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UK visa sponsorship for employers

1. Overview

You might need a sponsor licence to employ someone from outside the European Economic Area ([EEA](https://www.gov.uk/eu-eea)) (<https://www.gov.uk/eu-eea>) and Switzerland to work for you in the UK.

This includes unpaid work, like running a charity.

Sponsoring someone does not guarantee that they'll be allowed to come to or stay in the UK.

How to get a sponsor licence

1. Check your business is eligible (<https://www.gov.uk/uk-visa-sponsorship-employers/eligibility>).
2. Choose the type of licence (<https://www.gov.uk/uk-visa-sponsorship-employers/types-of-licence>) you want to apply for - this will depend on what type of worker you want to sponsor.
3. Decide who will manage sponsorship (<https://www.gov.uk/uk-visa-sponsorship-employers/sponsorship-management-roles>) within your business.
4. Apply online (<https://www.gov.uk/uk-visa-sponsorship-employers/apply-for-your-licence>) and pay the fee.

UK Visas and Immigration ([UKVI](https://www.gov.uk/ukvi)) may visit your business to check it's suitable.

After you apply

You'll be given a licence rating (<https://www.gov.uk/uk-visa-sponsorship-employers/your-licence-rating>) if your application is successful.

You'll be able to issue certificates of sponsorship (<https://www.gov.uk/uk-visa-sponsorship-employers/sponsorship-certificates>) if you have jobs that are suitable for sponsorship (<https://www.gov.uk/uk-visa-sponsorship-employers/job-suitability>).

Your licence will be valid for 4 years. You may lose your licence if you do not meet your responsibilities as a sponsor (<https://www.gov.uk/uk-visa-sponsorship-employers/your-responsibilities>).

2. Eligibility

To get a licence, you cannot have:

- unspent criminal convictions for immigration offences (<https://www.gov.uk/government/publications/immigration-offences-and-sponsorship-appendix-b>) or certain other crimes (<https://www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-guidance-for-employers>), such as fraud or money laundering
- any history of failing to carry out your sponsorship duties

You'll need appropriate systems in place to monitor sponsored employees (<https://www.gov.uk/uk-visa-sponsorship-employers/your-responsibilities>).

UK Visas and Immigration ([UKVI](https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a)) will review your application form and supporting documents (<https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>). They may visit your business to make sure you're trustworthy and capable of carrying out your duties.

3. Types of licence

The licence you need depends on whether the workers you want to fill your jobs are:

- Tier 2 - skilled workers with long-term job offers
- Tier 5 - skilled temporary workers

You can apply for a licence covering either tier or both.

Tier 2

Tier 2 is for skilled workers who you want to employ long-term or permanently. It's split into:

- General - the role must meet the job suitability (<https://www.gov.uk/uk-visa-sponsorship-employers/job-suitability>) requirements
- Intra-Company Transfer - for multinational companies which need to transfer employees to the UK
- Minister of Religion - for people coming to work for a religious organisation (for up to 3 years)
- Sportsperson - for elite sportspeople and coaches who will be based in the UK

Tier 5

Tier 5 is for skilled workers you want to employ on a temporary basis. It's split into:

- Creative and Sporting - to work as a sportsperson (up to 1 year), entertainer or artist (up to 2 years)
- Charity Worker - for unpaid workers (up to 1 year)
- Religious Worker - for those doing preaching, pastoral and non-pastoral work (2 years)
- Government Authorised Exchange - work experience (1 year), research projects or training, for example practical medical or scientific training (2 years) to enable a short-term exchange of knowledge
- International Agreement - where the worker is coming to do a job which is covered by international law, for example employees of overseas governments

4. Sponsorship management roles

You need to appoint people within your business to manage the sponsorship process when you apply for a licence.

The main tool they'll use is the sponsorship management system ([SMS](https://www.gov.uk/sponsor-management-system)) (<https://www.gov.uk/sponsor-management-system>).

The roles are:

- authorising officer – a senior and competent person responsible for the actions of staff and representatives who use the [SMS](https://www.gov.uk/sponsor-management-system)
- key contact – your main point of contact with UK Visas and Immigration ([UKVI](https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a))
- level 1 user – responsible for all day-to-day management of your licence using the [SMS](https://www.gov.uk/sponsor-management-system)

These roles can be filled by the same person or different people.

You can also appoint an optional level 2 user once you have your licence. This is an SMS user with more restricted access than a level 1 user, for example they cannot withdraw a certificate of sponsorship.

Suitability checks

You and your staff will be checked to make sure you're suitable for these roles. You may not get your licence if anyone involved in sponsorship has:

- an unspent criminal conviction (<https://www.gov.uk/exoffenders-and-employment>)
- been fined by UKVI in the past 12 months
- been reported to UKVI
- broken the law
- been a 'key person' at a sponsor that had its licence revoked in the last 12 months
- failed to pay VAT or other excise duty

You and your allocated staff must also:

- be based in the UK most of the time
- not be a contractor or consultant contracted for a specific project
- not be subject to a bankruptcy restriction order or undertaking, or a debt relief restriction order or undertaking
- not have a history of non-compliance with sponsor requirements

Your allocated staff must usually be paid members of staff, or office holders (<https://www.gov.uk/employment-status/office-holder>).

Read the full guidance on appointing 'key personnel' (<https://www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-guidance-for-employers>).

HR contractors and agency staff

You must have at least one level 1 user who is your employee. You can have other level 1 or level 2 users employed by third-party organisations contracted to provide you with HR services. Your level 2 user can be a temporary member of staff supplied by an agency.

UK-based legal representatives

You can allocate any of the roles to a UK-based legal representative, apart from the authorising officer role. Your representative must be qualified to give immigration advice or services.

5. Apply for your licence

Apply online (<https://www.gov.uk/apply-sponsor-licence>) for your licence.

Print out the submission sheet at the end of the application - you need to post it to UK Visas and Immigration (UKVI) with the correct supporting documents.

Sponsor casework operations
Sponsor applications team
UK Visas and Immigration

PO Box 3468
Sheffield
S3 8WA

Most applications (8 out of 10) are dealt with in less than 8 weeks. UKVI may need to visit your business.

Supporting documents

You need to send the correct supporting documents (<https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>) to prove that you're a genuine business. Your application could be refused if you do not.

You need to provide at least 4 documents - unless:

- you're a public body recognised by the UK government, for example a local authority
- you're a company listed on the London Stock Exchange Main Market

The documents must be the originals or certified copies.

Check whether you're a public body (<https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>) and what documents you need to provide before you apply.

Certify a copy of a document

A copy of a document can be certified by either:

- the issuing authority
- a practising barrister, solicitor or notary

The certifier must provide a statement confirming that the document is an accurate copy of the original document and write their name, signature and the name of the organisation they represent on every page of the copy.

Printouts of documents sent as an email attachment can be certified if the person certifying them has seen the original email containing the file.

Licence fees

You need to pay a fee when you apply.

Type of licence	Fee for small or charitable sponsors	Fee for medium or large sponsors
Tier 2	£536	£1,476
Tier 5	£536	£536
Tier 2 and Tier 5	£536	£ 1,476

Type of licence	Fee for small or charitable sponsors	Fee for medium or large sponsors
Add a Tier 2 to an existing Tier 5	No fee	£940
Add a Tier 5 to an existing Tier 2	No fee	No fee

You're usually a small business if:

- your annual turnover is £10.2 million or less
- you have 50 employees or fewer

Contact the Business Helpdesk if you're unsure which category your business fits into.

You can join the premium customer service scheme (<https://www.gov.uk/employer-sponsorship-join-the-premium-customer-service-scheme>) to get extra support from a licence manager - this costs at least £8,000 a year.

Applications refused because of a mistake

You can apply to correct a mistake with your application (<https://www.gov.uk/government/publications/tiers-2-and-5-pre-licence-error-correction-form>) if you think it was refused because:

- the caseworker processing your application made a mistake
- your supporting documents were not considered

You can only do this if you applied on or after 1 April 2016.

You cannot apply just because you disagree with the decision.

Help and advice

Sponsors can get advice from the sponsorship, employer and education helpline:

Sponsorship, employer and education helpline

Telephone: 0300 123 4699

Monday to Thursday, 9am to 5pm

Friday, 9am to 4:30pm

Find out about call charges (<https://www.gov.uk/call-charges>)

UK businesses and Tier 1 (Investors) can get help from the Business Helpdesk:

Business Helpdesk

businesshelpdesk@homeoffice.gsi.gov.uk

6. Your licence rating

You'll get an A-rated licence if your application is approved.

A-rating - full sponsor licence

An A-rated licence lets you start assigning certificates of sponsorship.

Your business will be listed in the register of sponsors (<https://www.gov.uk/government/publications/register-of-licensed-sponsors-workers>).

Downgrading to B-rating

Your A-rated licence may be downgraded to a B-rating at a later stage if you do not continue to meet your sponsor duties (<https://www.gov.uk/uk-visa-sponsorship-employers/your-responsibilities>).

If this happens, you will not be able to issue new certificates of sponsorship until you've made improvements and upgraded back to an A-rating.

You'll still be able to issue certificates to workers you already employ who want to extend, or who are switching from a Work Permit.

Upgrade to an A-rating

You need to follow an 'action plan' provided by UK Visas and Immigration ([UKVI](#)) to upgrade your licence.

You have to pay £1,476 for an action plan.

You must pay the fee within 10 working days of the date [UKVI](#) tells you about the downgrade. If you do not, you'll lose your licence.

At the end of the action plan

You'll be upgraded to an A-rating if you complete all the steps and there's nothing else you need to improve.

You'll lose your licence if you do not complete all the steps.

If you need to make other improvements, you'll be given another B-rating and will have to follow a new action plan. You'll have to pay the fee again.

If you get a second B-rating

You can only have 2 B-ratings in the 4 years that your licence is valid.

You'll lose your licence if you still need to make improvements after your second action plan.

How to reapply

You cannot appeal if your application is unsuccessful, but you can reapply. You may have to wait before reapplying - the time will depend on your circumstances (<https://www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-guidance-for-employers>).

You need to start a new application (<https://www.gov.uk/uk-visa-sponsorship-employers/apply-for-your-licence>).

You have to wait up to 12 months before reapplying if you've been fined for employing illegal workers and you lost your licence.

7. Sponsorship certificates

You must assign a certificate of sponsorship to each foreign worker you employ. This is an electronic record, not a physical document. Each certificate has its own number which a worker can use to apply for a visa.

Certificates must be used within 3 months from when they're assigned.

Unrestricted certificates

When you apply for your licence you'll be asked to estimate how many Tier 2 and Tier 5 certificates you'll need.

These are called unrestricted certificates because you can get as many as your business needs. You'll need to give evidence (<https://www.gov.uk/government/publications/supporting-documents-for-sponsor-applications-appendix-a>) that you need the amount of certificates that you've asked for.

Restricted certificates

These are for:

- Tier 2 (General) workers currently abroad who'll be paid less than £159,600 a year and are not in an inward investment post (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-a-attributes>)
- family members (dependants) of Tier 4 migrants who are switching to a Tier 2 visa

You must apply for restricted certificates for these workers through the sponsorship management system (SMS). You'll get access to this when you get your licence.

There's a limited number (<https://www.gov.uk/government/publications/employer-sponsorship-restricted-certificate-allocations/allocations-of-restricted-certificates-of-sponsorship>) of restricted certificates available each month. Each application is assessed using a points system - you can see how the system works in the Immigration Rules appendix A (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-a-attributes>).

When you get the certificate

Applications are considered on the first working day after the 10th day of the month. This is called the 'allocation date'. If you apply after the 5th day of the month then your application will be held until the next month's allocation date.

Your application may also be held until the next month's allocation date so that the details of your application can be checked.

Your restricted certificate will appear in your SMS account on the allocation date if your application has been approved. You can then assign a certificate to a worker.

You can apply again if your application is not approved.

Urgent applications

A restricted certificate can be issued before the next allocation date in exceptional circumstances. This does not include applications which have been delayed for reasons which you could have avoided.

Use your [SMS](#) account to make the application and then email Tier2Limits@ukba.gsi.gov.uk explaining why it's urgent.

Certificate costs

You need to pay for each certificate of sponsorship. Certificates are free for citizens of Croatia, Macedonia and Turkey.

Type of certificate	Cost per certificate
Tier 2	£199
Tier 5	£21

If you assign a certificate of sponsorship to a worker with a Tier 2 (General) or Tier 2 (Intra-company transfer) visa, you might also need to pay the immigration skills charge (<https://www.gov.uk/uk-visa-sponsorship-employers/immigration-skills-charge>).

8. Immigration skills charge

You might have to pay an additional charge for each foreign worker you employ. This is called the 'immigration skills charge'.

You must pay this if they're applying for a visa to work in the UK for 6 months or more under either a:

- Tier 2 (General) visa
- Tier 2 (Intra-company Transfer) visa

If the worker has applied for their visa from within the UK, you must pay the charge even if they're applying for less than 6 months.

When you do not need to pay

You will not pay the immigration skills charge if the worker you're sponsoring:

- has a Tier 4 (Student) visa and is switching to a Tier 2 (General) visa
- has a Tier 2 (Intra-company Transfer) Graduate Trainee visa
- will do a job with a PhD-level standard occupational classification (SOC) code (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-j-codes-of-practice-for-skilled-work>)

You will not need to pay the charge for any of the worker's dependants, for example their partner or child.

How to pay

You pay the immigration skills charge when you assign a certificate of sponsorship to the worker.

How much it costs

The SMS will work out how much you need to pay based on:

- the size of your organisation
- how long the worker will work for you, using the start and end dates on their sponsorship certificate

Period	Small or charitable sponsors	Medium or large sponsors
First 12 months	£364	£1,000
Each additional 6 months	£182	£500

If the worker will be in the UK for longer than 6 months but less than a year, you must pay for at least 12 months.

You must pay the full charge in one go.

Contact the Business Helpdesk (<https://www.gov.uk/contact-ukvi/sponsors-employers-and-education>) if you're not sure which category your business fits into.

As the longest you can sponsor a worker for is 5 years, the most you have to pay will be:

- £1,820 (5 x £364) if you're a small or charitable sponsor
- £5,000 (5 x £1,000) if you're a medium or large sponsor

UK Visas and Immigration (UKVI) will contact you if you do not pay the charge or pay the wrong amount. You'll have 10 working days to pay the charge - the worker's visa application will be refused if you do not.

Refunds

You'll get a full refund if the worker's visa application is:

- refused or withdrawn
- successful, but they do not come to work for you

You'll get a partial refund if the worker:

- gets less time on their visa than you sponsored them for
- starts working for you but then changes to another sponsor
- leaves their job before the end date on their certificate of sponsorship

How long it takes

You usually get a refund within 90 days of:

- telling UKVI that the worker did not come to work for you
- the expiration date on the worker's certificate of sponsorship, if they did not use it to apply for a visa
- the date the worker's visa application is refused or withdrawn

If the worker's visa application is refused, they can ask for the decision to be reviewed. This is known as an 'administrative review' (<https://www.gov.uk/ask-for-a-visa-administrative-review>).

If they do not ask for an administrative review, you'll get a refund within 90 days of the deadline for applying for one.

You'll get a refund within 90 days of the administrative review being dismissed if the worker applied for one and were unsuccessful.

Contact UKVI (<https://www.gov.uk/contact-ukvi/sponsors-employers-and-education>) if your refund is not paid within 90 days.

9. Job suitability

You can sponsor a worker if the job they're going to do has a suitable rate of pay and skill level (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-j-codes-of-practice-for-skilled-work>).

If your worker has a Tier 2 (General) or Tier 2 (Intra-company Transfer) visa, the job will usually need to be Regulated Qualifications Framework (RQF) (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-j-codes-of-practice-for-skilled-work>) level 6 or above.

Creative jobs

There are separate rates of pay and skill levels for:

- ballet dancers (<https://www.gov.uk/government/publications/sponsorship-code-of-practice-for-ballet>) and other dancers (<https://www.gov.uk/government/publications/sponsorship-code-of-practice-for-dancers>)
- film and TV performers (<https://www.gov.uk/government/publications/visa-sponsorship-code-of-practice-for-performers-film-and-tv>)
- theatre and opera performers (<https://www.gov.uk/government/publications/visa-sponsorship-code-of-practice-for-performers-theatre-or-opera>)
- film and TV workers (<https://www.gov.uk/government/publications/sponsorship-code-of-practice-for-workers-in-film-and-tv>)

Advertising the job

You may need to advertise the job you're offering if it's not on the shortage occupation list (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-k-shortage-occupation-list>). This is known as carrying out the 'resident labour market test'.

You must advertise any job you offer to a worker in the following categories:

- Tier 2 (General)
- Tier 2 (Minister of Religion) or Tier 5 (Religious Workers) unless it's a non-essential position or involves living within a religious order (such as a monk or nun)
- Tier 5 (Creative and Sporting) in the creative and entertainment sector, unless you can explain why the job cannot be done by a settled worker

You must place at least 2 adverts. Follow the rules in the 'How to carry out the resident labour market test' section of the guidance for sponsors (<https://www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-guidance-for-employers>).

The adverts make sure that there are no suitable workers already living permanently in the UK. It must be a genuine vacancy.

How long to advertise the job for

You must advertise in the UK for at least 28 days. This can be continuous or in 2 stages.

If you advertise in 2 stages, the total time of advertising must be at least 28 days. Neither stage can be less than 7 days.

You must be able to show that you did not find a suitable worker.

Sponsoring under-18s

You cannot sponsor a foreign worker under 18 for:

- a Tier 5 (Youth Mobility Scheme) visa
- a Tier 5 (Temporary Worker - International Agreement) visa - if they'll be working as a private servant in a diplomatic household or in the household of an employee of an international organisation

You cannot sponsor a child under 16 for a Tier 2 visa.

10. Your responsibilities

You must:

- check that your foreign workers have the necessary skills, qualifications or professional accreditations to do their jobs, and keep copies of documents showing this
- only assign certificates of sponsorship to workers when the job is suitable for sponsorship (<https://www.gov.uk/uk-visa-sponsorship-employers/job-suitability>)
- tell UK Visas and Immigration ([UKVI](#)) if your sponsored workers are not complying with the conditions of their visa

Your licence may be downgraded, suspended or withdrawn if you do not meet them.

Read the full guidance on sponsor requirements and duties (<https://www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-guidance-for-employers>) and check workers have the right to work in the UK (<https://www.gov.uk/check-job-applicant-right-to-work>).

Monitoring employees

You must have HR systems in place that let you:

- monitor your employees' immigration status
- keep copies of relevant documents (<https://www.gov.uk/government/publications/keep-records-for-sponsorship-appendix-d>) for each employee, including passport and right to work information
- track and record employees' attendance
- keep employee contact details up to date
- report to [UKVI](#) if there is a problem, for example if your employee stops coming to work

Changes to your business

You must report any significant changes in your own circumstances within 20 working days, for example if you:

- stop trading or become insolvent
- substantially change the nature of your business
- are involved in a merger or take-over

You must also tell [UKVI](#) if you're changing your details, like your address or allocated roles.

To register a change of circumstances use the sponsorship management system (SMS) (<https://www.gov.uk/sponsor-management-system>).

Requests can take up to 18 weeks. You can register a change within 5 working days instead if you use the priority service. It costs £200.

Sponsoring under-18s

You must make sure that foreign workers under 18 have suitable care arrangements for their:

- travel to the UK
- arrival in the UK
- living arrangements in the UK

You must also get a letter from their parents giving consent to the care arrangements.

You must get a Disclosure and Barring Service check (<https://www.gov.uk/disclosure-barring-service-check>) on any of your workers who need it.

You'll lose your licence if you do not do this.

Children under 16

You must get a licence (<https://www.gov.uk/child-employment>) from the local education authority in the area where the child will work.