

# Skilled Worker (Tier 2) Sponsorship

## Frequently Asked Questions



Developing people  
for health and  
healthcare

[www.hee.nhs.uk](http://www.hee.nhs.uk)

**\*\*\* Please note the HEE National Overseas Sponsorship Team are not qualified immigration advisors and cannot offer immigration advice \*\*\***

These FAQs are to assist trainees in their application process for Sponsorship with HEE. In addition, information has been included that you may need to know regarding the Home Office regulations and where to find further information from the Home Office.

**Table of Contents**

**Certificate of Sponsorship (CoS) Application process..... 5**

- Q. Who are all the different Teams who will be involved in my Sponsorship? ..... 5
- Q. I have already renewed or obtained my visa which is valid, will I need to apply for another visa? ..... 5
- Q. I have a valid CoS with another employer, will this have an impact? ..... 6
- Q. What is the difference between the Skilled Worker Visa and Health and Care Visa? ..... 6
- Q. What if I do not use my CoS before the expiry date? ..... 6
- Q. Will HEE assist with the cost of my CoS and Skilled Worker visa? ..... 6
- Q. How do I request a CoS from HEE? ..... 6
- Q. What information do I need to supply as part of my application? ..... 7
- Q. Can I apply for my CoS if my current passport is due to expire? ..... 7
- Q. How long should I request a CoS for? ..... 7
- Q. I would like to work Less Than Full Time (LTFT), is this possible on a Tier 2 /Skilled Worker visa? ..... 7
- Q. I would like to work Less Than Full Time (LTFT) and will be extending my visa with HEE, is this possible? ..... 8
- Q. If my LTFT application is successful, what should I do? ..... 8
- Q. I am currently pregnant and will be on maternity leave when I am due to commence my training. Can I still start my post? ..... 8
- Q. After I've received my CoS what should I do? ..... 9
- Q. My job title on the CoS states 'Speciality Registrar' but I don't believe I am a Speciality Registrar? ..... 9
- Q. The CoS you have issued states that my salary will be less than I expected. Does this matter? ..... 9
- Q. Why is my CoS start date not the same date I start my extension placement? 10

Q. What if I have already applied for my CoS and now have a new passport. How do update my new passport details on there?.....	10
Q. What should I do if I notice something is wrong on the CoS that HEE have provided me? .....	10
Q. I've received my updated CoS but the error is still on the CoS, what should I do? .....	10
Q. Will the Sponsor note that has been added to my CoS affect my Visa Application? .....	10
Q. Do I have to apply for a CoS from Health Education England AND then apply for a Skilled Worker Visa? .....	11
Q. What should I do if I decide I no longer want/need a Skilled Worker CoS? .....	11
Q. I need an extension of my current HEE sponsorship. What should I do?.....	11
Q. What updates will I expect to receive from HEE Overseas Sponsorship Team during the application process? .....	11
Q. Will HEE be able to track the progress of my Visa application once I have submitted it?.....	11
Q. How long will it take for me to receive my CoS? .....	12
Q. If I have travel arrangements can I request my CoS to be issued earlier? .....	12
Q: Can I use the Certificate of Sponsorship issued by this team towards my GMC registration application? .....	12
<b>Making an application to the Home Office .....</b>	<b>13</b>
Q. When making my application to the Home Office, should I apply under the Health and Care visa route? .....	13
Q. Will I have to pay less application fee for Health and Care visa? .....	13
Q. Do I have to pay the 'Immigration Health Surcharge' (IHS)?.....	13
Q. How do I request a refund for my Immigration Health Surcharge (IHS) as I have overpaid this.....	14
Q. When making my application to the Home Office, should I apply under the Shortage Occupation List?.....	14
Q. Where can I find more information about making my application to the Home Office? .....	14
Q. What is HEE's sponsor rating?.....	14
Q. What is HEE Sponsor number? .....	14
Q. Is HEE a limited company? .....	14
Q. Do HEE offer maintenance funding?.....	14
Q. Do I have to provide evidence of my criminal records? .....	15
Q. Do I require a Criminal Records check if I already have a Tier 2/Skilled Worker visa? .....	15

Q. Can I have my CoS issued until the end of my Period of Grace?.....	15
<b>After making an application to the Home Office .....</b>	<b>16</b>
Q. How long will it take for me to receive an outcome on my application?.....	16
Q. I have not received by BRP what should I do? .....	16
Q. Can I start my new post while a decision is pending with the Home Office? ....	16
Q. Can I start my new post if I have not yet made an application with the Home Office? .....	17
Q. My application to the Home Office has been refused and I would like to re-apply, what should I do? .....	18
Q. What should I do once I receive my new Biometric Resident Permit (BRP)? ...	18
Q. The end date on my BRP is 31st December 2024 although it was requested for longer, what should I do?.....	18
Q. I am being asked by different teams for copies of my BRP, can you explain why? .....	18
Q. I have lost my BRP. What should I do? .....	19
Q. My BRP has been stolen. What should I do? .....	19
<b>While Sponsored with HEE .....</b>	<b>20</b>
Q. I didn't start on my allocated date of my CoS, what should I do? .....	20
Q. I need an extension of my current HEE sponsorship. What should I do.....	20
Q. What do I need to do if there are any changes in my circumstances and who should I inform? .....	20
Q. Why do I need to notify the HEE Overseas Sponsorship Team of any changes? .....	21
Q. I have changed my personal contact details (i.e. home address, contact numbers) what do I need to do? .....	21
Q. What happens if I don't notify HEE of changes to my circumstances?.....	21
Q. Can I apply for an Inter-Deanery Transfer (IDT)?.....	22
Q. Can a trainee work locum shifts? .....	22
Q. I would like to go on Out of Programme (OOP). Will HEE still sponsor me?..	22
Q. What do I do if I wish to resign from my post?.....	22
Q. When can I apply for my Indefinite Leave to Remain (ILR)? .....	22
Q. I want to apply for Indefinite Leave to Remain (ILR), what do I require from HEE? .....	22
<b>Useful Links .....</b>	<b>24</b>
<b>Contact Details .....</b>	<b>24</b>

## Certificate of Sponsorship (CoS) Application process

### Q. Who are all the different Teams who will be involved in my Sponsorship?

A. There are different Teams within HEE that will contact you regarding your sponsorship:

1. **HEE National Overseas Sponsorship Team** – The HEE National Overseas Sponsorship Team are the National Team that issue all Certificates of Sponsorship (CoS) to Doctors and Dentists in Training in England. The National Overseas Sponsorship Team hold the Sponsor Licence for HEE and are required to update the Home Office on any changes to trainees' circumstances to meet sponsor requirements. Please see further information [here](#)
2. **Local HEE Office/ Lead Employer /UKFPO** – Local HEE offices, Lead Employer and UKFPO complete the recruitment and selection process and need to be kept up to date with information regarding your sponsorship
3. **NHS Trust/Foundation School** – The NHS Trust will be your employer; each Trust will need to verify your right to work status and will therefore ask to see evidence of your Tier 2/Skilled Worker sponsorship.

You should keep the National Overseas Sponsorship Team, Local HEE office your Trust up to date with any changes to your circumstances.

### Q. I have already renewed or obtained my visa which is valid, will I need to apply for another visa?

A. If your current visa is not sponsored by Health Education England (HEE), then you will need to apply for a new Skilled Worker visa sponsored by HEE and obtain your HEE sponsored BRP before you start your training.

Please also refer to the current immigration guidance on the UKVI website due to starting with or without your new BRP. [Coronavirus \(COVID-19\): advice for UK visa applicants and temporary UK residents - GOV.UK \(www.gov.uk\)](#)

**Q. I have a valid CoS with another employer, will this have an impact?**

A. If you already have a CoS that has been issued by another employer then HEE will not be able to issue you with another CoS as the Home Office system will only allow one CoS to be assigned to you at any given time. If this is the case, then you must request that the employer who issued you the CoS withdraws this from their system to enable HEE to issue a further one.

**Q. What is the difference between the Skilled Worker Visa and Health and Care Visa?**

A. The Health and Care visa is a type of Skilled Worker visa and are not two different types of visas. HEE will confirm on your CoS issued to you for a Skilled Worker that you are eligible for the Health and Care Skilled Worker route.

**Q. What if I do not use my CoS before the expiry date?**

A. If you do not use your CoS before the expiry date then you will require a new CoS. If this happens then you will be required to pay the cost of the CoS (£199) to HEE.

**Q. Will HEE assist with the cost of my CoS and Skilled Worker visa?**

A. HEE will pay for the initial CoS (and any confirmed extensions) and the relevant Immigration Skills Charge (ISC). Unfortunately, HEE are not able to assist with any of the costs associated with your Skilled Worker application to the Home Office (including application charges and any other associated charges).

**Q. How do I request a CoS from HEE?**

A. Once you have been made an offer via Oriel, the HEE National Overseas Sponsorship Team will be notified. They will then contact you via email to provide you with log in details to the Overseas Sponsorship Portal where you can complete all the relevant information required for HEE to issue you with a CoS.

## **Q. What information do I need to supply as part of my application?**

A. Please complete all the mandatory sections of the online application form. Before submitting your CoS application online, please ensure that you have included following documents:

- Scanned copy of passport (including all relevant pages)
- Scanned copy of your current visa (including the front and back of your BRP)
- Copy of payslip/relevant proof of National Insurance Number
- Copy of medical degree certificate
- Evidence of GMC registration (if applicable)
- Offer letter or Oriel email for your post

**Your application cannot be processed without these documents.**

## **Q. Can I apply for my CoS if my current passport is due to expire?**

A. If you are applying from within the UK, as long as your passport is valid at the time of application with the Home Office there should not be any issues. It is advisable to review when you may be making your application with the Home Office to ascertain if a new passport is needed in the first instance.

If you are applying from outside of the UK, you need to ensure your passport is valid for more than 6 months so you will be able to travel after your visa has been granted.

## **Q. How long should I request a CoS for?**

A. A CoS can only be issued for the length of your training contract and only for a maximum of 5 years at a time. You will need to apply to extend your visa when it is due to expire.

## **Q. I would like to work Less Than Full Time (LTFT), is this possible on a Tier 2 /Skilled Worker visa?**

A. Yes, however the minimum salary requirements for a Skilled Worker or Tier 2 visa need to be met which will restrict what LTFT hours you can request.

### **Skilled Worker route**

All trainees requiring sponsorship from the 1<sup>st</sup> January 2021 will apply under the Skilled Worker route. Under this route you can only work at 80% LTFT. This meets both the requirements of the minimum salary should be above £20,480 and 80% of salary at the going rate of your job occupation code.

Please refer to the link below for further details.

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-shortage-occupation-list>

## Tier 2 route

If you applied for a visa before 1<sup>st</sup> January 2021 you will need to meet the minimum salary requirements for a Tier 2 visa. Please see attached guidance on minimum salary requirement for both Skilled Worker and Tier 2.

Part of the Shortage Occupation List stipulates that a CoS cannot be issued for anything less than 30 hours per week. Therefore, LTFT requests can only be made for 30 hours per week or more (this is base hours and would not include on call). The only exception to this is where a trainee is extending with HEE, was previously issued a CoS under the Resident labour Market Test (RLMT) and wishes to work less than 30 hours per week. Please see [here](#) for further information

Furthermore, to comply with Home Office regulations for Tier 2 sponsorship, you need to be earning a minimum of £30,000 per annum which is calculated on basic salary and excludes any allowances or bonuses.

When applying to work LTFT you will need to consider if your reduced hours will still enable you to earn £30,000 per annum (this is approximately 80% but will depend on your salary); please check this with your Local HEE Office when making your application for LTFT.

## **Q. I would like to work Less Than Full Time (LTFT) and will be extending my visa with HEE, is this possible?**

A. If you were previously issued a CoS by HEE under the RMLT regulations, you will be able to work less than 30 hours per week providing you still meet the minimum salary requirements outlined [above](#).

Further information can be found [here](#)

## **Q. If my LTFT application is successful, what should I do?**

A. If your application for LTFT is successful, then you need to either send this confirmation at the point you are requesting your CoS or complete a Reporting Form if you have already started on a 40-hour contract. The Reporting Form should be returned to [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) for the HEE National Overseas Sponsorship Team to update the Home Office.

Further information can be found [here](#)

## **Q. I am currently pregnant and will be on maternity leave when I am due to commence my training. Can I still start my post?**

A. Please contact the HEE National Overseas Sponsorship Team at [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) for further information.



**Q. After I've received my CoS what should I do?**

A. You should **check ALL details on the CoS before making your application to the Home Office, any errors need to be amended before making your application.** In particular ensure you check:

- All personal details
- Work start and end dates
- Speciality under job title
- Location (this will be the **Local HEE address not a Trust address**)

**Q. Why does it state HEE (Birmingham) as main work address on my CoS as I will be working in a different location?**

A. All CoS issued by HEE will have the 'main work address' as HEE (Birmingham) and 'other regular work address in the UK' as the headquarters for your local HEE Office. This process is to allow trainees to rotate between Trusts.

**Q. My job title on the CoS states 'Speciality Registrar' but I don't believe I am a Speciality Registrar?**

A. For the purpose of the Home Office requirements, the job title is standard in line with the Standard Occupation Code (SOC) code as per Appendix J of the Immigration Rules <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-shortage-occupation-list>) and will state "speciality registrar in <speciality>"

**Q. The CoS you have issued states that my salary will be less than I expected. Does this matter?**

A. In line with the Home Office guidance, HEE will confirm on your CoS the basic salary as per 'NHS Employers Pay and Conditions circular (Medical and Dental)' as this is the minimum guaranteed salary a doctor/dentist will earn. Your exact salary will be calculated by your employer nearer to your start date.

For Less Than Full Time (LTFT) this figure will be calculated on basic salary and pro rata for your LTFT hours; evidence of payslips may be required.

**Q. Why is my CoS start date not the same date I start my extension placement?**

A. When an extension CoS is issued, the start date will be the day after your current BRP expires. You will be able to work on your current BRP until the end date.

**Q. What if I have already applied for my CoS and now have a new passport. How do update my new passport details on there?**

A. Please upload a copy of your new passport to the Sponsorship Portal and email [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) to confirm this has been completed. If your CoS has not been used towards an application, we will be able to add a sponsor note. It is advisable however to have all up to date information at the point of requesting a CoS.

**Q. What should I do if I notice something is wrong on the CoS that HEE have provided me?**

A. You should immediately contact the HEE National Overseas Sponsorship Team on [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) with the subject title 'Sponsor note required' detailing the error.

The HEE National Overseas Sponsorship team will add a Sponsor note to the CoS that was issued to you to clarify the error and will upload the updated copy to the portal.

**Q. I've received my updated CoS but the error is still on the CoS, what should I do?**

A. The error on the CoS cannot be amended, however you will see under the 'sponsor note' section the comments regarding the error and the updated information. The sponsor note section can be found towards the top of your CoS. The Home Office case workers will review these sponsor notes alongside the CoS.

**Q. Will the Sponsor note that has been added to my CoS affect my Visa Application?**

A. No it will not affect your visa application. This is a Home Office process and the case workers at the Home Office will be able to view this amendment on your CoS.

## **Q. Do I have to apply for a CoS from Health Education England AND then apply for a Skilled Worker Visa?**

A. Yes. Once your application for a Skilled Worker CoS has been reviewed and accepted by HEE National Overseas Sponsorship Team, you will be issued with a CoS number. You should check this document fully to ensure that there are no mistakes. After receipt of your CoS you can then apply to the Home Office to gain your Skilled Worker visa.

## **Q. What should I do if I decide I no longer want/need a Skilled Worker CoS?**

A. Please inform the HEE National Overseas Sponsorship Team on [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) as soon as possible.

## **Q. I need an extension of my current HEE sponsorship. What should I do?**

A. You will need to fill out the CoS extension application form. Please contact [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) and you will be provided with the relevant application form.

Please note, organisations can only request an extension CoS 3 months prior to a start date as per Home Office guidance.

## **Q. What updates will I expect to receive from HEE National Overseas Sponsorship Team during the application process?**

A. Due to the significant volumes the HEE National Overseas Sponsorship Team receive it is difficult to provide constant updates. You will be updated on the Portal of your application progress. If the Team have any queries regarding your application, they will email you directly.

Please only contact the National Overseas Sponsorship Team for **urgent queries** so that the team can process applications as quickly as possible. Please state 'Urgent' and your GMC number in the subject box so that we can try to address these as soon as possible. Please do NOT send multiple emails.

## **Q. Will HEE be able to track the progress of my Visa application once I have submitted it?**

A. No HEE is not able to track the progress or provide an update on the status of your Visa application, as this is the Home Office process. You can request the Home Office for an update on your application using the following link:

<https://www.gov.uk/contact-ukvi-inside-outside-uk>

**Q. How long will it take for me to receive my CoS?**

A. Organisations can only request a CoS 3 months prior to a start date as per Home Office guidance; as an example for August start dates the earliest HEE National Overseas Sponsorship Team can request a CoS would be May. However due to the volumes HEE National Overseas Sponsorship Team need to process during this time, CoS will be issued throughout May, June and early July for August starters and November, December and January for February starters using the following priority order:

1. Expiry dates of current BRPs
2. Out of country applications
3. New applicants to HEE (change of employer)
4. Tier 4 / Student switching to Tier 2 / Skilled Worker
5. Extensions of Tier 2 / Skilled Worker of those already sponsored by HEE

To see if you can start in post while a decision is pending with the Home Office please see **‘Can I start my new post while a decision is pending?’**

**Q. If I have travel arrangements can I request my CoS to be issued earlier?**

A. No. Unfortunately, the National Overseas Sponsorship Team can not take into account any travel arrangements and will use the priority listed above for the order that CoS are issued. You are advised not to make travel arrangements during this period.

**Q: Can I use the Certificate of Sponsorship issued by this team towards my GMC registration application?**

A: No. The Certificate of Sponsorship the GMC require as part of their application process is not the same as the Certificate of Sponsorship that the National overseas Sponsorship Team issues.

The National Overseas Sponsorship Team is the UKVI sponsor licence holder for HEE and issue Certificates of Sponsorship for visa application purposes.

The Certificate of Sponsorship the GMC require is a different document which confirms that a doctor possesses the knowledge, skills and experience required for practising as a fully registered medical practitioner in the UK. Doctors need to apply for this directly from one of the GMC approved sponsors <https://www.gmc-uk.org/registration-and-licensing/join-the-register/before-you-apply/list-of-approved-sponsoring-bodies> . Each sponsor has their own scheme which the GMC have pre-approved. If the doctor can satisfy the requirements of their scheme, they will issue the doctor with a Certificate of Sponsorship which is required for the GMC application.

Trainees need to contact the relevant employer on the list of approved sponsoring bodies directly.

## Making an application to the Home Office

**\*\*\* Please note HEE are not able to participate with the application process you make to the Home Office. However, we have provided some useful information below. It is your responsibility to review all Home Office information when making your application \*\*\***

### **Q. When making my application to the Home Office, should I apply under the Health and Care visa route?**

A. Yes, you can and **should** make your visa application under the Health and Care visa route. We will confirm your eligibility for this on your COS issued to you. You will find this in the 'Summary of job description' field of the COS. The requirements for Health and care visa are contained in this guidance and can be found at: [Health and Care Worker visa - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/health-and-care-worker-visa)

### **Q. Will I have to pay less application fee for Health and Care visa?**

A. Individuals applying for the Health and Care visa will be pay the reduced application fees. All visa application fees, including for the Health and Care Visa, can be found at <https://www.gov.uk/government/publications/visa-regulations-revised-table>

### **Q. Are my dependants also eligible for Health and Care visa?**

A. The visa fee reduction will also apply to your partners and dependants of Health and Care Visa applicants. Partners and dependants of Health and Care Visa applicants should therefore also tick this box. In addition to the reduced visa fee, applicants applying for the Health and Care Visa, and their family will be exempt from having to pay the Immigration Health Surcharge.

### **Q. Do I have to pay the 'Immigration Health Surcharge' (IHS)?**

A. All applications should be made under the Health and Care visa route and therefore the IHS is not required. For further information visit: <https://www.gov.uk/healthcare-immigration-application/who-needs-pay>

**Q. How do I request a refund for my Immigration Health Surcharge (IHS) as I have overpaid this.**

A. HEE do not deal with IHS. This is a Home Office requirement. Trainees who have made their application since March 2020 may need to apply for refund, please see the following link for further information: <https://www.gov.uk/apply-immigration-health-surcharge-refund>

**Q. When making my application to the Home Office, should I apply under the Shortage Occupation List?**

A. Yes, all Medical Practitioners (SOC code 2211) can and **should** make your visa application under the Shortage Occupation list.

**Q. Where can I find more information about making my application to the Home Office?**

A. You can find out more information about making your Skilled Worker application to the Home Office here: [Skilled Worker visa - GOV.UK \(www.gov.uk\)](https://www.gov.uk/skilled-worker-visa)

**Q. What is HEE's sponsor rating?**

A. HEE is an A rated sponsor.

**Q. What is HEE Sponsor number?**

A. You will find this on the top of your CoS once this has been issued to you.

**Q. Is HEE a limited company?**

A. HEE is a public body, not a limited company.

**Q. Do HEE offer maintenance funding?**

A. No, HEE cannot provide maintenance funding and it is not possible for HEE to confirm maintenance on the CoS. Some applicants must meet the maintenance criteria set out by the Home Office and should ensure that they are aware of the regulations set out for Skilled Worker route applications.

Please note, applicants who are already on a Tier 2 visa/Skilled Worker visa (whether extending or changing employment) do **not** need to prove maintenance.

## Q. Do I have to provide evidence of my criminal records?

A. The Home Office require those **applying to come to the UK** under Skilled Worker route as doctors and dentists in training, and their adult dependants, to produce a criminal record certificate from any country in which they have been resident for 12 months or more, consecutively or cumulatively, in the previous 10 years, aged 18 or over.

If you are successful in being appointed to a training programme in the UK, require Skilled Worker sponsorship, and applying to come to the UK, you will be required to provide the criminal record certificate to the Home Office when you make your visa application. As it can take some time to obtain a criminal record certificate, it may be helpful for you to begin the process of seeking certificates, if required, at the earliest opportunity.

Details of how to obtain such a check from the relevant authorities abroad is available on the Home Office website at:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

If the country concerned is not listed, please contact the relevant embassy or consulate for further details. Contact details can be found at:

<https://www.gov.uk/government/publications/foreign-embassies-in-the-uk>

Please note HEE National Overseas Sponsorship team do not require a copy of your Criminal Records Certificate as this is a requirement of your Home Office application.

## Q. Do I require a Criminal Records check if I already have a Tier 2/Skilled Worker visa?

A. No. You do not require a Criminal Record Check if you already have UK entry clearance

## Q. Can I have my CoS issued until the end of my Period of Grace?

A. We do not issue a CoS to the end of period of grace as not everyone requires it. This is decided between you and your local HEE office towards the end of your training, if you do require period of grace you must send confirmation from the local HEE office confirming this. Only then can we issue you an extension CoS covering this period (usually 6 months). The Home Office allows 14 days after your BRP has expired for you to make arrangements. Please note the Period of Grace does **not** apply to General Practice trainees.

## After making an application to the Home Office

### **Q. How long will it take for me to receive an outcome on my application?**

A. The Home Office publish their service standard processing times and will depend on which application and route you have taken. The Health and Care visa route however is designed to be processed quicker than the standard route. Please refer to the following link for processing times:

<https://www.gov.uk/government/organisations/uk-visas-and-immigration/about-our-services>

If you are applying from outside of the UK you can also use the link below: [Visa decision waiting times: applications outside the UK](#)

### **Q. I have not received by BRP what should I do?**

A. If your application is still within the Home Office service standard processing times (see above) then there is nothing further that can be done at this stage.

If your application has gone over the Home Office service standard processing times you can contact the Home Office directly to query this with them using the link below: <https://www.gov.uk/contact-ukvi-inside-outside-uk>

If your application is over the service standard processing times, you have contacted the Home Office and not been able to progress this further, you can contact [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) and the HEE National Overseas Sponsorship Team will ascertain if they are able to intervene on your behalf.

### **Q. Can I start my new post while a decision is pending with the Home Office?**

A. Depending on your current immigration status will decide if you are able to commence your new post while a decision is pending, please see table below:



<b>Current Visa status</b>	<b>Starting new post</b>
Tier 2/Skilled Worker visa sponsored by HEE (applying for an extension)	You will be able to start working in your new post while a decision is pending on your visa as long as you apply before your current visa expires
Tier 2/Skilled Worker visa but changing sponsors (change of employment)	You must have your new Skilled Worker visa before commencing your new post
Tier 4/Student visa and you were granted leave after 6 April 2012	You will be able to start working in your new post as soon as you have completed your Foundation Programme/Masters/Degree while a decision is pending on your Tier 2 /Skilled Worker visa. You must however apply for a Tier 2 /Skilled Worker visa before your Student visa (Previously Tier 4 visa) expires. You should have submitted an application prior to commencing your training post.
Any other visa status or if you hold no visa status in the UK	You must have your Skilled Worker visa before commencing your new post

Please also refer to the current immigration guidance on the UKVI website due to starting with or without your new BRP. [Coronavirus \(COVID-19\): advice for UK visa applicants and temporary UK residents - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)

**Q. Can I start my new post if I have not yet made an application with the Home Office?**

A. No, even if you have leave to remain on your current visa sponsored by HEE, you can only start in post on these visas if you have made an application to the Home Office for your new Skilled Worker visa.

Employers/Trusts will complete an online check, Employer Checking Service (ECS), with the Home Office to confirm you have made your application and so they have a statutory excuse to enable them to employ you while your application is being considered by the Home Office. It is your responsibility to update your employer/Trust when your new visa has been received.

## **Q. My application to the Home Office has been refused and I would like to re-apply, what should I do?**

A. You will be aware that you have not needed to pay for the original CoS issued to you. However, if an applicant makes an error on their Skilled Worker application resulting in the Home Office refusing their application and a second CoS is needed, you will need to reimburse HEE for the cost of this second CoS before it is issued to you. Please contact [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) with your refusal letter and details will be sent to you of how to make the £199 payment for a replacement CoS.

## **Q. What should I do once I receive my new Biometric Resident Permit (BRP)?**

A. The first thing you should do is check all the details on your BRP to ensure they are correct. If you find a problem with your BRP when it arrives you must report it within 10 days, otherwise you may have to [apply and pay for a replacement](#) for your BRP.

If anything is incorrect you need to contact the Home Office via this link within 10 days of receipt [www.gov.uk/biometric-residence-permits/report-problem](https://www.gov.uk/biometric-residence-permits/report-problem)

Once you have your correct BRP, you should upload a copy of this to the Overseas Sponsorship Portal as soon as this has been received. You will also need to provide the original copy to your employer.

## **Q. The end date on my BRP is 31st December 2024 although it was requested for longer, what should I do?**

A. This is correct, and you do not need to do anything at this time. The Home Office have informed HEE that the reason for the leave being capped at 31/12/2024 is due to existing EU regulations around the maximum amount of time that BRP cards can be issued.

This has no impact on an individual's leave, and any leave approved beyond 2024 will remain valid and applicable. At some point closer to the time information will be provided by the Home Office on obtaining a replacement BRP to cover the full period of leave beyond 2024.

## **Q. I am being asked by different teams for copies of my BRP, can you explain why?**

A. HEE has a National Overseas Sponsorship Team who issue your CoS and are the main Sponsor during your sponsorship on a Skilled Worker visa during your training. The National Overseas Sponsorship Team request a copy of your BRP

once you have made your Skilled Worker application as part of our Sponsor duties (via the online portal). Local HEE Offices (previously known as Deaneries) may also ask for a copy of your BRP for their records. Furthermore, Trusts/Employers that you will be going to work for will request to see the originals and want copies of these to meet right to work requirements.

### **Q. I have lost my BRP. What should I do?**

A. You will need to report your BRP has been lost as soon as possible on the UKVI website. Please see link:<https://www.gov.uk/biometric-residence-permits/lost-stolen-damaged>

### **Q. My BRP has been stolen. What should I do?**

A. You will need to report your BRP has been stolen as soon as possible on the UKVI website. Please see link:<https://www.gov.uk/biometric-residence-permits/lost-stolen-damaged>

## While Sponsored with HEE

### Q. I didn't start on my allocated date of my CoS, what should I do?

A. If for any reason you did not start on the date that was stated on your CoS, you must notify the HEE National Overseas Sponsorship team within **2 working days** of the date you were due to start with reasons why you have not commenced. This should be completed sent via email to [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) with the subject title 'Start date delayed <GMC number>'.

Please note that you are required to **start within 28 days** of the below, whichever is the later date:

- your work start date stated on your CoS
- the date on which your entry clearance was granted (if you made an application from outside the UK)
- or leave to remain is granted (if you made an application from inside the UK)

### Q. I need an extension of my current HEE sponsorship. What should I do?

A. You will need to fill out the CoS extension application form. Please contact [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) and you will be provided with the relevant application form.

Please note, organisations can only request an extension CoS 3 months prior to the expiry date of the current visa.

### Q. What do I need to do if there are any changes in my circumstances and who should I inform?

You are required to keep HEE National Overseas Sponsorship Team ([sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk)) informed of any changes in circumstances that occur throughout your sponsorship. You will need to fill in a Reporting Form and return it to [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) and your local HEE office within **5 working days** of the change so we can notify the Home Office. Please see the list below for the type of changes you will need to inform us:

- Your Start date is delayed from the date entered on the CoS
- Your immigration status changes
- Your training ends earlier than expected

- Your Inter Deanery Transfer (IDT) application is approved
- You are changing your hours i.e. Less Than Full Time (LTFT) application is approved
- Out Of Programme (OOP) application is approved
- You are planning to go on maternity or adoption leave
- You have had a period of long-term sickness (1 month or longer)
- You are taking a period of authorised unpaid leave
- You have changed your speciality
- You are resigning from training

### **Q. Why do I need to notify the HEE National Overseas Sponsorship Team of any changes?**

A. As part of HEE Sponsor Licence duties, the HEE Sponsorship Team are required to inform the Home Office of changes in sponsored trainees' circumstances. Therefore, the Conditions of Sponsorship are essential to ensure trainees understand what they are required to do as part of their sponsorship arrangements.

The Home Office requires all Sponsors to fulfil certain duties. The objectives of these duties are to:

- prevent abuse of assessment procedures
- capture early any patterns of migrant behaviour that may cause concern
- address possible weaknesses in process which can cause those patterns
- monitor compliance with Immigration Rules

Sponsors must report certain information or events to the Home Office within any time limit set.

### **Q. I have changed my personal contact details (i.e. home address, contact numbers) what do I need to do?**

A. Please ensure you inform your local HEE office so they can update your records on TIS. You will also need to update the Home Office using the following form: <https://visa-address-update.service.gov.uk/>

### **Q. What happens if I don't notify HEE of changes to my circumstances?**

A. If HEE are not made aware of changes to circumstances (as detailed above) and these are subsequently discovered, this would be a huge risk to HEE and could ultimately lead to the withdrawal of your sponsorship and any future sponsorship. Furthermore, HEE could lose its sponsor licence which would affect all current and future Tier 2/Skilled Worker trainees.

**Q. Can I apply for an Inter-Deanery Transfer (IDT)?**

A. If you are sponsored by HEE, you can apply for IDT but you will need to meet all of the eligibility requirements. Please refer to the IDT website for further information on eligibility requirements.

If you are successful for IDT, you would need to notify the HEE National Overseas Sponsorship Team of your change in location by completing a Reporting Form and returning to [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk)

**Q. Can a trainee work locum shifts?**

A. Those on Skilled Worker visas can undertake supplementary employment but they must not work more than 20 hours a week and must be working in the same occupation.

**Q. I would like to go on Out of Programme (OOP). Will HEE still sponsor me?**

A. It depends on what OOP you are looking to go out on. Please view [here](#) for further information and OOP guidance.

**Q. What do I do if I wish to resign from my post?**

A. Please contact the HEE National Overseas Sponsorship Team immediately ([sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk)) and your HEE Local Team/Lead Employer. It is HEE's duty to inform the Home Office of any sponsored recruits that have terminated their contract.

**Q. When can I apply for my Indefinite Leave to Remain (ILR)?**

A. To find out when you can apply for your ILR, please visit the Home Office website for further information: <https://www.gov.uk/government/publications/indefinite-leave-to-remain-calculating-continuous-period-in-uk>

**Q. I want to apply for Indefinite Leave to Remain (ILR), what do I require from HEE?**

A. If you are applying for ILR, you will require a letter from the HEE National Overseas Sponsorship Team. Please email the team on [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) to request the letter along with a copy of your last 3 months payslips and evidence from your HR department of your absences (to cover 5 years).

If you are on maternity, paternity, shared parental or adoption leave: the date this commenced and evidence of your salary (payslip) immediately before your leave started.

We will endeavour to send the letter to you via email within 5 working days. Two copies of the letter will be posted to you.

Once you have received a decision from the Home Office, you must inform [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk) and your HEE Local Team/Lead Employer and email a copy of your new Biometric Residence Permit (BRP) within 5 working days of receiving your BRP. HEE will update your records and cancel your CoS which was issued to you for your Tier 2 / Skilled Worker visa (as per Home Office guidance).

## Useful Links

**Health Education England (working across the West Midlands) Website:**

<https://specialtytraining.hee.nhs.uk/Recruitment/Overseas-Sponsorship>

**Skilled Worker Visa**

<https://www.gov.uk/skilled-worker-visa>

**Immigration rules:**

<https://www.gov.uk/government/collections/immigration-rules>

**Shortage occupation list:** <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-shortage-occupation-list>

**Immigration advisors:**

<https://www.gov.uk/find-an-immigration-adviser>

**NHS Employers information:**

[Visas and immigration - NHS Employers](#)

**BMA:**

[BMA services for international doctors](#)

## Contact Details

If you require any further information regarding the Skilled Worker or Tier 2 route CoS application process, please contact the HEE National Overseas Sponsorship Team on [sponsorship@hee.nhs.uk](mailto:sponsorship@hee.nhs.uk)