



Guidance for Seafood Businesses on how to navigate the **Skilled Worker Visa**

Guide 1:

Introduction to the Skilled Worker Visa
- explaining the fundamentals

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Overview of the Guides

There are five guides included in the Skilled Worker Visa Guidance, alongside a glossary which explains the technical terms. We recommend you take the time to read through each of these guides before starting the application process. The five guides are summarised here.

[Follow this link](#) to access the other guides



Guide 1: Introduction to the Skilled Worker Visa - explaining the fundamentals

Guide 1 provides an overview of the sponsorship and recruitment process and explains why it has been structured in this way. It also explains the preparation you should take before you start the application process and the costs involved in sponsoring a person under a Skilled Worker Visa. Make sure you have read and understood the details in Guide 1 before you embark on the sponsorship process.



Guide 2: How to become a sponsor

Guide 2 is a detailed step by step guide through the online application process. It includes screenshots from the application systems and explains how to make a successful application. It also details the information, documents, and systems you will need to have in place before you are ready to submit your application.



Guide 3: How to employ migrant workers under a Skilled Worker Visa

Guide 3 covers the process of sponsoring migrant workers via the Skilled Worker route, once your sponsor license has been approved. This includes important things that both you and your potential employee should know, such as job codes, salary and language requirements, the different types of certificate of sponsorship and how they should be used.



Guide 4: **Your ongoing responsibilities as a sponsor of Skilled Workers**

Visa sponsorship is a long-term commitment, and Guide 4 will help you understand your ongoing responsibilities and how to ensure you are complying with them. These responsibilities include the need to maintain accurate records, to notify the Home Office of any changes, and managing the relationship with your sponsored worker.



Guide 5: **Your wider legal responsibilities**

The final guide includes general information on your wider legal responsibilities as a seafood business engaging migrant workers. UK employment law is likely to apply to any person working in the UK and in territorial waters. These duties will be in addition to your sponsorship duties and if you fail to meet these wider obligations it could impact on your ability to remain a sponsor.



Glossary: **Provides explanations of key technical and legal terms that relate to the Skilled Worker Visa**

The glossary contains definitions of key terms used across the Skilled Worker Visa Guidance – see text in **bold** in each Guide.

Introduction

UK immigration requirements mean that if you wish to employ migrant workers in the seafood industry, either onshore or within 12nm of the shore, you will more than likely need to use a Skilled Worker Visa.

This visa allows for the employment of migrant workers for **certain skilled jobs** in the UK. This includes experienced deckhands on fishing vessels, fish filleters, and seafood processing line operatives, as well as food manufacturing engineers, mechanics, or skippers.

We understand that many seafood businesses will be new to this system and may find it difficult to understand the process involved. This guidance should assist you to:

- Apply to become a sponsor
- Employ overseas workers
- Meet all your responsibilities as a sponsor.

The guidance is specifically tailored to seafood businesses, whether you are a fishing vessel, aquaculture business or a processing company, regardless of where you are based across the UK.

The information contained in these guides is to be used as guidance only. It does not constitute legal advice and if you are unsure about any aspect of the sponsor regime or Skilled Worker Visa requirements you should seek independent legal advice. It is not a substitute for the published official Home Office guidance on the sponsorship regime, or the Immigration Rules. Where possible we have included links to the official guidance.

If you have any questions about this guidance, please email skilledworkervisa@seafish.co.uk

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1. What is sponsorship?

The Home Office publishes official guidance on the sponsor regime, and we will provide links to this and the relevant sections. The **Immigration Rules** and official guidance are important and must be referred to. These guides are intended to signpost the relevant official guidance and law.

Sponsorship is when a UK business obtains permission, in the form of a licence, from the Home Office to support a **visa** application for a migrant worker. There are various categories of **visa** that can be sponsored; as a Creative Worker in the film and TV industry, or an employee who is transferred from an overseas branch of a global organisation.

This guidance is focused on the Skilled Worker **visa** and seafood businesses. In recent years it has become possible to sponsor a worker who will fill a vacancy in a seafood business. The types of jobs that can now be sponsored include experienced deckhands on fishing vessels, and fish filleters or processing line operatives in a fish processing factory.

Around 55,000 organisations are licenced sponsors under the Skilled Worker **visa** route. Different types of organisation can qualify as sponsors. It is possible for a sole trader, a charity, or a partnership to become a sponsor. Commonly a sponsor is a private limited company. It is not possible for an individual person to become a sponsor.

Different organisations that are linked by common control or ownership, or different sites or offices operated by the same business, can be licenced under a single sponsor licence which covers all of the connected entities in the UK. Some businesses licence all of their connected and commonly owned entities under one licence, whilst others chose to apply for separate licences for each part of the business or chose to licence only one part of their organisation.

In the majority of cases, a migrant worker sponsored by a business must work for that business and cannot be sent to work for a third party. There are some exceptions to that rule, which we will explain. The sponsoring business must have responsibility for the 'functions, duties and outcomes' of the role that the migrant worker will perform.

2. Applying for a sponsor licence

When applying for a licence you must persuade the Home Office that you are a legitimate organisation, you have understood your duties as a sponsor, you can comply with those duties, and that you will abide by the **Immigration Rules** and other legal requirements. The Home Office place a high level of trust in a sponsoring business. You are expected to be open and honest in your dealings with the Home Office.

To apply for a sponsor licence you must submit an online form which provides background information on the business. This includes information such as the business address, the type of business, and the people involved in the business that will help manage the licence if it is granted.

In addition to the online application you must also provide a variety of company documents which confirm that the business is based in the UK, that it is legitimate, operating or trading, and genuine. You must also explain why the licence is sought, the kinds of occupations that it is expected will be sponsored and the salaries that will be paid to those individuals who are sponsored.

A sponsor licence is valid for four years and can be renewed for subsequent four-year periods.



3. Certificates of sponsorship

Once the application is approved and the licence issued, the sponsor is granted access to the **Sponsor Management System (SMS)**. The **SMS** is an online system that allows a sponsor to operate their licence; to sponsor migrant workers and submit reports. You are expected to check the licence regularly by logging in to the **SMS**. There are often important messages for sponsors notified on the **SMS**.

The **SMS** can be used to issue a **Certificate of Sponsorship (CoS)** to a migrant worker. A **CoS** is a virtual document, stored on the **SMS**, which contains details of the individual who will be sponsored, where they will work, the job they will perform, and the salary they will be paid. A sponsor can choose how long to sponsor the worker for by providing the dates of the engagement on the **CoS**.

The duration specified on the **CoS** will dictate the duration of the worker's **visa** when granted. It is common to sponsor for three years initially though it is possible to sponsor for a maximum of five years. The **visa** can be extended whilst the migrant is in the UK working for the business. After five years of residence, if the **Immigration Rules** are satisfied, it is possible for the sponsored worker to acquire permanent residence.

The **CoS** is used by the migrant to make a **visa** application to enter the UK, or if they're already in the UK then they can make an application to change their employer or move from a different **visa**, such as a student **visa**.

Visa applications are made online by the migrant worker, and it is only necessary to provide the reference number for the **CoS**, as the decision maker can use that reference number to view the certificate that you have issued.

A sponsorship licence is granted for four years and in that time the sponsor can sponsor multiple workers. This is subject to the '**genuine vacancy**' requirement and the needs of the business. At the end of four years an application can be made to renew the licence for another four years.

It is possible for a sponsored migrant to include family members as **dependents**. **Dependents** must make their own **visa** applications but do not need to be sponsored. **Dependents** can include spouses, civil partners, or unmarried partners, along with any minor children. They will be granted **visas** of the same duration as the main sponsored applicant. They can also apply later, to join the main applicant at a later stage.

4. Duties of licence holders

Throughout the period that you are a licence holder the Home Office will expect you to comply with a variety of duties. You could be asked to provide more information about the workers you intend to sponsor, the contractual arrangements or changes to the business. The Home Office can also carry out an 'in person' visit to your business, or conduct an online interview, to confirm that you are complying with the duties at any time during the period in which you are a sponsor. This can include a pre-licence visit as part of the decision to grant you a licence.

There is [detailed official guidance](#) on the duties a sponsor has. We will explore these duties in 'Guide 4: Your ongoing responsibilities as a sponsor of Skilled Workers'. The Home Office expect a sponsoring business to comply with the official sponsor guidance and wider legal duties. Some of the matters which a sponsor must report include:

- Relevant changes to the business, changes of ownership, premise addresses, the people involved in managing the licence
- Relevant events concerning sponsored workers, such as workers who don't turn up for their assignment, or leave the engagement prematurely, and changes to their conditions, engagement periods, roles, or remuneration.

The system operates with a high level of trust. If the Home Office is satisfied that your business can be licenced as a sponsor, you are then trusted to comply with your duties proactively. Issues can arise if you allow compliance to slip. A failure to comply with the official guidance can lead to the **suspension** of the licence so that you cannot sponsor any new migrants, or the **revocation** of the licence which means that you would lose any sponsored migrants that you currently have and their **visas** would be affected. It is therefore very important that you understand your duties and ensure compliance at all times.

You are expected to help the Home Office in their immigration control duties by reporting any relevant changes to your business or matters that affect those whom you sponsor.

The Skilled Worker **visa** is designed to promote the use of UK **settled** workers rather than migrant workers. Government policy is to seek to reduce the number of migrants entering the UK and therefore the sponsor system is designed to ensure that the resident labour market is considered, primarily through salary thresholds and other costs, which we will explore in the next section.

5. Cost of sponsorship

The sponsorship of a Skilled Worker is costly and it is important to understand the potential financial burden. You can then make an informed decision about whether sponsorship is the right option for your business.

The cost of sponsorship arises in three ways. The first concerns the direct costs of sponsoring a migrant worker. These costs include:

- Sponsor licence fee
- **CoS Cost**
- **Immigration Skills Charge**
- **Immigration Health Charge**
- **Visa fees**
- Other application fees
- Specific duties for seafarers

The second concerns the minimum salaries that must be paid, which may be higher than the salary you would pay to a UK resident worker. This may include an obligation to contribute to a pension. There are also specific obligations in respect of seafarers, such as a duty to repatriate, which we will discuss in 'Guide 5: Your wider legal responsibilities'.

The third concerns the hidden, or indirect, costs that result from the time involved in applying for the licence, ensuring compliance, and sponsoring workers.

Direct Costs

The first direct cost is that involved in applying for a sponsor licence. The sponsor licence fee depends on the size of the organisation to be sponsored. A small or charitable organisation pays a lower fee. Many seafood businesses will be small, however there will be other businesses, and in particular limited companies, that are medium or large. For a limited company, a small company is one in which two of the following conditions are satisfied¹.

Turnover	Not more than £10.2 million
Balance Sheet Total	Not more than £5.1 million
Number of employees	Not more than 50

A sole trader with less than 50 employees will also qualify as small.

¹ A company is **Defined** as small according to the definition that is contained within the Companies Act 2006. Note that there are important rules about companies which are subsidiaries of a larger group, or parent companies, which could have an impact on whether your company is 'small'. <https://www.gov.uk/annual-accounts/microentities-small-and-dormant-companies>

For a small business the sponsor application has a fee of £536. For a large or medium business this fee rises to £1,476. Each time a **CoS** is issued there is a £199 fee. In most cases there is a fee which is charged for each year of sponsorship when a **CoS** is issued, this is known as the **Immigration Skills Charge**, and it is £364 pounds per year of sponsorship for a small business and £1,000 per year of sponsorship for a business that is medium or large. These costs must be paid by the business and you should not seek to deduct them from the sponsored worker's remuneration. There are some exceptions to the **Immigration Skills Charge**, detailed [here](#), but none are likely to be relevant to seafood businesses.

Other costs which will arise are connected with the sponsored worker's **visa** application.

[Visa application fees](#) can vary. They are £625 for an application outside the UK, to fulfil an occupation that is not on the **Shortage Occupation List**, and for an engagement period of 3 years or less. **Visa** applicants must pay an **Immigration Health Charge** of £624 per year which entitles them to use the NHS (if you sponsor someone for 3 years, the **Immigration Health Charge** would be £1,872).

In May 2023 the Home Office announced that various roles on fishing vessels, such as experienced deckhands on larger vessels, or mates and skippers, will be added to the **Shortage Occupation List**. This means that, if sponsoring a migrant to work in this role, there are lower applications fees of £479 per person for a **visa** up to 3 years in duration and £943 for more than 3 years. There is also a lower annual salary threshold.

Some businesses choose to pay the **visa** application fees and **Immigration Health Charge** on behalf of the sponsored worker, others require the applicant to pay for the fees themselves. Sometimes an arrangement is entered in which the business pays for these application fees initially, or loans the funds to the sponsored worker, but expects to be paid back by the individual. Some complexities arise about these arrangements which we will explain in 'Guide 5: Your wider legal responsibilities'. It is very important that any arrangement is fair and transparent.

If **dependents** are involved, such as a spouse or children, they will also each have to pay **visa** fees and the **Immigration Health Charge**. These costs can mount up. For a family of 4, a partner and two children, on a 3-year **visa**, they can exceed £10,000.

There can be other costs involved in the **visa** application. For example, it is necessary to provide an **English language test certificate**, or confirmation that the worker has a degree which was taught in English, unless the sponsored worker comes from a **majority English speaking country**.

The costs of the test vary but can be around £200, which does not include any other costs such as travelling to the location to take the test. Not all countries have easily accessible test centres, sometimes the worker will need to travel to a different country to take the test. If the worker has a degree that was taught in English it is possible to obtain special confirmation of that from a body called [ECCTIS](#) which again can cost around £200.

If the worker wants to bring family members, they will normally be required to prove those family relationships through documents such as birth certificates and marriage certificates. If these documents are not in English, they will require to be translated, and this could add to the cost.

It is possible in some cases to pay an additional premium of around £500 per applicant to have the applications for a **visa** prioritised, so that a decision is reached more quickly. This service may be offered at no additional cost for seafood businesses.

Salaries

A sponsored migrant must generally be paid at a level that ensures there is not an undercutting of the UK resident labour market by paying comparatively low salaries. This is to encourage businesses to recruit UK **settled** workers. Historically a sponsor had to prove they had attempted to recruit first from the resident labour market before a migrant worker could be sponsored. This is no longer a requirement and protection of the resident labour market is achieved through salary thresholds.

It is important to understand the salary levels so that you're clear on the potential costs that sponsorship may pose to your business. Salary levels are very important and underpin the Skilled Worker **visa**. The salary that a worker will be paid, and the weekly hours of work must be specified in the **CoS**.

The **Immigration Rules** contain a [list](#) of all potential occupations that are regarded as sufficiently skilled to be sponsored and for each occupation there is a minimum salary that must be paid. The salary paid is assessed on the gross figure, so before tax and national insurance is deducted (and not accounting for payments an employer makes in addition to a worker's salary such as employer national insurance contributions).

If you look at the list it may appear quite confusing. There is a long list of occupations with numerical codes beside them. These codes relate to an Office of National Statistics classification system. Each role has a **Standard Occupation Code** or **SOC**. You are expected to select the correct **SOC** for the role you wish to sponsor. We discuss how to select the correct **SOC** in 'Guide 3: How to employ migrant workers under a Skilled Worker **Visa**'. You will also notice beside each occupation there are a number of different annual salary levels giving the salary annually and per hour. To explain how this works, let's consider an example relevant to seafood businesses.

A fish processor falls under **SOC** "5433 Fishmongers and poultry dressers":

Occupation Code	5433 Fishmongers and poultry dressers
Related job titles	<ul style="list-style-type: none"> • Butcher (fish, poultry) • Filleter (fish) • Fish processor • Fishmonger • Poultry processor
Going rate (SW – option A, GBM and SCU - minimum rate)	£17,100 (£8.77 per hour)
90% of going rate (SW - option B)	£15,390 (£7.89 per hour)
80% of going rate (SW - options C and D)	£13,680 (£7.02 per hour)
70% of going rate (SW - option E, GTR - minimum rate)	£11,970 (£6.14 per hour)
Eligible for PhD points (SW)?	No
Eligible for GBM and SCU?	No

The first salary level shown in the list is £17,100 per year, which is the "going rate". This reflects the median pay level that has been assessed for that particular occupation using the Annual Survey of Hours and Earnings.

However the **Immigration Rules** state that an "experienced worker" cannot be paid less than £26,200 a year. This means that for any occupation where the going rate is less than £26,200 pounds a year, you must ignore the occupation going rate salary and stick to the general threshold of £26,200. Some occupations have salaries which are higher than £26,200, for example, a mechanical engineer must be paid at least £33,400 annually. In those cases the minimum salary is that which is given for the occupation, rather than £26,200.

This is a common area of confusion.

It is possible in some cases to pay less than £26,200. In particular if an organisation is listed on the **Shortage Occupation List** the minimum annual salary is £20,960. In May 2023 it was announced that experienced deckhands will be added to the Shortage Occupation List. This is expected to become law in summer 2023.

If a role is not on the **Shortage Occupation List** the most common circumstance when a lower salary can be paid is if the worker is under 26 years old when you first apply. They are then known as a “*new entrant*”² rather than an “*experienced worker*” and it is possible to pay a minimum annual salary of £20,960 if the occupation rate is less than, or equal to, £20,960.

This can be summarised as follows

For an experienced worker the salary must equal or exceed all of the following:	<ul style="list-style-type: none"> • £26,200 per year; • £10.75 per hour; and • the going rate for the occupation code.
For a new entrant the salary must equal or exceed all of the following:	<ul style="list-style-type: none"> • £20,960 per year; • £10.75 per hour; and • 70% of the going rate for the occupation code.
For a role on the Shortage Occupation List the salary must equal or exceed all of the following:	<ul style="list-style-type: none"> • £20,960 per year; • £10.75 per hour; • 80% of the going rate for the occupation code (apart from Health and Education occupations).

There are various rules on what you must do if a salary is subsequently reduced or a sponsored migrant’s working hours will change. For seafood businesses there may be some seasonal variation in the number of weekly hours. We will go into more detail on these matters in ‘Guide 4: Your ongoing responsibilities as a sponsor of Skilled Workers’.

² A “new entrant” rate may also apply if the worker is switching from a student visa

You must also be aware of any legal obligations which apply to you as a business which engages a sponsored worker. Depending on the contractual arrangement there may be other obligations; for example that you may require to pay a pension. Specifically for fishers there may be additional financial obligations concerned with the Work in Fishing Convention, such as the duty to repatriate a crew member. We will discuss these in 'Guide 5: Your wider legal responsibilities'.

Indirect or hidden costs

The next area of cost is your time and effort in applying for the licence, operating the licence, engaging with the migrant workers that you sponsor, and undertaking various duties that apply. The purpose of this Guidance is to assist you take an informed decision about whether you are able to deal with all of these matters yourself or whether you would require to instruct and pay for additional support.

Many businesses will pay for an immigration lawyer or other professional to assist them in the acquisition of a licence, the management of a licence and the engagement of migrant workers. Legal fees can be expensive and vary significantly between different providers. It is hoped that by setting out what is involved, you can decide if you have capacity to undertake these tasks internally or whether the time and complexity involved means that you would be better to outsource some of the work.

A sponsor cannot completely outsource the management of their licence to someone else because it is a fundamental principle of sponsorship that the sponsor agrees to comply with their duties and understands those duties. This means you cannot completely hand over all this responsibility to someone outside your business. Many sponsors successfully apply for licences themselves; it is not necessary to instruct someone else to help you with this, but many will prefer to do so.

Let's take the first step of applying for a sponsor licence. Often the most time is taken up in securing supporting documents which are acceptable to the Home Office and 'Guide 2: How to become a sponsor' has some tips about how to manage that. The online sponsor application will take about 20 to 30 minutes to complete if you have all the information to hand. After that, providing answers to the various questions that the Home Office have and collating all of the documents into an application bundle might take another hour or two.

The Home Office places great emphasis on a potential sponsor's ability to meet their duties through the use of existing practices and system for human resources. Therefore, in some cases, you might need to spend some time putting in place human resource systems to record things like salaries, contact details, holiday entitlement and leave monitoring.

Once you have the licence, then you will be able to issue **Certificates of Sponsorship** using the **SMS** to any migrant workers that you wish to sponsor. This is a relatively straightforward task if you are aware of the different details such as salary and job description. We will explore how to do this in 'Guide 3: How to employ migrant workers under a Skilled Worker Visa'. It gets easier with practice. However there are some tricky parts of the SMS which can be confusing and may take some time to understand. If you are clear on the process, issuing a **CoS** can take around 20 minutes.

For applicants who are outside the UK you will need a **defined CoS**. This involves a short initial application where you specify the job that will be performed; this can take around 15 minutes. Sometimes the Home Office will ask additional questions about the role to be sponsored after you make a **defined CoS** application. This can add some additional time to the process.

You must retain a variety of documents which are specified in the official guidance entitled: "[Appendix D: guidance for sponsors on keeping documents](#)". You are required to:

- carry out **Right to Work checks**, even on those workers that you have sponsored, and retain evidence of those checks.
- update the sponsored worker's address details and contact details if these change.
- update details of the company such as changes of address, or ownership, or any changes to the worker's conditions, salary, place of work, or occupation.

Whilst this sounds like a lot of work, much of this information will remain unchanged over the course of a sponsored worker's engagement and therefore the reporting burden will be minimal. However it is important to make sure you review this information regularly and keep the information up to date. You might devote an hour or two a month to these tasks, depending on the volume of workers that you engage.

A sponsor may consider assisting a migrant worker with their own visa application and that of their families. You need to be aware that immigration law advice is regulated and it is a criminal offence to provide immigration law advice or services if you are not regulated. There is a specific exception³ which allows a sponsor to advise workers and their **dependents** on **visa** applications without breaking the law. This is discussed at L6.7 of the published official guidance entitled: "[Part 1: Apply for a licence](#)".

However you should consider carefully if it is sensible to become involved in an individual's **visa** application as the underlying law can be complex. A **visa** application requires an online form to be submitted that will take around one hour to complete, after that, in many cases, the **visa** applicant will attend a **visa** application centre to provide their **biometrics**, though increasingly the entire application is handled online. It is very important that a **visa** application is completed accurately and honestly. If a **visa** applicant is found to have practised deception in an application form this can lead to an entry ban for the individual.

When it is time to renew a sponsor licence, after 4 years, a sponsor will receive email reminders to log into the SMS to renew the licence. An application to renew a licence is a simple task on the SMS, however an application to renew your licence can prompt a compliance visit by the Home Office. If you have kept up with your duties and the appropriate records then a compliance visit should run smoothly, although it can be time consuming. Keeping a regular review of compliance matters will help.

To summarise the financial position, we are providing some worked examples, so that you can get an idea of the cost and time involved.

The first concerns a small seafood processing business, which needs to acquire a licence, and wants to sponsor two fish processors, one of whom is under 26 years old and resident abroad, whilst the other is already in the UK, sponsored by another employer. The business already has suitable human resource systems in place.

3 Immigration and Asylum Act 1999 (Part 5 Exemption: Licensed Sponsors) Order 2022

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Event	Action	Cost	Time involved
The business prepares to apply for the sponsor licence and completes the online application	Sponsor application submitted to the Home Office	£536 Sponsor Licence Application fee	2-3 hours
The licence is granted and the business wants to sponsor the new entrant worker. The worker needs to take an English language test.	English language test fee Defined CoS	£200 Free	30 minutes for Defined CoS Application
A Defined CoS is granted, and the English language test is passed. The Sponsor now assigns the certificate for a 3-year engagement.	CoS assigned	£199 CoS fee £1,092 Immigration Skills Charge	45 minutes to assign the CoS
The worker makes a visa application	Visa application lodged	£625 visa fee £1,872 Immigration Health Charge	1 hour to complete a visa application. It is also necessary in most cases for the applicant to attend a visa centre to process their biometrics
The worker is granted the visa to come to the UK and begins work for the sponsor	Salary in place	£20,960 annually for a 37.5-hour week, plus pension contribution, and employer's NI	
Total fees for first worker		£4524	
The sponsor wishes to sponsor a second worker, who is already in the UK working for some else and has their English language test. They do not require a ' Defined ' certificate and will be engaged for 2 years.	Certificate of Sponsor assigned	£199 certificate fee £728 Immigration Skills Charge	45 minutes to assign the CoS
The worker makes a visa application	Visa application lodged	£719 visa fee £1,248 Immigration Health Charge	1 hour to complete a visa application. It is usually possible for an applicant from within the UK to process the visa online, without attending a biometric appointment
The worker is granted the visa to come to the UK and begins work for the sponsor	Salary in place	£26,200 annually for a maximum 48-hour week, plus pension contribution, and employer's NI	
Total fees for second worker		£2894	

Considering the first example above, the direct costs, assuming that the sponsor pays for the worker's English language test, **visa** fees and **Immigration Health Charge**, are as follows:

- Sponsor licence fee - £536 (this can be used for further sponsorship without additional cost)
- **CoS** costs - £199
- **Immigration Skills Charge** costs - £1092
- English test - £200
- **Visa** fee - £625
- **Immigration Health Charge** - £1872
- Total - £4525

Considering the second example above, of subsequent sponsorship but this time for 2 years, the direct costs, assuming that the sponsor pays for the worker's English language test, **visa** fees and health charge, are as follows:

- **CoS** costs - £199
- **Immigration Skills Charge** costs - £728
- **Visa** fee - £719
- **Immigration Health Charge** - £1248
- Total - £2894

The salaries that you must pay are also, in both cases, above the going rate for a fish processor of £17,100 at £20,960 for the new entrant, and £26,200 for the experienced worker (the weekly hours of work can be important and we will explain this in more detail in 'Guide 3: How to employ migrant workers under a Skilled Worker **Visa**').

The indirect costs, and time involved, are more difficult to quantify. Assuming everything goes smoothly, it might involve a day or two's work to get the licence, arrange sponsorship for two workers, and support **visa** applications. Then you must consider the ongoing obligation as a sponsor and the time involved in that. This example does not consider other costs, such as the cost of flights to the UK.

6. Risks and benefits of becoming a sponsor

This summary is intended to give you a sense of what is involved in applying to be a sponsor and your ongoing responsibilities. It will help you make an informed decision about whether the process is going to be too burdensome and costly for your business. It may seem frustratingly complicated or expensive, however it is important to put in context that government policy is to encourage businesses to use resident workers whenever possible. The immigration system has been designed to create financial disincentives on using non-resident workers.

If you begin the process of becoming a sponsor without a clear idea on how you secure workers under the Skilled Worker **visa**, you may find that it has been a fruitless exercise. In particular a skilled worker needs to speak English to a relatively high level. One of the current challenges facing skilled workers **visa** applicants is the requirement to attain at least level B1 of the Common European Framework of Reference (CEFR) English test in speaking, reading, writing and listening. If you do not have a ready source of labour who can speak English, the Skilled Worker **visa** may not be suitable.

You should consider carefully if you can meet the duties outlined above, and that you have the internal capacity and understanding in your business to comply with these requirements or that you are able to access and pay for external help. The duties do require your attention. If you become a sponsor, the consequences of getting things wrong can be severe. Non-compliance with the official guidance can lead to the **suspension** or **revocation** of your licence, which could affect the **visas** of the workers you sponsor. More serious breaches such as deception or fraud could lead to criminal sanctions. If a worker is found not to have the correct permission to work for you, civil penalties can be levied against you of up to £20,000 per worker. However it is worth pointing out that illegal working penalties apply to any employer, not just a licenced sponsor.

You should also carefully consider if you can meet the salary levels, and additional financial obligations. It is also possible that over time sponsored workers can leave your organisation, so you may find that a substantial financial investment has been lost.

So what are the benefits to becoming a sponsor? The primary benefit is that you will enjoy enhanced access to migrant workers. Most non-UK nationals must have some kind of immigration permission to work in the UK. Currently there are low levels of unemployment and pressure on businesses to fill vacancies.

For the catching sector, a skilled worker **visa** will allow operations within territorial waters with migrant crew. This is a significant change and something which has been sought for a long time. Section 43 of the Nationality and Borders Act 2022 now prohibits work inside territorial waters for migrant workers without a **visa** which permits works. A transit **visa** can only be utilised for work entirely outside territorial waters. As a sponsor of migrant crew, you have a duty to notify when crew members enter UK waters to commence work. We will discuss this in 'Guide 4: Your ongoing responsibilities as a sponsor of Skilled Workers'.

The Skilled Worker **visa** also allows a worker to migrate to the UK and bring their family with them. A spouse or partner is also permitted to work in any job. A family can therefore come to live and work in the UK, providing a stable and reliable source of labour who can integrate into the local community. In time it is possible for a Skilled Worker to remain permanently without sponsorship, and so it may be that a long-term working relationship can be established.



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