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Guidance

# Coronavirus (COVID-19): advice for Tier 2, 4 and 5 sponsors

This is advice for Tier 2, 4 and 5 visa sponsors in the UK who are sponsoring those affected by coronavirus (COVID-19).

Published 27 March 2020

Last updated 20 April 2020 — see all updates

From:

Home Office (<https://www.gov.uk/government/organisations/home-office>) and UK Visas and Immigration (<https://www.gov.uk/government/organisations/uk-visas-and-immigration>)

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## If your student or employee is absent

We will not take enforcement action against sponsors who continue to sponsor students or employees despite absences due to coronavirus.

You do not need to report student or employee absences related to coronavirus.

This can include absences due to illness, their need to isolate or inability to travel due to travel restrictions.

You do not need to withdraw sponsorship if because of coronavirus:

- 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.

## If you're sponsoring a student who is distance learning

You 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If a student has permanently withdrawn from their studies or deferred their studies for reasons unrelated to coronavirus, you must report this as usual.

You 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.

You do not need to tell the Home Office when students have moved to distance learning.

These arrangements will apply until 31 May 2020, when they will be reviewed.

## If you 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

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

- you are a Tier 4 sponsor (other than Tier 4 Legacy Sponsors)
- you have assigned the student a CAS
- the student submitted their application before their current visa expired and has shown you 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 (<https://www.gov.uk/guidance/academic-technology-approval-scheme>) (ATAS) certificate if required

Your reporting responsibilities start from the date that you issue the CAS, not from the date that their application is granted.

If the student's application is eventually rejected as invalid or refused you must terminate the student's studies.

## If you're sponsoring employees who are working from home

You do not have to notify us if you'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

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

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

Your reporting responsibilities for an employee start from the date you have assigned them a CoS, not from the date that their application is granted. You will not be able to report information to us using the sponsor management system. You must however ensure that you record and maintain all the relevant information set out in the sponsor guidance on your own systems. Any changes that will impact the eventual consideration of the migrant's visa application should be updated on the CoS, as normal.

If the employee's application is eventually rejected as invalid or refused you must terminate their employment.

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

You can temporarily reduce the pay of your 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.

## If you need more information about the measures in place for students and their sponsors

You can read detailed guidance on the temporary measures in place for Tier 4 sponsors, their students and short-term students in response to the COVID-19 outbreak

(<https://www.gov.uk/government/publications/coronavirus-covid-19-tier-4-sponsors-migrants-and-short-term-students>).

## Coronavirus Immigration Help Centre

If you have immigration queries related to coronavirus, please email the Coronavirus Immigration Help Centre.

Email: [CIH@homeoffice.gov.uk](mailto:CIH@homeoffice.gov.uk). Your email must be in English.

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1. 20 April 2020

Added a link to coronavirus (COVID-19) guidance: Tier 4 sponsors, migrants and short-term students.

2. 14 April 2020

Updated to add information on sponsoring a student or employee who's waiting for their application to be decided.

3. 3 April 2020

Updated to add information for sponsors who cannot pay the salaries of sponsored employees because they've temporarily reduced or ceased trading and for those who have issued a CoS or CAS and the sponsored employee or student has not yet applied for a visa.

4. 27 March 2020

First published.

## Related content

- Coronavirus (COVID-19): immigration and borders (<https://www.gov.uk/government/collections/coronavirus-covid-19-immigration-and-borders>)
- Complain about UK Visas and Immigration (UKVI) (<https://www.gov.uk/complain-uk-visas-immigration>)
- Register of licensed sponsors: workers (<https://www.gov.uk/government/publications/register-of-licensed-sponsors-workers>)
- 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>)
- Simplifying the Immigration Rules: a response (<https://www.gov.uk/government/publications/simplifying-the-immigration-rules-a-response>)

## Collection

- Coronavirus (COVID-19): immigration and borders (<https://www.gov.uk/government/collections/coronavirus-covid-19-immigration-and-borders>)

## Explore the topic

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- Visas and entry clearance (<https://www.gov.uk/entering-staying-uk/visas-entry-clearance>)