

Tier 2 Sponsorship – Guidance for UK Employers of non-EEA students (Information correct as of 08 May 2017)

Tier 2 (General) sponsorship

This document is intended for employers and provides an overview of the requirements to sponsor under Tier 2, the main work immigration route in the UK. It also outlines the concessions in policy that make it easier for employers to recruit graduates switching from a Tier 4 student visa, which is the main immigration route for non-European Economic Area (EEA) nationals studying full time in the UK.

What is Tier 2 sponsorship?

The UK's immigration system is underpinned by the principle of sponsorship. Organisations who wish to employ nationals from outside the [European Economic Area](#) (EEA) can sponsor their visa under Tier 2 of the points-based system.

Can an organisation sponsor anyone to work under Tier 2?

The Tier 2 route is for skilled non-EEA workers with an offer of a specific role with a particular employer who has a Tier 2 sponsor licence. The job must be at 'graduate level' according to the Home Office and meet minimum level salary requirements for that particular occupation. [The Immigration Rules Appendix J: codes of practice for skilled work](#) outlines the types of role considered by the Home Office to be at 'graduate level' and the salary requirements.

How does an organisation obtain permission to sponsor under Tier 2?

A Tier 2 sponsor licence issued by the Home Office is required to be able to sponsor an employee under Tier 2. Applications for a sponsor licence are made [online](#) and certain [supporting documents](#) must then be sent to the Home Office to prove that the business is genuine. Most applications are processed within 8 weeks. Once issued, an employer's license will usually be valid for 4 years. The sponsor licence application fee is £536 for small businesses or charitable organisations and £1476 for medium and large sponsors. You are considered to be a small business if your annual turnover is not more than £10.2 million, you have a balance sheet total of not more than £5.1 million and you have 50 employees or fewer.

How does an organisation sponsor an individual?

After obtaining a Tier 2 sponsorship licence, access will be given to the Home Office Sponsor Management System which an employer uses to issue a Certificate of Sponsorship (CoS). A CoS is issued by an employer to confirm their sponsorship of an individual under Tier 2. The CoS is required by the employee to support their application for a Tier 2 visa. As part of the licence application, the number of required Tier 2 CoS for the next year needs to be estimated. These are called unrestricted certificates because there is no limit as to how many a sponsor can ask for but the estimate needs to be realistic. You will be able to use unrestricted CoS in certain circumstances, including to sponsor graduates who have a Tier 4 student visa.

What responsibilities does an organisation have with a Tier 2 sponsor licence?

Organisations are required to manage the sponsorship process ensuring that only workers suitable for sponsorship are assigned a CoS and notifying UKVI of any relevant changes in circumstances, such as the worker leaving the organisation. The full sponsor requirements are outlined in the [Tier 2 Sponsor Guidance](#).

What are the costs involved when sponsoring under Tier 2?

In addition to the cost of applying for a Tier 2 sponsor licence, the employer must pay £199 to issue a CoS, which is paid via the Sponsor Management System. The employer may also be required to pay an immigration skills charge of £1000 per employee per year of employment or £364 for small or charitable organisations.

Why is it easier for an employer to sponsor a graduate who is on a Tier 4 visa?

There are certain concessions in Tier 2 policy that support employers in recruiting and sponsoring graduates who are in the UK under Tier 4:

- Exemption from carrying out the Resident Labour Market Test (RLMT) which requires the job to be advertised in a certain way to ensure there are no suitable workers already living permanently in the UK.
- The issuing of a Certificate of Sponsorship is unrestricted (i.e. not subject to the annual limit).
- Exemption from paying the immigration skills charge.
- Can use 'new entrant' minimum salary level as outlined in Appendix J: code of practice for skilled work

These concessions apply if the prospective employee has valid Tier 4 leave and is applying from inside the UK having successfully completed an undergraduate or postgraduate degree or completed at least 12 months of a PhD. This also applies to individuals who are on the [Doctorate Extension Scheme](#), which is available to PhD students who wish to remain in the UK for a further 12 months after completion of their degree.

Students who have received their final results can start the job for which the CoS was assigned once they have submitted their Tier 2 application to UKVI.