongest information and supporting evidence.

If the sponsor does not provide enough relevant information or documentary evidence, you must:

- email the sponsor using the ‘change of circumstances (CoC) further information request’ letter template to ask for the relevant information and documentary evidence
- bring forward (b/f) for 5 working days for the sponsor to respond

If the sponsor does not provide the information or evidence, you must:

- complete the ‘change of circumstances’ action within Metastorm without making any changes
- write to the sponsor by filling in the ‘CoC other changes decision notification’ letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) telling them that we cannot change the details on their licence as they have not provided enough information or documentary evidence

If no response is received from the sponsor, you must follow the non-cooperative sponsor process.

If the sponsor provides enough information or documentary evidence, go ahead and complete checks on the sponsor.

Checks to complete

You must complete the following checks and considerations and follow the linked guidance, recording all resulting actions in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

You must check:

- for special markers
- risk profiles
- for outstanding compliance activity

Using the previous and new company names, or names of UK branch, you must:

- request an IMS check
- search Companies House:
  - use 'Webcheck service' to check the company is not in administration, liquidation or dissolved
- perform other trading checks

If Companies House has no information on either the previous or new company name, request further information, by asking the sponsor to supply a certificate of the company name showing both the previous and new sponsor name.

You must b/f the case for 5 working days. If no response is received, refuse the request.

If the checks, or any further information you have asked for, result in any concerns, you must:

- not make any changes to the managed sponsor record
- read the guidance on the relevant checks for recommended actions to take
- discuss the case and recommended actions with your line manager, for example:
  - referring to the Work Central Risk Hub or Sponsor Compliance team
- record all outcomes of checks and actions to take in Metastorm 'Perform Actions'

If no issues are raised as a result of the checks, you must go ahead and complete the change of name request.

Complete change of name request

If the checks do not result in any concerns or need additional documentation, or further investigation or a visit resolves your concerns, you can change the sponsor's name in Metastorm.

If the change of name request is not also part of merger, de-merger or takeover action, check the 'cases linked to sponsor' tab to see if the sponsor has sent 'amend key personnel' requests, to change the company name on their Metastorm profiles. If they have, you must allocate the requests to yourself to complete. If they have not, you must still amend the key personnel profiles to show the new company name.

To action a change of name request, you must:

- 'accept' the change of name request
- make sure all Perform Actions checks have been completed
- open 'Decision summary' in Metastorm 'Perform Actions' and:
  - under 'Status' select 'Completed'
  - under Outcome select 'Result'
- type in the status comments box:

    - the previous and new company names
    - what documentary evidence was provided
    - checks taken
    - the decision made
- select ‘update action’
- populate the customer service standard with ‘met’ or ‘not met’

Sending a letter is not necessary. The sponsor will be able to view the updated change in their SMS account.

Related content
Contents

Change of sponsor address

This page tells you how to assess a change of address request from beginning to end.

Allocate

From October 2020, many changes of address reported by sponsors take effect on their licence immediately. A case is still generated in Metastorm so the validity of the new address can be assessed but applying an outcome of 'Reject' on these cases will not revert the address to its former state (in acknowledgment of the fact that the sponsor has, in fact, moved).

Cases where the address change has taken effect immediately display the message **SMS has been automatically updated** on the Summary tab.

Changes to sponsor addresses reported by sponsors generate an 'Update Org Details' case type in Metastorm. To start the case, use the ‘select and assign’ function to select a case of this type to your ‘to do’ list.

The sponsor selects a 'Reason for change' in SMS, which is displayed on the Summary tab of the Update Org Details case. The sponsor can provide free text details if the 'Other' option is selected.

You must:

- review the sponsor’s reason for the request and unique reference number (URN)
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab, to check whether there are any other outstanding change of circumstances cases and arrange for these to be worked by either yourself or a co-worker.

Documents required

This section explains what documents the sponsor should have provided in support of their change of address request.

The sponsor is expected to provide the following documentary evidence and information:

- submission sheet, showing:
  - new address
  - type of change, for example, 'Moved to new premises' or 'Royal Mail postcode change'

    - indication of supporting evidence provided; this can be the sponsoring organisation's Companies House registration number
- documentary evidence, such as a digital copy of a lease of premises or confirmation of purchase (change of address)

If the sponsor has provided their Companies House reference number and the address on the Companies House register matches the new address reported to us, no further evidence is required.

Digital versions of submission sheets and supporting documents submitted by sponsors in support of change requests are saved on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

If hard copies have been submitted, details will be recorded by the workflow team in 'All notes / case notes' on Metastorm.

You must:

- open 'check supporting documents received' in Perform Actions
- in 'status comments' record:
    - what evidence was received
    - details of the new address and the owner of the premises, if available
- write in the 'signed declaration received' Perform Action 'received, no signature required'

If the documents listed in this section are not provided, perform a watchlist check. If there are no issues with the watchlist score, you must try to verify the missing information and proceed to checks to complete.

If there are issues with the sponsor's watchlist score, discuss the case with your line manager to discuss what action should be taken.

Checks to complete

You must complete the following checks and considerations and follow the linked guidance, recording all resulting actions in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

You must:

- check civil penalties by confirming there isn't a SAIT marker
- check Watchlist (when applicable)
- check Companies House:
    - specifically, note whether the address held by Companies House is the same as the new address

If the checks result in any concerns, for example, non-compliance relating to:

- size of building or offices

- the actual existence of the building or businesses
- concerns that the building is simply serviced accommodation with no real sponsor presence

Then you must:

- discuss these with your line manager
- ‘Reject’ the address change on Metastorm, if the change was automatically applied to the licence
- 'Accept' the address change on Metastorm if the change was not automatically applied to the licence

You must also consider and discuss setting the outstanding certificate of sponsorship (CoS) allocation to zero with your line manager. If it is decided that you should set the CoS allocation to zero, you must inform the sponsor by email, ensuring all correspondence is recorded.

You must then discuss requesting a compliance visit with your line manager, refer the case to the Work Central Risk Hub and record any actions taken in Metastorm ‘Perform Actions’.

If there are no issues with the checks and the case does not appear on the Watchlist check with a score above 6 and we can confirm the address on a third party trusted website such as Companies House or HMRC, then go ahead and complete the change of address request.

Complete change of address request

If the change of address request is not part of merger, de-merger or takeover action, check the ‘cases linked to sponsor’ tab to see if the sponsor has sent ‘amend key personnel’ requests, to change the company name on their Metastorm profiles. If they have, you must allocate the requests to yourself to complete. If they have not, you must still amend the key personnel profiles to show the new company address as appropriate.

To action a change of name request, you must:

- select an outcome in the Update Org Details case (Accept or Reject, as above)
- make sure all 'Perform Actions' checks are completed
- open Metastorm ‘Perform Actions’ and:
  - under ‘Status’ select ‘Completed’
  - under Outcome select ‘Result’
- type in the ‘Status Comments’ box:
  - the old and new company address
  - evidence provided
  - checks completed
  - the decision made
- select ‘update action’
- populate the customer service standard with ‘met’ or ‘not met’

Sending a letter is not necessary. The sponsor will be able to view the updated change in their sponsor management system (SMS) account.

Related content
Contents

Adding, changing or removing a representative

This section tells you how to add, amend or remove a representative.

Allocate

Changes to representative details reported by sponsors generate an 'Update Org Details' case type in Metastorm. To start the case, use the ‘select and assign’ function to select a case of this type to your ‘to do’ list.

You must then:

- review the sponsor’s reason for the request and unique reference number (URN)
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab, to check whether there are any outstanding cases and arrange for these to be worked by either yourself or a co-worker.

Documents required

This section explains what evidence is required when a sponsor requests to add, amend or remove a representative.

When a sponsor sends a request to add, amend or remove a representative using their sponsor management system (SMS) account, the system will generate a submission sheet including a representative’s declaration. The representative must sign the declaration and the authorising officer (AO) must sign the whole submission sheet before scanning or taking pictures of the sheet and sending to Sponsor Caseworker Operations within 5 working days of making the request online.

You must make sure that the:

- sponsor has sent a submission sheet
- representative signing the declaration is the same one named in the change request on Metastorm

If the declaration has not been signed by both the representative and the authorising officer (AO), you must:

- not make any changes to the managed sponsor record
- email the sponsor’s AO and one other member of key personnel using the ‘change of circumstances (CoC) further information request’ letter template from SharePoint (this is a local SharePoint folder which you will need to obtain

permission to access), advising them formally to appoint the representative by applying to add a representative and signing the declaration

If, after a write out:

- you do not receive the submission sheet within 5 working days
- the representative declaration has still not been signed
- the AO has not signed the submission sheet

you must discuss what appropriate action should be taken with your line manager.

You must check Metastorm to make sure that the AO who has signed the submission sheet matches the one named on the sponsor record.

If the submission sheet and the declaration are sent and signed and the person who signed the submission sheet is named on the sponsor record as the AO, you must go ahead and complete checks on the sponsor.

If the person who signed the submission sheet is not the AO named on the sponsor licence, you must check the 'cases linked to sponsor' tab in Metastorm to see whether there has been a request for a change of AO.

If there is an outstanding request to change the AO, you must bring forward (b/f) the request to change the representative's details until either yourself or a colleague complete the change of AO request.

If the sponsor confirms the submission sheet was signed in error by another employee, advise them to re-send the request.

Checks to complete

You must complete the following checks and considerations and follow the linked guidance, recording all resulting actions in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

Open the 'maintain rep' tab in Metastorm and search the representative by:

- URN
- the name of the individual representative
- the name of the organisation

This information should be shown on the representative submission sheet.

If the representative is new to the legal organisation and has not appeared as a representative on Metastorm previously, they will not have a URN and you will need to create a URN for the new representative.

Unless you are removing a representative, you must complete representative checks. The submission sheet should:

- state whether representatives are registered or exempt
- provide details of the regulating body

Record all results and identification numbers in Metastorm Perform Actions under ‘Check representative’.

You must then:

- check for special markers

If the checks result in any concerns, you must talk to your line manager about either:

- requesting further information
- referring to the Work Central Risk Hub or the Sponsor Compliance team

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks are recorded in Metastorm ‘Perform Actions’
- go ahead either to:
  - complete request to remove representative
  - complete request to add / amend representative

Complete the request to remove a representative

This is how to remove a representative from a sponsor’s licence in Metastorm.

A request to remove a representative can be made by the sponsor and the representative.

To complete the request in Metastorm, you must:

- open ‘blank form’
- open ‘maintain sponsor’
- in the new window, update the sponsor record with the details of the representative to be removed in ‘Create New or Change Rep’.
- replace the old representative record with dummy representative record reference R001495X:
  - you must do this, as Metastorm will only allow the replacement of a representative - the dummy reference will also tell caseworkers in the future that a representative has been removed previously

If the sponsor made the request to remove the representative, you must:

- use the ‘CoC other changes decision notification’ letter template from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) to tell them sponsor casework operations have updated their records

- if the previous representative also acted as key contact (KC) or level 1 user (L1), ask the sponsor to name alternatives as soon as possible

You must send the letter by email to at least 2 members of key personnel.

If the representative made the request to remove themselves from the sponsor licence, it may be because they are concerned that the sponsor is no longer acting in line with their sponsor duties. If the representative has made allegations against the sponsor, you must forward the allegation and sponsor details to the Work Central Risk Hub for them to consider.

Complete the request to amend an existing representative

This section explains how to amend an existing representative in Metastorm.

To amend the rep, you must:

- make sure all checks have been completed and recorded In Metastorm 'Perform Actions
- open 'blank form'
- open 'maintain representative'
- in the new window, enter the sponsor's URN
- make alterations as necessary

Please note this action will amend the representative record details for every sponsor that has the URN linked to their licence.

Complete the request to add new representative

This section explains how to add a representative to a sponsor's licence in Metastorm.

To complete the request to add or change a representative, you must:

- make sure all the checks on the new representative have been recorded in Metastorm 'Perform Actions'
- update the sponsor record with the details of the new representative
- open 'maintain sponsor' and type in the URN and 'accept' the change
- if the representative doesn't have a profile in Metastorm, create a URN for the new representative
- tell the sponsor that the change has been made by filling in the 'CoC other changes decision notification' letter template, including the representative's URN
- populate the customer service standard with 'met' or 'not met'

You must send the letter by email.

Create a URN for the new representative

This section explains how to create a URN for a representative who doesn't have a Metastorm profile.

A URN is generated when a profile is made for the individual representative in Metastorm.

To do this, you must:

- open 'blank form'
- open 'maintain sponsor'
- in the new window select 'Create New or Change Rep', record representative's details, including:
  - organisation name and address
  - the representatives name, telephone number and email
  - whether the representative has Office of the Immigration Services Commissioner (OISC) status, or is authorised to practice by another designated professional body

Once you accept the changes and close the window, a Metastorm profile should be created for the representing individual, and a URN generated.

To find the URN for use in 'CoC decision letter' from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), search the representative's profile in Metastorm.

If the sponsor has no current L1 user with access to the SMS and wishes to appoint a new L1 user, a change of circumstances form must be sent. You must make sure the AO named on the sponsor licence has signed the form.

Linked outstanding requests

Requests to amend key personnel details are often sent with other change requests by the sponsor. For example, a change of address request will usually be sent by the sponsor with requests to amend the address on the profiles of their key personnel.

After doing a sponsor summary search, you must look under the 'cases linked to sponsor' tab to see the other requests that have been made. If you can complete the other change requests linked to the case now, you must allocate these to yourself to complete.

If there is a pending renewal case, you may want to discuss the case with the caseworker handling the renewal.

If you aren't able to do the change requests linked to your case, you must:

- complete the Perform Actions checks as far as you can
- enter the 'decision summary' Perform Action and record the case as 'on hold'

- enter the ‘summary’ tab and select ‘set BF date’:
  - set the ‘date’ for 5 working days as appropriate
  - in ‘comments’, state reasons for putting the case on hold
- set a reminder in your outlook calendar for 5 working days to complete the case once other changes have been completed

Whether you are able to complete a linked case is dependent on:

- your experience
- business requirements

You must discuss with your line manager if you are uncertain.

Related content
Contents

Changes to key personnel

This section explains what to do when a sponsor tells sponsor casework operations about changes to key personnel, such as:

- making changes to existing key personnel profiles
- adding and replacing key personnel

Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests that are fulfilled automatically do not appear in the Select and Assign Case function, as the cases are closed and archived immediately. These cases can be found on licences in the 'Cases Linked to Sponsor' tab of a Sponsor Summary Search. The user ID on automatically fulfilled cases is always ****AUTO****.
Please see the Processing automatically fulfilled key personnel requests section of this guidance for more information.

Allocate

To start the case, use the ‘select and assign’ function, looking through the relevant workstack and select a case to your ‘to do’ list.

You must then:

- review the sponsor’s reason for the request and unique reference number (URN)
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab. To check whether there are any outstanding cases, consult the linked outstanding requests section.

Under the case summary page, you must read the details for the key personnel to be added or changed and proceed to check for linked outstanding requests.

Documents required

When making changes to existing key personnel, only a signed submission sheet is required when replacing an authorising officer (AO).

If the sponsor has no current level 1 (L1) user with access to the sponsor management system (SMS) and wishes to appoint a new L1 user as part of a request to add or replace a member of key personnel, a change of circumstances form must be sent. You must make sure the AO named on the sponsor licence has signed the form.

If:

- a recognised contact has not signed the form

- the form is incomplete

you must reject the request and tell the sponsor by:

- filling in a ‘change of circumstances (CoC) request rejected notification’ letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- sending the letter by email to the AO and at least one other member of key personnel
- make sure all correspondence is logged in Outlook

Check for linked outstanding requests

Requests to amend key personnel details are often sent with other change requests by the sponsor. For example, a change of address request will usually be sent by the sponsor with requests to amend the address on the profiles of their key personnel.

Perform a sponsor summary search and look under the ‘cases linked to sponsor’ tab to see the other requests that have been made. If you can complete the other change requests linked to the case, you must allocate these to yourself to complete.

If you aren’t able to do the change requests linked to your case, you must:

- complete the Perform Actions checks as far as you can
- enter the ‘decision summary’ Perform Action and record the case as ‘on hold’
- enter the ‘summary’ tab and select ‘set BF date’:
  - set the ‘date’ for 5 working days as appropriate
  - in ‘comments’, state reasons for putting the case on hold
- set a reminder in your outlook calendar for 5 working days to complete the case once other changes have been completed

Whether you are able to complete a linked case is dependent on:

- your experience
- business requirements

You must discuss with your line manager if you are uncertain.

Making changes to existing key personnel profiles

This section explains what you must consider before completing a request to change the sponsor’s key personnel profiles.

You must check that the sponsor hasn’t mistakenly sent an amendment request when they want to add a new member of key personnel. To do this, you must check that the name and details recorded in the ‘review request’ screen in Metastorm are not for a new person. If the sponsor appears to have made an error, you must reject the request.

If the request is to change the user's email address, you must first check that the address is unique and personal to that user. If you have any concerns, email the sponsor to:

- ask whether they are aware of the rules outlined in the sponsor guidance
- confirm the email is personal to the key personnel using it

Then bring forward (b/f) the case for 5 working days, noting the b/f date and reason in the 'BF case' Perform Action, awaiting a response from the sponsor.

Once you are clear on the changes to be made, proceed to checks to complete.

Adding or replacing key personnel

Replace Authorising Officer, Replace Key Contact and Add New Level 1 User requests that are fulfilled automatically do not appear in the Select and Assign Case function, as the cases are closed and archived immediately. These cases can be found on licences in the 'Cases Linked to Sponsor' tab of a Sponsor Summary Search. The user ID on automatically fulfilled cases is always ****AUTO****.
Please see the Processing automatically fulfilled key personnel requests section of this guidance for more information.

This section explains what you must consider when completing a request to add or replace the sponsor's key personnel, if not automatically fulfilled.

If adding a new KC or L1, you must check whether they will also act as the representative. If they are the current representative, or there is a request pending to add them as a representative to the sponsor licence (which you can see through the 'cases linked to sponsor' tab), you must also complete representative checks to make sure they are properly accredited.

A sponsor must have a minimum of one SMS user who is a settled worker, unless they are one of the following who are exempt from this rule:

- a diplomatic mission or international organisation licensed under Temporary Worker - International Agreement
- the AO is a person with valid leave as:
  - a Representative of an Overseas Business
  - a Tier 1 (Graduate Entrepreneur) migrant
  - a Tier 1 (Entrepreneur)
  - a Tier 1 (Exceptional Talent) migrant
  - a Start-up migrant
  - an Innovator
  - a Global Talent migrant

If the change request leaves the sponsor with only one L1 user and that person is not a settled worker, you must contact the sponsor to confirm if they have another SMS user who is a settled worker. If they do not have an SMS user who is a settled worker, they must nominate one.

If the change request is to add a new L1 user, you must check the existing L1 users details on Metastorm to determine if the existing L1 user is a settled worker. If the L1 user is not a settled worker you must contact the sponsor to confirm if they have another SMS user who is a settled worker. If they do not have an SMS user who is a settled worker, they must nominate one.

Once you are happy with the details of the key personnel to be added, proceed to checks to complete.

Checks to complete

When completing a request to add, replace or make changes to the sponsor's key personnel, you must complete the following checks and considerations and follow the linked guidance, recording all outcomes in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

You must do the following checks on the existing or new member of key personnel:

- perform a licensing bans check
- perform Police National Computer (PNC) / border crossing (BC) checks:
  - if the request is an amendment, PNC / BC checks should only be performed where the individual's family name, date of birth or nationality is to be changed
- check for special markers
- company and insolvency checks
- perform nationality and immigration status checks:
  - you need only do immigration status checks if the new member of key personnel is found to be a non-EU national

If the checks result in any concerns, you must talk to your line manager about either:

- requesting further information
- referring to the Work Central Risk Hub or the Sponsor Compliance team

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- accept the amendment
- add the new AO / L1 / KC

Complete the request to amend key personnel

This section explains how to accept an amendment to the sponsor's AO, L1 user or KC details.

You must:

- make sure all checks are recorded in Metastorm Perform Actions'
- write the details of the change in the 'decision summary' Perform Action

- go to the ‘review request’ screen:
  - if you need to make any amendments or corrections, make them here
  - if you are happy with the changes, ‘accept’ these
- record the customer service standard with ‘met’ or ‘not met’

Complete the request to add new AO, L1 or KC

This section explains how to add or replace an AO, L1 user or KC to the sponsor’s licence, if not automatically fulfilled.

You must:

- make sure all checks are recorded in Metastorm ‘Perform Actions’
- type in the details of the change in the ‘decision summary’ Perform Action
- go to the ‘review request’ screen:
  - if you need to make any amendments or corrections, make them here
  - if you are happy with the changes, ‘accept’ these
- record the customer service standard with ‘met’ or ‘not met’

Deactivating a Level 1 user

This section explains when deactivating a Level 1 user is necessary, and how to complete the deactivation.

There are circumstances where caseworkers may be required to deactivate key personnel, such as:

- the SMS account has been accessed inappropriately by an unauthorised user or the password has been shared with others
- L1 user (who may also be the AO and/or KC) is also working for a representative company that is not appointed or no longer appointed on the licence
- the user has a duplicate account on SMS
- there is evidence or information provided showing that:
  - the user is no longer employed by the sponsor
  - the user no longer undertakes the role of L1 user
- compliance, Work Central Risk Hub or management request deactivation
- the PNC / BC check returns a hit

This is not an exhaustive list and you must speak to your line manager if you are unsure.

If deactivating the only L1 user, you must email the sponsor informing them that they must regain access to SMS by appointing a new L1 user using the change of circumstances form.

If the reason for deactivation is unauthorised access or password sharing, you must determine what SMS requests / actions have been made by the unauthorised user,

as such actions may need to be investigated or rejected and discuss referring to the Work Central Risk Hub and Sponsor Compliance team with your line manager.

If you receive a request from a member of key personnel to deactivate a L1 user, you must establish why they are unable to take this action themselves on SMS. You must discuss with your line manager if you are unsure how to proceed.

Completing the deactivation in Metastorm

Once you have established that one or more users are to be deactivated, you need to create a deactivation case in Metastorm, following the necessary steps below:

1. Select ‘blank forms’.
2. Select ‘deactivate user’.
3. Search for and select the relevant sponsor and click ‘submit’.
4. From the list of users select the individual(s) you wish to deactivate.
5. Press the ‘Add User to Deactivation List’ button.
6. Press ‘submit’.

Once these steps have been followed, a deactivation case will have been created in your to-do list, which you must allocate to yourself and complete.

If an error has been made and you need to cancel the deactivation case, you must:

- find the case in your ‘to-do’ list
- select ‘cancel’, then press ‘submit’

Once you have created the deactivation case in your to-do list you need to take the following steps:

7. Select the case from your ‘to-do’ list.
8. Press ‘Confirm User Deactivation’.
9. Fill in the reasons for deactivation and any associated action taken in the free-text box.
10. Press ‘Submit’, the case now goes for management check.
11. Select case from your ‘to-do’ list after management check complete.
12. Press ‘Review Management Check Outcome’ and consider any comments.
13. Select Submit, case closed.

If you need to notify the sponsor of the deactivation action, this should be done through standalone letter or email. Whether you are required to notify the sponsor is dependent on the circumstances and should be agreed with your line manager.

Removing an authorising officer or key contact

An authorising officer (AO) or a key contact (KC) cannot be deactivated as Level 1 users can, as they do not possess an account. Their details are held on the licence and communications may be sent to their registered email addresses but they do not have access to SMS, unless they are also a Level 1 or Level 2 user.

The circumstances in which AOs and KCs may need to be removed from a licence include (but are not restricted to):

- they no longer work for the sponsor organisation
- they are a legal representative acting as the AO
- they are a legal representative acting as the KC or a Level 1 User, but we have not been informed that the representative organisation can act on the sponsor's behalf
- removal is requested by Compliance, Work Central Risk Hub or senior management
- PNC / WI checks on an automatically fulfilled Replace AO or Replace KC request return a 'hit'

In the first instance, AOs and KCs should be removed from licences by instructing the sponsor to submit requests to replace them, using letter template 'CoC AOKC Refuse CoC13v6'

If the sponsor fails to replace an AO or KC as instructed and there are concerns about the person continuing to act in the capacity of AO or KC, their details can be overwritten using the 'Maintain Sponsor' case type. You must speak to a manager before taking this action.

Processing automatically fulfilled key personnel requests

From January 2021, compliant sponsors that were first licensed prior to April 2009 can replace their authorising officer (AO) and key contact (KC) and create new Level 1 users immediately.

Requests from theses sponsors to replace their AO or KC and add a new Level 1 user are automatically fulfilled if the following business rules are met:

- licence status is ‘Licensed and Fully Active'
- postcode of work address for new person matches postcode of main organisation or head office address (or representative organisation, for KCs and Level 1 users)

Where all criteria are met. cases are created in Metastorm and immediately closed and archived. The assigned user for these cases is always ****AUTO****.

Key checks must still be performed on these requests to determine the suitability of the automatically appointed personnel. These checks must be prioritised so that unsuitable personnel can be removed from licences promptly, either by deactivating the Level 1 user or instructing the sponsor to submit a further request to replace the AO or KC.

Official – sensitive: start of section

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

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

Official – sensitive: end of section

All processes for handling these requests are managed by the Sponsorship Workflow team.

For automated Replace Authorising Officer requests, the submission sheet and any required supporting evidence must still be provided by the sponsor (preferably in digital form by email).

If check results indicate that the automatically appointed person is not suitable, or the Replace AO submission sheet and/or required evidence has not been provided by the deadline, refer to the table below for the necessary action to take:

Request type	Reason for refusal	Action to take
Replace AO	Checks failed	1. Create 'Update Automation Areas' case. 2. Write to sponsor to instruct that new AO must be nominated within 5 working days and BF case to that date. 3. If AO not replaced, follow 'non-cooperative sponsor' process.
Replace AO	Submission sheet/supporting evidence not provided by due date (after checks passed)	1. Create 'Update Automation Areas' case. 2. Write to sponsor to request sub sheet, attaching blank version and BF case to working 5 days from date of writing.

Request type	Reason for refusal	Action to take
		3. If sub sheet not provided, follow 'non-cooperative sponsor' process.
Replace KC	Checks failed Supporting evidence not provided by due date (after checks passed)	1. Create 'Update Automation Areas' case. 2. Instruct sponsor to replace KC within 5 working days. 3. If KC not replaced, follow 'non-cooperative sponsor' process.
Add L1 User	Checks failed Supporting evidence not provided by due date (after checks passed)	1. Create 'Deactivate User' case and deactivate the L1 User account. 2. Create 'Standalone letter' case and attach to Deactivate User case, notifying sponsor of deactivation.

If all checks are passed and any required supporting evidence has been provided (and the Replace AO submission sheet for those request types), no decision letter needs to be issued.

Related content
Contents

Changing sponsor organisational structure

This section tells you how to make changes to a sponsor's organisational structure, including:

- adding and removing branches
- adding or removing Intra-Company links
- mergers, de-mergers and takeovers

Adding and removing branches

This section tells you how to change branches on the sponsor's licence.

Allocate

To start the case, use the 'select and assign' function, looking through the relevant workstack and select a case to your 'to do' list.

You must then:

- review the sponsor's reason for the request and unique reference number (URN)
- using the sponsor's URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the 'cases linked to sponsor' tab, to check whether there are any outstanding changes linked to the change of name request and arrange for these to be worked by either yourself or a co-worker.

Documents required

To change the branches recorded for a licensed sponsor, the sponsor must provide:

- names and addresses of the branches in full
- where the sponsor is adding branches:
  - any legal accreditation required by those branches
  - evidence that the branches are linked to the licensed sponsor as in appendix A of the sponsor guidance
- leases and affidavits

Documents should be submitted digitally, as scans or pictures of the originals, although originals may be requested if required.

If the sponsor does not provide enough information or documentary evidence, you must:

- email the sponsor filling in the ‘change of circumstances (CoC) further information request’ letter template to request the relevant information and documentary evidence
- bring forward (b/f) for 5 working days for the sponsor to respond

If the sponsor does not provide the requested information after the first request:

- complete the ‘change of circumstances’ action within Metastorm without making any changes
- write to the sponsor filling in the ‘CoC other changes decision notification’ letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) telling them that the Sponsorship Operations cannot change the details on their licence as they have not provided enough information or documentary evidence
- refuse the change request

Checks to complete

You must complete the following checks and considerations and follow the linked guidance, recording all outcomes in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

Where the sponsor is adding a branch, you must check the sponsor’s accreditation and registration details.

If the sponsor is adding a branch with a different company name, you must request an IMS check.

You must:

- check for special markers
- check Companies House
- review outstanding compliance

If the checks result in any concerns, you must not make any changes to the managed sponsor record and talk to your line manager about either:

- requesting further information
- referring to the Work Central Risk Hub or the Sponsor Compliance team

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks are recorded in Metastorm ‘Perform Actions’
- go ahead to complete the request to add or remove branches

Complete the request to add or remove branches

If all the required documentary evidence has been sent and no concerns are raised as a result of your checks, you must:

- complete the ‘change of circumstances’ action within Metastorm
- add details of the names and addresses of the branches to be added to and / or removed from the existing word document titled ‘branches/linked entities/partnership details,’ saved in the correspondence tab in the sponsor record
- if the document has not been created previously, create a word document titled ‘branches/linked entities/partnership details’, record the names and addresses of the branches to be added and / or removed, and save it as a standalone document to the correspondence tab in the sponsor record
- email the sponsor’s authorising officer (AO) and one other member of key personnel with a ‘CoC other changes decision notification’ letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) , to confirm their record has been updated
- populate the customer service standard with ‘met’ or ‘not met’

Adding or removing Intra-Company links

This section explains what to do when a sponsor requests to add or remove details on the list of companies linked to them.

When a sponsor applies for a licence in the Senior or Specialist Worker or the Graduate Trainee routes of Global Business Mobility (GBM), it must provide Sponsorship Operations with details of all companies linked to them by common ownership or control in the UK and overseas from which it may wish to transfer staff. Throughout the period of the licence, the sponsor must inform Sponsorship Operations if it wishes to amend the list.

This list is held in a word document titled ‘branches/linked entities/partnership details’, saved in the correspondence tab in the sponsor record.

Allocate

To start the case, use the ‘select and assign’ function to select a case to your ‘to do’ list from the relevant workstack.

You must then:

- review the sponsor’s reason for the request and URN
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab, to check whether there are any outstanding cases and arrange for these to be worked by either yourself or a co-worker.

Under the case summary page, read the details of Intra-Company links to be added or removed.

Documents required

This section explains what evidence and information is needed to complete an Intra-Company amendment.

If the sponsor tells Sponsorship Operations that they wish to amend the record of linked companies recorded under its licence, you must check the sponsor:

- still holds a GBM licence
- has provided full company names and addresses
- (where the sponsor is adding linked companies) evidence of the link between the companies as in appendix A of the sponsor guidance

Documents should be submitted digitally, as scans or pictures of the originals.

If the sponsor has not provided the required information or documentary evidence, you must:

- email the sponsor filling in the 'CoC further information request' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) to ask for the relevant information and documentary evidence
- b/f for 5 working days for the sponsor to respond

If the sponsor fails to provide the requested evidence, you must:

- complete the 'change of circumstances' action in Metastorm without making any changes
- write to the sponsor using the 'CoC other changes decision notification letter' from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- inform them that Sponsorship Operations cannot amend the details on their licence as they have not provided sufficient information and evidence

If the sponsor provides all of the information required, you must go to the checks to complete section.

Checks to complete

When completing a request to make changes to the companies linked to the sponsor, you must complete the following checks and considerations and follow the linked guidance, recording all outcomes in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks are recorded in Metastorm 'Perform Actions'
- go ahead to complete the request to add or remove Intra-Company links

Complete request to add or remove Intra-Company links

This section explains how to complete the request to add or remove Intra-Company links.

You must:

- complete the 'change of circumstances' action in Metastorm
- record details of the name and addresses of the branches to be added and / or removed to the existing word document titles 'branches/linked entities/partnership details', saved in the correspondence tab in the sponsor record
- if the document has not been created previously:
  - create a word document titled 'branches/linked entities/partnership details'
  - record the names and addresses of the branches to be added and / or removed
  - save it as a stand alone document to the correspondence tab in the sponsor record
- email the sponsor's AO and at least one other member of key personnel if the change is rejected, filling in the 'CoC other changes decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- make sure the outcomes of all checks and actions taken have been recorded in Metastorm 'Perform Actions'
- make sure all correspondence has been recorded
- record the customer service standard with 'met' or 'not met'

Mergers, de-mergers and takeovers

This section explains what to do when a sponsor tells Sponsorship Operations that:

- there is a change in direct ownership
- they are selling all or part of the controlling number of shares in the business
- control of the board of directors or trustees or other similar type of managing committee has changed
- they are being taken over completely or in part by another organisation
- they are splitting out to form new organisations
- they are moving or receiving sponsored workers to or from other organisations under the Transfer of Undertakings (Protection of Employment) Regulations 2006 or similar protection as a result of any of the aforementioned structural changes

The sponsor's L1 user must tell us within 20 working days of any change taking place via their SMS account.

Changes in ownership or control

This section explains how to consider whether a notification of a change of circumstances is a merger, de-merger or takeover or not.

Sponsor licences are not transferable, so if a change of ownership or control occurs, a new licence will be required.

Some changes in ownership or control are obvious, such as one company buying another in its entirety or a complete replacement of a board of directors; others are not. Where the change isn't obvious, you need to consider a range of information depending on what has changed. This may include any of the following:

- the number, proportion and type of shares, including whether or not they carry voting rights, that have changed hands, if appropriate
- the number and proportion of partners, directors, trustees or members of a managing committee that have changed, if appropriate
- whether the articles of association have changed, if appropriate

Information about these before the change you are considering might be found in, among other sources, any of the organisation:

- published accounts or annual reports, if available
- incorporation documents, including their memorandum and articles of association
- entries on the Companies House website

Information about what has changed should be in the change of circumstances notification and associated evidence sent with it.

If a change of ownership or control has occurred, a new sponsor licence will be required.

Example 1

A company was wholly owned by a parent entity at the time it obtained a sponsor licence. The parent entity then sold 30% of the company to a second entity. No other changes were made, so no change of control occurred and a new licence was not required.

Example 2

Later, the parent company sold another 30% of the company to a third entity resulting in a 40-30-30 split of the company's shares. Unless the articles of association or sale agreement said otherwise, therefore, the parent entity relinquished control of the company, so a new sponsor licence was required.

Example 3

After a new licence was obtained, the original parent entity divests itself of its remaining holding in the company to a fourth entity. Although the split in the company's shares remains the same, unless the articles of association or sale agreement say otherwise, another new licence is required because a new entity has bought out the largest shareholder, so both ownership and control of the company has changed and sponsor licences are not transferable.

If a change of ownership or control is identified while undertaking other casework, you should complete a change of ownership referral form.

Old and new sponsors

This section explains what is meant by 'old' and 'new' sponsors and what to do if the 'new' sponsor does not have an existing sponsor licence.

Merger, de-merger and takeover action takes place between 2 or more companies. For the purposes of this guidance, they will be referred to in this guidance as the:

- the 'old sponsor':
  - this is the existing sponsor being partially or fully taken over, that tells us that they are transferring workers to another organisation
- the 'new sponsor':
  - this is the organisation, who may or may not already have an existing sponsor licence, who will be accepting workers from the old sponsor
  - where the new sponsor already has a sponsor licence, they must tell Sponsorship Operations of the merger, acquisition, takeover, transfer of staff, or de-merger via their SMS account
  - if the new sponsor does not have a licence, you must tell them that they must obtain one

This means that for merger or takeover actions to take place, we require notifications from both old and new sponsors involved to complete the request, to be worked ideally by the same caseworker.

Allocate

To start the case, use the 'select and assign' function, look through the relevant work stack and select a case to your 'to do' list.

You must then:

- review the sponsor's reason for the request and URN
- using the sponsor's URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the ‘cases linked to sponsor’ tab, to check whether there are any outstanding changes linked to the change of name request and arrange for these to be worked by either yourself or a co-worker.

Under the case summary page, read the details of the merger, de-merger or takeover action.

Documents required

This section explains what documents need to be provided when old and new sponsors notify Sponsorship Operations of a merger or takeover. Documents should be submitted digitally, as scans or pictures of the originals, although originals may be requested, if required.

Old sponsor’s change request notification

The old sponsor’s notification must contain full details of:

- the merger, acquisition, takeover, transfer of staff or de-merger (including the date the change was effective from)
- the new sponsor
- name, nationality, date of birth, certificate of sponsorship number and passport number of the sponsored workers, both:
  - transferring to the new sponsor

New sponsor with existing licence change request notification

The new sponsor’s notification must contain:

- full details of:
  - the merger, acquisition, takeover, transfer of staff, de-merger (including the date the change was effective from)
  - the old and existing sponsor
  - name, nationality, date of birth, certificate of sponsorship (CoS) number and passport number of the sponsored workers transferring to the new sponsor and evidence that the transfer is covered by TUPE regulations or similar protection (this may take the form of a letter from a solicitor detailing the transfer and confirming it is covered by TUPE regulations)
- documentary evidence of the merger, takeover, acquisition, transfer of staff, de-merger (this can be an affidavit - a written declaration made on oath before a person authorised to administer oaths - from the company's solicitor, corporate lawyer or a copy of the share purchase agreement)
- confirmation as to whether:
  - the new sponsor’s authorising officer (AO) accepts all sponsorship duties for the transferring sponsored workers
  - the existing and old sponsor address and/or entity needs to be added to the new sponsor licence as a branch/linked entity (this will only be the case if workers continue to be employed at the existing or old sponsor address and/or entity)

The required documents are not provided

If the sponsor has not provided all the necessary details, you must both:

- email the sponsor's AO and at least 2 other members of key personnel, filling in the 'CoC further information request' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)asking for the missing information
- b/f for 5 working days for sponsor to respond

If the sponsor does not respond to our request, you must follow the non-co-operative sponsor process.

If the sponsor has provided all the necessary details, you must:

- record all details in Metastorm on both sponsor records
- compare the notification from both sponsors for consistency of information
- if TUPE or similar protection does not apply, check the evidence to show whether any conditions of leave still stand

You must then go ahead and complete checks on the sponsors.

New sponsor does not hold a sponsor licence

There will be circumstances where a sponsor tells Sponsorship Operations of merger, de-merger or takeover action with a new company that does not yet hold a licence. As sponsor licences are not transferable, a company cannot take on workers as part of merger, de-merger or takeover action if they do not have their own licence. The process of transferring workers cannot be completed until the new sponsor obtains a licence.

You must:

- tell the new sponsor that they must apply for a sponsor licence within 20 working days of the merger, takeover, partial takeover or de-merger
- b/f for 20 days to wait for a licence application to be submitted

If the new sponsor does not apply within 20 working days, you must follow the non-cooperative sponsor process, but, prior to this, discuss whether you should issue a reminder email to the sponsor with your line manager. This should be decided on the basis of the sponsor's compliance and licence history.

If the new sponsor is subject to a cooling off period, check Companies House to see if the existing sponsor is still trading and discuss with your line manager about referring to the Work Central Risk Hub and Sponsor Compliance team

Checks to complete

When completing a request to action a merger, de-merger or takeover on the sponsor's licence, you must complete the following checks and considerations and follow the linked guidance, recording all outcomes in Metastorm under the relevant Perform Action, as in the Maintenance Perform Actions template.

You must:

- if adding a new address and/or entity, do a IMS check
- check the new sponsor's accreditation and registration details

If the checks result in any concerns, you must not make any changes to the managed sponsor record and talk to your line manager about either:

- requesting further information
- referring to the Work Central Risk Hub or the Sponsor Compliance team

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks are recorded in Metastorm 'Perform Actions'
- go ahead to complete change request for a merger, de-merger or takeover

Complete the merger, de-merger or takeover in Metastorm

This section explains how to complete the change request for a merger, de-merger or takeover.

Full takeover

If the change request is for a full takeover and both sponsors hold a valid licence, you must:

- make the 'old' licence dormant
- make sure the Metastorm record for the new sponsor is updated with all relevant details
- update the relevant workers' leave to enter or remain on Atlas
- email both sponsors filling in the 'CoC other changes decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) confirming that Sponsorship Operations have updated their records to reflect the changes
- make sure all correspondence has been recorded
- update the customer service standard with 'met' or 'not met'

Partial take over or de-merger

If the change request suggests that this is a partial takeover or de-merger and both sponsors hold a valid licence, you must check whether the 'old' sponsor wishes to keep their licence.

If the 'old' sponsor confirms that they wish to keep their licence, you must:

- update both sponsor records with details of the partial takeover
- email the sponsor's authorising officer (AO) and at least one other member of key personnel filling in the 'CoC other changes decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), confirming that the Sponsorship Operations have updated their records to reflect the changes
- review the CoS
- tell the sponsor that they should continue to report on sponsored workers through their SMS account

If the 'old' sponsor confirms that they do not wish to keep the licence, you must email the sponsor using a CoC request for further information' letter to inform them that:

- if they have workers with valid leave to enter or remain they must request to make the licence dormant through their SMS account - you must not surrender the licence if workers are covered by the TUPE arrangements or similar protection
- if they have no workers with valid leave to enter or remain, they must request to surrender the licence

In both circumstances, you must ensure that:

- the outcomes of all checks and actions taken are recorded in Metastorm 'Perform Actions'
- all correspondence has been recorded
- update the customer service standard with 'met' or 'not met'

Dealing with B-rated sponsors subject to an action plan

This section explains what to do when a sponsor subject to an action plan is involved in a merger, de-merger or takeover.

If a sponsor involved in a merger, de-merger or takeover action is subject to an action plan, you must put the case in b/f until the action plan has been completed.

If the sponsor does not meet the conditions of their action plan and their licence is removed, you must:

- refuse the merger, de-merger or takeover request in Metastorm
- email the sponsor's level 1 user and another member of key personnel using the 'CoC other changes decision notification' letter from SharePoint (this is a

local SharePoint folder which you will need to obtain permission to access) explaining that their request has been refused on the basis of their action plan not being met, make sure the outcomes of all checks and actions taken are recorded in Metastorm 'Perform Actions'
- make sure all correspondence has been recorded
- update the customer service standard with 'met' or 'not met'

Related content
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Making a licence dormant

This section explains how to make a licence dormant and when this action is appropriate.

Sponsor management system (SMS) request

Where the sponsor's workers become the responsibility of another company as a result of takeover action, the 'old' licence must be made dormant. Making the licence dormant is similar to surrendering a licence, but allows the sponsor to continue reporting on workers through SMS.

If a sponsor wishes to make their licence dormant, they can select this as an option in SMS.

If you identify that the sponsor needs to make their licence dormant, you must contact the sponsor by email and:

- request a change of circumstances (CoC) – Other 'Make licence dormant' request from the old sponsor on SMS
- request a digital version (scan or picture) of the signed surrender declaration from the authorising officer (AO) if available, alternatively someone at director level within the company or the new owners.
- bring forward (b/f) the case for 5 working days awaiting a response

If the sponsor does not submit a request to make their licence dormant, you must issue a reminder email with the necessary wording and b/f the case for 5 working days awaiting a response. If in doubt, or if the sponsor does not complete the necessary action for a second time, you must discuss the case with your line manager.

Checks

You must perform the following checks before proceeding to make the licence dormant.

You must:

- check that there are no sponsored workers with current leave to remain (LTR) against the licence to be made dormant that have not been transferred to the new licence, including workers that have previously transferred into the old sponsor who will not appear on the MI CoS Checker for the sponsor
- check Companies House:
  - if you find the sponsor has been liquidated you must speak to your line manager and refer details of the case to compliance

Manually action the change

To complete the request and make the licence dormant you must:

- ensure the results of all checks and actions taken have been recorded in Metastorm Perform Actions
- enter ‘blank forms’ in Metastorm
- raise ‘manual change of circs’ request
- search the sponsor by unique reference number (URN) to check that you are making the correct licence dormant
- in ‘capture change of circs’ screen, select ‘inform of org restructure’:
  - only by completing this action will the ‘make licence dormant’ option become available
- in the record outcomes screen, select ‘make licence dormant’
- the outcomes of all checks and actions taken are recorded in Metastorm ‘PerformActions’
- make sure all correspondence has been recorded
- update the customer service standard with ‘met’ or ‘not met’

Related content
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Allocation changes

This section explains what you must do when considering a sponsor's requests for additional undefined certificate of sponsorship (CoS).

Undefined CoS

These are used for all workers who need to apply for entry clearance or leave to enter or remain in Worker and Temporary Worker routes except those applying for entry clearance as a Skilled Worker.

Once a sponsor is licensed and has a sponsor management system (SMS) account, they are given an agreed annual allocation of undefined CoS:

- for Skilled Worker and Global Business Mobility (GBM) Senior / Specialist worker routes where the allocation is automated, the annual allocation is valid from 6 April until 5 April the following year (this however does not apply to other GBM routes: Graduate Trainee, UK Expansion Worker, Service Supplier and Secondment Worker)
- for all other cases, the allocation period runs from the date the original licence is granted and then for 12 months from the date that a manual renewal request is granted

Allocation requests are split into 2 categories:

- follow-on allocations: these are requests to renew a sponsor's annual CoS allocation
- in-year allocations: these are requests for additional CoS to be added to the licence within the allocation year

The sponsor can apply to add a route to an existing licence at any point during the 4 year validity period of the licence. Therefore, annual allocations in different routes can expire at different times.

Related content
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Follow-on allocation

This is a request to renew a sponsor's annual undefined certificate of sponsorship (CoS) allocation.

Sponsors can send a follow-on request to renew their allocation of CoS from 9 months after the allocation was granted.

Automated sponsors will have their annual CoS allocation automatically renewed, and do not need request a follow-on allocation through the sponsor management system (SMS).

Allocate

To start the case, use the 'select and assign' function, look through the relevant workstack and select a case to your 'to do' list.

You must then:

- review the sponsor's reason for the request and unique reference number (URN)
- using the sponsor's URN, perform a sponsor summary search
- check the sponsor is licensed and fully active:
  - if the sponsor is B-rated, you will need to read the section on B-rated sponsors before completing your consideration

You must then check the 'cases linked to sponsor' tab, to check whether there are any outstanding changes linked to the case that may impact the CoS request and arrange for these to be worked by either yourself or a co-worker.

Under the case summary page, read the details of the follow-on allocation.

Checks to complete

When completing a follow-on allocation request, you must complete the following checks and considerations and follow the linked guidance, recording all resulting actions in the CoS allocation template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), before pasting this into the 'justification' box under the 'decision summary' Perform Action.

You must:

- review the sponsor's licence history:
  - open 'cases linked to sponsor' as pre-licence concerns will be shown in the 'allocation outcome' of the pre-licence case
- check for special markers:
  - a pre-licence marker should also prompt you to look at the pre-licence case
- check for outstanding non-compliance activity

- review visit history:
  - once in the ‘Sponsor visits’ tab, check whether the visit report contains compliance information or a recommended allocation limit
- perform non-genuine vacancy checks
- check CoS usage, including any DCoS requests:
  - if the sponsor has applied for an extension or a new CoS for a named individual, use the CoS / CAS checker to check the worker’s details and perform immigration and nationality checks

If the checks result in any concerns, for example:

- you are not satisfied the sponsor can offer employment that meets the Skilled Worker requirements for going rates of pay for the posts on offer
- the posts on offer meet the Skilled Worker requirements, but there are other posts that do not

you must:

- request further information using the general further information request letter on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- bring forward (b/f) the case for 5 working days

If there is insufficient evidence or you have any concerns, grant at 0.

If the sponsor does not respond, or you are still not satisfied that the sponsor can offer employment that meets the Skilled Worker requirements after further information is received, you must:

- accept the request with the allocation set to ‘0’
- discuss referring to the Work Central Risk Hub or the Sponsor Compliance team with your line manager if required

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks have been recorded in the CoS allocation template found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) and pasted in ‘decision summary’ in Perform Actions
- go ahead to complete the follow-on request

Complete the follow-on request

This section tells you how to grant the sponsor their requested CoS allocation.

Using the CoS allocation template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), copy and paste the justification, noting:

- sponsor's rating
- CoS requested
- CoS used in previous allocation year and any DCoS requests
- whether there are any civil penalties
- whether the justification is sufficient
- information from Companies House
- whether there are any non-genuine vacancy concerns
- partial or full approval
- any other issues

Then 'update' the request:

- return to 'to do list' and select 'allocation decision complete'
- open 'edit document'
- copy the wording from R500 decision letters on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) for follow on and in year requests, and email the sponsor from the shared mailbox to the authorising officer (AO) and one other member of key personnel
- make sure the outcomes of all checks and actions taken are recorded in Metastorm 'Perform Actions'
- make sure all correspondence has been recorded
- update the customer service standard with 'met' or 'not met'

Related content
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In-year allocation

This is a request for additional certificates of sponsorship within the allocation year.

Sponsors who require additional certificates of sponsorship (CoS) can make an in-year request to have additional CoS added to their licence at any time.

Allocate

To start the case, use the 'select and assign' function, looking through the relevant workstack and select a case to your 'to do' list.

You must then:

- review the sponsor's reason for the request and unique reference number (URN)
- using the sponsor's URN, perform a sponsor summary search
- check the sponsor is licensed and fully active:
  - B-rated sponsors can only assign CoS for workers they currently sponsor to allow them to extend their leave

You must then check the 'cases linked to sponsor' tab, to check whether there are any outstanding changes linked to the allocation request and arrange for these to be worked by either yourself or a co-worker.

Under the case summary page, read the details of the in-year allocation.

Checks to complete

When completing a follow-on allocation request you must complete the following checks and considerations and follow the linked guidance, recording all resulting actions in the CoS allocation template, before pasting this into the 'justification' box in the 'decision summary' Perform Action in Metastorm.

You must:

- review the sponsor's licence history:
  - open 'cases linked to sponsor'
  - pre-licence concerns will be shown in the 'allocation outcome' of previous cases
- check for special markers
- check for outstanding non-compliance activity
- review visit history:
  - once in the 'Sponsor visits' tab, check whether the visit report contains compliance information or a recommended allocation limit
- check the roles on offer are genuine vacancies
- check CoS usage, including any DCoS requests:

- if the sponsor has applied for an extension or a new CoS for a named individual, use MI CoS checker to check what category they were granted under and perform immigration and nationality checks

If the checks result in any concerns, for example:

- you are not satisfied the sponsor can offer employment that meets the Skilled Worker requirements for going rates of pay for the posts on offer
- the posts on offer meet the Skilled Worker requirements, but there are other posts that do not

you must:

- request further information using the general further information request letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), using the wording specific to allocation requests
- bring forward (b/f) the case for 5 working days

If the sponsor does not respond, or you are still not satisfied that the sponsor can offer employment that meets the Skilled Worker requirements after further information is received, you must:

- refuse the in-year request and write to the sponsor using the 'In-year allocation decision notification' letter from SharePoint (this is a local SharePoint folder which you will need to obtain permission to access)
- discuss referring to the Work Central Risk Hub or the Sponsor Compliance team with your line manager

If all evidence is provided and the checks return no concerns, or your concerns are removed after a write out, you must:

- make sure all checks have been recorded in the CoS allocation template on SharePoint and pasted in the 'decision summary' Perform Action in Metastorm
- go ahead to complete the in-year request

Complete the in-year request

This section tells you how to grant the sponsor their requested CoS allocation.

Using the CoS allocation template on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access), copy and paste the justification, noting:

- sponsor's rating
- CoS requested
- CoS used in previous allocation year and any DCoS requests
- whether there are any civil penalties
- whether the justification is sufficient
- Companies House details

- whether there are any non-genuine vacancy concerns
- partial or full approval
- any other issues

Then ‘update’ the request:

- return to ‘to do list’ and select ‘allocation decision complete’
- open ‘edit document’
- copy the wording from R500 decision letters on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) for follow on and in year requests, and email the sponsor from the shared mailbox to the authorising officer (AO) and one other member of key personnel
- make sure the outcomes of all checks and actions taken are recorded in Metastorm ‘Perform Actions’
- make sure all correspondence has been recorded
- update the customer service standard with ‘met’ or ‘not met’

Related content
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Cancelling a CoS

This page explains why you may need to cancel a certificate of sponsorship (CoS) and what to do.

Reasons for cancelling a CoS may include:

- a sponsor being unable to access the sponsor management system (SMS)
- a specific worker wants the CoS cancelling but the sponsor refuses to cancel it

A sponsor requests cancellation of a CoS

A sponsor's request to cancel a CoS must be submitted by email, letter or fax and may be submitted by either, the authorising officer (AO), key contact (KC) or level 1 (L1) user.

If the sponsor has submitted the request, you must:

- check Metastorm to make sure the requester:
  - is named on the sponsor licence
  - is the AO, KC or L1 user
- establish there is a valid reason for the request
- save the emailed request as a 'standalone letter' to the correspondence tab of the sponsor licence record on Metastorm or, if the request was submitted by fax or letter, you must scan the document and save it to the correspondence tab on Metastorm using the 'standalone letter' function

If the sponsor has provided a valid reason for the request, you must pass your recommendation to your manager for authorisation.

If your manager authorises the request, you must update Metastorm and cancel the CoS using the 'Cancel CoS' case type in Blank Forms.

If your manager does not authorise the request, you must email the sponsor, making sure to email the AO and at least one other member of key personnel, informing them of the decision.

If the sponsor has not provided a valid reason for the request, you must contact the sponsor to obtain further information, ensuring all correspondence is recorded, and make a recommendation to your manager based on any new evidence provided.

A worker requests cancellation of a CoS

If the sponsor is unable or unwilling to cancel a CoS assigned to a worker, the worker may contact the sponsor casework operations by telephone, letter or email, to request Sponsorship Operations to cancel the CoS on their behalf.

If a worker has submitted a request to cancel their CoS, you must check:

- that the worker has undertaken the following actions:
  - they have written to the sponsor requesting their CoS is cancelled
  - they have sent a further letter after 5 days requesting the sponsor cancel the CoS
  - a total of 10 days has expired without the CoS being cancelled the worker has submitted evidence of correspondence with the sponsor

If the worker has completed the required actions, you must contact the sponsor to establish why they have not cancelled the CoS.

If the worker has not completed the required actions, you must contact the worker and inform them of what they must do before Sponsorship Operations can raise their request with the sponsor.

You must:

- explain to the sponsor that the assigning or use of a CoS does not prevent a worker deciding to refuse an offer of employment or to seek alternative employment
- give the sponsor an opportunity to cancel the CoS themselves

If after 24 hours the sponsor has cancelled the CoS, you must inform the worker the sponsor has cancelled the CoS.

If after 24 hours the sponsor has not cancelled the CoS, you must cancel the CoS and issue a letter to both the sponsor and worker informing them of your action.

Depending upon the reason for the sponsor failing or refusing to cancel the CoS, you may wish to inform the Work Central Risk Hub if there are any concerns regarding the sponsor's treatment of workers, or any potential failing of their sponsor duties.

Related content
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Changes to registration or accreditation status

This page explains what to do when a sponsor tells the Sponsorship Operations of a change to their registration, inspection, audit or review status.

Allocate

To start the case, use the 'select and assign' function, looking through the relevant workstack and select a case to your 'to do' list.

You must then:

- review the sponsor's reason for the request and unique reference number (URN)
- using the sponsor's URN, perform a sponsor summary search
- check the sponsor is licensed and fully active

You must then check the 'cases linked to sponsor' tab, to check whether there are any outstanding changes linked to the change of name request and arrange for these to be worked by either yourself or a co-worker.

New accreditation or registration

Some sponsors must be inspected, audited or reviewed by, or registered with, an appropriate governing body to hold a licence, for example, educational establishments.

If the sponsor notifies Sponsorship Operations that they have been inspected, audited, reviewed by or registered with an appropriate body, you must:

- confirm the inspection, audit, review or registration with the relevant body- you can either:
  - look on the relevant body's website
  - contact them by telephone or in writing
- update the sponsor's record in Metastorm with the details and the expiry date of the inspection, audit, review or registration
- email the sponsor's authorising officer (AO) and one other member of key personnel using the 'change of circumstances (CoC) other changes decision notification' letter on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access) informing them that the sponsor licensing unit have amended their records appropriately

If the sponsor notifies Sponsorship Operations that it is no longer appropriately inspected, audited, reviewed by or registered with an appropriate body, you must:

- check accreditation or registration status online

- if unable to verify online, contact the relevant body to confirm the information provided by the sponsor to find out why the accreditation or registration has been withdrawn
- update the sponsor's record in Metastorm
- inform your team leader that the sponsor is no longer appropriately inspected, audited, reviewed by or registered and refer to sponsor compliance for revocation

Related content
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Managing a licence surrender

This page explains what to do if a sponsor wants to surrender their sponsor licence, or suspension is recommended after a compliance visit.

Allocate

To start the case, use the ‘select and assign’ function to look through the relevant workstack and select a case to your ‘to do’ list.

You must then:

- check special markers to see whether there is outstanding or ongoing compliance action against the sponsor:
  - if compliance action is seen, contact the compliance team by email to check whether you can continue, or whether you should bring forward (b/f) the case pending an outcome

If you are not required to hold the case on account of compliance action, you must proceed to:

- review the sponsor’s reason for the request and unique reference number (URN)
- using the sponsor’s URN, perform a sponsor summary search
- check the sponsor is licensed and fully active
- check for the submission sheet and surrender declaration:
  - this must have been signed by the authorising officer (AO) if available or someone within the company at director level
  - you must note whether the submission sheet and declaration has been signed in the ‘signed declaration’ Perform Action in Metastorm

You must then check the ‘cases linked to sponsor’ tab to check whether there are any outstanding change requests and arrange for these to be actioned by either you or a co-worker.

If the outstanding change request relates to suspension or revocation action, you must discuss the details of the case with your line manager and refer to the Work Central Risk Hub or Sponsor Compliance team to see if there is any outstanding compliance action that would prevent us from proceeding with the surrender.

Reasons for surrendering a sponsor licence

A sponsor may wish to surrender their sponsor licence for the following reasons:

- they have stopped trading
- they no longer employ workers and have no plans to do so in the future:

    - if the sponsor's workers are now the responsibility of another company, you must make sure the checks listed below are completed before proceeding to make the licence dormant, rather than surrender
- they decline to pay for an action plan
- they can no longer meet their sponsorship responsibilities for a particular route
- as a result of economic reasons, they no longer wish to maintain their licence

Checks

You must perform the following checks to find out whether we can proceed with the surrender action.

You must:

- check that there are no sponsored workers with current leave to remain (LTR) against the licence, including workers that have previously transferred into the sponsor who will not appear on the MI CoS Checker for the sponsor - if there are, the licence may need to be referred to the Sponsor Compliance team for revocation
- check special markers
- check Companies House:
    - if you find the sponsor has been liquidated, you must speak to your line manager and refer details of the case to the Sponsor Compliance team

Complete request to surrender the sponsor licence

This section tells you how to complete the licence surrender.

If, after checks are completed, there is no outstanding compliance action that would prevent licence surrender, you must:

- note the details of your consideration in the 'decision summary' Perform Action in Metastorm
- make sure the results of all checks and actions taken have been recorded in Metastorm Perform Actions
- 'accept' the licence surrender
- update the customer service standard with 'met' or 'not met'

To surrender the licence on Metastorm, you must raise a manual surrender through the blank forms menu and select 'Manage a Licence Surrender' and follow the Manage a Licence Surrender User guide on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

Send the sponsor a letter from the R500 letters and guidance folder confirming surrender action has been taken. Letters can be found on SharePoint (this is a local SharePoint folder which you will need to obtain permission to access).

Related content
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Allegations and complaints

This section explains how to handle complaints about sponsor licensing related issues with the points-based system.

Your line manager may receive complaints from a sponsor about:

- the way their application has been handled
- the process
- the sponsor casework operations

Sponsor complaints

This page explains how to deal with a complaint from a sponsor about the sponsor licensing process or the Sponsorship Operations.

Sponsorship Operations initially consider complaints received from a prospective or licensed sponsor. You must direct a complaint to the higher executive officer (HEO) team leader. If the HEO is unable to resolve the complaint, it is passed to the senior executive office (SEO) or assistant director.

If it is not possible to resolve the complaint, or the sponsor wishes to pursue compensation for a perceived loss, then you must direct them to the CSI Complaints Allocation Hub. They handle complaints and compensation requests regardless of the sponsor's location in the UK.

Related content
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