

<b>POPP Sub Doc Cover Sheet</b>	
<b>Additional Information On The Skilled Worker Visa (Standard)</b>	
<b>Enabling Policy Statement Executive Owner:</b>	Our Colleagues – Chief Operating Officer
<b>Authorised Owner:</b>	Human Resources Director
<b>Authorised Co-ordinator:</b>	Associate Director (People Services)
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<b>Due date for full review:</b>	03 July 2025
<b>Owning Procedure:</b>	Eligibility To Work In The UK

### Approval History

<b>Version</b>	<b>Reason for review</b>	<b>Date</b>
1.0	Migration to the POPP governance structure Amendments due to legislation changes in April 2024	03 July 2024

## **Additional Information on The Skilled Worker Visa**

Employing individuals under the Skilled Worker Visa is a complicated process which must be followed in order to comply with immigration legislation. This appendix gives a summary of the process, but further information should be sought from HR Operations.

### **Defining the vacancy and SOC Codes**

All employees sponsored under the Skilled Worker Visa must meet minimum skill level and salary requirements:

- The minimum skill level for the job must be RQF (Regulated Qualifications Framework) level 3 or above.
- The minimum salary must meet the higher of the salary threshold or the going rate for the job.

The SOC Codes are the method used for classifying jobs according to their titles and activities.

### **Offering the Job**

Offers made to individuals requiring sponsorship must:

- Be subject to the individual getting entry clearance or leave to remain in the UK to undertake the job.
- Be in line with the advert (e.g. salary range, allowances, length of contract).
- Follow the salary rules as set out in the SOC Codes of Practice.

### **The Certificate of Sponsorship (CoS)**

If required, the University will issue the Certificate of Sponsorship to the overseas worker to enable them to apply for their leave to enter or remain in the UK. They will need to provide evidence of their eligibility to work in the UK prior to starting their employment.

A Certificate of Sponsorship is required for all individuals sponsored under the Skilled Worker Visa and Temporary Worker – GAE scheme. This is an electronic record, not a physical document. Each certificate has its own number which a worker will use to apply for their visa.

Certificates must be used within 3 months of application and 3 months from assigning to the migrant worker.

The University will ask to see evidence that the individual meets the points requirement before applying for the CoS.

### *Undefined certificates*

Can be assigned at any time and are not subject to the annual UK limits, however the University is assigned a set allocation each year. These certificates are for:

- CoS assigned to Skilled Workers applying for permission to stay from within the UK
- CoS assigned to workers on all other routes, whether applying for entry clearance, permission to enter or permission to stay
- In country switch
- Contract extensions
- Change of employment applications

The University is allocated a certain number of unrestricted certificates each year.

### *Defined certificates*

Subject to the annual UK limit and must be approved by the UK Visas and Immigration, these certificates are for new hires applying from outside of the UK.

### **English Language Requirement**

For current employees of the University who are applying to extend their current Tier 2 or Skilled Worker visa, the English Language and Maintenance requirements do not need to be met, but they must have been on a valid visa for a period of 12 months. New hires will need to prove their knowledge of English when they apply. This can be done by passing an English language test or having a degree level academic qualification taught in English (verified by Ecctis). There is an exception to prove this requirement for nationals of certain majority English speaking countries.

### **Maintenance Requirement**

As part of the Skilled Worker visa application process, individuals will be asked to prove that they are able to financially support themselves on arrival in the UK. They can do this by showing proof of their funds when they make their visa application.

As the University is an 'A' rated sponsor, it can 'certify' the Maintenance of sponsored individuals at their own discretion. What this means is that the University provides a guarantee that the individual will have enough money to support themselves for the first month of employment. If the University does certify Maintenance the employee will not be required to submit any evidence of funds as part of the visa application. However, any monies used to support the employee within the first month of employment will be treated as a salary advance under the University Relocation policy. It is expected that in most cases an employee will certify maintenance. The University may be able to certify maintenance on a case-by-case basis, however this is not guaranteed.

### **Applying for leave to enter/remain**

It is the responsibility of the migrant worker to apply for leave to enter or remain in the UK. This should happen before the Certificate of Sponsorship expires but no earlier than three months before its start date. The University will reimburse the employee for the cost of a successful standard leave to remain or leave to enter visa via an expenses claim form with appropriate receipts/evidence of payment once employment has commenced. Where an individual has used a premium/one day visa route, costs will be met up to the amount of a standard application.

After 5 years (3 years under the Global Talent Visa) of employment in the UK, it is expected that the sponsored worker will apply for indefinite leave to remain in the UK. This cost will not be met by the University. The University provides financial support through an interest free loan scheme. For further information staff please refer to the Eligibility to Work Procedure.

### **Starting work**

Before the individual starts work, a right to work check must take place. This must be done in line with the procedure guidance on right to work checks.

For individuals sponsored under the Skilled Worker Visa, the right to work check cannot be done at interview so it is essential that the individual brings evidence of their right to work in the UK on their first day. They must not start work on their first day until their right to work documentation has been checked by HR. The template welcome letter is designed to support this process. Offer letters to sponsored employees will contain, as a condition of employment, that they must satisfy the right

to work check on or before their first day and if on their first day, before they start employment. Original documents must be presented and copies taken by HR will be signed, dated, stamped and timed so that future audit checks can verify that the right to work check was completed before the sponsored employee started work.

### **Taking on additional work**

Individuals sponsored via the Skilled Worker Visa are allowed, in limited circumstances, to undertake other work in addition to that for which their Certificate of Sponsorship (CoS) was assigned. This is called supplementary employment.

There are fewer restrictions attached to supplementary employment:

- If you work overtime in the job you're being sponsored for, you do not need to update your visa.
- There's no limit to how many hours of overtime you can do.
- You can also work up to 20 hours a week in another job or for your own business, as long as you're still doing the job you're being sponsored for.
- Your work must be in an [eligible occupation code](#).
- You can also do unpaid voluntary work.

### **If you'll be doing more than 20 hours a week in another job**

You'll need to [apply to update your visa](#) so that you're being sponsored to do both jobs.

You'll need to:

- get a new certificate of sponsorship from your second employer
- include a letter with your application explaining that you want to change your current permission to stay