



Academies Trust

Sponsorship Policy

Policy details

- Date created - 17/02/2026
- Date approved - 10/03/2026
- Next review date - As required in response to legislative or Home Office guidance changes
- Policy owner - Helen Jackson

1. Scope

1.1 This policy applies to all prospective and existing staff at The Co-operative Academies Trust. It sets out how the Trust will comply with immigration requirements, including how sponsorship will be managed in the context of recruitment and selection to vacant roles, and where existing employees are required to apply for an extension of stay or indefinite leave to remain.

1.2 The legal framework governing eligibility to work in the United Kingdom is established through immigration legislation approved by Parliament and is administered and enforced by the Home Office.

1.3 All employers are required to ensure that employees are eligible to work in the United Kingdom in accordance with the relevant immigration legislation and regulations.

1.4 This policy is informed by, and must be applied in line with, the following UK Visas and Immigration (UKVI) guidance:

1.4.1 [Sponsor guidance appendix B: immigration offences and sponsorship](#)

1.4.2 [Sponsor guidance appendix C: civil penalties and sponsorship](#)

1.4.3 [Sponsor guidance appendix D: keeping records for sponsorship](#)

1.4.4 [Workers and Temporary Workers: guidance for sponsors part 3: sponsor duties and compliance](#)

1.4.5 [Sponsor a Skilled Worker](#)

1.4.6 [Right to work checks: an employer's guide](#)

1.5 This policy should be read in conjunction with Trust Visa/CoS supporting documentation as well as the Trust's recruitment policy and guidance.

2. Purpose

2.1 This policy provides a consistent framework for decision-making in relation to the sponsorship of new and existing employees, ensuring a fair, transparent, and compliant recruitment and employment process across the Trust.

2.2 There is a cost to the Trust and a set of administrative responsibilities arising from the sponsorship of employees, and it is now common for the Trust to receive many applications for a role from candidates who would require such sponsorship.

2.3 The following principles guide decision-making in relation to the sponsorship of overseas workers and ensure a consistent, fair, and transparent

approach across the Trust.

- 2.3.1 The Trust will only sponsor overseas workers for roles that meet all eligibility requirements under the Skilled Worker route. Sponsorship will only be used for genuine vacancies, and roles will not be created or adjusted solely to facilitate immigration.
- 2.3.2 All sponsorship activity will be carried out in full compliance with UKVI guidance, the Immigration Rules, and all related legislation.
- 2.3.3 The Trust is committed to ensuring that all sponsored workers are treated fairly and equitably, in accordance with employment law and the Trust's internal policies.
- 2.3.4 Transparency will be maintained throughout the sponsorship process. The Trust will ensure clear, timely, and accurate communication with prospective and current sponsored workers at each stage of the process.

3. Terms and Definitions

3.1. Eligibility to work in the UK

The Trust, under the Immigration, Asylum and Nationality Act 2006, has a responsibility to prevent illegal working, and for ensuring that every employee, including casual workers, is properly entitled to work in the Trust.

This is done by conducting a right to work check before someone is employed and making sure the individual is not disqualified or restricted from carrying out the work in question by reason of their immigration status.

Assumptions about a person's right to work in the UK should not be made on the basis of their background, appearance, accent or name.

Individuals who are not British or Irish citizens may require a visa to work in the UK. If they do not have the right to work in the UK in their own right, it may be possible for the Trust to issue a Certificate of Sponsorship to support their application for a skilled worker visa. However, this is by no means guaranteed and will be subject to meeting both the Home Office requirements and the Trust's principles determining when to offer sponsorship as set out in this policy.

3.2. Permission to Stay

It is particularly important that the Trust identifies the immigration status of candidates and whether it is possible for them to switch immigration status within the UK or not.

An individual who is already in the United Kingdom on a visa and is therefore applying for permission to stay must be in the UK on the date of their application and must not have, or have last been granted, permission as a:

- Visitor
- Short-term student
- Parent of a Child Student
- Seasonal Worker
- Domestic Worker in a Private Household
- Or outside the Immigration Rules.

It is not possible, except in exceptional circumstances, for somebody without current permission to stay in the UK and switch immigration status. This situation may arise in respect of people awaiting the outcome of asylum applications in the UK, seeking humanitarian protection in the UK or otherwise without status whilst UK Visas and Immigration (UKVI) consider their circumstances.

3.3. Certificate of Sponsorship

The Trust is licensed to provide a Certificate of Sponsorship (CoS) which demonstrates that an individual (employee or candidate) has a firm offer of appropriate employment, and as such, supports an individual's visa application (but does not guarantee its approval and does not give the individual the right to work in the UK).

The CoS represents only the initial stage of the visa process. Once the Trust has approved and issued the CoS, it is the individual's responsibility to submit their own visa application.

The CoS is not a paper certificate or document, but a virtual document with a reference number, issued by UKVI and provided to the individual via a Level 1 User for the Sponsorship Management System.

Sponsorship in each case provides the Trust with an obligation to make specific payments and comply with a set of administrative requirements.

3.4. Visas

There are many types of visa route available and both job applicants and existing staff who require a change or extension of an existing visa, or dependent visa, are recommended to check their personal eligibility. All provisions are subject to review in accordance with Government policy or changes.

The various types of visas are set out in table 1 below which also indicates the Trust's approach to sponsorship in respect of new or existing employees. Sponsorship will only apply if in the table listed below.

In line with the key principle of skilled worker sponsorship aimed at supporting with recruitment and retention, the Trust Senior Leadership Team can use their discretion to make decisions relating to roles contained within Table 1, that may be outside of the approach or timescales outlined within the

policy; this will be subject to a business case submitted to the Chief People Officer.

Table 1:

Type of Visa Held	Approach to Sponsorship
Student Visa	<p>For new or existing employees holding a Student visa, it must first be established whether they are eligible to switch to a Graduate visa following successful completion of their course and provision of evidence.</p> <p>Where an individual is eligible for a Graduate visa, the Trust would normally expect this route to be taken prior to any consideration of sponsorship.</p>
Graduate Visa	<p>Graduate visas last for 2 years (when issued before 1 January 2027) and 18 months (when issued after 1 January 2027), and cannot be extended.</p> <p>The Trust will therefore normally consider sponsoring new or existing employees for an initial period of up to 3 years ahead of the expiry of their Graduate visa, subject to the role meeting the eligibility criteria.</p>
<p>No Immigration Permission in the UK or, in the UK on one of the following routes:</p> <ul style="list-style-type: none"> (a) as a Visitor; or (b) as a Short-term student; or (c) as a Parent of a Child Student; or (d) as a Seasonal Worker; or (e) as a Domestic Worker in a Private Household; or (f) outside the Immigration Rules. 	Sponsorship will not be offered in the country.
Other Immigration Routes	Sponsorship may be offered whereby the relevant eligibility criteria applies.

3.5. Genuine Vacancy

A genuine vacancy is defined within paragraph C1.44 of the Workers and Temporary Workers: guidance for sponsors part 3: sponsor duties and compliance, and is one which:

- requires the jobholder to perform the specific duties and responsibilities for the job and meets all of the requirements of the relevant route
- does not include dissimilar and/or predominantly lower-skilled duties
- is appropriate to the business in light of its business model, business plan and scale.

4. Non-compliance

4.1. Penalties for non-compliance with the legal requirements are potentially severe, and include:

- Civil fines for each employee without permission to work to the value of £60,000 per worker
- Criminal sanctions for employers if employees are employed knowingly
- Downgrading or withdrawal of our sponsor licence, with the potential consequence that all sponsored employees would have to leave the Trust.

4.2. Importantly, since all Academies within the Trust are listed under one sponsorship licence, non-compliance within one Academy could lead to consequences for the entire Trust.

4.3. The UKVI may undertake a compliance visit within the Trust, and can do so unannounced. To ensure the Trust remains compliant, the Trust need to:

- Be aware of our individual roles and responsibilities,
- Conduct right to work checks for all employees,
- Follow this policy in relation to sponsoring non-British/Irish workers and our responsibilities in relation to recruitment, reporting, and record-keeping.

4.4. The Trust must therefore maintain oversight and processes to:

- Prevent abuse of immigration laws and sponsorship arrangements.
- Identify early any patterns of behaviour that may cause concern.
- Address potential weaknesses in processes that could give rise to such patterns.
- Monitor compliance with the Immigration Rules, all relevant Worker and Temporary Worker sponsor guidance, and wider UK law, including employment law.
- Ensure that the actions of the Trust as a sponsor do not adversely affect the wider public interest.

4.5 Further information on the Trust's processes, procedures, and supporting guidance in relation to right to work, sponsorship, and compliance will be

available via the Trust HR portal.

5. Job Adverts, Recruitment and Applications

5.1. The Trust will not refuse an application solely on the basis that a candidate requires sponsorship. All applications will be considered in accordance with the Trust's Diversity, Equity and Inclusion Policy.

5.2. Where the advertised role meets the requirements for sponsorship, the Trust will not state in the job advert that the position is ineligible for sponsorship.

5.3. Where the advertised role does not meet the requirements for sponsorship, the Trust should include clear wording in the job advert to ensure that candidates who would require sponsorship can assess the likelihood of obtaining a Certificate of Sponsorship. This should direct applicants to review their circumstances against the relevant UKVI criteria before applying.

6. Circumstances in which the Trust may consider sponsorship

6.1. Before sponsorship is considered, existing employees and candidates are encouraged to check their personal eligibility as to other routes to remain in the United Kingdom.

6.2. *Legal eligibility criteria*

These criteria are set out by the Home Office, and need to be met in order for the Trust to consider an offer of sponsorship.

6.2.1. *For Current Sponsored Workers with a Certificate of Sponsorship issued before the 21st July 2024:*

6.2.1.1. The role requires skill deemed equivalent to Level 3 of the Regulated Qualifications Framework in the UK, which is at the level of A level, access to higher education diploma or advanced apprenticeship.

6.2.1.2. The role must be on the list of eligible occupations as set under Appendix Skilled Occupations,

6.2.1.3. The relevant general threshold is satisfied,

6.2.1.4. The going rate for the relevant SOC code, is also being paid; and

6.2.1.5. The role is a genuine vacancy, as defined under paragraph 3.5 of this policy.

6.2.2. *For Current Sponsored Workers with a Certificate of Sponsorship issued after the 21st July 2024 but before the 11th July 2025:*

- 6.2.2.1. The role requires skill deemed equivalent to Level 3 of the Regulated Qualifications Framework in the UK, which is at the level of A level, access to higher education diploma or advanced apprenticeship.
- 6.2.2.2. The role must be on the list of eligible occupations as set under Appendix Skilled Occupations,
- 6.2.2.3. The relevant general threshold is satisfied,
- 6.2.2.4. The going rate for the relevant SOC code, is also being paid; and
- 6.2.2.5. The role is a genuine vacancy, as defined under paragraph 3.5 of this policy.

6.2.3. *For Current Sponsored Workers with a Certificate of Sponsorship issued on or after 22nd July 2025, and for new employees:*

- 6.2.3.1. The role requires skill deemed equivalent to Level 6 of the Regulated Qualifications Framework in the UK, which is at the degree-level.
 - 6.2.3.1.1. This is subject to the following exceptions which allow sponsorship below degree level;
 - If the role is on the Immigration Salary List,
 - If the role is on the Temporary Shortage List,
 - If the individual was sponsored into the visa route on the basis of a Certificate of Sponsorship assigned pre-22 July 2025, as outlined in paragraph 6.2.2.

- 6.2.3.2. The role must be on the list of eligible occupations as set under Appendix Skilled Occupations,
- 6.2.3.3. The relevant general threshold is satisfied,
- 6.2.3.4. The going rate for the relevant SOC code, is also being paid; and
- 6.2.3.5. The role is a genuine vacancy, as defined under paragraph 3.5 of this policy.

6.3. *Internal Trust Policy to be applied*

- 6.3.1. Any decisions to sponsor an individual will be based on eligibility and business need, and must not be determined on the basis of cost alone, or other personal factors.
- 6.3.2. Any current employee may submit a request for sponsorship by raising a

HR Ticket.

6.3.3. All sponsorship applications will be reviewed in accordance with section 7 of this policy.

7. Approach to considering applications

7.1. In each case where sponsorship is being considered, a business case should be produced by the senior line manager or Headteacher (or equivalent role for central colleagues), in consultation with the HR Business Partners.

Approving and assigning the CoS is only the initial step in the sponsorship process and does not guarantee that a visa will be granted.

It is important that no commitments or assurances of sponsorship or employment are given to existing employees or candidates until the internal business case has been approved by the Trust Visa and CoS Lead.

This ensures consistency, fairness and compliance with both immigration and organisational requirements. Consideration should be also given to timelines to allow the individual to submit their visa application.

The business case should consider the eligibility criteria in section 6 and should also be balanced against the following risk factors:

- The ability to meet the ongoing administrative and reporting duties required to maintain the Trust's Sponsor License.
- The impact on the Trust's annual allocation of Certificates of Sponsorship.

7.2. Rationale for declining to sponsor

7.2.1. The Trust may decline sponsorship of an employee or candidate for reasons including, but not limited to: role ineligibility; salary thresholds; budgetary constraints; annual CoS allocation limits; inability to meet administrative or reporting duties; right to work expiry; a lack of genuine vacancy; or organisational requirements.

7.2.2. Cost alone is not a justifiable reason to decline a request.

7.2.3. Sponsorship cannot be offered where the role is genuinely not eligible for sponsorship under UKVI guidelines at the time.

7.3. Appeals

7.3.1. In the event of any challenge by an employee or candidate to a decision not to sponsor, an appeal may be considered by the Trust Central HR Team. Such an appeal should be raised in line with the grievance policy.

8. Costs

8.1 Costs Borne by the Trust

8.1.1. Sponsorship Licence Fee

The Trust will pay the applicable fee for obtaining and maintaining its Sponsorship Licence.

Current fees are: Small Sponsors / Charitable Sponsors: £574

8.1.2. Certificate of Sponsorship (CoS) Fee

The Trust will pay the fee for assigning each Certificate of Sponsorship. As of 1 December 2025, the Skilled Worker CoS fee is £525.

8.1.3. Immigration Skills Charge (ISC)

The Trust will pay the ISC where applicable. The current rates are:

- Before 16 December 2025: Small or Charitable Sponsors: £364 per year
- From 16 December 2025: Small or Charitable Sponsors: £480 per year

Some ISC exemptions may apply and will be assessed on a case-by-case basis.

8.1.4. Compliance Costs

The Trust will bear all costs associated with meeting its duties as a licensed sponsor. This includes internal administration, maintaining required systems, monitoring duties, and UKVI reporting obligations.

8.1.5. Salary Costs

The Trust will pay the sponsored employee's salary in accordance with contractual terms and the applicable Skilled Worker salary thresholds.

8.2. Prohibition on Recovering Sponsorship Costs

8.2.1. In line with UKVI enforcement guidance, the Trust must not, under any circumstances:

- Recover or attempt to recover the Immigration Skills Charge (ISC) from the sponsored worker.
- Recover or attempt to recover the CoS fee.
- Recover legal or administrative costs associated with sponsorship or ongoing compliance.
- Deduct salary, require loan repayments, or seek investment or

financial contribution from the sponsored worker to cover any aspect of sponsorship.

8.2.2. These prohibitions apply both at the start of sponsorship and during ongoing employment.

8.3. Costs Borne by the Prospective Employee

8.3.1. Visa Application Fee:

The prospective employee is responsible for paying their Skilled Worker visa application fee directly to the UKVI. Current standard fees (as of April 2025) are:

8.3.1.1. Applications made outside the UK:

- Up to 3 years: £769 per person
- More than 3 years: £1,519 per person

8.3.1.2. Applications made inside the UK (extensions, switching, or updating the visa):

- Up to 3 years: £885 per person
- More than 3 years: £1,751 per person

8.3.2. Fees may differ for roles on the Immigration Salary List and for Health and Care Worker visas.

8.3.3. Immigration Health Surcharge (IHS):

The prospective employee must pay the IHS, granting access to NHS services. The current standard fee (as of April 2025) is £1,035 per year for adult applicants.

8.3.4. Maintenance Funds:

The prospective employee is normally required to show evidence of maintenance funds, currently £1,270 held for 28 consecutive days.

8.3.5. Application Costs – The Trust may choose to help current or future employees with the costs of a Skilled Worker visa. Requests will be considered on an individual case-by-case basis.

8.3.6. Financial Support – If the Trust agrees to help, we will offer a loan to cover the Skilled Worker visa application fee and the first year of the Immigration Health Surcharge.

- 8.3.7. The loan is provided as a salary advance and will be repaid through automatic deductions from your salary.
- 8.3.8. Loan provision is subject to available Trust funds and academy affordability. We can only provide this loan if, after deductions, your salary remains above the minimum threshold set by the government.
- 8.3.9. The Trust will not provide financial support for any visa-related costs incurred by an employee's dependents.
- 8.3.10. Additional Costs: Where applicable, the prospective employee may also be responsible for:
- Pre-departure Tuberculosis (TB) test
 - ATAS certificate
 - Translation services
 - Optional priority or super priority visa processing
 - English language testing or certification of evidence
- 8.3.11. Immigration Advice – Employees must not rely on the Trust for immigration advice. Employees are entitled to seek independent legal advice from a qualified representative at any stage of the visa application process.

9. Sponsor Duties

- 9.1. The Trust's responsibilities as a licensed sponsor begin on the date the sponsor licence is granted and continue until one of the following occurs: the Trust formally surrenders its licence, UKVI makes the licence dormant (for example following a merger or organisational change), or UKVI revokes the licence.
- 9.2. Responsibility for each sponsored worker begins on the date a Certificate of Sponsorship (CoS) is assigned and ends when any of the following events occur: the Trust withdraws the CoS or UKVI cancels it before use; the worker's immigration permission expires and no new CoS has been issued; the worker's immigration permission lapses while they are outside the UK and no new CoS has been issued; or the Trust informs UKVI that sponsorship has ceased.
- 9.3. The Trust must comply with all relevant UK legislation in addition to immigration law. This includes compliance with employment law such as National Minimum Wage requirements, Working Time Regulations, and pension auto-enrolment duties.
- 9.4. As the Trust operates in a regulated sector, it must maintain any mandatory

statutory registrations or approvals. If a Disclosure and Barring Service check is required for a role, the Trust must ensure this is completed.

9.5. The Trust must comply with safeguarding duties where relevant, avoid involvement in criminal activity, ensure it is not subject to UK or UN sanctions, and meet VAT and duty obligations.

10. Record Keeping

10.1. In line with the Sponsor Guidance, the Trust will comply with all its duties as a licensed sponsor, including monitoring the employee's immigration status and reporting relevant changes to UKVI.

10.2. All documents relating to a worker you sponsor must be kept throughout the period that you sponsor them and until whichever is the earlier of either:

- one year after the date on which your sponsorship of the worker ended
- the date on which a compliance officer has examined and approved them, if this is less than one year after your sponsorship of the worker ended.

10.3. The following evidence must be retained in line with the above:

- Evidence of right to work for sponsored workers
- Date of entry checks
- Evidence of recruitment for sponsored workers
- Evidence of salary for sponsored workers
- Evidence of skill level for sponsored workers
- Additional evidence for sponsored workers as required under the guidance

10.4. Monitoring duties include:

- Visa Oversight: Tracking expiry dates and ensuring timely follow-up checks.
- Employee Tracking: Monitoring salary, job duties, location, attendance, and contact details.
- UKVI Reporting: Notifying the Home Office of changes (absence, salary reduction, job/location change, or termination of sponsorship) within 10 working days.

11. Reporting Duties

11.1. The Trust must report certain changes affecting sponsored workers and organisational details within the timescales required by UKVI.

11.2. Changes relating to a sponsored worker's circumstances must be reported

within 10 working days of the event occurring.

- 11.3. Organisational changes, as described in section C2 of the Sponsor Guidance, must be reported within 20 working days of the Trust becoming aware of the change, except where the change relates to replacing the Authorising Officer or Key Contact, which must be reported within 10 working days.
- 11.4. The Trust must also notify UKVI as soon as reasonably practicable if it becomes aware of, or suspects, that a sponsored worker has breached their immigration conditions.
- 11.5. Where the Trust has information indicating that a sponsored worker may be involved in criminal or terrorist activity, it must share this information with the police without delay.

12. Right to Work Checks

- 12.1. All employers in the UK have a responsibility to prevent illegal working. This is achieved by conducting right to work checks before employing an individual, to ensure the person is not disqualified from undertaking the role as a result of their immigration status.
- 12.2. The Trust must conduct a right to work check before any individual begins work, to confirm they are legally permitted to carry out the work in question.
- 12.3. Where an individual's right to work is time-limited, a follow-up check must be carried out shortly before the permission is due to expire.
- 12.4. Follow-up checks will be requested three months, two months, and one month before the visa expiry date.
- 12.5. The Trust must recheck the right to work of anyone with time-limited permission if they are to continue working after their current permission expires.
- 12.6. Where an employee has time-limited permission to work in the UK, the follow-up check must take place on or before the date their existing permission comes to an end.
- 12.7. All right to work checks must be completed in accordance with current Home Office guidance and evidence of each check must be retained securely for audit and compliance purposes.

Feedback on this document

If you have any feedback on this document, please contact the Trust Central HR Team via the HR Ticketing system.

Version History

Version	Changes Made	Date
1.0	N/A	February 2026