



Home Office

Workers and Temporary Workers: guidance for sponsors

Part 1: Apply for a licence

Version 11/20

This document forms part of the collection 'Workers and Temporary Workers: guidance for sponsors' and provides information for employers and businesses on how to apply for a licence to employ and sponsor individuals on the Worker (formerly Tier 2) and Temporary Worker (formerly Tier 5) immigration routes from 1 December 2020.

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About this guidance

This document provides information for employers on how to apply for authorisation (a licence) to sponsor a person on the Worker and Temporary Worker immigration routes from 1 December 2020.

What are the Worker and Temporary Worker routes?

These are the main immigration routes for overseas nationals who wish to work in the UK.

The Worker routes replace the Tier 2 routes from 1 December 2020, as described in the table below:

Tier 2 routes before 1 December 2020	Worker routes from 1 December 2020
Tier 2 (General)	Skilled Worker
Tier 2 (Intra-Company Transfer): <ul style="list-style-type: none">• Long-term Staff• Graduate Trainee	Intra-Company routes: <ul style="list-style-type: none">• Intra-Company Transfer• Intra-Company Graduate Trainee
Tier 2 (Minister of Religion)	T2 Minister of Religion
Tier 2 (Sportsperson)	T2 Sportsperson

The T5 (Temporary Worker) routes (referred to as the 'Temporary Worker' routes in this guidance) replace the Tier 5 (Temporary Worker) routes from 1 December 2020, as described in the table below:

Tier 5 (Temporary Worker) routes before 1 December 2020	Temporary Worker routes from 1 December 2020
Charity Workers	Charity Worker
Creative and Sporting	Creative or Sporting Worker
Government Authorised Exchange	Government Authorised Exchange Worker
International Agreement	International Agreement Worker
Religious Workers	Religious Worker
Seasonal Worker	Seasonal Worker

For details of these changes to the Immigration Rules, see [Statement of Changes HC 813](#) on GOV.UK.

The Worker and Temporary Worker routes apply to both:

- European Economic Area (EEA) nationals who arrive in the UK after 11 pm on 31 December 2020 (see below); and
- non-EEA nationals who apply for entry clearance or permission on or after 1 December 2020

Transitional arrangements

If you already have a valid sponsor licence under the Tier 2 and 5 sponsorship arrangements, you do not need to apply for a new licence, unless your licence is about to expire – see '[Transitional provisions for existing licence holders](#)' in section L1 of this document for further information.

If you applied for a sponsor licence under the Tier 2 and 5 arrangements before 1 December 2020 but your application is not decided by that date, it will be considered in accordance with this guidance.

Employing EEA nationals and Irish citizens

In this guidance, reference to European Economic Area (EEA) nationals includes nationals of Switzerland but not of Ireland. You do not need to sponsor Irish citizens (see below).

EEA nationals who arrive by 31 December 2020

You are not required to sponsor an [EEA national](#) who will arrive in the UK before the end of the implementation period (11 pm on 31 December 2020). EEA nationals (and their eligible family members) are entitled to exercise their right to enter the UK under freedom of movement rules until that date and time.

You can therefore continue to employ EEA nationals who arrive in the UK before the end of the implementation period (and their eligible family members) without needing to sponsor them, provided they apply for status on the [EU Settlement Scheme \(EUSS\)](#) no later than 30 June 2021, and that application is granted. People with settled or pre-settled status under the EUSS do not need to be sponsored.

For further information, see '[Continue to live in the UK if you're an EU, EEA or Swiss citizen](#)' on GOV.UK.

EEA nationals who arrive after 31 December

EEA nationals who arrive in the UK after the end of the implementation period (11 pm on 31 December 2020) will need to be sponsored on the appropriate Worker or Temporary Worker route if they wish to work in the UK, unless they have another type of immigration permission that allows them to work.

Irish citizens

Irish citizens do not need permission to live and work in the UK – you can therefore continue to employ Irish citizens as now without needing to sponsor them. This includes Irish citizens who arrive after 31 December 2020. With limited exceptions, Irish citizens cannot apply for permission on the Worker or Temporary Worker routes.

Structure of the sponsor guidance

This document forms part of the guidance collection 'Workers and Temporary Workers: guidance for sponsors' (or 'sponsor guidance for employers' for short). The guidance is structured as follows:

- 3 main parts
- appendices
- route-specific guidance

You should read all parts of the guidance to ensure that you understand your duties and responsibilities as a licensed sponsor.

If you are new to sponsorship, you may find it helpful to read the relevant route-specific guidance first.

You can find all documents on the '[Guidance for employers and educators](#)' page on GOV.UK.

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

Main parts

The 3 main parts are:

- **Part 1 (this document):** tells you how to apply for a sponsor licence, the requirements you must meet, how we consider your application, and what happens if we refuse your application
- **Part 2: Sponsor a worker – general information:** tells you about the processes you must follow to sponsor a worker once you have obtained your sponsor licence
- **Part 3: Sponsor duties and compliance:** tells you about your duties and responsibilities as a sponsor and the action we will take if you breach, or are suspected of breaching, these duties, including if you act in a manner that is not conducive to the public good

Appendices

The relevant appendices are:

- [Appendix A](#): this tells you the documents you must submit to support your sponsor licence application
- [Appendix B](#): this is a list of immigration offences we will take into account when considering your suitability to hold a sponsor licence
- [Appendix D](#): this tells you about your record-keeping duties as a licensed sponsor

Route-specific guidance

These documents contain detailed information on sponsoring workers on specific routes:

- Sponsor a Skilled Worker
- Sponsor an Intra-Company Worker
- Sponsor a Minister of Religion or Religious Worker
- Sponsor a Sports person or Sporting Worker
- Sponsor a Charity Worker
- Sponsor a Creative Worker
- Sponsor a Government Authorised Exchange Worker
- Sponsor an International Agreement Worker
- Sponsor a Seasonal Worker

Contacts

If you think the guidance has factual errors or broken links, you can email the [Business Helpdesk](#).

If you have any queries about the application process, you can call us on 0300 123 4699, or email the [Business Helpdesk](#).

Version number and publication

Below is information on the version number of this guidance and when it was cleared for publication:

- Version **11/20**
- cleared for publication on 18 November 2020

Changes from the last version of this guidance

This is the first time this document has been published. It is based on sections 1 to 3, and 5 to 11, of 'Tier 2 and 5 of the points-based system: guidance for sponsors' but has been updated to reflect changes to the Immigration Rules for Workers and Temporary Workers coming into force on 1 December 2020.

A note on hyperlinks in this guidance

Links to some parts of the Immigration Rules and sponsor guidance are not available at the time of publishing this version. These will be provided in the next update.

You can find details of changes to the Immigration Rules in [Statement of Changes HC 813](#) on GOV.UK.

All of the sponsor guidance documents can be accessed via '[Guidance for employers and educators](#)' page on GOV.UK.

Related content

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Glossary

The table below contains a list of terms and phrases commonly used across all parts of the sponsor guidance for employers, and their definitions.

Phrase	Meaning
Certificate of Sponsorship (CoS)	<p>An electronic document with a unique reference number issued by you (the sponsor) to a worker via the Sponsorship Management System. A CoS confirms the details of the job for which you will be sponsoring the worker.</p> <p>The worker must have a valid CoS before they can make a successful application for entry clearance, permission to enter or permission to stay.</p>
Curtail, curtailment (and derived terms)	<p>This is when the Home Office shortens a person's permission such that they will have a shorter period of, or no, permission remaining.</p> <p>This could happen, for example, if the person breaches their conditions of stay, is convicted of a criminal offence, or you fail to comply with your sponsor duties. Permission may be curtailed to expire within 60 days or, in more serious circumstances, immediately.</p>
Entry clearance	<p>A visa or entry certificate, usually in the form of a vignette (sticker) in the holder's passport, which provides evidence of the holder's eligibility for entry to the UK. Commonly referred to simply as a 'visa'.</p> <p>A valid entry clearance grants the holder permission to enter the UK on arrival.</p>
Permission	Means either permission to enter or permission to stay.
Permission to enter	<p>Has the same meaning as 'leave to enter' under the Immigration Act 1971.</p> <p>Permission given to a person to enter the UK – this could be via a valid entry clearance, a grant of permission by an immigration officer, or a grant of permission via an automated ePassport Gate (where the passenger is eligible to use that facility).</p>
Permission to stay	<p>Has the same meaning as 'leave to remain' under the Immigration Act 1971 (and includes a variation of leave to enter or remain and an extension of leave to enter or remain).</p> <p>Permission given to a person who is already in the UK.</p>
Relevant offence	Any offence listed in Annex L4 of this guidance.
Settled worker	A person who is:

Phrase	Meaning
	<ul style="list-style-type: none"> • a British citizen • a European Economic Area (EEA) national or Swiss national who arrives in the UK before 11 pm on 31 December 2020 (and their eligible family members), provided they apply for status under the EU Settlement Scheme by 30 June 2021 and that application is granted • a person with leave to remain (pre-settled status) or indefinite leave to remain (settled status) granted under Appendix EU (the EU Settlement Scheme) • a British overseas territories citizen, except for those from sovereign base areas in Cyprus – territories included are: <ul style="list-style-type: none"> ○ Anguilla ○ Bermuda ○ British Antarctic Territory ○ British Virgin Islands ○ British Indian Ocean Islands ○ Cayman Islands ○ Falkland Islands and dependencies ○ Gibraltar ○ Montserrat ○ Pitcairn Islands ○ St. Helena and dependencies ○ Turks and Caicos Islands • a Commonwealth citizen (including a citizen of Zimbabwe) who has been granted permission on the UK Ancestry route on the basis they have a grandparent born in the UK and Islands • a Commonwealth citizen (including a citizen of Zimbabwe) with the right of abode in the UK • anyone who has indefinite leave to enter or remain (settlement) in the UK, or is otherwise settled within the meaning of section 33(2A) of the Immigration Act 1971 – this includes Irish citizens, unless they are subject to a deportation order, an exclusion order, or an international travel ban <p>Note: you have a legal responsibility to check that your employees or prospective employees have the legal right to work in the UK and do the work in question: see 'Right to work checks: an employer's guide' on GOV.UK.</p>
Settlement	Permission given to a person to enter or stay in the UK on a permanent basis. Also known as 'indefinite leave to remain'.
UKVI	UK Visas and Immigration , an operational command of the Home Office.
We or Us	The Home Office

Phrase	Meaning
Working days	<p>Any day other than a:</p> <ul style="list-style-type: none"> • Saturday • Sunday • UK bank holiday
You or Your	<p>The sponsor organisation or prospective sponsor organisation, including any:</p> <ul style="list-style-type: none"> • owner • director • authorising officer • key contact • level 1 user • person involved in your day-to-day running <p>See the 'Key personnel' section for a definition of 'authorising officer', 'key contact', and 'level 1 user'.</p>

Related content
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L1. Sponsorship: an introduction

This section tells you what a sponsor licence is and provides a brief overview of the immigration routes on which you can sponsor workers.

What is sponsorship?

- L1.1 If you wish to employ a person who is not a [settled worker](#), and who does not otherwise have immigration permission to work in the UK, you will need to be authorised by the Home Office. This authorisation is known as a 'sponsor licence', and employers who hold a sponsor licence are known as 'sponsors'.
- L1.2 Individual persons are not eligible to be recognised as sponsors, unless they are sole traders who wish to sponsor someone to work in their business.
- L1.3 A worker must have an offer of a job which meets the relevant criteria from an approved sponsor before they can make a valid application to enter or stay in the UK for the purpose of work. The sponsor confirms this by assigning a Certificate of Sponsorship to the worker.
- L1.4 Sponsorship plays two main roles in a worker's application for permission to enter or stay in the UK:
- where relevant, it provides evidence that the worker will fill a genuine vacancy in a skilled occupation and will be paid appropriately
 - it involves a pledge from the sponsor that it accepts all of the duties of sponsorship

Routes under which you can apply for a sponsor licence

- L1.5 There are two broad types of sponsor licence you can apply for: Worker (formerly Tier 2) and Temporary Worker (formerly Tier 5 (Temporary Worker)). Within these two types, there are a number of individual immigration 'routes'. You can apply to be licensed in as many routes as you feel appropriate for your business or organisation.
- L1.6 There is a brief description of these routes below. For more detailed information, refer to the [route-specific guidance](#).

Note: you do not need to apply for a new licence if you already have a valid licence under the existing Tier 2 or Tier 5 arrangements – see [Transitional provisions](#) below.

Worker routes

- L1.7 These routes are for skilled and long-term workers. There are 5 Worker routes, as follows:

- **Skilled Worker**: this allows employers to recruit people to work in the UK in a specific job – a Skilled Worker must have a job offer in an eligible skilled occupation and meet the salary and going rate requirements
- **Intra-Company routes**: there are two Intra-Company routes, both of which require the worker to be sponsored in an eligible skilled occupation and meet the salary and going rate requirements:
 - **Intra-Company Transfer**: this is for established workers who are being transferred by the overseas business they work for to do a skilled role with a linked business in the UK
 - **Intra-Company Graduate Trainee**: this is for workers who are being transferred by the overseas business they work for to undertake a role in the UK with a linked business as part of a structured graduate training programme
- **T2 Sports person**: this for an elite sports person or qualified coach who is sponsored in a role where they will make a significant contribution to the development of sport at the highest level in the UK and who has a valid endorsement from the appropriate Sports Governing Body
- **T2 Minister of Religion**: this for a person who has a key leading role within their faith-based organisation or a religious order in the UK

Temporary Worker routes

L1.8 The Temporary Worker (or 'T5 (Temporary Worker)') routes allow employers to recruit workers in a variety of temporary roles with an organisation in the UK to help satisfy cultural, charitable, religious or international objectives, including volunteering and job shadowing, and for meeting seasonal employment needs in the edible horticultural sector.

L1.9 There are 6 Temporary Worker routes on which you can sponsor workers:

- **Charity Worker**: this is for a person who wants to come to the UK to do voluntary work with a charitable organisation for no more than 12 months
- **Creative or Sporting Worker**: this is for a person who wants to work within the creative or sporting sectors in the UK for up to 12 months (with the possibility to extend for up to a maximum of 24 months in the case of Creative Workers):
 - a **Creative Worker** is someone who can make a unique contribution to the UK's rich cultural life, for example, as an artist, dancer, musician or entertainer, or as a model contributing to the UK's fashion industry
 - a **Sporting Worker** is someone who can make a significant contribution to their sport at the highest level in the UK
- **Government Authorised Exchange Worker**: this is for a person who wants to come to the UK on an approved scheme for a period of no more than 12 or 24 months (depending on the scheme)
- **International Agreement Worker**: this for a person who wants to come to the UK to provide a service covered under international law, such as private servants in diplomatic households, employees of overseas

governments and international organisations, or under the General Agreement on Trade in Services (GATS) or another agreement under which the UK has commitments – workers sponsored on this route can stay in the UK for a maximum period of between 6 months and 2 years, depending on the international agreement

- **Religious Worker**: this is for a person who wants to support the activities of religious institutions in the UK by conducting religious work, such as working in a religious order or undertaking non-pastoral work for a religious organisation, for a maximum of 2 years – the work must not include employment as a minister of religion
- **Seasonal Worker**: this is for workers in edible horticulture doing seasonal work in the UK with a sponsor (who must be an approved scheme operator) for up to 6 months in any 12-month period

Youth Mobility Scheme

- L1.10 There is a further Temporary Worker route, known as the Youth Mobility Scheme. This is a cultural exchange scheme which allows young people aged between 18 and 30 from participating countries and territories to work temporarily and experience life in the UK. The scheme works on a reciprocal basis and British citizens can travel to and work in participating countries under similar schemes. Only nationals of certain countries can come to the UK on the Youth Mobility Scheme.
- L1.11 People who hold a valid Youth Mobility Scheme visa are allowed to do most types of employment. Therefore, if you wish to employ a worker who is in the UK on this scheme, they will not need to be sponsored as a Worker or Temporary Worker. The only exceptions are if the person wishes to work as a professional sportsperson or coach, or as a doctor or dentist in training (where they qualified overseas), in which case they will need to be sponsored on the appropriate Worker or Temporary Worker route.
- L1.12 Individual companies and organisations cannot apply for a sponsor licence under the Youth Mobility Scheme and no further reference to the scheme will be made in this guidance. Further information, if required, can be found on the [Youth Mobility Scheme](#) pages on GOV.UK.

Transitional provisions for existing licence holders

- L1.13 If you already hold a sponsor licence under the current Tier 2 and 5 sponsorship arrangements, you do not need to apply for a new licence. Your existing licence (along with your Certificate of Sponsorship allocation) will be transferred to the new system from 1 December, in the equivalent route (or routes), and with the same expiry date as your existing licence.
- L1.14 If your licence is due to expire within the next 90 days, you should apply now to renew it. For guidance on renewing your licence, see Part 3: Sponsor duties and compliance.
- L1.15 We will not transfer your licence to the new system if it has been revoked or made dormant, or if it is suspended (unless we later reinstate your licence).

- L1.16 If your licence is transferred to the new system, the type of licence you hold, and the individual routes in which you are licensed, will be updated as set out in the table below:

Before 1 December 2020	From 1 December 2020
Tier 2	Worker
Tier 2 (General)	Skilled Worker
Tier 2 (Intra-Company Transfer)	Intra-Company routes
Tier 2 (Minister of Religion)	T2 Minister of Religion
Tier 2 (Sportsperson)	T2 Sportsperson
Tier 5 (Temporary Worker)	Temporary Worker
Charity Workers	Charity Worker
Creative and Sporting	Creative or Sporting Worker
Government Authorised Exchange	Government Authorised Exchange Worker
International Agreement	International Agreement Worker
Religious Workers	Religious Worker
Seasonal Worker	Seasonal Worker

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L2. Sponsorship: your responsibilities

This section provides an overview of your duties and responsibilities as a licensed sponsor.

Guiding principles

L2.1 Sponsorship is based on two main principles:

- sponsorship is a privilege, not a right – this means that those who benefit most directly from employing migrant workers must:
 - play their part in ensuring the immigration system is not abused
 - comply with wider UK law
 - not behave in a manner that is [not conducive to the public good](#)
- overseas nationals who apply for permission to enter or stay in the UK to work are eligible, and a trustworthy and licensed employer genuinely wishes to employ and sponsor them

L2.2 When a sponsor is granted a licence, significant trust is placed in them. With this trust comes a direct responsibility to act in accordance with the UK's immigration laws, all parts of this sponsor guidance, and with wider UK law, including, but not limited to:

- [UK employment law](#), such as payment of National Minimum Wage, holiday and sickness pay, maximum working hours, health and safety, and trade union and worker rights
- [preventing illegal working](#)
- [safeguarding children](#) – see below

L2.3 We have a duty to ensure all sponsors discharge these responsibilities, and we will take compliance action when it is considered that a sponsor has failed to do so, or otherwise poses a risk to immigration control. Part 3: Sponsor duties and compliance contains detailed guidance on your duties as a licensed sponsor and the compliance action we can take if you fail to meet those duties.

Behaviour that is not conducive to the public good

L2.4 There is also a wider responsibility for sponsors to behave in a manner that is consistent with our fundamental values and is not detrimental to the wider public good. The Home Office will not license organisations whose actions and behaviour are not conducive to the public good. Such actions and behaviour include, but are not limited to:

- fostering hatred or inter-community division
- fomenting, justifying or glorifying terrorism
- rejecting the rights of, or discriminating against, other groups or individuals on the basis of their sex, age, disability, gender

reassignment, sexual orientation, marital or civil partnership status, race, or religion or belief (including lack of belief)

- L2.5 The Home Office will refuse a sponsor licence application or take the appropriate compliance actions if a prospective or existing sponsor is engaging, or has ever engaged, in such behaviour or actions. The compliance action taken will depend on the gravity of the behaviour and actions but could include compliance actions up to and including revocation of your licence.

Safeguarding children

- L2.6 Under [section 55 of the Borders, Citizenship and Immigration Act 2009](#), we must have regard to the need to safeguard children and to promote their welfare when exercising immigration functions. The administration of the sponsor licensing regime supports our immigration functions, whilst not itself constituting such a function. We do not consider that section 55 of the 2009 Act imposes a general duty upon us to consider the welfare of children of sponsored migrants when making decisions about licensing. However, we do consider it appropriate to ensure sponsors, and prospective sponsors, have suitable care arrangements in place for any child under 18 who will work for them in the UK, or will otherwise be under their care or supervision. These include arrangements for the child's:

- travel to the UK
- reception when they arrive in the UK
- arrangements while in the UK, as well as parental consent to these arrangements

- L2.7 If we are not satisfied you have suitable arrangements in place (where required), we will refuse your sponsor licence application. If you already hold a licence and we find out you do not have suitable arrangements in place (where required), we will revoke your licence.

- L2.8 You must have a [Disclosure and Barring Service \(DBS\)](#) check on any of your workers undertaking a 'regulated activity' for children. See the '[Regulated Activity in relation to Children](#)' page on GOV.UK for information on this. If your sponsored worker requires a check, they must show you their certificate of good character or criminal record check. If you require a check, you must ensure it is carried out.

Abuse of sponsorship arrangements

- L2.9 UKVI will consider information about abuse of the sponsorship arrangements, including behaving in a manner that is not conducive to the public good, investigate it and, if appropriate, tell the relevant authorities. UKVI will also take action against you (the sponsor). This could include downgrading your licence, suspending your licence, or revoking it. There is more information in [Part 3: Sponsor duties and compliance](#).

L2.10 We treat any allegation of abuse of the sponsorship system in the strictest confidence. Anyone with information can contact us by emailing the [Business Helpdesk](#). Immigration offenders can also be reported via the [‘Report an immigration crime’](#) page on GOV.UK.

Related content

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L3. How sponsor licensing works

This section provides an overview of the requirements you must meet to be eligible for a sponsor licence, how we consider applications, and what you must do to keep your licence.

Applying for your licence

- L3.1 You apply for your licence by completing the [online application form](#) and submitting the supporting documents specified in [Appendix A](#) of the sponsor guidance. You must pay a fee for your application. The amount you pay depends on the type of licence you are applying for, the size of your organisation, or whether you have charitable status. For further information on the application process, see [section L6](#) of this guidance.
- L3.2 Before you apply, you should:
- read this document and the relevant [route-specific guidance](#) to ensure you understand and will be able to meet the requirements
 - decide which routes you wish to be licensed under – see [section L1](#) of this document for a general overview of the various routes available, and the route-specific guidance for more detailed information
 - appoint an authorising officer to manage your application and nominate a level 1 user – see [section L4](#) of this guidance for guidance on authorising officers, level 1 users and other key personnel
 - if you have multiple branches or sites, decide which branches of your organisation you would like to employ and sponsor workers at and whether you want individual branches to hold their own licence – see [section L5](#)
 - decide how many workers you are likely to sponsor in your first year – this will determine how many [Certificates of Sponsorship \(CoS\)](#) you will need
 - ensure you will be able to send all relevant supporting documents listed in Appendix A of the sponsor guidance within 5 working days of submitting your application – see [section L7](#) for further information on supporting documents

Considering your application

- L3.3 Before we can grant you a sponsor licence, we need to establish that you:
- are a genuine organisation operating lawfully in the UK – to prove this, you must provide certain documents specified in [Appendix A](#) of the sponsor guidance
 - are honest, dependable, reliable, and are not engaging and have not engaged in behaviour or actions that are [not conducive to the public good](#) – to judge this, we look at your history and background, the [key personnel](#) named in your application, and any people involved in your day-to-day running
 - are capable of carrying out your sponsor duties and evidencing your compliance in a timeframe and manner set out in section C1 of Part 3: Sponsor duties and compliance – we judge this by looking at your

current human resources and recruitment practices to make sure you will be able to fulfil your sponsor duties, and we may visit you before your licence is granted

- can offer genuine employment that meets the skill level and salary requirements, if applying under Skilled Worker or the Intra-Company routes
- otherwise meet the [eligibility and suitability](#) criteria

Deciding your application

- L3.4 Applications may be rejected as invalid, refused, or granted with an A-Rating. [Section L9](#) of this guidance has more information about the decision we may make on your application. See [Section L8](#) for information about sponsor ratings.
- L3.5 If you do not submit mandatory documents with your application or you do not pay the full fee, your application will be invalid and we will reject it without further consideration.
- L3.6 If you do not meet all of the eligibility and suitability criteria, we will refuse your application and you may not be eligible to re-apply for 6 months (longer in certain circumstances) – see '[Cooling-off period](#)'.
- L3.7 If your application is approved, your organisation's name will be added to the [Register of Sponsors](#) on GOV.UK. You will be given access to the [sponsorship management system \(SMS\)](#) and will be able to sponsor workers who meet the relevant criteria by assigning them a [CoS](#).

Maintaining your licence

- L3.8 If granted, your licence will be valid for 4 years, unless we revoke it or you surrender it before then. The 4 years will run from the date your licence is granted. You must apply to renew it before the 4 years has expired if you wish to continue sponsoring workers. We reserve the right to take action against you if we have reason to believe you pose any risk to immigration control or that you are acting, or have acted, in a way that is [not conducive to the public good](#).
- L3.9 As a licensed sponsor, you must meet certain duties, such as telling us if your sponsored workers don't turn up for work or are absent without permission for a significant period. You must keep records for the workers you sponsor, including up-to-date contact details and a copy of their [biometric residence permit \(BRP\)](#) (which shows their permission to live and work in the UK). You must also give any documents to us, within the timeframe specified, if we request them.
- L3.10 We will continually monitor your ability and willingness to comply with your duties. We will make regular checks with HMRC to ensure you are paying your sponsored workers appropriately, and we may also:
- set a limit on the number of CoS you can assign
 - visit you to check you are complying with your duties

- refer cases for civil penalty action or possible prosecution if we find evidence you may have employed workers illegally

L3.11 If you fail to comply with your duties, or become no longer eligible or suitable to hold a sponsor licence, we may take action against you, including:

- downgrading your licence rating from 'A' to 'B' – see [Sponsor ratings](#) for further information
- reducing the number of CoS you can assign
- suspending your licence while we investigate further
- revoking your licence
- in serious cases, reporting you to the police or other relevant authorities

L3.12 Part 3: Sponsor duties and compliance has more information about your duties as a licensed sponsor, how to renew your licence, and the action we will take if you breach your sponsorship duties or act in a manner that is [not conducive to the public good](#).

Related content
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L4. Key personnel in your organisation

This section tells you about appointing 'key personnel' in your organisation, what responsibilities they have and the requirements they must meet.

General rules on key personnel

L4.1 The online sponsor application form requires you to give certain responsibilities to members of your staff, some or all of whom will have access to the [sponsorship management system \(SMS\)](#) after a licence is granted. We call these people 'key personnel' and there are 4 roles:

- [authorising officer](#)
- [key contact](#)
- [level 1 user](#)
- [level 2 user](#)

L4.2 Only level 1 and 2 users will have access to the SMS. If the authorising officer or key contact requires access, they must also be set up as a level 1 or level 2 user.

L4.3 Each of your key personnel must:

- be based in the UK for the period they fill the role you have appointed them to
- not have any unspent criminal convictions as set out in [Annex L4](#) of this guidance
- be a paid member of your staff or engaged by you as an 'office holder', unless one of the following exceptions applies:
 - a level 1 or level 2 user can be an employee of a third-party organisation to whom you have contracted some or all of your human resources function; however, we will reject your application if you do not have at least one level 1 user who is an employee, partner or director in your organisation
 - a level 2 user can be a member of staff supplied to you but employed by an employment agency
 - an 'overarching' sponsor licensed under [Government Authorised Exchange](#) can appoint level 2 users within the individual organisations taking part in the exchange programme
 - an insolvency professional who has been appointed, because you have gone into administration, liquidation, or administrative receivership can fill any key personnel role
 - a UK-based representative can fill any key personnel role except the role of authorising officer; however, you must first appoint the representative via the SMS before you can add them as a level 1 or level 2 user

For a definition of the term 'office holder', see the ['Employment status'](#) guidance on GOV.UK.

- L4.4 None of your key personnel can be:
- a representative who is not based in the UK
 - a contractor or consultant who is contracted for a specific project
 - subject to a Bankruptcy Restrictions Order or Bankruptcy Restrictions Undertaking
 - subject to a Debt Relief Restrictions Order or Debt Relief Restrictions Undertaking
 - legally prohibited from being a company director
- L4.5 You must name your authorising officer, key contact and level 1 user on your application form. These roles can be filled by the same person or a combination of different people. There can be only one authorising officer and one key contact, but you can appoint more level 1 users once you have been granted a licence. Level 2 users can only be appointed by a level 1 user, so you can only add a level 2 user after your licence has been granted.
- L4.6 You must give contact details for your key personnel, both when applying for a licence and when changing any key personnel or adding new ones after we have granted your licence. The contact address given for each of your key personnel must be either your main address or that of any branch or head office you are including in, or have subsequently added to, your licence. All email addresses you provide for each of your key personnel must be secure, personal to, and only accessible by, the named individual. You must also provide their National Insurance number if they have one.
- L4.7 Where you are appointing a level 2 user who is an employee of a third-party organisation engaged by you to deliver all or part of your human resources function, the address provided must be the main business address of the third-party organisation.
- L4.8 Where you are appointing a UK-based representative to the key contact role, the address must be the representative's main business address.
- L4.9 SMS users must not assign a CoS to themselves or to a close relative or partner. A close relative or partner is:
- a spouse or civil partner
 - an unmarried or a same-sex partner
 - a parent or step-parent
 - a son or step-son
 - a daughter or step-daughter
 - a brother, step-brother or half-brother
 - a sister, step-sister or half-sister
 - a nephew, niece, or cousin

- an aunt or uncle
- a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law

L4.10 You are responsible for anything done by anyone you have set up as a user of the SMS, including representatives. If we are considering taking action against you, we will treat anything done by a representative on your behalf as if it were done by you. You may want to take precautions by checking the identity of any representative you appoint and ensuring they are suitable to do the activity required. If you do not meet your responsibilities, we will take compliance action against you.

Checks we make on your personnel

L4.11 We will always make checks on authorising officers, key contacts and level 1 users, and may check other people falling under the general definition of 'you' or 'your'. These include checks against our records and the Police National Computer (PNC). We will make these checks when considering your application and may repeat them at any time during the validity period of your licence. We will also carry out checks if new individuals take up these roles in your organisation. The outcome of these checks will, or may, influence the decision we make on your application, or the status of your existing licence.

L4.12 We **will** refuse your licence application (or revoke your licence if you already have one) if our checks reveal that anyone falling under the [general definition of 'you or your'](#):

- has an unspent criminal conviction for a relevant offence, as defined in [Annex L4](#) of this guidance
- has an outstanding civil penalty for employing illegal workers, breaching the 'right to rent' scheme, or certain other immigration-related offences
- subject to limited exceptions, is legally prohibited from becoming a company director

This is not a comprehensive list. See [Annex L1](#) for a full list of reasons for which we will refuse an application for a sponsor licence, and Annex C1 of Part 3: Sponsor duties and compliance for a full list of reasons for which we will revoke an existing licence.

L4.13 We **will normally** refuse your licence application (or revoke your licence if you already have one) if our checks reveal that anyone falling under the general definition of 'you or your':

- has an unspent conviction for an offence not listed in Annex L4 but which we believe to be of relevance to your ability to discharge your sponsor duties
- has been issued with a relevant civil penalty (other than those which result in automatic refusal or revocation)

- has previously been named as key personnel at any sponsor organisation where an application for a licence was refused within the last 6 months or where a licence has been revoked within the last 12 months
- is, or has been, an owner, director or authorising officer of a sponsor institution that has been ordered to pay costs to the Home Office in any legal proceedings, and those costs have not been paid
- is acting, or has acted, in a manner that is [not conducive to the public good](#)

L4.14 This is not a comprehensive list. See:

- [Annex L2](#) for a full list of reasons on which we will normally refuse a licence application
- for a list of reasons on which we may refuse your licence application
- Annex C2 of Part 3: Sponsor duties and compliance for a full list of reasons on which we will normally revoke an existing sponsor licence
- Annex C3 of Part 3: Sponsor duties and compliance for a full list of reasons on which we may revoke an existing sponsor licence

L4.15 In some cases, rather than refuse your application (or revoke your licence), we may instead:

- limit your Certificate of Sponsorship (CoS) allocation
- ask you to nominate alternative key personnel

Other persons involved with your organisation

L4.16 We do not routinely undertake checks on persons associated with sponsors who do not fall under the [general definition of 'you' or 'your'](#) but we reserve the right to do so. Such individuals could include employees in positions of responsibility who are not directors or key personnel, and individual financiers involved in the running of your organisation. We may ask you for information on such individuals as part of the application process. Their conduct, where relevant, may be taken into account when deciding your application.

Key personnel roles: eligibility and description

L4.17 The paragraphs below explain what each of the key personnel roles (authorising officer, key contact, level 1 user, level 2 user) entails and who is eligible to fill them.

Authorising officer

L4.18 When you apply for a licence, you must appoint an authorising officer. The person you nominate to this role must be the most senior person in your organisation responsible for the recruitment of all migrant workers and ensuring that you meet all of your sponsor duties. If you do not recruit the workers you sponsor, this role must be filled by the most senior person

responsible for your activity as a licensed sponsor. If there is more than one person who could fill this role, you must decide which one to nominate. You are responsible for the actions of your authorising officer, so you should ensure you are confident that they understand fully the importance of this role.

- L4.19 The authorising officer is also responsible for deciding how many of your staff need to have access to the SMS and what level of permission they can have. They are responsible for the activities of all SMS users and must comply with our requirements for using the system. If they fail to do this, we will take action against you.
- L4.20 The authorising officer does not have automatic access to the SMS. If they require access to the system, they will need to be set up as a level 1 or level 2 user, as well as being an authorising officer. This can be done by naming them as the level 1 user on your application, or adding them as an additional level 1 user or as a level 2 user after your licence has been granted. The authorising officer is responsible for the activities of all SMS users, so you must have a system in place to check these activities. We recommend that the authorising officer checks the CoS assigned to workers at least once a month.
- L4.21 You must have an authorising officer in place throughout the life of your licence. The nominated person must always meet the requirements set out in this guidance. If you fail to have an authorising officer in place who meets our requirements, or you fail to tell us of a change in authorising officer, we will take action against you.
- L4.22 For guidance on how to add an additional level 1 or level 2 user, or tell us of a change in authorising officer, see [SMS Manual 2: manage your sponsorship licence](#).

Key contact

- L4.23 The key contact is usually the person who acts as the main contact between us and you. We will contact them if we have any queries about your sponsorship licence application, the documents sent, or the payment. We may also contact your authorising officer if necessary.
- L4.24 The key contact does not have automatic access to the SMS. If they require access to the system, they will need to be set up as a level 1 or level 2 user. This can be done by naming them as the level 1 user on your application, or adding them as an additional level 1 user or as a level 2 user after your licence has been granted. See [SMS Manual 2](#) for guidance on how to do this.

Level 1 user

- L4.25 The level 1 user is responsible for carrying out your day-to-day sponsorship activities using the SMS. Level 1 users can perform the following actions in SMS:

- assign CoS to workers
- ask for an increase in the number of CoS you can assign (your CoS limit)
- ask for more level 1 users and add level 2 users to the SMS or remove them
- tell us about minor changes to your details
- tell us of changes of circumstances on the SMS
- report worker activity to us – for example, inform us if a worker goes missing or does not come to work
- withdraw CoS
- tell us of changes to work addresses
- change user details
- view information about your licence and key personnel
- access key messages we post from time to time
- apply to renew your licence and track the progress of your application
- apply for [premium customer service](#) and track the progress of your application

- L4.26 The level 1 user can be the same person as the authorising officer or be another person, or other persons, in your organisation.
- L4.27 When you first apply for a sponsor licence, you can only nominate one level 1 user and they must be an employee, director or partner. Once you have a licence you can use the SMS to nominate more level 1 users. We will perform checks on new level 1 users before we give them access to the SMS. These include checks against our records and the Police National Computer.
- L4.28 You can decide how many level 1 users you need. The authorising officer is responsible for their conduct, so we recommend that you do not have more level 1 users than you really need. You should make sure you have at least enough to be able to cover periods of leave or sickness.
- L4.29 You must have at least one level 1 user in place at all times during the life of your licence. It is not possible for you to meet all of your sponsor duties without one. If we find you do not have any level 1 users in place after your licence has been granted, we may revoke your licence.
- L4.30 It has been a requirement since 6 November 2014 for new sponsors to have at least one level 1 user who is an employee, a partner or a director. This is also best practice for sponsors who were licensed before that date.
- L4.31 If you have more than one level 1 user, any additional level 1 users must be one of the following:
- a paid staff member or [office holder](#) within your organisation
 - an employee of a third-party organisation engaged by you to deliver all or part of your HR function
 - a UK-based representative

L4.32 They must not be any of the following:

- a contractor
- a consultant who is contracted for a specific project
- a temporary staff member supplied to you by an employment agency
- an undischarged bankrupt

L4.33 You must always have a minimum of one level 1 user who is a [settled worker](#). The only exceptions to this rule are if:

- you are a diplomatic mission or international organisation licensed under the International Agreement Worker route, or
- your authorising officer is a person with valid entry clearance or permission to stay as:
 - a [Representative of an Overseas Business](#)
 - a [Tier 1 \(Graduate Entrepreneur\)](#) migrant
 - a [Tier 1 \(Entrepreneur\)](#) migrant
 - a [Tier 1 \(Exceptional Talent\)](#) migrant
 - a [Start-up](#) migrant
 - an [Innovator](#)
 - a [Global Talent](#) migrant

Level 2 user

L4.34 Level 2 users have fewer permissions than level 1 users. Level 2 users can perform the following actions in SMS:

- create and assign CoS to workers
- report worker activity to us in respect of any CoS they have personally created and assigned, or which have been transferred to them by a level 1 user

L4.35 Level 2 users cannot report on CoS assigned by level 1 users.

L4.36 You can decide how many level 2 users you need. The authorising officer is responsible for them, so we recommend that you do not have more level 2 users than you really need.

L4.37 A level 2 user may be any of the following:

- a paid staff member or [office holder](#) within your organisation
- an employee of a third-party organisation engaged by you to deliver all or part of your HR function
- a temporary staff member supplied to you by an employment agency
- a UK-based representative

L4.38 They must not be:

- a contractor

- a consultant who is contracted for a specific project
- an undischarged bankrupt

Related content

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L5. Organisations with multiple branches

This section provides information on how you can apply for a licence if you have multiple branches or sites.

Guiding principles

- L5.1 The sponsorship system is based on a direct relationship between a sponsor and the person they are sponsoring to work in the UK. This allows a sponsor to fulfil its sponsorship duties effectively.
- L5.2 Organisations have a wide range of corporate structures and collaborative arrangements for delivering business in partnership with others. These are permitted under this guidance, but they must not distort or dilute the relationship between a sponsor and a worker that underpins the effective functioning of the sponsorship system.
- L5.3 To ensure the sponsorship system works effectively where there are multiple branches or collaborative arrangements, the relationship between branches and organisations must be open and transparent so that the sponsorship of workers can be monitored effectively.
- L5.4 Arrangements or partnerships that circumvent the Immigration Rules or this guidance will be considered to be abuse of the sponsorship system, and compliance action will be taken against the sponsor and/or its partners in such circumstances. If compliance action is taken, this will affect any licence you hold under the Worker or Temporary Worker routes, including all branches and partnerships listed on it.

How you can apply if you have multiple branches

- L5.5 If you have a number of different offices, UK-based subsidiaries or entities, locations or campuses, which we call 'branches' in this guidance, you can register in a number of ways, including by:
- applying for a single licence that includes your head office and all branches in the UK
 - each branch applying for its own licence
 - grouping a number of branches under a single licence – for example, a large UK-wide company might find it more convenient to register all of its operations in a particular region under a single licence
- L5.6 We may ask for evidence to show that your head office and/or group of branches listed for any Worker or Temporary Worker route are linked by common ownership or control. We assess common ownership or control of branches in the same way we assess it for applications for an Intra-Company licence – see section ICW2 of Sponsor an Intra-Company worker

for guidance on this.

- L5.7 We will not allow you to add a branch to your sponsor licence in any of the following circumstances:
- the branch already holds a sponsor licence and it has been downgraded to a B-rating, or suspended whilst we investigate it
 - the branch previously held a sponsor licence and it has been revoked within the past 12 months
 - the branch is unable to offer a genuine vacancy that meets the [suitability criteria](#) for the issue of a licence in the relevant route
- L5.8 If you have a number of branches that are individually licensed and we revoke the licence from one of those branches or downgrade it to a B-rating, we will not automatically remove or downgrade the licences from the other branches, but we will investigate them.
- L5.9 If you are licensed as a 'head office and all UK branches' and we revoke your licence or downgrade it to a B-rating, this will apply to all your branches. If we revoke your licence, none of your branches will be able to sponsor workers. If you are sponsoring workers when your licence is revoked, we will normally curtail the permission they have to be in the UK, because they will no longer be working for a licensed sponsor. See Part 3: Sponsor duties and compliance for information on what happens to sponsored workers if we are considering taking action against you, or if we revoke your licence.
- L5.10 If any of your branches later apply for their own licence, we will take into account any evidence of previous abuse or non-compliance, and the reasons for it, when considering their application.

Employment agencies and third-party employment

- L5.11 If you are an [employment agency](#) or any third party (intermediary) who supplies workers to a client, you can apply for a sponsor licence but only to sponsor workers who will be employed directly by you in connection with the running of your business. You cannot sponsor a worker and then supply them as labour to another organisation, regardless of any genuine contractual arrangement between the parties involved.
- L5.12 If you are an employment agency or intermediary and we grant a sponsor licence to you on this basis, but later find the workers you are sponsoring have been supplied as labour to another organisation, we will revoke your licence.
- L5.13 If you are a sponsor that wants to employ a worker who has been supplied to you by an employment agency or an intermediary, you can only assign a Certificate of Sponsorship to them if you:

- have genuine responsibility for deciding all the duties, functions and outcomes or outputs of the job the worker is doing
- are responsible for agreeing and paying the worker's salary

L5.14 See section S1 of Part 2: Sponsor a worker for information on sponsoring workers who are, or will be, working on a contract basis.

Franchises

L5.15 If you have a number of franchises under your control, you can decide whether to apply for a licence as a 'head office and all UK branches' or have each franchise licensed individually.

L5.16 If your franchises are separate businesses not under your control (as the parent organisation), each franchise must have its own licence if it wishes to sponsor workers.

Related content

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L6. Application process

This section describes the process of applying for a sponsor licence.

- L6.1 The information in this section applies to all routes. You must also refer to the [route-specific guidance](#) relevant to route, or routes, in which you are applying to be licensed.

How we use your information

- L6.2 All sponsorship applications are confidential. However, we may use personal information that you provide to us when you apply for a licence, at any time throughout the period of your licence, or in any other dealings with us, in accordance with the [Home Office Personal Information Charter](#).
- L6.3 In certain circumstances, information about you or your employees may be passed to other government departments and agencies, local authorities and fraud prevention agencies, such as HM Revenue and Customs (HMRC), the Department for Work and Pensions (DWP), and Cifas, for immigration purposes, the prevention of fraud and criminality and/or to help them carry out their functions. These bodies may provide the Home Office with information about you and your employees.

Using a representative

- L6.4 You must make the application yourself. A suitably qualified representative can help you to fill in your application form (see '[Choosing a representative](#)' below) but they must not send it on your behalf. If we find this has happened, we will refuse your application and not refund your fee.
- L6.5 You can only appoint a representative at the licence application stage if you also want to appoint them as your key contact. You cannot appoint a representative as a level 1 or level 2 user at the licence application stage, or as an authorising officer at any stage. See the [Key personnel](#) section for further information.
- L6.6 If, after being granted a licence, you wish to use the services of a representative, or add them as a level 1 or level 2 user, you must appoint them using the [sponsorship management system \(SMS\)](#). We will not deal with any communications from a representative acting on your behalf unless they have been appointed by you.

Choosing a representative

- L6.7 If you use the services of a representative – either in connection with your sponsor licence application or in any other dealings with us – they must be based in the UK and be a:

- person who is qualified to provide immigration advice or services in accordance with [section 84 of the Immigration and Asylum Act 1999](#) (as amended from time to time) – this means they must be:
 - regulated by the [Office of the Immigration Services Commissioner \(OISC\)](#)
 - exempt by Ministerial Order from the requirement to be regulated, or
 - otherwise compliant with section 84
- regulated member of a designated professional body or designated qualifying regulator, or working under the supervision of such a person – for the purposes of the Immigration and Asylum Act 1999, the designated bodies and regulators are the:
 - [Legal Services Board](#) (which has oversight of the Law Society, the Solicitors Regulation Authority, the Chartered Institute of Legal Executives, and the Bar Council)
 - [Law Society of Scotland](#)
 - [Faculty of Advocates](#)
 - [Law Society of Northern Ireland](#)
 - [Bar Council of Northern Ireland](#)

L6.8 If a representative acts on your behalf without being ‘qualified’ under the Immigration and Asylum Act 1999, they may be committing a criminal offence.

L6.9 If you are licensed under the Worker (including Tier 2) routes, you can provide immigration advice to your sponsored workers, or prospective workers, in connection with their applications for entry clearance or permission to stay on the Worker routes. This is permitted under [the Immigration and Asylum Act 1999 \(Part V Exemption: Licensed Sponsors Tiers 2 and 4\) Order 2009](#) and regulations 2 to 4 of the [Immigration and Nationality \(Replacement of Tier 2 and Fees\) \(Amendment\) \(EU Exit\) Regulations 2020](#). You cannot use this exemption to provide immigration advice for other purposes, or to other sponsors, or prospective sponsors.

L6.10 Anyone who satisfies section 84 through exemption by Ministerial Order must still comply with the OISC code of standards.

L6.11 The ‘[Office of the Immigration Services Commissioner \(OISC\)](#)’ page on GOV.UK has more information and links to websites for solicitors, advocates, barristers, legal executives and the Community Legal Service.

Fees

L6.12 There is a fee for:

- your initial application for a sponsor licence
- applying to renew an existing sponsor licence
- in some cases, applying to extend the scope of an existing licence (adding routes on which you can sponsor workers)
- each [Certificate of Sponsorship](#) you assign, unless the worker is a national of a country which has ratified the [European Social Charter](#)

- any additional [premium services](#) after your licence has been granted
- L6.13 The fee for a sponsor licence depends on the type of licence you are applying for and the size or status of your organisation. You are eligible to pay the 'small' fee if you:
- are applying for a licence under the Temporary Worker routes only
 - have charitable status – see 'Sponsor a Charity Worker' for a definition of this term
 - are subject to the small companies regime as set out in [sections 381 to 384 of the Companies Act 2006](#), or
 - are an individual (not a company) and you employ fewer than 50 people
- L6.14 In all other cases, you must pay the 'large' fee.
- L6.15 Up-to-date information on fees is available on the GOV.UK website at [UK visa fees](#).
- L6.16 The fee is for our consideration of your licence application and will not be refunded if we refuse your licence application or you withdraw it after consideration of it has begun.
- L6.17 If you are sponsoring a worker on the Skilled Worker or Intra-Company Transfer routes, you may also have to pay an [Immigration Skills Charge](#) for each worker you sponsor. For guidance on this, see section S5 of Part 2: Sponsor a worker.

Completing the online application form

- L6.18 You must register your details online by completing the UKVI '[Online sponsor application registration](#)'. Once you have registered, you will be able to log into the UKVI '[Sponsor application log in](#)' page. You must then complete the online application form and submit specified documents to prove you are eligible and suitable. These documents are listed in [Appendix A](#) of the sponsor guidance.
- L6.19 You should make sure you will be able to send all of your documents to us as soon as you have submitted your application.
- L6.20 If you gather all the necessary information before starting, the application should take about 20 to 30 minutes to complete. If you want to keep a copy of it for your records, you must make a note or take a screenshot of what you have included in your application as you complete it because we cannot give you a copy of your licence application.
- L6.21 When you complete the online sponsor licence application form, you must choose which routes you wish to be licensed under. You can choose as many routes as you need, provided you are eligible for them. If your application is successful, these will then be the only routes on which you can sponsor workers.

Certificate of Sponsorship allocation

- L6.22 The online form asks you for an estimate of the number of Certificates of Sponsorship (CoS) you may wish to assign in your first year in each route for which you are applying for a licence. You will need to assign a CoS to any worker you wish to sponsor before they can apply for entry clearance, permission to enter, or permission to stay. You will therefore need to think carefully about how many workers you are likely to employ during the year and why.
- L6.23 You must be able to justify your request. If you are applying under Skilled Worker or T2 Minister of Religion, you must provide additional information, as specified in Appendix A to the sponsor guidance, about current vacancies and workers you wish to sponsor. If you are applying under Skilled Worker, you will also need to understand the difference between 'defined' and 'undefined' CoS. For more information, see:
- section S2 of Part 2: Sponsor a worker
 - the relevant [route-specific guidance](#)

After you have submitted your application

- L6.24 Once you have submitted your online application, you must send the following documents (by email) to validate it:
- all pages of the submission sheet, signed and dated by your authorising officer – this includes a declaration from you that you agree to meet all of the duties associated with being a licensed sponsor
 - the mandatory documents listed in [Appendix A](#) of the sponsor guidance and on the submission sheet – see [section L7](#) for further information on supporting documents
- L6.25 You must also tell us in a covering email or letter accompanying your submission sheet if you (under the general definition of ['you' or 'your'](#)):
- have been suspended or removed from any sponsor register within the last 5 years
 - have any criminal prosecutions pending
 - are aware that an organisation you have been involved with in a similar role has failed to pay value added tax (VAT) or any other form of excise duty
- L6.26 You must send all of these documents to us within 5 working days of the date you complete your online application. You should scan or take pictures of your supporting documents and send them to the email address given on the submission sheet.
- L6.27 If any mandatory items are missing or incorrect, your application will be invalid. We reject invalid applications, return them to you without further

consideration, and refund the application fee. If you still wish to apply for a licence, you will need to make a new application and pay the fee.

- L6.28 If there are any documents specified in [Appendix A](#), other than mandatory documents, missing from your application, or if we require any more documents or information, we will contact you by email. We will give you 5 working days to send the documents or information we ask for. We must receive all the documents or information by the end of the deadline date. If you are sending anything by post, you must respond to our email request by return email, within the deadline, telling us you have posted the information and providing any postal reference or tracking numbers.
- L6.29 If you have not contacted us by the end of the deadline date, we will assume that you have not responded and your application will then be refused. If this happens, your application fee will not be refunded. It is therefore very important your [authorising officer](#) and [key contact](#) are available while we consider your application to deal with any requests we may need to make. We will always email the person named as your key contact if we need any further information or documents. We may also email your authorising officer.

Your duty of honesty

- L6.30 You have a duty to act honestly in any dealings with us. This includes not making false statements and ensuring that all essential information is disclosed to us when applying for a sponsor licence or assigning or applying for a CoS while you are a sponsor. You must inform us if there is any change in your circumstances while your licence application is pending or after your licence has been granted – for example, if you cease to be registered with the appropriate regulatory body (where required) or you or any of your key personnel are convicted of an offence or have a pending prosecution.
- L6.31 If we believe that you have knowingly provided false statements or false information with your application, not provided information you held when required to, you pose a threat to immigration control, or you are acting, or have acted, in a manner that is not conducive to the public good, we will refuse your licence application (or revoke your licence if you already hold one).

Related content

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L7. Supporting evidence

This section tells you about the supporting evidence you must submit with your application and how we verify supporting evidence.

General considerations

- L7.1 [Appendix A](#) of the sponsor guidance specifies the evidence we need from you to support your licence application. Some of this evidence will be in the form of a document you must send to us and some will simply be an [online check](#) that we can do without you having to send a document to us.
- L7.2 For certain types of organisation listed in Table 1 of Appendix A (for example, public bodies and companies listed on the London Stock Exchange Market), you may need to send only one document or no documents at all. Most other applications must be supported by a minimum of 4 pieces of evidence, drawn from Tables 2 to 4. This evidence includes:
- proof that you are based in the UK, are genuine and are operating or trading lawfully in the UK (an organisation is deemed to have been 'operating or trading' in the UK from the point at which it was incorporated)
 - if relevant, evidence that you hold the appropriate planning permission or Local Planning Authority consent to run your type and/or class of business at your trading address, if consent is required by your local authority
 - if you are required to be registered with or inspected or monitored by a statutory body to operate lawfully in the UK (such as a nursing or care home, financial or insurance business, or healthcare provider), proof that you are registered with the appropriate body – if you are applying as a head office and all branches, or as a group of branches, you must submit evidence for each individual branch within that group
 - if you are a food business, proof of your registration with, or approval from, a relevant food authority
- L7.3 If you are applying under Skilled Worker or T2 Minister of Religion, you must also provide additional information about your organisation, why you are applying, and the types of job you wish to fill, in addition to the minimum of 4 other items.
- L7.4 If you fail to submit the minimum required number of items, we will reject your application. See '[Ensuring you submit the correct evidence](#)' at the end of this section for examples on how to select the minimum of 4 documents.
- L7.5 We reserve the right to ask for more documents at any time during the licence application process or the validity period of your licence, and sometimes we may ask for documents which are not listed in Appendix A. If you fail to send us any information, evidence or documents we ask for within 5 working days, your application will be refused and your fee will not be

refunded.

- L7.6 We may also check any documents you send us, using a [standard procedure](#). We will refuse your application if we find you have sent us any false documents and may refer the matter to the police.

Sending your documents

- L7.7 You should scan or take pictures of your supporting documents and send them to the email address given on the sponsor submission sheet.
- L7.8 Files can be in PDF (preferred), JPEG or PNG format. File titles should be descriptive and no more than 25 characters long. To minimise file sizes, we recommend you scan them in black and white, or greyscale, not colour. Pictures taken by phone can be saved as Small or Medium size files. You should carefully check the quality of all scans or pictures before sending.
- L7.9 If you are unable to provide the submission sheet and supporting evidence digitally, you can contact us using the contact details given on the submission sheet.
- L7.10 Any affidavits or statutory declarations you send must have been witnessed by a qualified, independent person – for example, a solicitor, Notary Public, Justice of the Peace, Commissioner for Oaths, or (in Scotland only) a Councillor.
- L7.11 Any documents or other evidence that we ask for which are not in English or Welsh must be accompanied by a certified translation. The translator or translation company must confirm in writing on the translation:
- that it's a 'true and accurate translation of the original document'
 - the date of the translation
 - the full name and contact details of the translator or a representative of the translation company
- L7.12 In all cases we reserve the right to request original documents or certified copies. Original documents will be returned by Royal Mail Signed For delivery to the address of the Authorising Officer stated in the online sponsor application.
- L7.13 If you choose, or we ask you, to send certified copies by post, they must meet the requirements below.

Certified copies

- L7.14 If you send certified copies of documents to us by post, the person certifying the documents must be:
- the issuing authority
 - a practising barrister

- a solicitor
- a chartered legal executive
- a notary
- a chartered accountant (for certification of financial documents only)

L7.15 The person must not be:

- related to you
- living at the same address as you
- in a personal relationship with you
- employed directly by you

L7.16 The person certifying the document must:

- write 'Certified to be a true copy of the original seen by me' on the document
- sign and date the document
- print their name under the signature
- add their occupation, address and telephone number

L7.17 If the document you wish to certify has more than one page, we will accept the document if the pages are bound together and the certification statement includes the number of pages the document contains.

L7.18 Printouts of PDF files are copies of an original document and must be certified in line with guidelines above. The certifier must confirm they have seen the original email containing the file.

L7.19 If a certifier's details cannot be verified, or the copy does not meet the requirements set out above, the document will be rejected.

Online checks

L7.20 Over time, we will start to make more checks online and we are gradually updating Appendix A to show where we will make an online check instead of asking you to send us a document. Where we can conduct an online check, this will count as one piece of evidence.

L7.21 There may be times when we could do an online check, but we might need you to help us locate the right information. For example, if you need to send us your company accounts, but they are available free to view on your website, you will need to let us know your website address so we can find them. In this example, you must include a covering letter along with your submission sheet and any documents you are sending to us. We will then search your website for the accounts so you don't have to send them to us.

Standard procedure for verifying documents

L7.22 We may check details or the correctness or genuineness of documents you submit in support of your application with:

- the issuing organisation, like banks, universities and professional bodies
- other government departments in the UK and overseas

L7.23 The procedure for verifying documents is:

- we use a standard format to record the results of enquiries to make sure we record feedback consistently
- if we cannot get an immediate answer to our enquiries, we will normally wait for a maximum of 3 weeks for the information
- we may decide that a compliance officer needs to visit you

Outcome of document checks

L7.24 There are 3 possible outcomes of a document check:

Outcome of check	Action we will take
Document confirmed as genuine	We will consider your application as normal.
Document confirmed as false	We will refuse your application, whether or not the document is essential to your application. We will not refund your application fee and we may refer details to the police or other authorities.
Check inconclusive	If we are unable to verify whether a document is genuine or false, we will not consider the document as evidence to support your application and we may ask for further supporting documents.

Ensuring you submit the correct evidence - examples

L7.25 Below are two examples of how an organisation might select the appropriate supporting evidence from Appendix A.

Example 1

You are a sports club and registered charity based in Scotland applying under T2 Sportsperson. In this example, you must send us 3 documents and we will conduct one online check. This will give a total of 4 pieces of evidence.

1. Appendix A, Table 2 - we must have evidence of your charitable status, but we can check this online on the [Scottish Charity Regulator](#) website. This counts as one piece of evidence.
2. Appendix A, Table 3 - we must have evidence of your endorsement from the governing body for your sport. You must send us the relevant document. This counts as one piece of evidence.

3. Appendix A, Table 4 - you must choose 2 more pieces of evidence from Table 4 to bring your total to 4.

Example 2

You are a care home in England applying under Skilled Worker with 3 additional branches included in your application. In this example, there are 7 mandatory pieces of evidence – one online check on your Care Quality Commission (CQC) status, 3 documents from Table 4 and 3 additional online checks on the CQC status of the branches named on your application.

1. Appendix A, Table 2 - we must have evidence that you are inspected by the [CQC](#). We will check this online for each care home included in your application. This means we will do 4 online checks.
2. Appendix A, Table 4 - you must choose 3 more pieces of evidence from Table 4.

Related content

[Contents](#)

L8. How we assess your application

This section tells you how we assess applications for a sponsor licence, the circumstances in which we may visit you, and how we assign ratings to sponsors.

Eligibility and suitability criteria

L8.1 All applications for a sponsor licence must meet the eligibility and suitability criteria described below.

Eligibility

L8.2 To confirm you are eligible for a licence, you must provide the supporting documents listed in [Appendix A](#) of the sponsor guidance and any additional documents we may request. We ask for these documents to make sure you are genuine and have an operating or trading presence in the UK. We may verify these documents to confirm they are genuine. For further information, see [section L7](#) of this guidance.

L8.3 If you have no operating or trading presence in the UK, we will refuse your application. If we find you have no operating or trading presence in the UK after granting a licence, we will revoke your licence.

Suitability

L8.4 The suitability criteria determine whether we grant or refuse your application, change the [sponsor rating](#) of an existing licence, or revoke an existing licence. It may also affect the limits we set for Certificates of Sponsorship (CoS) that you can assign.

L8.5 To assess suitability, we look at whether:

- you have human resource and recruitment systems in place to meet, or continue to meet, your sponsor duties, as set out in Part 3: Sponsor duties and compliance – to judge this, we may visit you, either before we decide your application or after your licence is granted
- we are able to visit you and conduct checks on an immediate, unannounced basis to ensure you are complying with your sponsor duties – note that:
 - this includes checks at any physical addresses where your sponsored workers carry out, or would carry out, their employment duties
 - if access to a third party's site is deemed necessary by us (either at application stage or later as part of compliance checks), we need to see evidence of arrangements between you and the third party that would ensure full co-operation by that third party
- you meet the specific requirements of the route, or routes, in which you are applying to be licensed – for example, if applying under Skilled Worker or the Intra-Company routes, you can offer genuine employment that meets the skill-level and salary requirements for those routes

- you have any [criminal convictions or civil penalties](#)
- we have any evidence of previous non-compliance by you

L8.6 We will also consider any evidence which suggests you may be a threat to immigration control or have engaged or are engaging in behaviour or actions that are not conducive to the public good, or evidence from a public body of your lack of compliance with their rules.

Genuine vacancy, salary and skill-level

L8.7 If you are applying under the Skilled Worker or Intra-Company routes, we must be satisfied you can offer genuine employment that meets the, salary and skill-level criteria of those routes. See the relevant [route-specific guidance](#) for information on this.

L8.8 If your business involves using no (or little) physical office space (a ‘virtual business model’), we will consider the type of work a sponsored worker will be doing and where the worker will be carrying out their employment duties. We may need to visit you and/or see contracts between you and any third party.

L8.9 Below are two examples of circumstances in which we may not be satisfied you can offer genuine employment that would meet the requirements of the Skilled Worker route. These examples are not intended to be exhaustive.

Example 1

You do not currently employ, or have never employed, anyone in a role which meets the Skilled Worker requirements. This could be if you are a small retail outlet and currently only have people working for you as shop assistants or in other lower-skilled roles.

Example 2

You tell us you require, or have already sponsored, a person in a role which does not appear necessary for your business – for example, you are a small fast food outlet and you tell us you need, or have appointed, a full-time business development manager, HR manager or publicity manager, but there is no credible need for these roles in your business.

Criminal convictions and civil penalties

L8.10 We will automatically refuse your application if anybody falling under the general [definition of ‘you’ or ‘your’](#) has any unspent criminal convictions for a relevant offence. For a definition of ‘relevant offence’, see [Annex L4](#) of this guidance.

L8.11 You can apply for a licence once your conviction has become spent under the [Rehabilitation of Offenders Act 1974](#) (as amended from time to time). However, if you previously applied before the conviction was spent and we refused your application for that reason, and the conviction subsequently becomes spent, you will be subject to a [cooling-off period](#) when you reapply,

which means you may not be eligible for a licence straightaway.

- L8.12 We may also refuse your application if you have been convicted of an offence which is not listed as a 'relevant offence' but which we consider to be relevant to your ability to carry out your sponsor duties.
- L8.13 If you have a criminal prosecution pending, we will put your application on hold pending the outcome, unless we have other reasons to refuse it, in which case we will refuse it without waiting.
- L8.14 If you have previously been issued with a relevant civil penalty or charge, you may be subject to a [cooling-off period](#) of between 12 months and 5 years once the penalty has been paid in full, depending on the nature of the civil penalty or charge. We will always refuse your application if the relevant penalty or charge has not been paid in full.

Pre-licence visits

- L8.15 We use risk assessments to guide our compliance activity and focus that activity on the areas of highest risk. If we know little about you, are concerned about the evidence you have provided, or if information or evidence otherwise comes to light that causes us concern, we will make further checks. These could include checks with other government departments and/or an on-site visit.
- L8.16 As well as visiting your main office address, we may also conduct an on-site visit to any other physical addresses where your sponsored workers would be carrying out their employment duties (including their home address, if they normally work from home).
- L8.17 If you operate a virtual business model (with little or no physical office space), it is highly likely that we will conduct an on-site visit to your authorising officer's physical address before making a decision on your application for a licence.
- L8.18 If there are differences between what you told us and what our compliance officer finds during a check, we will let you know whether we need more information before making a final decision.
- L8.19 If we have significant doubts about your ability to fulfil your sponsorship duties after a visit, we are likely to refuse your application.

Scoring system if we visit you

- L8.20 If we visit you, either before deciding your licence application, or after your licence has been granted, we will judge you against the criteria in the table below to decide whether to grant your application (or to allow you to keep your licence if you already have one). For each criterion, we will give a score of 'met' or 'not met':

Criterion	How we judge this
Human resources systems	Whether you have systems in place that allow you to know when a sponsored worker has not turned up for work or to identify when their current permission is coming to an end.
Convictions and civil penalties	Whether or not you have an unspent criminal conviction for a relevant offence (as defined in Annex L4) or have been issued with a relevant civil penalty .
Migrant compliance	Whether you are employing any workers, sponsored or not, who are in breach of the conditions of their immigration permission – for example, a Student who is working more hours than they are allowed to.
Employment	Whether you can offer employment which meets the criteria for the relevant immigration route (such as genuine vacancy, salary and skill-level).

L8.21 We will grant your licence if you meet all of the criteria above and there are no other reasons in Annex L1, L2 or L3 to refuse your application. If you do not meet all of the criteria, we:

- will refuse your application if any of the circumstances listed in [Annex L1](#) arise
- will normally refuse your application if any of the circumstances in [Annex L2](#) arise
- may refuse your application if any of the circumstances listed in [Annex L3](#) arise

L8.22 For further information on pre-licensing and compliance visits, see:

- Part 3: Sponsor duties and compliance
- [Points-based system: sponsor compliance visits \(staff guidance\)](#)

Sponsor ratings

L8.23 A sponsor licence is rated either 'A' or 'B'. Your licence rating appears on the published [register of licensed sponsors on GOV.UK](#).

L8.24 An A-rating is awarded when you are first granted a licence on the basis that you have systems in place to be able to meet your sponsor duties and that we trust you to act in a way [appropriate to those licensed by us](#). We will not grant a licence if you are not able to achieve an A-rating.

L8.25 Throughout the validity period of your licence, we will rate you as either A or B, according to our assessment of your ability to comply with your sponsor duties and to [act in a way appropriate to those licensed by us](#). If you are downgraded to a B-rating, you must meet a time-limited sponsorship action plan, for which you must pay and which will set out the steps you need to take to gain or regain an A-rating. If you do not meet the requirements of

your action plan within the specified time limit, we will revoke your licence.

- L8.26 You will be given a rating for each type of licence that you have (Worker, Temporary Worker and/or Student). That rating will apply to all routes in which you are licensed that are covered by that type of licence – you cannot have different ratings for individual routes. For example, if you are licensed under Skilled Worker and Intra-Company (both of which are Worker routes), and we downgrade you due to failings in respect of only one of those routes, your licence rating will show on the register as ‘Worker (B rated)’.
- L8.27 If you have more than one type of licence (Worker, Temporary Worker or Student), your rating will usually be the same for each type of licence you hold. In exceptional cases, if we find you are not meeting your sponsor duties in only one type of licence, we will downgrade that licence to a B-rating but you may be permitted to retain your A-rating for the other types of licence you hold.
- L8.28 Part 3: Sponsor duties and compliance has more information on downgrading licence ratings and other action we may take against you.

Related content

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L9. The decision on your application

This section tells you how we will notify you of the decision on your sponsor licence application, additional services you may be eligible for if we approve your application, and what you can do if your application is refused.

L9.1 When we have decided your application, we will write to you to tell you:

- whether we have approved or refused your application
- the reasons for the decision if we have refused your application

L9.2 Decision letters are sent by email to the mailbox of the authorising officer stated in the online sponsor application. We will return any original documents you have sent to us by Royal Mail Signed For delivery to the address given for the authorising officer in your online sponsor application.

Note: emails from us may be diverted to junk or spam folders, which can be avoided by marking the email domain @homeoffice.gov.uk as trusted in your email settings.

If your application is approved

L9.3 If we approve your licence application, we will tell you in our decision letter:

- the maximum number of Certificates of Sponsorship (CoS) you will be allowed to assign – this will be zero if you said in your application that you are unsure whether or when you may need to recruit any overseas workers in the future
- your sponsor licence number (SLN) – this is unique to you and you must quote it in all communications with us

Sponsoring workers

L9.4 Once you are ready to sponsor a worker, you must refer to the relevant [route-specific guidance](#) and Part 2: Sponsor a worker for information on how to do this.

Additional services you may be eligible for

L9.5 A-rated sponsors are eligible for additional services – the premium customer service and the priority change of circumstances service. These are described below.

Premium customer service

L9.6 The premium customer service offers an enhanced level of support for A-rated sponsors. A premium customer has their own dedicated account manager who will provide tailored advice and support. The '[Premium customer service for employers](#)' page on GOV.UK has full guidance about this service, including the benefits, costs, eligibility criteria, and how to

apply.

- L9.7 If you successfully apply for premium customer service, this will be indicated on our public [Register of sponsors](#), where your sponsor rating will show as A (Premium) for large employers or A (SME+) for small and medium enterprises.

Priority change of circumstances service

- L9.8 The priority change of circumstances service offers a faster consideration of sponsor change of circumstances requests for A-rated sponsors. The [‘Priority change of circumstances service’](#) page on GOV.UK has full guidance about this service.

If your application is refused

- L9.9 If your licence application is refused, you may be able to:
- ask us to review the decision through the ‘Error correction request’ process, if you believe there has been a simple caseworking error
 - apply again – but only after the appropriate [‘cooling-off period’](#), if applicable, has ended

Error correction request

- L9.10 There is no right of appeal against the refusal of an application for a licence. However, if you believe the refusal decision is the result of either:
- a caseworker error – for example, if we have incorrectly applied a cooling-off period and you send evidence to us to show that this is the case
 - evidence sent as part of your application not being considered by us – for example, if we have not considered a specific piece of information and you send evidence to show this was received by us

you can send an [‘Error correction request form’](#).

- L9.11 The request must be sent within 14 calendar days from the date of the refusal decision letter. We aim to reply to you within 28 working days of the receipt of your error correction request form.
- L9.12 The pre-licence error correction process does not offer a full reconsideration of a decision to refuse a licence application. We will not consider any additional evidence which was not available at the time of application.
- L9.13 If we establish that a simple caseworker error has occurred, or a piece of information sent at the time of application has not been considered, we will write to you inviting you to send a new online sponsor licence application. You will need to pay application fee again but, on receipt of your application, we will refund this. Sending a new application is not a guarantee that a licence will be granted.

L9.14 If we maintain our original decision to refuse your licence application, we will write to tell you. The cooling-off period will continue to apply from the date of the original refusal decision. A refusal decision will not be reviewed a second time under this process.

Cooling-off period following refusal, withdrawal, revocation, surrender, civil penalty or conviction

L9.15 If your application for a sponsor licence is refused, you may not be able to make a successful further application until a specified period of time has elapsed since the refusal. This is known as the 'cooling-off period'.

L9.16 The cooling-off period may also apply in any of the following circumstances:

- you withdrew your licence application while we were undertaking checks on you and it is likely that we would have refused your application had you not withdrawn it
- you previously held a sponsor licence and:
 - it was revoked, or
 - you surrendered it while we were taking compliance action against you (and it would have been revoked as a result of that compliance action)
- you have been issued with a civil penalty or charge specified in the table below
- you have an unspent conviction for a relevant offence

L9.17 The length of the cooling-off period depends on the circumstances.

L9.18 If you apply, or reapply, while you are still subject to a cooling-off period, we will automatically refuse your application, even if the reasons that led to the cooling-off period no longer apply.

L9.19 The table below sets out the length of the cooling-off period according to the circumstances. You must also read the notes below the table.

Circumstance	Length of cooling off period
Your application was refused (or would have been refused had you not withdrawn it) because: <ul style="list-style-type: none"> • your application was sent by a representative • you did not provide documents or information we requested by a specific deadline for reasons outside your control 	No cooling-off period (you can apply again at any time).
Your previous application was refused (or would have been refused had you	6 months from the date your application was refused (or the date we notified you

Circumstance	Length of cooling off period
not withdrawn it) for any reason not otherwise mentioned in this table	that we had accepted your withdrawal request, as the case may be).
You previously held a sponsor licence and it was revoked (or it would have been revoked had you not surrendered it)	12 months from the date of the notice informing you that your licence had been revoked (or the date we notified you that we had accepted your request to surrender your licence, as the case may be).
<p>You have been issued with a civil penalty for employing an illegal worker under:</p> <ul style="list-style-type: none"> • section 15 of the Immigration, Asylum and Nationality Act 2006, or • regulation 11 of the Accession of Croatia (Worker Authorisation) Regulations 2013 <p>and that penalty has been paid in full</p>	12 months from the date you paid the penalty in full.
More than one civil penalty has been issued to an owner, a director or an authorising officer of your organisation (either individually or collectively) under section 23 or section 25 of the Immigration Act 2014 for authorising occupation of premises under a residential tenancy agreement by an adult who is disqualified because of their immigration status, and those penalties have been paid in full	12 months from the date the penalties were paid in full.
<p>You have been issued with a civil penalty or charge under:</p> <ul style="list-style-type: none"> • section 32 of the Immigration and Asylum Act 1999: carrying clandestine entrants • section 40 of the Immigration and Asylum Act 1999: carrying passengers without proper documents • section 24 of the Counter-Terrorism and Security Act 2015 or the Authority to Carry (Civil Penalties) Regulations 2015: bringing a passenger to the UK in breach of an authority to carry scheme 	5 years from the date you paid the penalty or charge in full.

Circumstance	Length of cooling off period
<p>and that penalty or charge has been paid in full</p> <p>Either:</p> <ul style="list-style-type: none"> • you have been issued with 2 or more civil penalties for employing an illegal worker under: <ul style="list-style-type: none"> ○ section 15 of the Immigration, Asylum and Nationality Act 2006, or ○ regulation 11 of the Accession of Croatia (Worker Authorisation) Regulations 2013; or • 3 or more civil penalties have been issued to an owner, a director or an authorising officer of your organisation (either individually or collectively) under section 23 or section 25 of the Immigration Act 2014 for authorising occupation of premises under a residential tenancy agreement by an adult who is disqualified because of their immigration status <p>and those penalties have been paid in full</p>	<p>We may refuse your licence application for up to 5 years after the date you paid the penalty in full – see notes below this table.</p>
<p>You have (or a person mentioned above has) an unpaid civil penalty or charge for any of the offences listed above and you are (or that person is) still liable once your or their objection and appeal rights are exhausted</p>	<p>Indefinite – we will not grant you a licence while you have an unpaid civil penalty or charge.</p>
<p>You have an unspent conviction for a relevant offence</p>	<p>Until the conviction is spent under the Rehabilitation of Offenders Act 1974</p> <p>If the unspent conviction is recorded against an individual in your organisation, you can reapply for a licence (subject to any other cooling-off period that may apply in this table) before the conviction is spent if that individual:</p> <ul style="list-style-type: none"> • no longer works for you • no longer falls under the definition of ‘you’, or

Circumstance	Length of cooling off period
	<ul style="list-style-type: none"> • does not otherwise have significant involvement in the running or financing of your business <p>For further information, see 'Checks we make on your personnel'.</p>

Notes on the table above

L9.20 Where more than one cooling-off period is relevant to your circumstances, the longest cooling-off period will apply, as explained in the examples below.

Example 1

Your application was refused because you did not meet all of the requirements of the route in which you were applying (6-month cooling-off period) and because you have recently been issued with a civil penalty for employing an illegal worker, which you are paying off in agreed instalments.

In this scenario, you will not be eligible to make a successful licence application until 12 months have elapsed since you have paid the civil penalty in full, as that is the longer cooling-off period.

Example 2

Your application was refused because you did not meet all of the requirements of the route in which you were applying (6-month cooling-off period) and because you have previously been issued with a civil penalty for employing an illegal worker. You paid that penalty in full 10 months ago.

In this scenario, the 6-month cooling-off period will apply, as the cooling-off period for the civil penalty will expire in 2 months.

L9.21 Where reference is made to civil penalties issued to “an owner, a director, or an authorising officer of your organisation”, this means civil penalties issued to those persons either individually or collectively. For example, if an owner has been issued with one civil penalty, and your authorising officer has been issued with another, this will count as two civil penalties against your organisation.

L9.22 Where the table above says that we **may** impose a cooling-off period of up to 5 years (multiple civil penalties for employing illegal workers or under the right-to-rent scheme), we will take into account a number of factors including, but not limited to:

- the number of civil penalties imposed
- the number of illegal workers or (as the case may be) disqualified adults involved
- the amount of each civil penalty imposed

- the extent to which you co-operated with the Home Office or relevant authorities
- how soon you paid off the penalty, or penalties, or if you complied with any agreement to pay the penalty, or penalties, in instalments

New application after cooling-off period has expired

- L9.23 Before you reapply, you must ensure that the reasons we refused (or would have refused) your previous application, or revoked (or would have revoked) your previous licence, no longer apply. The fact that the cooling-off period has expired does not mean we will grant your application – you must fully meet the requirements set out in this guidance.
- L9.24 As part of the application process, you may receive a visit from a UKVI compliance officer, who will undertake relevant checks to establish that you have the necessary systems and procedures in place to meet your sponsorship obligations. If we are not satisfied that you can fully meet your sponsorship obligations or you otherwise remain unsuitable to hold a sponsor licence, we will refuse your application again and you will be subject to a further cooling-off period.

Related content

[Contents](#)

L10. Sponsorship management system

This section tells you about the sponsorship management system and how you can use it to report changes or add routes to your licence.

What is the sponsorship management system?

L10.1 Once licensed, you will be given access to the sponsorship management system (SMS). This online function allows you to carry out day-to-day activities and report any changes to us, such as a change of address. You will also use it to:

- manage or renew your organisation's licence or services
- create and assign Certificates of Sponsorship (CoS) to workers you wish to sponsor
- apply for defined CoS for Skilled Workers
- report changes of circumstances of your sponsored workers, including withdrawal of sponsorship

For further information assigning CoS and your reporting duties, see:

- sections S1 to S6 of Part 2: Sponsor a worker
- 'Reporting duties' in section C1 of Part 3: Sponsor duties and compliance

L10.2 The SMS allows users two levels of access – 'level 1' and 'level 2'. The level decides the type of access (permissions) the user has to the system and the functions they can perform. See '[Level 1 user](#)' and '[Level 2 user](#)' in section L4 for more information.

L10.3 Your SMS account is also a source of information about your sponsor licence. You can see details of how many SMS users you have appointed and who they are, the date your licence will expire, the number of CoS left to assign, and when your allocation of CoS will expire. Your SMS account also has a 'message board' where we post useful messages, such as information about updates to the sponsor guidance.

L10.4 You need to access your SMS account regularly to review and update your licence details and to keep up to date with the latest news, messages, and any changes that may be coming up. We recommend that your level 1 user accesses your account at least once a month.

L10.5 When we grant your sponsor licence, we set up your SMS account and send the level 1 user's 'user name' to your authorising officer by post. We send the level 1 user their password by email. Once your level 1 user has successfully accessed your SMS account, they can perform a number of functions.

L10.6 SMS users must not give their password to anyone else. If they do, we may

revoke your licence.

- L10.7 You can find guidance on how to use the SMS under 'User manuals: sponsorship management system (SMS)' on the '[Sponsorship: guidance for employers and educators](#)' page on GOV.UK.

Your responsibilities as an SMS user

- L10.8 You are responsible for your actions and the actions of a representative or employee who assigns CoS on your behalf. Any non-compliance with the rules on assigning CoS will result in us taking action against you. If we find you are employing an illegal worker because your recruitment practices are negligent, we may issue you with a civil penalty and refer your case for prosecution.
- L10.9 You must have at least one level 1 user who is an employee, partner or director of your organisation in place throughout the life of your licence. If we find you have no level 1 user in place at all, this means you cannot fulfil your sponsor duties and we may revoke your licence. We may also revoke your licence if you have no SMS users in place at all.

Adding routes to your licence

- L10.10 Once your licence has been granted, you can apply to add routes to it. For example, if you were originally licensed under Skilled Worker only, you could add Intra-Company (or any other route) to your licence, if you meet the relevant requirements.
- L10.11 If you are a large company, you will have to pay a fee if you were originally licensed under the Temporary Worker routes only and you wish to add one or more of the Worker routes to your licence. The fee will be the difference between the fee for a Worker sponsor licence and that for a Temporary Worker licence. There is no additional fee to pay if:
- you are a small or charitable sponsor
 - you are already licensed under one or more the Worker routes; or
 - you are licensed under Temporary Worker and you only wish to add other Temporary Worker routes to your licence
- L10.12 To add routes to your licence, your level 1 user must [log in to the online sponsor licence application form](#) using your original log-in details or by registering again. They will then fill in a shortened version of the online application form which allows them to apply to add new routes to your licence. The level 1 user will not be able to change anything else. You must pay the fee (if relevant) and send us any documents specified in [Appendix A](#) to the sponsor guidance as mandatory for the relevant route. The authorising officer must approve this action, and the level 1 user must retain the evidence of this approval.
- L10.13 You will not be allowed to add routes if your licence is suspended or

downgraded to a B-rating. See Part 3: Sponsor duties and compliance for information on the circumstances in which we downgrade or suspend licences.

- L10.14 There can only be one authorising officer and one key contact named on a sponsor licence. If you want to apply to add a route to your licence, but you want different people to act as authorising officer and key contact for that route, you must apply for a new, separate, licence and pay the full application fee.

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Annex L1: circumstances in which we will refuse your application

This annex sets out the circumstances in which we will refuse your sponsor licence application.

Unless otherwise stated, 'you' or 'your' has the meaning given in the [Glossary](#).

Reference	Circumstances
a.	You knowingly send any false document with your application. If this happens, and we believe that a criminal offence has been committed, we will refuse your application and refer your case for prosecution.
b.	You have an unspent conviction for a relevant offence listed in Annex L4 of this guidance.
c.	<p>You:</p> <ul style="list-style-type: none"> • have been issued with a civil penalty or charge under: <ul style="list-style-type: none"> ○ section 32 of the Immigration and Asylum Act 1999: carrying clandestine entrants; ○ section 40 of the Immigration and Asylum Act 1999: carrying passengers without proper documents; or ○ section 24 of the Counter-Terrorism and Security Act 2015 or the Authority to Carry (Civil Penalties) Regulations 2015: bringing a passenger to the UK in breach of an authority to carry scheme; and • remain liable for the penalty or charge once your objection and appeal rights have been exhausted; and • apply for your licence before 5 years has elapsed since the date the penalty or charge was settled (paid in full)
d.	<p>You:</p> <ul style="list-style-type: none"> • have been issued with a civil penalty for employing an illegal worker, or illegal workers, under either: <ul style="list-style-type: none"> ○ section 15 of the Immigration, Asylum and Nationality Act 2006; or ○ regulation 11 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013; and • remain liable for the penalty once your objection and appeal rights have been exhausted; and • apply for a licence before 12 months has elapsed since the date the penalty was settled (paid in full)

Reference	Circumstances
e.	You have not paid an outstanding civil penalty or charge for any of the offences referred to in (c) or (d) above, or any other civil penalty for employing illegal migrant workers, and you are still liable once your objection and appeal rights have been exhausted.
f.	<p>2 or more civil penalties have been issued to an owner, a director or an authorising officer of your organisation (either individually or collectively) under section 23 or section 25 of the Immigration Act 2014 for authorising occupation of premises under a residential tenancy agreement by an adult who is disqualified, because of their immigration status, and:</p> <ul style="list-style-type: none"> • that person was or is (or those persons were or are, as the case may be) still liable once their objection and appeal rights have been exhausted; and • you apply for your sponsor licence before 12 months has elapsed since the date the penalties were settled (paid in full)
g.	An owner, a director or an authorising officer of your organisation has not paid an outstanding civil penalty issued for authorising occupation of premises under a residential tenancy agreement by an adult who is disqualified, because of their immigration status, for which they are still liable once their objection and appeal rights have been exhausted.
h.	You have previously held a sponsor licence of any type and that licence was revoked by us, or you surrendered that licence while we were taking compliance action against you, in the 12-month period prior to the date of your application.
i.	<p>Any person who falls under the general definition of 'you' is legally prohibited from becoming a company director, unless:</p> <ul style="list-style-type: none"> • they are only disqualified due to being an undischarged bankrupt; and • that person has not been appointed as your director, authorising officer or level 1 user
j.	We have asked you to send us any document or information to validate or support your application and you do not send the document or information within the given time limit.
k.	You fail to meet one or more of the requirements of the route, or routes, in which you are applying to be licensed. If you fully meet the requirements of one route, or some routes, in which you are applying to be licensed, but not others, we will only licence you for the route, or routes, in which you qualify.

Reference	Circumstances
l.	You do not have in place the necessary human resources systems or other processes to comply with your duties as a sponsor. For example, your internal communications may not be good enough for you to know if a sponsored worker has not reported for work.
m.	You are applying under the Skilled Worker or the Intra-Company routes and we are not satisfied that you can offer genuine employment, or employment that meets the skill-level and/or salary requirements of those routes.
n.	You have no operating or trading presence in the UK.
o.	You fail to meet the requirements set out in the safeguarding children section .
p.	Your application is sent by a representative.
q.	You fail to nominate in your online application form at least one level 1 user who meets our requirements as set out in section L4 of this document.
r.	<p>You have had an application for a sponsor licence refused within the last 6 months for any reason (or would have had it refused had you not withdrawn the application), unless the refusal was because either:</p> <ul style="list-style-type: none"> • your application was sent by a representative; or • you did not provide documents or information we requested by a specific deadline for reasons outside your control

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Annex L2: circumstances in which we will normally refuse your application

This annex sets out the circumstances in which we will normally refuse your sponsor licence application.

Unless otherwise stated, 'you' or 'your' has the meaning given in the [Glossary](#).

Reference	Circumstances
a.	You have provided a false statement or false information, or have not provided, when required, information that you held, to us or any other Government Department.
b.	You have an unspent conviction for an offence other than a relevant offence listed in Annex L4 which we believe to be of relevance to your ability to discharge your sponsor duties or suitability to hold a sponsor licence.
c.	You have been issued with 2 or more civil penalties in the 5-year period immediately prior to your application for employing an illegal migrant worker. See 'Cooling-off period' in section L9 for further information.
d.	3 or more civil penalties have been issued in the 5-year period immediately prior to your application to an owner, a director or an authorising officer of your organisation (either individually or collectively) under section 23 or section 25 of the Immigration Act 2014 for authorising occupation of premises under a residential tenancy agreement by an adult who is disqualified, because of their immigration status. See 'Cooling-off period' in section L9 for further information.
e.	You are or have been an owner, a director or an authorising officer of a sponsor organisation which has been ordered to pay costs to the Home Office in any legal proceedings, and those costs have not been paid.
f.	You have previously been named as 'key personnel' at any sponsor organisation whose sponsorship licence has been revoked in any route within the last 12 months – see 'Previous non-compliance' below this table.
g.	You are employing a worker (whether sponsored or not) who is subject to immigration control and that person either:

Reference	Circumstances
	<ul style="list-style-type: none"> • does not have permission to enter or stay in the UK; or • they are working in breach of the conditions of their permission (leave) and you could reasonably have been aware of this breach <p>We will also refer your case to the relevant Home Office team to consider issuing you with a civil penalty.</p>
h.	The European Union (EU) or United Nations (UN) has imposed sanctions on you which will be contravened by giving you a licence.
i.	You engage in actions or behaviours that are not conducive to the public good.
j.	We have reason to believe that you otherwise pose any risk to immigration control.

Previous non-compliance

Previous non-compliance with the sponsorship system (other than non-compliance which would result in automatic refusal under [Annex L1](#)) may result in your application being refused. This could be where it is one of several grounds falling under this Annex or [Annex L3](#), or it is warranted by the actions of any person falling under the [general definition of 'you or your'](#). We also reserve the right to check individuals involved in your organisation who do not fall under the general definition of 'you or your' and to take into account their previous conduct– see ['Checks we make on your personnel'](#) for further information.

The action we take will depend on:

- the seriousness of the past conduct (including conduct that led to revocation of a licence) and what you have done to improve the situation
- how long it is since the conduct took place and any mitigating circumstances
- concerns we may have about any of your associated persons or employees, and the role they have within your organisation – in particular, where they have been employed or associated with an organisation that has been removed from the sponsor register for abuse or serious non-compliance within the last 5 years
- in the case of previous criminal conduct, whether we believe this has a bearing on your suitability to be a sponsor – note that we will always refuse your application if anyone falling under the general definition of 'you or your' has an unspent criminal conviction for an offence listed in [Annex L4](#)

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Annex L3: circumstances in which we may refuse your application

This annex sets out the circumstances in which we will consider refusing your sponsor licence application. Generally, we will not refuse your application if only one of these circumstances arises, but we reserve the right to do so, depending on the gravity of the issue. The more of these circumstances that are present, the more likely it is we will refuse your application.

Unless otherwise stated, 'you' or 'your' has the meaning given in the [Glossary](#).

Reference	Circumstances
a.	You have a previous record of non-compliance or poor compliance with the duties of sponsorship. See Annex L1 of this guidance if you have previously had a sponsor licence and it was revoked.
b.	You have previously been asked to provide evidence to allow us to decide whether an organisation was complying with the duties of sponsorship and that information was not provided.
c.	The Office of the Immigration Services Commissioner (OISC) has removed your authorisation, or the authorisation of any organisation you have been involved with in a similar role (this applies to individuals or organisations that provide immigration advice or services).
d.	You have, or you are aware that a sponsor organisation you have been involved with in a similar role within the last 5 years has, been issued with a penalty for failure to pay VAT or duty.
e.	You have been issued with any civil penalty not otherwise mentioned in these annexes and we believe this is of relevance to your ability to carry out your sponsor duties or suitability to hold a sponsor licence.

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Annex L4: relevant offences

This annex lists the unspent convictions that we will take into account, as referenced in [Annex L1](#) of this guidance. Note that we will always refuse your licence application if you have an unspent conviction for any of these offences.

Number	Unspent conviction for
1.	Any offence under the following Acts (as amended from time to time): <ul style="list-style-type: none"> • the Immigration Act 1971 • the Immigration Act 1988 • the Immigration Act 2014 • the Immigration Act 2016 • the Asylum and Immigration Appeals Act 1993 • the Immigration and Asylum Act 1999 • the Nationality, Immigration and Asylum Act 2002 • the Immigration, Asylum and Nationality Act 2006 • the UK Borders Act 2007
2.	Any offence listed in Appendix B of the guidance for sponsors.
3.	Any offence listed under Class A (homicide, manslaughter and related grave offences) in Annex 1B: List of offences in class order as defined by the Crown Prosecution Service .
4.	An offence under section 4 of the Offences against the Person Act 1861 (soliciting murder).
5.	An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm).
6.	An offence under section 16 of the Firearms Act 1968 (possession of a firearm with intent to endanger life).
7.	An offence under section 17(1) of that Act (use of a firearm to resist arrest).
8.	An offence under section 18 of that Act (carrying a firearm with criminal intent).
9.	An offence of robbery under section 8 of the Theft Act 1968 where, at some time during the commission of the offence, the offender had in his possession a firearm or an imitation firearm within the meaning of the Firearms Act 1968 .
10.	An offence under section 1 of the Protection of Children Act 1978 (indecent images of children).

Number	Unspent conviction for
11.	An offence under section 56 of the Terrorism Act 2000 (directing terrorist organisation).
12.	An offence under section 57 of that Act (possession of article for terrorist purposes).
13.	An offence under section 59 of that Act (inciting terrorism overseas).
14.	An offence under section 47 of the Anti-terrorism, Crime and Security Act 2001 (use etc of nuclear weapons).
15.	An offence under section 50 of that Act (assisting or inducing certain weapons-related acts overseas).
16.	An offence under section 113 of that Act (use of noxious substance or thing to cause harm or intimidate).
17.	An offence under section 1 of the Sexual Offences Act 2003 (rape).
18.	An offence under section 2 of that Act (assault by penetration).
19.	An offence under section 4 of that Act (causing a person to engage in sexual activity without consent).
20.	An offence under section 5 of that Act (rape of a child under 13).
21.	An offence under section 6 of that Act (assault of a child under 13 by penetration).
22.	An offence under section 7 of that Act (sexual assault of a child under 13).
23.	An offence under section 8 of that Act (causing or inciting a child under 13 to engage in sexual activity).
24.	An offence under section 9 of that Act (sexual activity with a child).
25.	An offence under section 10 of that Act (causing or inciting a child to engage in sexual activity).
26.	An offence under section 11 of that Act (engaging in sexual activity in the presence of a child).
27.	An offence under section 12 of that Act (causing a child to watch a sexual act).
28.	An offence under section 14 of that Act (arranging or facilitating commission of a child sex offence).

Number	Unspent conviction for
29.	An offence under section 15 of that Act (meeting a child following sexual grooming etc).
30.	An offence under section 25 of that Act (sexual activity with a child family member) if the offender is aged 18 or over at the time of the offence.
31.	An offence under section 26 of that Act (inciting a child family member to engage in sexual activity) if the offender is aged 18 or over at the time of the offence.
32.	An offence under section 30 of that Act (sexual activity with a person with a mental disorder impeding choice).
33.	An offence under section 31 of that Act (causing or inciting a person with a mental disorder to engage in sexual activity).
34.	An offence under section 34 of that Act (inducement, threat or deception to procure sexual activity with a person with a mental disorder).
35.	An offence under section 35 of that Act (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement etc).
36.	An offence under section 47 of that Act (paying for sexual services of a child) against a person aged under 16.
37.	An offence under section 48 of that Act (causing or inciting child prostitution or pornography).
38.	An offence under section 49 of that Act (controlling a child prostitute or a child involved in pornography).
39.	An offence under section 50 of that Act (arranging or facilitating child prostitution or pornography).
40.	An offence under section 62 of that Act (committing an offence with intent to commit a sexual offence).
41.	An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult).
42.	An offence under section 5 of the Terrorism Act 2006 (preparation of terrorist acts).
43.	An offence under section 9 of that Act (making or possession of radioactive device or materials).

Number	Unspent conviction for
44.	An offence under section 10 of that Act (misuse of radioactive devices or material and misuse and damage of facilities).
45.	An offence under section 11 of that Act (terrorist threats relating to radioactive devices, materials or facilities).
46.	<p>Any offence, not otherwise listed above, of:</p> <ul style="list-style-type: none"> • trafficking for sexual exploitation • espionage • terrorism (whether an offence under terrorism legislation or an offence which has a terrorist connection) • dishonesty (theft, corruption, deception and fraud) • tax or excise duty avoidance • bribery • proceeds of crime • money laundering • abuse and neglect of children
47.	<p>a) An attempt to commit an offence specified in this Annex b) Conspiracy to commit an offence specified in this Annex c) Incitement to commit an offence specified in this Annex d) An offence under Part 2 of the Serious Crime Act 2007 of encouraging or assisting a crime where the offence (or one of the offences) in question is one that is specified in this Annex e) Aiding, abetting, counselling or procuring the commission of an offence specified in this Annex</p>

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