



## Coronavirus (COVID-19) factsheet: guidance for sponsors

Thursday 09 April 2020

Guidance on immigration provisions made by the Home Office for individuals affected by travel restrictions associated with coronavirus (COVID-19).

### Key lines

- The Home Office has [published guidance on GOV.UK](#) on immigration provisions for individuals affected by travel restrictions associated with coronavirus (COVID-19).
- No individual who is in the UK legally and whose visa expired after 24 January 2020, or is due to expire, will be regarded as an overstayer or suffer any detriment in the future if they cannot leave the UK because of travel restrictions related to COVID-19.
- A visa will be extended to 31 May 2020 if an individual cannot leave the UK because of travel restrictions or self-isolation related to coronavirus (COVID-19).
- Individuals must [update their records with the Coronavirus Immigration Team \(CIT\)](#) if their visa is expiring and were not planning to stay in the UK.

The Coronavirus Immigration Team will aim to reply to an individual's application within 5 working days.

- Individuals do not need to do anything else once they have submitted the online e-form and their status in the UK is secure from the point they have submitted. This requirement to contact Coronavirus Immigration Team applies to individuals of any nationality whose leave expires between 24 January 2020 and 30 May 2020.
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### Absence reporting

- We will not take enforcement action against sponsors who continue to sponsor students or employees despite absences due to coronavirus.
- They do not need to report student or employee absences related to coronavirus.



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- This can include absences due to illness, their need to isolate or inability to travel due to travel restrictions.
- They do not need to withdraw sponsorship if:
  - a student is unable to attend for more than 60 days
  - an employee is absent from work without pay for more than 4 weeks

We will keep this under review

Students who withdraw from their studies as a result of covid-19 will be discounted from future Basic Compliance Assessments

## **Tier 4 - Distance learning**

- They can continue to sponsor existing Tier 4 students who are continuing their studies through distance learning, whether they are in the UK or another country.
- If a student has permanently withdrawn from their studies, or deferred their studies for reasons which are not related to covid-19, they must report this as usual.
- They do not need to withdraw sponsorship for new students who have been issued a Tier 4 visa but are distance learning because they have been unable to travel to the UK.
- New international students who have not yet applied for a visa but want to start a course by distance learning do not require sponsorship under Tier 4. This is because they do not need to travel to the UK.
- They do not need to tell the Home Office when students have moved to distance learning.
- These arrangements will apply until 31 May, when they will be reviewed.

## **If sponsors have issued a Certificate of Sponsorship (CoS) or a confirmation of acceptance for studies (CAS) and the sponsored employee or student has not yet applied for a visa**

- The employee or student will still be able to apply for a visa.
- The start date for the course or employment stated on the CoS or CAS may have changed. We will not automatically refuse such cases.
- For example, we may accept a CoS or CAS if they have become invalid because the employee or student was unable to travel as a result of coronavirus. We will consider this on a case by case basis.

## **If you're sponsoring a student who's waiting for their Tier 4 visa application to be decided**

Sponsors may allow students to start their studies before their visa application has been decided if:



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- sponsors are a Tier 4 sponsor (other than Tier 4 Legacy Sponsors)
- sponsors have assigned the student a CAS
- the student submitted their application before their current visa expired and has shown their sponsor evidence of this
- the course they start is the same as the one listed on their CAS
- the student has a valid [Academic Technology Approval Scheme \(ATAS\) certificate if required](#)

A sponsor's reporting responsibilities start from the date that sponsors issue the CAS, not from the date that their application is granted.

If the student's application is eventually refused sponsors must terminate the student's studies.

## Home working

- They do not have to notify us if they're sponsoring employees who are working from home due to coronavirus.
- Other changes to their working arrangements must still be reported as usual.

## If you're sponsoring an employee who's waiting for their Tier 2 or 5 visa application to be decided

Sponsors may allow employees to start work before their visa application has been decided if:

- sponsors have assigned them a CoS
- the employee submitted their visa application before their current visa expired
- the role they are employed in is the same as the one on their CoS

Sponsor's reporting responsibilities start from the date of employment, not from the date that their application is granted.

If the employee's application is eventually refused sponsors must terminate their employment.

## If sponsors cannot pay the salaries of sponsored employees because they've temporarily reduced or ceased trading

- Sponsors can temporarily reduce the pay of their sponsored employees to 80% of their salary or £2,500 per month, whichever is the lower.



- Any reductions must be part of a company-wide policy to avoid redundancies and in which all workers are treated the same.
- These reductions must be temporary, and the employee's pay must return to at least previous levels once these arrangements have ended.

**UK Visas and Immigration (UKVI) has set up a dedicated team for customers with immigration queries related to coronavirus, including questions about urgent, compelling, compassionate cases. For more information visit: [Gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)**

## Additional Information

### **What guidance does Home Office have for those who have a valid visa but haven't travelled to the UK yet?**

Applicants who hold a valid visa should check initially with their own government websites to ensure that they are up to date on latest travel restrictions from their current locations. In addition, applicants should check the GOV.UK website which is updated regularly.

### **How do foreign nationals get a status letter confirming a visa extension, or a new Biometric Residence Permit with a revised expiry date?**

All nationals who need evidence of their extension should can contact the Coronavirus Immigration Team by visiting [Gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)

### **Can individuals now apply to switch visa types in the UK?**

They'll be able to apply from the UK to switch to a long-term UK visa, including if they would usually need to apply for a visa from their home country. They'll need to meet the same visa requirements and pay the UK application fee. This includes those whose leave has been automatically extended to 31 March 2020.

They should apply online. They should select a biometric submission appointment to attend in line with public health guidance. The terms of their leave will remain the same until their application is decided.

They will not be regarded as an overstayer or be subject to enforcement action if they're unable to attend a biometric appointment due to coronavirus or if there are delays in processing their application.

### **What will happen to immigrants in the UK with regards to their jobs and finances?**

- If they are a foreign national in the UK and have observed the terms of their visa prior to the coronavirus outbreak, they must contact the Coronavirus



Immigration Team who will then extend their visa to 31 May 2020 if their visa has an expiry date between 24 January 2020 and 30 March 2020.

- We understand that this is a difficult time and for this reason we are continually reviewing the situation to consider what more can be done for those in the UK whose immigration status has been affected by coronavirus.
- There also is a dedicated helpline available for anyone who wishes to discuss their individual circumstances.
- Further guidance: [gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)

## **How can we trust the Coronavirus Immigration Team (CIT) and logging of cases will work?**

The Coronavirus Immigration Team is providing advice and support on a number of different scenarios. Should an applicant raise a specific case, in accordance with normal Home Office/UKVI procedures, details will be logged on the relevant casework system. All emails and e-forms sent and received are being retained. We are continually monitoring the volume of enquiries and ensuring that appropriate staffing resources are in place to manage these.

## **If sponsors are struggling to pay the required salaries to sponsored employees as they have temporarily reduced or ceased trading**

Sponsor can temporarily reduce the pay of their sponsored migrants to up to 80% of their salary.

Any reductions must be part of a company-wide policy to avoid redundancies and in which all workers are treated the same.

Any reductions must be temporary, and the employee's pay must return to at least previous levels once these arrangements have ended.

## **If a sponsor have issued a COS or a CAS and the sponsored employee or student has not yet made a visa application**

Visa applications can still be made. The start date for the course or employment may be different. The Home Office will take a pragmatic approach to considering cases with significantly different start dates.

Where a CoS or CAS has become invalid as the employee or student was unable to travel the Home Office will consider exceptionally accepting that CoS or CAS on a case by case basis