



Home Office

Workers and Temporary Workers: guidance for sponsors

Sponsor a Skilled Worker

Version 11/20

This document forms part of the collection 'Workers and Temporary Workers: guidance for sponsors' and provides information for employers on how to sponsor a person to come to the UK on the Skilled Worker immigration route from 1 December 2020.

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About this guidance

This document provides information for employers on how to sponsor a worker on the Skilled Worker immigration route from 1 December 2020.

The Skilled Worker route replaces the existing Tier 2 (General) route from 1 December 2020. It allows employers to recruit people to work in the UK in a specific job in an eligible skilled occupation and applies 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 to stay on or after 1 December 2020

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

If you wish to sponsor a non-EEA national who will apply for entry clearance or permission to stay in the UK before 1 December 2020, you must do so under the existing Tier 2 (General) arrangements and refer to [Tier 2 and 5: guidance for sponsors](#).

There are transitional arrangements if you assign, or apply for, a Certificate of Sponsorship under the Tier 2 (General) route before 1 December 2020 but it is not used in an application before that date – see [Annex SK1](#).

Employing EEA nationals and Irish citizens

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

EEA nationals

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.

EEA nationals (and their eligible family members) who wish to continue living and working in the UK after the end of the implementation period must apply for status under the [EU Settlement Scheme \(EUSS\)](#) no later than 30 June 2021. People with settled or pre-settled status under the EUSS do not need to be sponsored.

Irish citizens

Irish citizens do not need permission to live and work in the UK and are not eligible to apply under the Skilled Worker route, unless they are subject to a deportation order, an exclusion order or an international travel ban. 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.

Other guidance you must read

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

- Part 1: Apply for a licence – if you do not already have a licence
- Part 2: Sponsor a worker – general information
- Part 3: Sponsor duties and compliance
- any relevant annexes or appendices referred to in the above documents

You can access all of these documents, and other information on sponsorship, on the [Sponsorship: 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 on GOV.UK to ensure you are using the most up-to-date version.

Glossary

There is a glossary of terms used throughout the sponsor guidance (including this document) at the beginning of Part 1: Apply for a licence.

Contacts

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

If you have read this guidance, and the guidance referred to above, and you still have any queries, you can call us on 0300 123 4699 or email the [Business Helpdesk](#).

Version number and publication

Below is information on the version number of this guidance and when it was 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 guidance has been published.

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

[Contents](#)

SK1. Sponsoring a Skilled Worker: what you need to know

This section summarises the main requirements you must meet to sponsor a worker on the Skilled Worker route and where you can find more information.

SK1.1 To be eligible to sponsor a Skilled Worker, you must:

- hold a valid Skilled Worker sponsor licence – see [Who can sponsor Skilled Workers](#)
- understand what the Skilled Worker route is and whom you can sponsor on this route – see [Who can come to the UK as a Skilled Worker](#)
- understand the general requirements for sponsoring a worker – see Part 2: Sponsor a worker
- only sponsor workers for employment in an eligible occupation code – see [Skilled Worker: skill-level requirement](#)
- ensure the worker's salary meets the relevant [salary requirement for Skilled Workers](#)
- if you wish to sponsor a nurse or midwife before they have achieved full registration with the Nursing and Midwifery Council, understand the registration process and your additional sponsor duties – see [Sponsoring an overseas trained nurse or midwife](#)
- assign a valid Certificate of Sponsorship (CoS) to the worker you wish to sponsor, pay the relevant CoS fee, and ensure you understand the difference between a 'defined' and an 'undefined' CoS – see the [Certificate of sponsorship for Skilled Workers](#) and [Skilled Worker defined CoS](#) sections of this document
- pay the [Immigration Skills Charge](#) for each worker you wish to sponsor, unless they are exempt – see the 'Immigration Skills Charge' section of Part 2: Sponsor a worker
- keep records for each worker you sponsor – see [Appendix D](#) to the sponsor guidance
- have key personnel in place who meet our requirements – they will be responsible for, among other things, assigning and requesting CoS and reporting any significant changes to us through the sponsorship management system (SMS) – see the 'Key personnel' and 'Sponsorship Management System' sections of Part 1: Apply for a licence for information
- understand and comply with all of your sponsor duties – see Part 3: Sponsor duties and compliance for details of this, and the consequences of failing to comply with your sponsor duties

Related content
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SK2. Who can sponsor Skilled Workers

This section tells you about the requirements you must meet to be eligible for a licence to sponsor workers on the Skilled Worker route.

Sponsor licence requirement

- SK2.1 If you wish to sponsor a Skilled Worker, you must hold a valid Skilled Worker sponsor licence. If you do not already hold such a licence, you must apply for one by completing the [online application form](#), paying the relevant [application fee](#), and submitting the supporting evidence specified in [Appendix A](#) to the sponsor guidance.
- SK2.2 Before applying for your licence, you should read:
- Part 1: Apply for a licence for detailed information on the general requirements and the application process
 - this section for guidance specific to the Skilled Worker route
- SK2.3 If you already hold a Tier 2 (General) sponsor licence under the current Tier 2 and 5 arrangements, you do not need to apply for a new licence: your existing licence (along with your Certificate of Sponsorship allocation) will be converted into a Skilled Worker sponsor licence with the same expiry date as your Tier 2 (General) licence. If your licence is due to expire within the next 90 days, you should apply now to renew it.
- SK2.4 For more information on transitional arrangements, see Part 1: Apply for a licence. For information on renewing your licence, see Part 3: Sponsor duties and compliance.

Specific requirements for a Skilled Worker licence

- SK2.5 In addition to the general requirements for a sponsor licence set out in Part 1: Apply for a licence, to be eligible for a licence to sponsor Skilled Workers, you must be able to offer genuine employment that meets the skill level for this route. In most cases, the job must be skilled to level 3 or above on the Regulated Qualifications Framework for England and Northern Ireland, or the equivalent level in Wales or Scotland. See [Section SK4: Skill level requirement](#) for further information.

Employment relationship between sponsor and worker

- SK2.6 As the sponsor, you will normally be the employer and therefore responsible for paying the sponsored worker. We recognise there are certain circumstances, such as in parts of the creative sector, where there is no direct employer-employee relationship. In such circumstances, the worker must still have a sponsor that is able and

willing to accept all of the responsibilities and duties associated with being their sponsor.

- SK2.7 There will also be circumstances where there is a clear statutory relationship between the employing body and a publicly-funded body, where the publicly-funded body can intervene in the running or funding of the employing or paying body. In these cases, the publicly-funded body can be the sponsor. Below are 2 examples of this.

Example 1

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

Example 2

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

- SK2.8 Where a worker is not your direct employee, we will look closely at the arrangement to make sure you can fulfil your sponsor duties and we will take action against you if we find you are not.

How to keep your licence

- SK2.9 If you are granted a licence, you must comply with all of your sponsor duties. If you do not, we may take action against you, including:

- downgrading your licence rating
- suspending your licence
- revoking your licence
- reporting you to the police or other relevant authorities

- SK2.10 For details, you must read Part 3: Sponsor duties and compliance.

Related content

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SK3. Who can come to the UK as a Skilled Worker

This section tells you what the Skilled Worker route is, the immigration requirements applicants must meet and where you can find further information.

What is the Skilled Worker route?

- SK3.1 The Skilled Worker route allows employers to recruit workers from outside the UK and Ireland to fill a wide range of skilled vacancies in the UK.
- SK3.2 The job must normally be skilled to level 3 on the Regulated Qualifications Framework (RQF) for England and Northern Ireland, or the equivalent level in Wales or Scotland. This is equivalent to approximately A-level standard. This does not mean the worker has to have A-levels or equivalent qualifications, but the work they do must be at that level. Eligible jobs are listed in Tables 1 and 2 of [Appendix Skilled Occupations](#) to the Immigration Rules. The job must be on this list.
- SK3.3 You can also sponsor eligible healthcare professionals for the '[Health and Care visa](#)', which is a special subcategory of the Skilled Worker route.
- SK3.4 Skilled workers can bring their family members (partner and children) to the UK and can apply to settle in the UK after 5 years' continuous lawful residence.

Immigration requirements

- SK3.5 People who wish to come to the UK on the Skilled Worker route must meet the requirements in [Appendix SW to the Immigration Rules](#).
- SK3.6 These include the requirements that the applicant:
- meets the [Points criteria](#) of the route
 - if relevant, meets the [financial requirement](#)
 - if relevant, meets the [criminal records certificate requirement](#)
- SK3.7 This is not the full list of requirements – you must refer to the relevant Immigration Rules for this.

Points criteria

- SK3.8 The applicant must score 70 points to be eligible. This includes 50 points for mandatory or 'non-tradeable' criteria, and 20 points for 'tradeable' criteria.

SK3.9 The mandatory criteria are set out in the table below. All applicants on the Skilled Worker route must score 50 points from this table:

Points type	Description	Points available
Sponsorship	The applicant must have a valid Certificate of Sponsorship for the role they wish to undertake	20
Job at an appropriate skill level	The job must be in an eligible occupation code listed in Appendix Skilled Occupations – see the ‘ Skill level ’ section of this document	20
English language	The applicant must have English language skills at level B1 or higher on the Common European Framework of Reference for language in all 4 components (speaking, listening, reading, writing), as specified in Appendix English Language	10

SK3.10 In addition to scoring 50 points for the above criteria, the applicant must score 20 ‘tradeable’ points based on:

- their salary; and
- other criteria (relevant academic qualifications held by them, being sponsored to work in a shortage occupation or an eligible health or education occupation, or because they are a ‘new entrant’ to the UK’s labour market)

SK3.11 For further information on tradeable points, see [Skilled Worker: points for salary](#).

Financial requirement

SK3.12 If the applicant is applying for entry clearance from outside the UK, or has been in the UK for less than one year at the date of application, they must show they have enough funds to support themselves and any family members in the UK.

SK3.13 If you are an A-rated sponsor, you can certify this requirement is met when you assign a CoS to them (also known as ‘certifying maintenance’). Otherwise, the applicant must provide evidence of funds as specified in [Appendix Finance](#) to the Immigration Rules.

SK3.14 For further information, see section S7 of Part 2: Sponsor a worker.

Entry clearance requirement

SK3.15 Applicants must apply for entry clearance (a visa) to be able to come to the UK on this route. If they arrive in the UK without the relevant visa, they will be refused entry, even if they otherwise meet the requirements.

Extension of permission

SK3.16 Those already in the UK with permission on the Skilled Worker route can apply to extend their stay if they meet the relevant requirements – this could be to continue in the same employment or to change employer or employment. See section S9 of Part 2: Sponsor a worker for further information.

‘Switching’

SK3.17 Individuals in the UK on another immigration route can ‘switch’ (change route) to the Skilled Worker route if they meet all the relevant immigration requirements and were not last granted permission on any of the following routes:

- Visitor
- Short-term student
- Parent of a Child Student
- Seasonal Worker
- Domestic Worker in a Private Household
- outside the Immigration Rules

Period of grant

SK3.18 Successful applicants will be granted entry clearance or permission to stay for the period of employment as stated on their CoS, plus 14 days, up to a maximum period of 5 years.

Settlement

SK3.19 Workers who have been continuously and lawfully resident in the UK on the Skilled Worker route (or other eligible route) for 5 years or more may apply to [settle in the UK permanently](#) (known as ‘settlement’ or ‘indefinite leave to remain’). For details of the requirements, see paragraphs SW 19.1 to SW 25.2 of [Appendix Skilled Worker](#).

Further information on immigration requirements

SK3.20 You can find more information in the [Skilled Worker section](#) of the GOV.UK website.

SK3.21 You should also refer to sections S7 to S9 of Part 2: Sponsor a worker.

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SK4. Skilled Worker: skill level requirement

This section tells you how to ensure that any jobs you wish to sponsor workers for on the Skilled Worker route are at the appropriate skill level.

- SK4.1 All applicants applying on the Skilled Worker route must score 20 points for having a job at an appropriate skill level. You can only sponsor workers for a job which is listed as eligible for this route in Tables 1 and 2 of [Appendix Skilled Occupations](#) to the Immigration Rules.
- SK4.2 When you assign a Certificate of Sponsorship (CoS) on the Skilled Worker route, you must choose an appropriate occupation code for the job from [Appendix Skilled Occupations](#). If you are not sure which occupation code to use, there is guidance on the [Office for National Statistics](#) website. It is your responsibility to ensure you choose the correct occupation code.
- SK4.3 We will not award points to an applicant (and so will refuse their application) if we have reasonable grounds to believe you have chosen a less appropriate occupation code for any of the following reasons:
- the most appropriate occupation code for the job is not eligible on the Skilled Worker route
 - the most appropriate occupation code for the job has a higher going rate than the salary you propose to pay the worker
 - the applicant is also claiming points for a job in a [shortage occupation](#) and the most appropriate occupation code is not a shortage occupation
 - the applicant is claiming points for an [educational qualification](#) and the most appropriate occupation code is not listed as “eligible for PhD points” in Table 1 of [Appendix Skilled Occupations](#)
- SK4.4 When assessing if you have chosen an inappropriate occupation code, we may consider a number of factors, including, but not limited to:
- whether you have shown a genuine need for the job as described
 - whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described in the CoS
 - your history of compliance with the immigration system including, but not limited to, paying your sponsored workers appropriately
 - any additional information you may provide

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SK5. Skilled Worker: points for salary

This section tells you how Skilled Worker applicants can claim points for salary, how we calculate salaries, and your responsibilities if the worker goes on unpaid leave or has their salary reduced.

Overview

- SK5.1 You must ensure any worker you sponsor on the Skilled Worker route is paid in line with the salary rates set out in the Immigration Rules and in this guidance. The relevant rules are contained in paragraphs SW 8.2 to SW 14.5 of [Appendix SW](#) to the Immigration Rules. The going rates are set out in Tables 1 and 2 of [Appendix Skilled Occupations](#).
- SK5.2 These rates have been set to make sure the resident labour market is not undercut. They are updated regularly to reflect the latest available salary data.
- SK5.3 If the amount you will pay the worker is below these rates, we will refuse their application for entry clearance or permission to stay.
- SK5.4 If we grant permission to a sponsored worker, but later find that you stop paying, or have never paid, them in line with these rates, we will take action against you – this could include revoking your sponsor licence.
- SK5.5 In addition to compliance visits, we will undertake regular checks with HMRC to ensure you are paying at least the salary you stated on the sponsored worker's Certificate of Sponsorship (CoS), in any sponsor note you have added to the CoS, or in any other notification of a change in salary.

Tradeable points for salary and other attributes

- SK5.6 The worker you are sponsoring must score 20 points for salary and other attributes from the table below. The applicant can score points against only one row in the table. Where reference is made to the 'going rate', this means the going rate for the occupation code in which the worker is being sponsored, as stated in Table 1 or Table 2 of [Appendix Skilled Occupations](#) as appropriate.

Option	Requirements
A: salary only	The applicant's salary equals or exceeds both: <ul style="list-style-type: none">• £25,600 per year; and• the going rate for the occupation code
B: relevant PhD	PhD in a subject relevant to the job and the applicant's salary equals or exceeds both: <ul style="list-style-type: none">• £23,040 per year; and

Option	Requirements
	<ul style="list-style-type: none"> 90% of the going rate for the occupation code
C: relevant STEM PhD	PhD in a Science, Technology, Engineering or Mathematics (STEM) subject relevant to the job and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> £20,480 per year; and 80% of the going rate for the occupation code
D: shortage occupation	Job in a listed shortage occupation and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> £20,480 per year; and 80% of the going rate for the occupation code
E: new entrant	Applicant is a new entrant to the labour market and their salary equals or exceeds both: <ul style="list-style-type: none"> £20,480 per year; and 70% of the going rate for the occupation code
F: listed health or education occupation	Job in a listed health or education occupation and the applicant's salary equals or exceeds both: <ul style="list-style-type: none"> £20,480 per year; and the going rate for the occupation code <p>An applicant with a job in a listed health or education occupation can only be awarded points from option F.</p> <p>You can temporarily pay a pre-registration nurse or midwife below these rates if certain conditions are met</p>

SK5.7 More information on how applicants can score points against these criteria is given below.

Transitional arrangement: CoS issued before 24 November 2016

SK5.8 An applicant who is in the UK and applying for permission to stay can claim 20 points for their salary (or meet the salary requirement in a settlement application) if:

- they had permission as a Tier 2 (General) Migrant based on a CoS given to them by their sponsor before 24 November 2016; and
- their salary will be whichever is the higher of:
 - £20,800 or above, or
 - at least the going rate for the occupation code in which they are being sponsored

SK5.9 The other restrictions listed in this section (including the rules on [allowances](#) and [pro-rating](#)) still apply. This transitional provision applies

to applications for permission to stay (and settlement) made before 24 May 2023, after which it will end.

Calculation of salary

SK5.10 You must ensure you understand the rules on calculation of salary (including allowances and pro-rating). These apply to all options listed in the table above, unless otherwise stated.

Allowances

SK5.11 Subject to the [transitional provision](#) listed below, salary under these requirements includes only guaranteed basic gross pay (before income tax and including employee pension and national insurance contributions). It does not include other allowances, pay or benefits (even if they are guaranteed), such as any of the following:

- pay which cannot be guaranteed because the nature of the job means that hours fluctuate
- additional pay such as shift allowance, or overtime or bonus pay, whether or not it is guaranteed
- employer pension and employer national insurance contributions
- any allowances, such as accommodation or cost of living allowances
- in-kind benefits, such as equity shares, health insurance, school or university fees, company cars or food
- one-off payments, such as 'golden hellos'
- any payments relating to immigration costs, such as the application fee or [Immigration Health Charge](#); or
- payments to cover business expenses, including (but not limited to) travel to and from the applicant's home country, equipment, clothing, travel or subsistence

SK5.12 When you enter the applicant's gross salary on their CoS, you must not include any allowances, such as those listed above, in the figure.

Transitional arrangement for allowances

SK5.13 If the applicant is in the UK and applying for permission to stay (or settlement), you may include guaranteed allowances in the salary figure entered on the worker's CoS, provided all of the following conditions are met:

- the applicant was last granted permission as a Tier 2 (General) Migrant
- you sponsored the application which led to that grant of permission and you are continuing to sponsor the applicant; and
- the allowances are guaranteed, will be paid for the duration of the applicant's permission, and would be paid to a local settled worker in similar circumstances, such as London weighting

SK5.14 The other restrictions outlined in this section (including on other allowances and pro-rating) still apply. The application for permission to stay (or settlement) must be made before 1 December 2026, after which this transitional arrangement will end.

Workers being sponsored for less than a year

SK5.15 The salary rates in the table above refer to annual salaries. If the applicant will be working in the UK for less than 12 months, we will pro-rate their gross actual earnings, as recorded on their CoS, to the equivalent annual figure to determine if they meet the salary requirement. For example, if the worker is assigned a CoS for 6 months, and their gross pay will be £2,500 per month, this would equate to a gross annual salary of £30,000.

Pro-rating for working pattern: general salary threshold

SK5.16 When considering if the general salary threshold (£25,600, £23,040, or £20,480 as appropriate) is met, we will only take into account salary for up to a maximum of 48 hours per week, even if the applicant works for longer than this. For example, a person who works 60 hours a week for £8 per hour will be considered to have a salary of £19,968 ($8 \times 48 \times 52$) and not £24,960 ($8 \times 60 \times 52$) and will therefore not meet the general salary threshold.

SK5.17 If the applicant will be working part-time, we will only take into account their actual gross earnings, and not the equivalent full-time earnings, to determine if they are being at least the general salary rate. For example, if the individual works 20 hours per week for £19 per hour, their annual salary will be £19,760 ($20 \times 19 \times 52$) and they will not meet the general salary requirement.

Pro-rating for working pattern: going rate

SK5.18 When assessing whether the applicant is being paid the going rate for the job they are being sponsored for, we will pro-rate their salary according to their actual working hours, as stated on their CoS. This applies whether they work more than 48 hours per week, or part-time – for example:

- an applicant who works 60 hours a week in an occupation code in Table 1 with a going rate of £39,000 must be paid at least £60,000 ($£39,000 \times 60 \div 39$) per year to meet the going rate requirement
- an applicant who works 30 hours per week in an occupation code in Table 1 with a going rate of £39,000 must be paid at least £30,000 ($£39,000 \times 30 \div 39$)

Occupation code in Table 1

SK5.19 Going rates for occupation codes listed in Table 1 of [Appendix Skilled Occupations](#) are based on a 39-hour week and will be pro-rated as follows:

The going rate for the occupation code stated in Table 1 of Appendix Skilled Occupations) x (the number of weekly working hours stated by you on the applicant's CoS) ÷ 39

SK5.20 If the applicant's salary is required to be at least 70%, 80% or 90% of the going rate, the figure from the calculation above will be multiplied by 0.7, 0.8 or 0.9, as appropriate, to calculate the required salary.

Occupation code in Table 2

SK5.21 If the applicant is being sponsored for a job in one of the health or education occupation codes listed in Table 2 of [Appendix Skilled Occupations](#), the going rate requirement is 100% of the pro-rated going rate. The going rate will be pro-rated according to the number of weekly working hours stated by you on the CoS and the pro-rating set out in Tables 3 and 4 of Appendix Skilled Occupations.

Unpaid leave and reduction in salary

SK5.22 You must stop sponsoring a worker if they are absent without pay for more than 4 weeks in total according to their normal working pattern, during any calendar year (1 January to 31 December), unless the absences are due to any of the following:

- statutory maternity, paternity, parental, shared parental or adoption leave
- sick leave
- assisting with a national or international humanitarian or environmental crisis, with your agreement
- taking part in legally organised industrial action

See the 'Unpaid leave' section in Part 2: Sponsor a worker for more information.

SK5.23 If you are currently sponsoring a worker under Tier 2 (General) or Skilled Worker, and you reduce their salary, their revised salary must not be below the minimum level, as set out in this section, which would be eligible for points if the sponsored worker were to make an application for permission on the Skilled Worker route. If you reduce their salary below the appropriate level, you must stop sponsoring the worker, unless an exception set out in the 'Reduction in salary' section in Part 2: Sponsor a worker applies.

Additional requirements to score tradeable points

SK5.24 The subsections below provide more information on the requirements you and the applicant must meet to score the points available in the [‘Points for salary and other attributes’](#) table above. These are in addition to the requirements above on allowances, pro-rating, unpaid leave and reduction in salary.

Tradeable points option A: salary only

SK5.25 An applicant can score 20 points under this option if:

- they are being sponsored for a job in an appropriate eligible occupation code listed in Table 1 of [Appendix Skilled Occupations](#); and
- their salary is equal to or exceeds both:
 - £25,600 per year; and
 - the going rate for the relevant occupation code

Tradeable points option B: eligible PhD

SK5.26 An applicant can score 20 points under this option if:

- they are being sponsored for a job in an appropriate occupation code listed as being “eligible for PhD points” in Table 1 of [Appendix Skilled Occupations](#)
- they have a relevant UK PhD or other academic doctoral qualification, or an overseas academic qualification which [UK NARIC](#) confirms meets the recognised standard of a UK PhD; and
- their salary is equal to or exceeds both:
 - £23,040 per year; and
 - 90% of the going rate for the relevant occupation code

SK5.27 When you assign a CoS to an applicant claiming points for this option, you must give a credible explanation of how their qualification is relevant to the job you are sponsoring them for. If you fail to provide a credible explanation, we will not award the points and will refuse the application. You must provide this explanation in any subsequent application for further permission to stay by the same applicant if they are claiming points under this option.

SK5.28 The applicant must provide evidence of the relevant qualification when they first apply for permission in the Skilled Worker route. They do not have to provide this evidence in any subsequent application, provided they were correctly awarded points in a previous grant of permission.

Tradeable points option C: PhD in a relevant STEM subject

SK5.29 An applicant can score 20 points under this option if:

- they are being sponsored for a job in an appropriate occupation code listed as being “eligible for PhD points” in Table 1 of [Appendix Skilled Occupations](#)
- they have a relevant UK PhD or other academic doctoral qualification, or an overseas academic qualification which [UK NARIC](#) confirms meets the recognised standard of a UK PhD
- the qualification in question is in a Science, Technology, Engineering or Mathematics (STEM) subject; and
- their salary is equal to or exceeds both:
 - £20,480 per year; and
 - 80% of the going rate for the relevant occupation code

SK5.30 When you assign a CoS to an applicant claiming points for this option, you must give a credible explanation of:

- how their qualification is relevant to the job you are sponsoring them for; and
- that the qualification in question is in a STEM subject

SK5.31 If you fail to provide a credible explanation, we will not award the points and will refuse the application. You must provide this explanation in any subsequent application for further permission to stay by the same applicant, if they are claiming points under this option.

SK5.32 The applicant must provide evidence of the relevant qualification when they first apply for permission in the Skilled Worker route. They do not have to provide this evidence in any subsequent application, provided they were correctly awarded points in a previous grant of permission.

Tradeable points option D: job is in a shortage occupation

SK5.33 An applicant can score 20 points under this option if both of the following conditions are met:

- they are being sponsored for a job in an appropriate eligible occupation code listed in [Appendix Shortage Occupation List](#) as being a shortage occupation in the nation of the UK where that job is based
- their salary is equal to or exceeds both:
 - £20,480 per year; and
 - 80% of the going rate for the relevant occupation code

SK5.34 If the applicant’s job was removed from Appendix Shortage Occupation List on or before the date you assigned a CoS to them, all of the following conditions must be met:

- the applicant’s most recent permission was as a Skilled Worker (or in the Tier 2 (General) route that preceded Skilled Worker)
- the applicant was sponsored to work in a shortage occupation under the Rules in force at that time

- you sponsored the application which led to their previous permission; and
- you are continuing to sponsor them to work in the same role as in their previous permission

Tradeable points option E: new entrant to the labour market

SK5.35 An applicant can score 20 points under this option if:

- they are being sponsored for a job in an appropriate eligible occupation code listed in Table 1 of [Appendix Skilled Occupations](#)
- they meet the 'new entrant' criteria set out below; and
- their salary is equal to or exceeds:
 - £20,480 per year; and
 - 70% of the going rate for the relevant occupation code

SK5.36 To meet the 'new entrant' criteria, the applicant must meet one of the following requirements:

- the applicant is under the age of 26 on the date they will apply for entry clearance or permission to stay
- the job offer is a postdoctoral position in any of the following occupation codes:
 - 2111 Chemical scientists
 - 2112 Biological scientists and biochemists
 - 2113 Physical scientists
 - 2114 Social and humanities scientists
 - 2119 Natural and social science professionals not elsewhere classified
 - 2311 Higher education teaching professionals
- the job offer is in a [UK-regulated profession](#) and the applicant is working towards a recognised professional qualification for that profession
- the applicant is working towards full registration or chartered status with the relevant professional body for the job they are being sponsored for
- the application is being made in the UK and the applicant's most recent permission was as a Tier 1 (Graduate Entrepreneur) Migrant
- the applicant is a recent UK graduate, or is about to graduate, and meets the [additional requirements](#) below

Additional requirements for recent graduates

SK5.37 To qualify as a new entrant on the basis of recent graduate-level study, the applicant must meet all of the following conditions:

- the applicant's most recent permission must have been as a Student (or Tier 4 (General) Student)
- that permission must have expired less than 2 years before the date of application

- in that permission (or any previous permission as a Student or a Tier 4 (General) Student), the applicant was sponsored to study any of the following:
 - a UK bachelor's degree
 - a UK master's degree
 - a UK PhD or other doctoral qualification
 - a Postgraduate Certificate in Education
 - a Professional Graduate Diploma of Education
- the applicant:
 - has completed the relevant course mentioned above
 - is applying no more than 3 months before they are expected to complete the relevant course above; or
 - is studying a PhD and has completed at least 12 months' study in the UK towards that PhD

SK5.38 The applicant must be studying, or have studied, one of the courses listed above – equivalent-level qualifications are not acceptable.

Maximum period a worker can be sponsored as a new entrant

SK5.39 The applicant will not qualify as a new entrant if granting their application would mean their combined permission as a Skilled Worker, Tier 2 Migrant and/or Graduate, would exceed 4 years in total. This applies whether or not the 4-year period is continuous.

Tradeable points option F: eligible health or education occupation

SK5.40 An applicant can claim 20 points under this option if:

- they are being sponsored for a job in an appropriate eligible occupation code listed in Table 2 of [Appendix Skilled Occupations](#); and
- their salary is equal to or exceeds both:
 - £20,480 per year; and
 - the going rate for the relevant occupation code

Temporary exception for pre-registration nurses and midwives

SK5.41 Overseas trained nurses and midwives must be eligible to [register with the Nursing and Midwifery Council \(NMC\)](#) if they wish to practise in the UK. If you are sponsoring a pre-registration nurse under occupation code '2231 Nurses' or a pre-registration midwife under occupation code '2232 Midwives', you may temporarily pay them less than £20,480 per year for up to 8 months in either of the following circumstances:

- the applicant has previously held NMC registration and is undertaking an NMC-approved programme with a view to returning to practice; or
- the applicant is working towards NMC registration and both of the following apply:

- the applicant has passed the NMC's English language requirements and Computer Based Test of competence, before the date of application; and
- the applicant will sit an Objective Structured Clinical Examination (OSCE) to obtain NMC registration no later than 3 months after the stated job start date

SK5.42 During this 8-month period, or until the applicant achieves NMC registration (if sooner), the applicant's salary must be at least equal to the appropriate Agenda for Change Band 3 rate, as stated in Table 3 of [Appendix Skilled Occupations](#).

SK5.43 You must confirm on the CoS that you will stop sponsoring the worker as a nurse or midwife if they do not achieve full NMC registration within 8 months of the job start date. If the applicant was last granted permission as a Skilled Worker (or under Tier 2 (General)) as a nurse or midwife, the 8 months is counted from the job start date of the job they were sponsored to do in their most recent grant of permission.

SK5.44 For further information, see the [Sponsoring an overseas trained nurse or midwife](#) section.

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SK6. Sponsoring an overseas trained nurse or midwife

This section tells you about the specific requirements you must meet, and your additional sponsorship duties, if you wish to sponsor an overseas trained nurse or midwife under the Skilled Worker route.

Note: this section contains information about the process for nurses trained outside the EEA. It will be updated shortly with information on the process for EEA-trained nurses and midwives. In the meantime, please refer to [Register as a nurse or midwife if you trained in the EU/EEA](#) on the NMC website for information.

Overview

- SK6.1 If you wish to sponsor an overseas-trained nurse under occupation code “2231 Nurses” or midwife under occupation code “2232 Midwives”, you must ensure they have completed, or will complete, the appropriate steps to achieve registration with the [Nursing and Midwifery Council \(NMC\)](#) within an [8-month timeframe](#).
- SK6.2 A nurse or midwife trained outside the [European Economic Area \(EEA\)](#) must either hold a qualification that is comparable to the NMC’s standards of proficiency or pass the NMC test of competence. This test will assess the candidate’s qualifications, training and experience against the NMC’s standards to ensure they are capable of practising safely and effectively in the UK. It also considers whether the candidate has the necessary post-qualifying practice and experience in each appropriate area of nursing or midwifery.
- SK6.3 This section provides a [summary](#) of the registration process. However, the process is subject to change and you must also refer to the [Trained outside the EEA](#) page on the NMC website for full, up-to-date details.

Timeframe for achieving NMC registration

- SK6.4 For the purposes of the Skilled Worker route, overseas-trained nurses and midwives must complete NMC registration within 8 months of either of the following dates:
- the start date on their Certificate of Sponsorship (CoS) (if this is their first application for permission on the Skilled Worker route as a pre-registration nurse or midwife), or
 - the start date of their previous employment (if they are applying for an extension to continue working as a pre-registration nurse or midwife)
- SK6.5 During this period, you must pay the nurse or midwife at least the Agenda for Change Band 3 rate, as stated in Table 3 of [Appendix Skilled Occupations](#).

SK6.6 If the individual fails to achieve registration within 8 months of either of these dates, you must stop sponsoring them. You must not sponsor a nurse or midwife who has previously been sponsored by a different sponsor if they have failed to achieve full NMC registration within the timeframe specified above.

Summary of the registration process

SK6.7 The table below summarises the steps a nurse or midwife trained outside the EEA must complete to demonstrate that they are capable of safe and effective practice as a nurse or midwife in the UK. You must ensure that the individual completes these steps within the 8-month timeframe outlined above if you wish to sponsor, or continue sponsoring, them.

Requirement	Details
Qualification	<p>The candidate must have completed a nursing or midwifery training programme leading to registration in their home country as an entry-level registered nurse or midwife.</p> <p>Unless that qualification has been deemed comparable to the NMC's standards of proficiency, they will also need to complete a 2-part test of competence:</p> <ul style="list-style-type: none"> • Part 1 is a multiple-choice computer-based test (CBT) administered on behalf of the NMC by a third party and can be taken in a test centre in most countries around the world • Part 2 is a practical nursing or midwifery examination known as the objective-structured clinical examination (OSCE). The OSCE is only available at NMC-approved OSCE test centres in the UK
Health and character requirements	<p>The candidate will need to meet the health and character requirements for safe and effective practice – see Character and health decision-making guidance on the NMC website for details.</p>
Language requirement	<p>The candidate must demonstrate they have the necessary knowledge of the English language for safe and effective practice as a nurse or midwife in the UK. See the English language requirements page on the NMC website for details.</p>

Requirement	Details
Professional indemnity	The candidate will need to confirm that there is in force, or will be in force, cover for them under an appropriate indemnity arrangement.
Payment	Payment of the evaluation fees and the registration fee.

Objective-structured clinical examination (OSCE)

- SK6.8 Where required, the candidate will be invited to sit the OSCE in one of the approved [NMC UK OSCE](#) test centres.
- SK6.9 Candidates may sit the OSCE up to 3 times as part of one application for registration.
- SK6.10 If the candidate is unsuccessful, they must wait a minimum of 10 working days between attempts.
- SK6.11 If the candidate is unsuccessful after their 3 permitted attempts, their OSCE application will close. If they still wish to register as a nurse or midwife, they will be required to submit a new application to the NMC but will not be able to sit the OSCE again for a minimum of 6 months.
- SK6.12 A candidate who fails the OSCE 3 times is unlikely to be able to achieve their NMC registration within the [8-month timeframe](#). In such cases, you must immediately stop sponsoring them.
- SK6.13 If you cease sponsorship for this or any other reason, you must tell us via your sponsorship management system (SMS) account within 10 working days. If you fail to do so, we may revoke your sponsor licence. See section C1 of Part 3: Sponsor duties and compliance for further information on your reporting duties.

Completion of registration

- SK6.14 Once the candidate completes all the registration requirements, the NMC will send them their registration number or personal identification number (PIN). You must retain a copy of their PIN notification.
- SK6.15 You must tell us within 10 working days through your SMS account of the individual's full NMC registration, confirmation they are now undertaking the role of a registered nurse or midwife, and their salary is equal to or exceeds both:
- £20,480 per year; and
 - the going rate for the occupation code

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SK7. Overseas criminal record certificate requirement

This section tells you about the criminal record certificate requirement that some applicants in the Skilled Worker route must meet to be granted entry clearance or permission to stay.

SK7.1 If the applicant is applying for entry clearance and is being sponsored for a job in any of the occupation codes listed below, they must provide a criminal record certificate from the relevant authority in any country in which they have been present for 12 months or more (whether continuously or in total) in the past 10 years, while aged 18 or over:

- 1181 Health services and public health managers and directors
- 1184 Social services managers and directors
- 1241 Health care practice managers
- 1242 Residential, day and domiciliary care managers and proprietors
- 2211 Medical practitioners
- 2212 Psychologists
- 2213 Pharmacists
- 2214 Ophthalmic opticians
- 2215 Dental practitioners
- 2217 Medical radiographers
- 2218 Podiatrists
- 2219 Health professionals not elsewhere classified.
- 2221 Physiotherapists
- 2222 Occupational therapists
- 2223 Speech and language therapists
- 2229 Therapy professionals not elsewhere classified
- 2231 Nurses
- 2232 Midwives
- 2312 Further education teaching professionals
- 2314 Secondary education teaching professionals
- 2315 Primary and nursery education teaching professionals
- 2316 Special needs education teaching professionals
- 2317 Senior professionals of educational establishments
- 2318 Education advisers and school inspectors
- 2319 Teaching and other educational professionals not elsewhere classified
- 2442 Social workers
- 2443 Probation officers
- 2449 Welfare professionals not elsewhere classified
- 3213 Paramedics
- 3216 Dispensing opticians
- 3217 Pharmaceutical technicians
- 3218 Medical and dental technicians

- 3219 Health associate professionals not elsewhere classified
 - 3231 Youth and community workers
 - 3234 Housing officers
 - 3235 Counsellors
 - 3239 Welfare and housing associate professionals not elsewhere classified
 - 3443 Fitness instructors
 - 3562 Human resources and industrial relations officers
 - 6121 Nursery nurses and assistants
 - 6122 Childminders and related occupations
 - 6123 Playworkers
 - 6125 Teaching assistants
 - 6126 Educational support assistants
 - 6141 Nursing auxiliaries and assistants
 - 6143 Dental nurses
 - 6144 Houseparents and residential wardens
 - 6146 Senior care workers
- SK7.2 This requirement does not apply if, at the time of application, the applicant provides a satisfactory explanation as to why it is not reasonably practicable for them to obtain a criminal record certificate from any or all of the relevant authorities.
- SK7.3 The requirement also applies to the partner of the Skilled Worker if they will be applying to accompany or join them. The requirement does not apply to dependent children (including adult children).
- SK7.4 We advise you to inform prospective employees of this requirement as early as possible to ensure they are made aware in advance of applying for a visa, so that they have sufficient time to obtain the relevant documentation.
- SK7.5 Further guidance about the requirement can be found on the '[Criminal records check for overseas applicants](#)' page on the GOV.UK website.

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SK8. Certificate of Sponsorship for Skilled Workers

This section tells you how to assign a valid Certificate of Sponsorship on the Skilled Worker route.

Overview

- SK8.1 If you have followed all the rules in this guidance and you wish to sponsor a worker on the Skilled Worker route, you must assign them a valid Certificate of Sponsorship (CoS), using your [sponsorship management system \(SMS\)](#) account.
- SK8.2 Before assigning a CoS, you should satisfy yourself that the worker can meet the relevant [immigration requirements](#).
- SK8.3 You must not be a B-rated sponsor, unless the worker is applying for permission to stay from within the UK and you sponsored the application which led to their last grant of permission. In all other cases, you must have an A-rating. For information on sponsor ratings, see Part 1: Apply for a licence.

Defined and undefined CoS

- SK8.4 There are 2 types of CoS you can assign on the Skilled Worker route, known as 'defined' and 'undefined' CoS.
- SK8.5 If the person you wish to sponsor will be applying for entry clearance from outside the UK, you must first [apply for a defined CoS](#) for them before you can assign one.
- SK8.6 If the person will be applying for permission to stay from within the UK, you must assign them an 'undefined' CoS from your annual CoS allocation. If you do not have enough CoS left in your allocation to sponsor the worker, you can apply to increase your allocation: see [SMS Manual 2: Manage your licence](#).
- SK8.7 It is very important that you understand the difference between the 2 types of CoS. You must not assign:
- a defined CoS to a worker for any job other than the one you described in your application for that defined CoS
 - an undefined CoS where a defined CoS is required
- SK8.8 If you assign the wrong type of CoS, or give false information on your application for a defined CoS, we may revoke your sponsor licence.

- SK8.9 For more information on what a CoS is, and CoS allocations, see section S2 of Part 2: Sponsor a worker.
- SK8.10 You can find detailed technical guidance on how to assign or apply for a CoS on GOV.UK: [User manuals: sponsorship management system \(SMS\)](#) – see in particular manuals 8, 8a and 12.

Fees

- SK8.11 You must normally pay a fee for each CoS you assign – see the '[UK visa fees](#)' page on GOV.UK for information on current fee levels. The only exception is if the worker you will be sponsoring is a citizen of a [country which has ratified the European Social Charter](#), in which case there is no fee.
- SK8.12 Subject to certain exceptions, you will also need to pay an [Immigration Skills Charge](#) for each worker you sponsor – see section S5 of 'Part 2: sponsor a worker' for more information.

Use of the CoS

- SK8.13 Once you have assigned a CoS, the worker must use it within 3 months to apply for:
- entry clearance (a visa) if they are outside the UK
 - permission to stay if they are in the UK and eligible to extend their permission or switch to the Skilled Worker route
- SK8.14 If the CoS was issued more than 3 months before the date of application, we may reject their application and not consider it.
- SK8.15 The worker must not apply for a visa or permission to stay more than 3 months before the start date recorded on their CoS. If they do, we will refuse their application.

What the CoS must confirm

- SK8.16 For a CoS to be valid and to score 20 points, it must meet the requirements set out in paragraphs SW 5.1 to SW 5.6 of [Appendix SW](#) to the Immigration Rules.

Note: there are transitional arrangements if you assigned, or applied for, a CoS under the Tier 2 (General) rules before 1 December 2020 but it has not been used in an application for entry clearance or permission by that date – see [Annex SK1](#).

- SK8.17 A Skilled Worker CoS must confirm:
- that you are sponsoring the worker on the Skilled Worker route
 - the category in which you are sponsoring the worker (choose from the drop-down list)

- the worker’s personal information (such as name, date of birth, nationality), passport details and contact details
- the start and end date of their employment – see [additional rules for pre-registration nurses and midwives](#) below
- where the worker will carry out their employment – this should include their main work address and any other regular work addresses, if relevant
- the job title
- the relevant occupation code, as specified in [Appendix Skilled Occupations](#)
- the main duties of the role for which the worker is being sponsored
- details of the worker’s salary
- whether the job is on a client contract and details of that contract
- if the worker will be claiming points on the basis of a [relevant PhD](#) or [STEM subject](#), you must provide:
 - a credible explanation of how the PhD is relevant to the job (and that it is a STEM subject, if relevant)
 - the UK NARIC code if it is an overseas PhD qualification
- if the worker will be claiming points on the basis that the job is in a [shortage occupation](#), confirmation that the job that the worker is being sponsored for is included in [Appendix Shortage Occupation List](#)
- if the worker will be claiming points on the basis of being a [new entrant to the labour market](#), confirmation of how they meet the criteria
- the Pay As You Earn (PAYE) scheme reference number under which the worker will be paid – if they will not be paid through PAYE, you must explain why
- professional registration details of the worker, if there is a legal requirement for them to be registered with a professional or other official organisation in the UK (for example, a doctor must be registered with the GMC)
- whether you wish to certify the worker’s maintenance (if you are an A-rated sponsor) – see section S7 of Part 2: Sponsor a worker for further information
- any other additional relevant information specified in this guidance – see, for example, [pre-registration nurses and midwives](#) and [Health and Care visa](#)

Start date for a nurse or midwife

SK8.18 When you assign a CoS to a worker who will be sponsored under standard occupation code ‘2231 Nurses’ or ‘2232 Midwives’, the start date you give on their CoS should be the earliest date of:

- the date they will start working for you in familiarisation training
- if they have already passed the objective-structured clinical examination (OSCE) and received their registration number (PIN), the date they will start working for you as a fully NMC-registered nurse or midwife
- the date on which they will sit their OSCE

SK8.19 For further information, see the '[Sponsoring an overseas-trained nurse or midwife](#)' section of this guidance.

Genuineness of role

SK8.20 When you assign a CoS to a worker, you guarantee that the role for which you are sponsoring them is genuine. We may refuse the worker's application and take action against you if we have reasonable grounds to believe the job:

- does not exist
- is a sham; or
- has been created mainly so the worker can apply for entry clearance or permission to stay

SK8.21 For further information, see section C1 of Part 3: Sponsor duties and compliance.

Working for a third party

SK8.22 You must not assign a CoS to a worker for a role which amounts to either:

- the hire of the applicant to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent; or
- contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not the sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party

SK8.23 If we have reasonable grounds to believe you have done so, we will not award points for the CoS. If that happens, we will refuse the worker's application and may take action against you.

SK8.24 For further information on third-party working, see section S1 of Part 2: Sponsor a worker.

Reporting duties and record keeping

SK8.25 As part of your sponsorship duties, you must tell us if any worker sponsored by you fails to start their employment, is absent without permission, or there are any significant changes to the nature of their work or salary, or to your organisation. For full details of your reporting and other duties, see: Part 3: Sponsor duties and compliance.

SK8.26 You must also keep records for each worker you sponsor as specified in [Appendix D](#) to the sponsor guidance.

SK8.27 If you fail to meet these duties, we may revoke your sponsor licence.

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SK9. Skilled Worker defined CoS

This section tells you when and how to apply for a defined Certificate of Sponsorship for a Skilled Worker.

Overview

- SK9.1 You must apply for a defined Certificate of Sponsorship (CoS) if the worker you wish to sponsor will be making their application for permission (entry clearance) from outside the UK.
- SK9.2 You must not assign an undefined CoS to a worker who is applying for entry clearance – if you do, we may revoke your licence.
- SK9.3 You cannot apply for an annual allocation of defined CoS. Instead, you must apply for a defined CoS as and when you require one.
- SK9.4 You cannot apply for a defined CoS if your licence is B-rated or suspended.
- SK9.5 A defined CoS must otherwise meet all of the same requirements as an [undefined CoS](#) to be valid and eligible for points.

How to apply for a defined CoS

- SK9.6 You apply for a defined CoS using your [sponsorship management system \(SMS\)](#) account. The application can only be made by a Level 1 user – see the 'Key personnel' section of Part 1: Apply for a licence for information on who can be a Level 1 user.
- SK9.7 There is no additional fee to apply for a defined CoS beyond the [standard CoS fee](#).
- SK9.8 When you make your application, you must fill in all mandatory fields marked with an asterisk (*). If you do not, you will not be able to send your application. The information you give is the same as you would give if you were assigning a Skilled Worker [undefined CoS](#).
- SK9.9 You can find detailed information on how to complete a defined CoS application, and how to assign a defined CoS, in:
 - [SMS Manual 8a](#)
 - [SMS Manual 12](#)

When we will decide your application

- SK9.10 If your application is straightforward and does not require any further information, we will normally decide your application for a defined CoS within one working day.

SK9.11 We may check the information you send with your application before we can fully consider it – for example, if we have doubts about its validity. If we need to make any checks, we may ask you for more information or documents. You must send us any information or documents within the timescale specified in the request. If you do not, your application will be rejected and not considered.

Decision on an application for a defined CoS

SK9.12 If your application for a defined CoS is successful, it will be allocated to your SMS account, ready to be assigned to a worker.

SK9.13 We will refuse your application for a defined CoS if:

- the job is not in an [eligible skilled occupation](#)
- we have good reason to believe you have chosen an inappropriate occupation code for the role
- the application does not score, or is not eligible for, [20 tradeable points for salary](#) and other criteria
- we have good reason to believe the job is not [genuine](#) or amounts to the [hire of the worker to a third party](#)
- the application otherwise does not meet the requirements of the Skilled Worker route

SK9.14 We will also refuse your application, and may take action against you, if we have good reason to believe you have provided false or misleading information in your application.

Time limit for assigning and using a defined CoS

SK9.15 Once allocated to your SMS account, you will have 3 months to assign a defined CoS to a worker. If you do not assign it within 3 months, it will be removed from your account. You should therefore only apply for a defined CoS if you genuinely intend to assign it within 3 months.

SK9.16 Once you have assigned the CoS to a worker, they will then have 3 months to use it to support an application for entry clearance or permission to stay. If they do not use it within this period, it will be invalid and any application supported by it is likely to be rejected.

If your licence is downgraded or suspended

SK9.17 If you have any unassigned defined CoS in your SMS account, and your licence is downgraded to a B rating, or is suspended, you will not be able to assign these CoS. They will be removed from your account at the end of 3 months (unless you regain your A-rating and assign them to a worker during that period).

Reclaiming invalid CoS

SK9.18 If we find, after allocating you a defined CoS, but before you have assigned it to a worker, that the application was in fact invalid, we will reclaim it from your SMS account. If you still need a defined CoS, you will need to apply again.

Changes to the details on a defined CoS

SK9.19 When you apply for a defined CoS, the information you give in your application, such as the salary and job description, will appear on the CoS that is allocated to you if your application is successful. When you are ready to assign that CoS to a worker, you will not be able to change any of these pre-populated fields.

SK9.20 You can, however, add a sponsor note to the SMS to let us know of the following changes only:

Change	Extent to which change is permitted
Salary	You can change the salary you will pay to the worker, but the revised salary must be eligible for at least the same number of points as the salary stated in the original application for that CoS. If it is not, we will cancel the CoS.
Start and end date of the job	You can amend either or both of these dates – but remember, a defined CoS must be assigned within 3 months of its being allocated to your SMS account.

SK9.21 These are the only changes you can make to a defined CoS when you assign it. If anything else has changed, such as:

- a change in salary beyond the limits set out in the table above, or
- a change to the occupation code or job description

you must tell us so we can cancel the CoS.

If you give false information in your application

SK9.22 You must only assign a defined CoS if you intend to employ the worker according to the details stated in the application you made for it, or in any sponsor note added in the circumstances permitted above. If we subsequently find that you gave false information in your application, we will revoke your sponsor licence. Examples include, but are not limited to, where:

- we find (either through a compliance visit or checking with HMRC) that the salary you pay to a worker whose application for permission was

supported by a defined CoS is lower than the salary stated in your application for that CoS

- you have assigned the CoS for a job other than the one described in the application for that CoS
- you have used an inappropriate occupation code to meet the skill level

Related content

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SK10.Health and Care visa

This section tells you about sponsoring key health workers for a 'Health and Care visa'.

Background

SK10.1 On 4 August 2020, the Government launched a 'Health and Care visa' for eligible health workers who have been trained to a recognised standard and have good English language skills. The Health and Care visa forms part of the Skilled Worker route.

SK10.2 The benefits of the Health and Care visa include:

- fast-track visa processing for entry to the UK
- the support of a dedicated team within UKVI in processing applicants' and their dependent families' visa applications
- reduced visa fees
- exemption from the [Immigration Health Charge](#)

Eligibility for a Health and Care Visa

SK10.3 If you wish to sponsor a Skilled Worker for a Health and Care visa, you must read the '[Health and Care visa guidance](#)' on GOV.UK for detailed information on the eligibility criteria.

SK10.4 Among other requirements set out in the [Health and Care visa guidance](#), only workers employed in the following occupation codes are eligible for the Health and Care visa:

- 2112 – Biological scientists and biochemists
- 2113 – Physical Scientists
- 2211 – Medical Practitioners
- 2212 – Psychologists
- 2213 – Pharmacists
- 2214 – Ophthalmic Opticians
- 2215 – Dental practitioners
- 2217 – Medical Radiographers
- 2218 – Podiatrists
- 2219 – Health Professionals not elsewhere classified
- 2221 – Physiotherapists
- 2222 – Occupational Therapists
- 2223 – Speech and Language Therapists
- 2229 – Therapy professionals not elsewhere classified
- 2231 – Nurses
- 2232 – Midwives
- 2442 – Social Workers
- 3213 – Paramedics

SK10.5 If the worker will not be employed in one of the above occupation codes, they will not be eligible for the Health and Care visa and will have to qualify under the standard Skilled Worker rules (and pay the [Immigration Health Charge](#)).

SK10.6 Health and Care visa applicants must meet all of the standard immigration requirements of the Skilled Worker route, in addition to the specific Health and Care visa requirements.

Additional information you must include on the CoS

SK10.7 When you apply for, or assign, a CoS to a Skilled Worker for a Health and Care visa, you must:

- include in the ‘Summary of job description’ field of the CoS:
 - a brief explanation of how the worker meets the Health and Care visa criteria – for example, that they work for an NHS trust in one of the above occupation codes
 - if you are a private organisation, provide brief information about the contract or agreement you have with NHS trusts or bodies to provide those services
- tell the worker they are eligible for the Health and Care visa so they can correctly complete their visa application form – if you fail to do so, the worker’s visa application may be rejected

SK10.8 If you forget to include information about how the worker meets the criteria or your contractual arrangements (if relevant) in the ‘Summary of job description’ field, you must add a ‘sponsor note’ with this information after you have assigned the CoS.

SK10.9 If you are a private organisation providing services on behalf of the NHS, we may ask you to submit evidence of your arrangements with the NHS. You must provide this evidence if asked.

Related content

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Annex SK1: Transitional arrangement for unused Tier 2 (General) CoS

This annex provides information on what to do if you assigned, or applied for, a Tier 2 (General) Certificate of Sponsorship before 1 December 2020 but it has not been used in an immigration application before that date.

1. If you assigned a Certificate of Sponsorship (CoS) (restricted or unrestricted) to a worker before 1 December 2020, or applied for a Tier 2 (General) restricted CoS before 28 November 2020 but:
 - the CoS has not been used in an application for entry clearance or permission to stay by 1 December 2020;
 - the application for a restricted CoS has not been decided by 28 November 2020; or
 - a restricted CoS has been allocated to your account but has not been assigned to a worker by 1 December 2020

the CoS will not be valid for use in an application on the new Skilled Worker route.

2. However, we have put in place transitional provisions to allow you to 'upgrade' the CoS to a Skilled Worker CoS so that it can be used in a Skilled Worker application from 1 December 2020.

If the CoS has already been assigned to a worker

3. If you assigned a Tier 2 (General) CoS (restricted or unrestricted) to a worker before 1 December 2020 but it has not been used in an immigration application by that date, you can 'upgrade' the CoS to a Skilled Worker CoS, provided the CoS was assigned to the worker no more than 3 months ago.
4. You do this by adding a 'sponsor note' to the CoS. In the sponsor note you must include the following information:
 - the Pay As You Earn (PAYE) scheme reference number under which the worker will be paid – if they will not be paid through PAYE, you must explain why
 - that the worker's salary will meet the new salary rules – unless the [transitional provision](#) for allowances applies, this means you must not include any allowances in the salary figure
 - if the worker will be claiming points under options [B \(eligible PhD\)](#), [C \(PhD in a relevant STEM subject\)](#), or [E \(new entrant\)](#), you must explain how they meet the relevant criteria – for example:
 - a credible explanation of how the worker's PhD is relevant to the job or that is in a STEM subject
 - confirmation the worker is aged under 26, is working towards a relevant professional qualification, or is a recent graduate

5. If you provide this information, the worker can use the CoS to make an application on the Skilled Worker route (provided no more than 3 months have elapsed since the CoS was originally assigned). If you correctly assigned an unrestricted Tier 2 (General) CoS under the Rules in force at the time but the worker would require a defined CoS under the Skilled Worker route (for example, a doctor or nurse applying for entry clearance), you can assign them an undefined CoS in these specific circumstances.
6. If you do not provide the information outlined in paragraph 4, we will request it. If you fail to provide the required information within the timescale specified in the request, we are likely to refuse the application for entry clearance or permission to stay. You will then need to assign (and pay for) a new CoS if you still wish to sponsor the worker. If the worker is outside the UK, you will need to apply for a defined CoS for them, even if they were eligible for an unrestricted CoS under the Tier 2 (General) rules. If the worker is in the UK, you must check that they are not in the UK without immigration permission before you assign a CoS. If they are, it is likely we will refuse their application, even if they otherwise meet the requirements.

If you applied for a restricted CoS but the application has not been decided

7. If you applied for a Tier 2 (General) restricted CoS before 28 November 2020 but the application has not yet been decided, we will decide the application on that date and notify you of the outcome. If your application is granted in the Tier 2 General (New hires - restricted) category, this will become a 'defined CoS' and you will be able to assign the CoS to a Skilled Worker on or after 1 December 2020.
8. If your application is granted in the Tier 2 General (Tier 4/Student dependant switching to Tier 2) category, this will be added to your annual undefined Skilled Worker CoS allocation. This is because this category will be replaced by the Skilled Worker "In-Country Switching" category, and people in this category do not require a defined CoS. If your annual undefined Skilled Worker CoS allocation has a status of 'expired', we will make the allocation 'active' with an expiry date set in line with the 'use by' date of the granted CoS. You will be able to assign the CoS to a Skilled Worker on or after 1 December 2020.
9. You must take the action outlined in paragraph 4 above by adding a sponsor note to the CoS. If you are allocated a defined CoS, you will have 3 months to assign it to a worker for use in a Skilled Worker entry clearance (visa) application.
10. If your application is rejected, we will write to you to tell you why and you will be able to reapply for a defined CoS on or after 1 December 2020.

If you were granted a restricted CoS but have not yet assigned it

11. If you were allocated a Tier 2 (General) restricted CoS before 1 December 2020 but have not assigned it to a worker by that date, you can 'upgrade' the CoS to a Skilled Worker defined CoS and assign it to a worker, provided it was allocated to you no more than 3 months ago.
12. You must take the action outlined in paragraph 4 above by adding a sponsor note to the CoS. You will have 3 months to assign the CoS to a worker for use in a Skilled Worker entry clearance (visa) application.
13. A defined CoS is only required in an application for entry clearance from outside the UK – if the worker you wish to sponsor will be applying for permission to stay from within the UK, you can assign them an undefined CoS instead.

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