

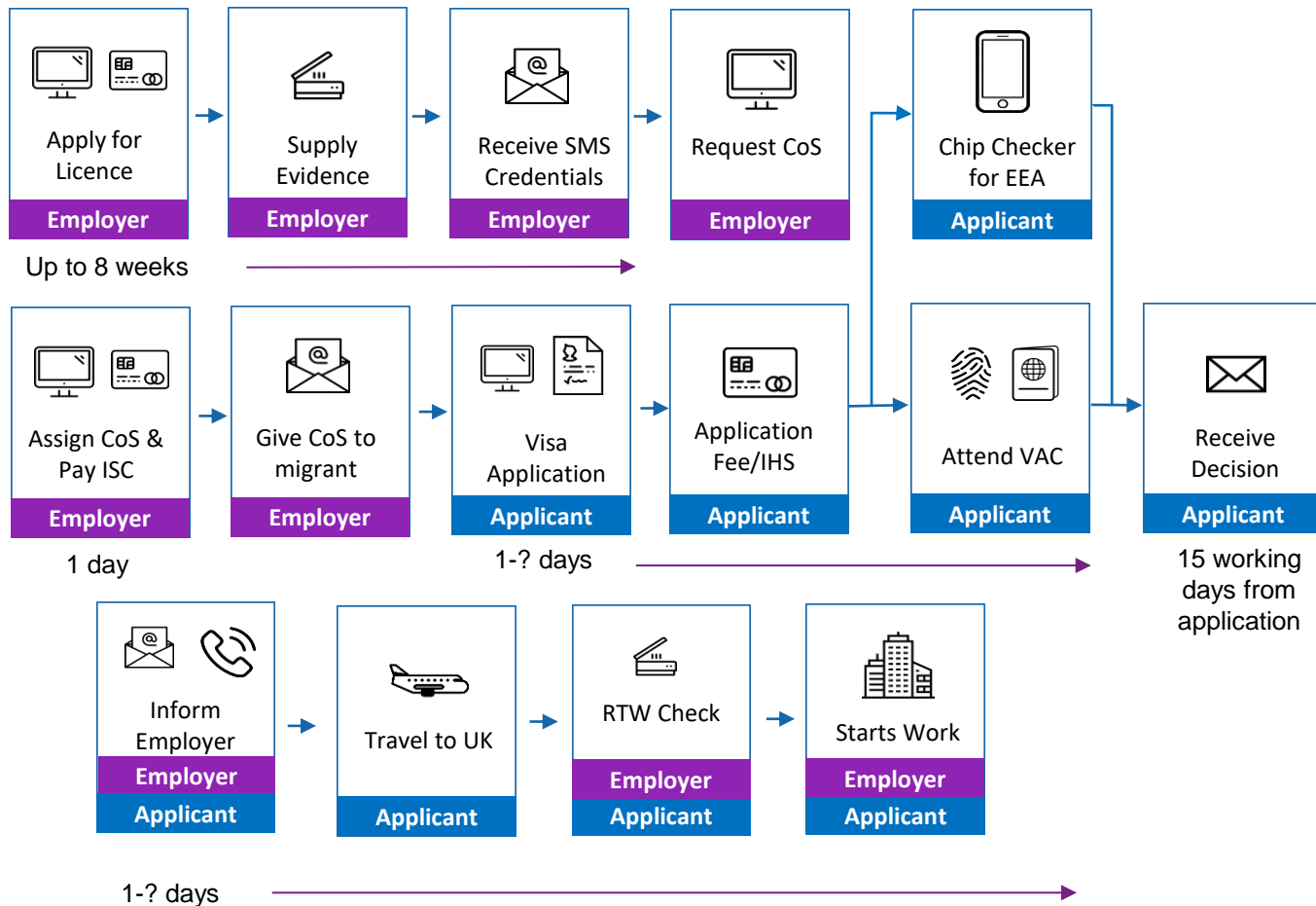


Home Office

Sponsorship Responsibilities

Presented by Richard Johnson, UKVI Work Services, for
NHS Employers: 13th March 2025

Sponsorship Journey



Genuine Vacancy Test (GVT)

All sponsors are required to demonstrate they can provide the work role, as described on the certificates of sponsorship (CoS) assigned to the sponsored migrant worker (GVT).

The GVT requirement is initially checked when assessing the sponsor licence application, and again at applications for CoS, migrant visa applications and compliance visits to sponsors.

Why is demonstrating the GVT has been met so important?

A sponsored migrant's grant of permission to work in the UK is linked to and dependent on working for their sponsor in their sponsored role (GVT); this can lead to settlement, and UK Citizenship.

Sponsored workers cannot claim benefits. If the sponsor is unable to offer the employment stated on the CoS, a migrant worker could become vulnerable to exploitation.



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Sponsorship Duties

Sponsor Duties

Workers and Temporary Workers: guidance for sponsors part 3: sponsor duties and compliance

- Comply with all relevant UK Legislation, including:
- Pose no threats to immigration control
- Correctly undertake Right to Work (RTW) checks
- Robust HR Systems – e.g. – track and monitor CoS assigned by SMS L1 Users.
- Record keeping: Including employment contracts, up to date migrant contact details, **RTW checks***, recruitment documentation.
- Must employ sponsored workers in the role as stated on the Certificate of Sponsorship (CoS) - genuine vacancy.
- Sponsor must be directly employing the migrant - manage and direct the work – not supplying migrants as agency labour (3rd party working)*
- Monitor visa permission expiry dates
- Migrant reporting via Sponsor Management System (SMS) – e.g.

Compliance with sponsorship duties is assessed during a UKVI visit. If you do not comply with your sponsorship duties, we may take compliance action against your licence.

Migrant Activity SMS reporting options and structure

Activity Type - First Dropdown	Activity Details - Second Dropdown	Additional Fields
Sponsor continuing to sponsor migrant worker	Worker start date delayed Migrant failed to attend for 10 consecutive days without permissions	Relevant date Free text field
Sponsor has stopped sponsoring migrant worker	Migrant failed to take up post Worker dismissed by sponsor Worker made redundant by sponsor Work completed early Worker has moved to another sponsor Worker has moved to another Immigration category Worker taken extended unpaid leave	Date sponsorship ended Free text field Address fields Telephone (optional) Email (Optional)
Change in migrant worker circumstances	Work location has changed Change in job title/duties Change to salary/working hours Migrant taking period of unpaid leave	Date of Change Free text field
Previous notification withdrawn	Previous notification withdrawn	Date of previous notification Free text field

Sponsorship Compliance Visits

- Announced or unannounced
- Compliance with all sponsorship duties is assessed
- Structure of the visit: AO/L1/KC HR; interview and evidence gathered
- Sponsored migrant workers random or targeted interviews
- UKVI Compliance Officer follow up actions; assess evidence provided & collated into a report
- Report referred to compliance casework team for an outcome:
 - Maintain “A” rating;
 - Downgrade to “B” with action plan;
 - Suspension; or Revocation.

Sponsor Licence Suspension

What is the process when a sponsor licence is suspended?

- We will write to the sponsor giving reasons for the suspension. The suspension letter is sent via email.
- The sponsor will then have 20 working days from the date of the notification to respond to our letter. The response must be in writing and set out with any relevant supporting evidence, which grounds they believe to be incorrect and why. We do not hold oral hearings.
- When a response is received, we will inform the sponsor of our final decision, in writing, within 20 working days.
- If we do not receive a response, we will commence with whatever action we believe is appropriate and inform the sponsor of our decision in writing.

Sponsor Licence Downgrade to “B rating” with action plan

- Sponsor Duties apply to all sponsors – including NHS Trusts – we are prepared to take action when appropriate to uphold the Immigration Rules.
- Action plan example : Evidence there is a lack of a robust SMS monitoring in place.
- Permitting assignment of CoS to take place with the AO not aware of actions of the L1 Users assigning CoS.
- Action Plan must be agreed to and paid by the sponsor.
- Three months to rectify the issues outlined.

Sponsor Licence Revocation

We will write to the sponsor giving reasons for the revocation. The revocation letter is sent via email.

The company will be removed from the online “Register of licensed sponsors: Workers”.

There is **NO** right of appeal against a revocation decision - However, a judicial review can be sought.

Sponsor Licence Revocation – Sponsored Worker Support

- UKVI will notify each sponsored worker of the licence revocation **normally** two calendar months after the revocation.
- Please note, workers existing permission to work for the employing sponsor continues to remain valid **until** another Home Office department writes to them to confirm **the date it has been shortened to, or cancelled**.
- The sponsored workers remaining permission will **normally** be shortened to 60 calendar days.

Supplementary Employment

Sponsored workers can take additional paid employment, known as 'supplementary employment'.

- The supplementary work must be for no more than 20 hours per week
- The worker must continue to work in the job for which they are being sponsored

“Supplementary employment” means employment in a job (other than the job for which the person is being sponsored) which **either**:

- (a) appears in Appendix Immigration Salary List; or
- (b) is in the same profession and at the same professional level as the job for which the person is being sponsored; or
- (c) if the person has permission as a Skilled Worker, is in an eligible SOC 2020 occupation code listed in Tables 1, 2 or 3 of Appendix Skilled Occupations;

Useful guidance links for help

Information for student and worker sponsors, including full policy guidance, using the sponsorship management system, and help via the Business Help Desk. :

<https://www.gov.uk/government/collections/sponsorship-information-for-employers-and-educators>

[Points-based system sponsor compliance visits](#)

Guidance - Published for Home Office staff

Compliance Casework Guidance - Published for Home Office staff:

[Compliance Casework](#)

Checking a job applicant's right to work:

<https://www.gov.uk/check-job-applicant-right-to-work>



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Thank You