

As you may already know, the UK immigration rules are being updated. Some old visa categories have been replaced and others are under review, with new visa routes to be introduced over the coming months. But what has already changed?

In December 2020, the former Tier 2 (General) work permit category was replaced by the Skilled Worker visa, which is much more flexible and less restrictive than its predecessor.

Many more jobs are now included, for example: restaurant managers, web developers, construction workers, musicians, various types of technicians and many other occupations which were deemed to be unacceptable under the old Tier 2 (General) category.

If you are a company that wishes to employ workers in the UK under the Skilled Worker visa, you must first obtain a Sponsor Licence. If you wish to work in the UK under the Skilled Worker visa you must first have a job offer from a company that holds a Sponsor Licence.

Skilled Worker

Everyone from outside the UK (including EU/EEA nationals) who wishes to come to work in the UK must now apply under the Skilled Worker category, which replaces the old Tier 2 work permit.

Many more people are eligible to apply because:

- **The minimum skills level has been lowered and more jobs are included**
- **The minimum salary has been reduced (from £30,000 to £25,600 per annum, and may be lower if you meet certain conditions)**
- **Employers no longer need to advertise the job to satisfy the UK Resident Labour Market before making a job offer to a migrant worker**
- **The monthly cap on work permits which applied to some Tier 2 applications has been suspended**

This means the Skilled Worker visa is much more inclusive and far less restrictive than the old Tier 2 (General). Many more job titles are now included, for example: restaurant managers, web developers, construction workers, musicians, various technicians. Many other occupations which were unacceptable under the old Tier 2 (General) category are also now eligible to apply. **Our experienced team can advise you on whether your occupation is acceptable under the new Skilled Worker visa requirements.**

If you are a business that wishes to employ workers in the UK under the Skilled Worker visa, you must first obtain a Sponsor Licence. If you are an individual who wishes to work in the UK under the Skilled Worker visa you must first have a job offer from a UK company that holds a Sponsor Licence and they must issue a Certificate of Sponsorship (COS) for you before you apply for your visa.

Sponsor Licence

Any UK business can apply for a Sponsor Licence to employ overseas workers. **Our immigration solicitors have the experience and knowledge required not only to support you in applying for a Sponsor Licence but also to ensure your business continues to comply with Home Office duties and responsibilities once you have your Licence.**

Successful Sponsor Licence applications require proof that the organisation:

- Is a UK business
- Has appointed required key personnel who are dependable and of good character
- Has a robust HR system
- Will be offering genuine employment and will meet the minimum income and skills requirements

The key personnel that must be appointed are:

- Authorising Officer – a senior individual accountable for the actions of staff and representatives who operate the Sponsor Licence Management System (SMS)
- Key Contact – Main contact with UK Visas and Immigration (UKVI) for your organisation
- Level 1 User – responsible for the management of the SMS account on a day-to-day level

If you wish, you can appoint one of our team to act as a Level 1 User/Key Contact to manage your SMS account on your behalf.

What documents will I need to supply to obtain a UK Sponsor Licence?

You will be required to submit several documents with your Sponsor Licence application, some of which are industry specific:

General Example

- Proof of a business bank account
- Evidence that you have employer's liability insurance of at least £5 million from an authorised insurer
- Lease for your business premises

Industry Specific Example

- If you are a food-based business, proof you are registered with and approved by the Food Standards Agency (FSA)

Our team can help you collate the documentation required for your industry.

What can I do if my Sponsor Licence application is refused?

We can assist you if your application has been turned down by the Home Office. If the refusal has been caused by an administrative error, for example, the Home Office decision maker misread one of your supporting documents, we will apply for a 'pre-licence error correction'.

It is important to note that there is no right of appeal if your Sponsor Licence application has been refused. Therefore, it is essential to consider investing in experienced legal advice from a dedicated immigration lawyer to ensure your application is submitted correctly and you pass the Home Office pre-licence compliance visit.

To find out how our business immigration lawyers can help you with your application for a SKILLED WORKER visa or a SPONSOR LICENCE, kindly [visit our website www.garthcoates.com](http://www.garthcoates.com) to leave us an Enquiry. Alternatively, we can be reached via email on info@garthcoates.com or by telephone at (00 44) (0)20 7799 1600 from 9:30AM – 5:30PM (UTC+00.00 London) every Monday to Friday.

Established in 2008, Garth Coates Solicitors is a leading Law Firm in Immigration, and can provide professional legal advice to ensure that your Application satisfies the strict requirements of the *Immigration Rules*.

Our team of experienced legal professionals offer comprehensive and considered advice to enable our clients to make informed choices. We strongly believe that our clients deserve the best; we take our responsibilities very seriously to ensure that client satisfaction is achieved by providing a professional yet friendly legal service. We aim to resolve all immigration matters brought to us by

working diligently and together with the client, keeping them informed of the progress of their case at all stages. Our outstanding success rate is maintained thanks to the high standard of our work.