

Mobility: Immigration alert

March 2024



United Kingdom

Updated sponsor guidance regarding Certificates of Sponsorship

Executive summary

On 19 March 2024, UK Visas and Immigration (UKVI) [updated](#) relevant sections of the sponsor guidance to clarify how forthcoming changes to the Immigration Rules may affect sponsors and sponsored workers and the actions that must be taken by sponsors.

Background

Significant [changes](#) to the Immigration Rules are set to go into effect on 4 April 2024, including the following:

- ▶ The Standard Occupational Classification (SOC) code system will be updated from SOC 2010 to SOC 2020. This change will update the "Appendix Skilled Occupations" and introduce changes to some occupation code numbers and job descriptions.
- ▶ The salary thresholds for Skilled Workers, Global Business Mobility Workers, Scale-up Workers and Seasonal Workers will increase.

These changes will affect applications for entry clearance or permission to stay that are supported by a Certificate of Sponsorship assigned on or after 4 April 2024.

Key developments

The updated sponsor guidance clarifies the following:

- ▶ The sponsorship management system will remain unavailable from 7 pm UK time on 2 April 2024 until 9 am UK time on 4 April 2024. During this period, it will not be possible to apply for a sponsor license, apply to add routes to a license, renew a license, apply for Skilled Worker Defined Certificates

of Sponsorship (DCoS), apply to increase or renew allocations of Undefined Certificates of Sponsorship (UCoS), or assign any Certificates of Sponsorship (CoS) to workers.

- ▶ UKVI has informed that they will process as many DCoS applications as they can before 7 pm UK time on 2 April 2024. However, applications that are still outstanding at that point will be canceled. If an application is canceled, sponsors will be required to file a new application after 9 am UK time on 4 April 2024 based on the relevant SOC 2020 occupation codes and revised salary thresholds.
- ▶ DCoS granted with an SOC 2010 occupation code cannot be assigned effective 4 April 2024, as they will have the incorrect occupation code which cannot be amended. Therefore, a DCoS granted with an SOC 2010 code must be assigned before 7 pm UK time on 2 April 2024. If the DCoS is not assigned to a worker before then, it will be canceled and sponsors will be required to file a new application for a DCoS after 9 am UK time on 4 April 2024 based on the relevant SOC 2020 occupation codes and revised salary thresholds.
- ▶ If requests for increasing or renewing UCoS allocations are submitted before 7 pm UK time on 2 April 2024, they will be considered as usual. However, if requests are not decided (or allocated CoS are not assigned to workers) before 7 pm UK time on 2 April 2024, any CoS assigned after that date must meet the new requirements as per the Immigration Rules in force from 4 April 2024. Existing UCoS allocations are not affected by these changes. To sponsor a worker

for an SOC 2010 occupation code under the existing Immigration Rules, a CoS must be assigned to the worker before 7 pm UK time on 2 April 2024. Otherwise, the sponsor will be required to update the CoS with the relevant SOC 2020 occupation code and ensure the worker meets the revised salary thresholds before the CoS can be assigned.

- ▶ DCoS or UCoS that are assigned to workers before 7 pm UK time on 2 April 2024 will not be canceled and will remain valid for the usual three-month validity period. Applications for entry clearance or permission to stay made using these CoS will be considered with reference to the salary thresholds and SOC 2010 occupation codes under the Immigration Rules in place before 4 April 2024, even if the worker applies on or after that date.

Impact on employers

Sponsors may take necessary actions to apply for or assign any CoS before the upcoming changes take effect.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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