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Immigration and Border Policy Directorate
Home Office
Level 5,
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By email

10 October 2016

Dear Mr Beach,

Re Review of the Tier 2 and 5: Guidance for Sponsors 04/16 v1.2 [1] ("the Guidance")

1. The Immigration Law Practitioners' Association (ILPA) is a registered charity and a professional membership association. The majority of members are barristers, solicitors and advocates practising in all areas of immigration, asylum and nationality law. Academics, non-governmental organisations and individuals with an interest in the law are also members. Founded in 1984, ILPA exists to promote and improve advice and representation in immigration, asylum and nationality law through an extensive programme of training and disseminating information and by providing evidence-based research and opinion. ILPA is represented on advisory and consultative groups convened by Government departments, public bodies and non-governmental organizations.

2. Further to your request for ILPA's comments on the clarity of the Guidance on mergers, take-overs and similar changes, we set out below ILPA's recommendations.

3. **<u>Mergers, take-overs and similar changes</u>**

(i) Change of ownership

a. Paragraph 13.2 – Sponsor Licence is non-transferrable

It is not contested by ILPA members that Tier 2 and 5 licences should be non-transferrable. **Where, however there is a change in direct ownership which does not result in the Tier 2 or 5 licenced-entity changing, and the key personnel do not change, the licence should**

[1] Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/515819/Tier_25_guidance_04-16_v1.2.pdf [accessed 7 October 2016]

be permitted to remain in place subject to the appropriate scrutiny of the new owners. Where there are linked entities abroad or UK branches connected to the licence that are no longer able to be linked by virtue of being under common ownership or control, the sponsor should make a declaration that these entities should be removed from the licence as part of this process.

When a sponsor licence is granted, the ownership of the company is considered along with other factors such as the company's ability to comply with sponsor obligations, and trading presence.

Where ownership alone changes, there should be no need to re-evaluate all other requirements for a licence application by the provision of documentation in Appendix A: supporting documents for sponsor licence applications[2]. These documents, which have already been seen and assessed by the Home Office with the sponsor's original Tier 2 or 5 licence application, will not have changed or been invalidated by the change in ownership.

The process of applying for a new licence, and ensuring that all sponsored employees are transferred to the new licence, is onerous and can be impractical and confusing for a sponsor with no legal representation. It may also lead a previously compliant sponsor to be inadvertently in breach of sponsor obligations.

The following examples highlight the otiose requirement to obtain a new licence following a change in direct ownership:

- **Example 1**

  Company A is a UK company with a Tier 2 sponsor licence. Company A is taken over by Company B, a company based overseas. There is no change to Company A as a legal entity and Company A continues to operate with the same Company number, the same premises, staff, processes and procedures in place.

  In accordance with paragraph 13.4 and the instructions provided by the flow chart in Annex 8 of the Guidance, Company A applies for a new Tier 2 sponsor licence. The key personnel for the new licence are as for the old licence, and the sponsorship of all sponsored employees transfers to the new licence. Company A now has two licences in its name: one in a dormant state to allow for reporting on transferred employees and one active. Both licences appear on the Register of Sponsors.

[2] Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514467/Appendix_A_04-16__v1.0.pdf [accessed on 7 October 2016]

Solution to Example 1

Where a change of direct ownership is the only change to the sponsor, **sponsors should be able to retain their licence, but apply for due diligence to be conducted on the new owners by the Home Office by making a change of circumstances request.** The legal entity which is the sponsor has already been assessed by the Home Office and the change in ownership or shareholders does not impact the sponsor's ability to comply with its Tier 2 sponsor duties. A change of circumstances request to enable a due diligence exercise to be conducted may be more practical and efficient than applying for a new licence, transferring employees to the new licence, obtaining new level 1 details for key personnel, and maintaining two licences.

"Due Diligence – Change of Ownership" could be added to the Sponsor Management System drop-down for reporting a change of circumstances and Appendix A could be expanded to list documents to be provided to evidence the new owners are legitimate. Possible documents include the Share Purchase Agreement, Companies House documents, or documents required by law firms when conducting customer due diligence.[3]

A reasonable fee could be charged by the Home Office to undertake these due diligence checks.

- **Example 2**

Company C was taken over by Company D. Company C held a Tier 2 licence and so applied for a new licence as there was a change in ownership, but Company C remains the same legal entity, and continues to operate with the same premises, staff, processes and procedures in place. Company C, however, named a new Authorising Officer and Key Contact on the new licence and the sponsorship of its sponsored employees transferred to the new licence. Company C holds two licences and both appear named on the Register of Sponsors.

Company C believed that paragraph 13.4 means that the old licence will automatically be made dormant to allow for reporting on transferred employees, and therefore Company C did not apply to surrender its licence. Company C only sponsors under the new licence and no employees remain sponsored under the old licence. Company C failed to maintain the old licence when the Authorising Officer on the old licence left Company C, leaving it technically in breach of its Tier 2 obligations.

[3] See The Law Society, *Practice Notes, Anti-money-laundering: due diligence,* 22 October 2013, available at http://www.lawsociety.org.uk/support-services/advice/practice-notes/aml/customer-due-diligence/[accessed 5 October 2016].

Solution to example 2:

The Guidance should provide clear step-by-step instructions on when a sponsor should make its licence dormant and when to surrender it, and how the new sponsor should notify the Home Office that it will take responsibility for transferring workers.

- **Example 3**

  There is a bare share sale of Company E, a Tier 2 sponsor licence processes and procedures remain in place. Yet, Company E must apply for a new licence since it has new shareholders. In all other respects, Company E remains the same.

  Solution to example 3:

  Where there is a **bare share sale** which results in no change in the legal entity that is the sponsor licence holder, the process of applying for a new licence is time-consuming and administratively onerous. There should be no need to re-evaluate the requirements for a licence application by the provision of documentation in Appendix A other than an examination of the new shareholders. **A change of circumstances request which allows for due diligence to be conducted would be more practical.**

b. Clarification in paragraph 13.3

Paragraph 13.3 suggests that any change in ownership will require a new licence to be put in place, however the flowchart and Example 4 in Annex 8 of the Guidance clarify that it is only required where there is change in direct ownership, and that a change in ownership at the wider group level would not impact the sponsor licence. Paragraph 13.3 should be amended to reflect this.

(ii) Paragraph 13.1 - TUPE arrangements or another similar arrangement

a. Examples of "another similar arrangements"

Transfer of Undertakings Protection of Employment (TUPE) arrangements[4] occur by operation of law if all statutory provisions for a TUPE transfer to be triggered are met. Whether TUPE is triggered or not can often be a contentious issue.

[4] Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246), as amended.

Paragraphs 13.1 and 13.4 make reference to arrangements which are similar to Transfer of Undertakings Protection of Employment (TUPE) arrangements,[5] but paragraph 13.1 provides only one example of a similar arrangement: public servants, who are not entitled to TUPE protection[6] but should be given the same protection, reflecting in the Cabinet Office's *Statement of Practice: Staff Transfers in the Public Sector*[7]*:*

> *…in circumstances where TUPE does not apply in strict legal terms to certain types of transfer between different parts of the public sector, the principles of TUPE should be followed (where possible using legislation to effect the transfer) and the staff involved should be treated no less favourably than had the Regulations applied.*

Paragraph 13.7 states that if, as a result of a merger, de-merger or takeover, a migrant worker does not have TUPE or other similar protection, a change of employment application is required. **Provision of further scenarios which would be considered "similar to TUPE" and the provision of guidelines would assist sponsors to clarify when sponsorship cannot be transferred to the new entity.**

Suggestions:

- Company A is purchased by Company B. All involved believe that TUPE has been triggered, even if ultimately, as a matter of law, TUPE does not apply. As such, Company B takes over responsibility of all employees, who transfer over to continue in the same roles. Contracts are provided by Company B to the transferred employees which confirm continuity of employment and confirm all previous terms and conditions of employment remain in place. This would be similar to TUPE.

- Company C is purchased by Company D and all employees who are wholly or mainly assigned to the business are transferred under TUPE arrangements from Company C to Company D. Some employees of Company C are not wholly or mainly assigned to the business of Company C and therefore do not fall under the protection of TUPE. However, certain individuals not protected by TUPE are key within the business of Company C and Company D considers those employees to be undertakings of the business. Company D requests that the key employees also transfer to Company D. Although continuity of employment would be lost, the key individuals agree and transfer to Company D to continue to perform their key roles. This would be similar to TUPE.

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[5] Transfer of Undertakings (Protection of Employment)Regulations 2006 (SI 2006/246), as amended.

[6] SI 2006/246 as amended, regulation 3. See *Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses* ('the Acquired Rights Directive'), Article 1(1)(c) for the *Henke* exception (*Henke v Gemende Schierke & Verwaltungsgemeinschaft "Brocken"* [1997] ICR 756, [1996] IRLR 701)

[7] Cabinet Office, December 2013, https://www.gov.uk/government/publications/staff-transfers-in-the-public-sector

- Company E is purchased by Company F. Company F wishes for employees of Company E to transfer to Company F by way of consent. In the asset purchase agreement there is a clause which states that if, for any reason, TUPE does not apply, Company F will offer similar terms as TUPE. Company F takes over responsibility for all employees, who transfer over to continue in the same roles. Continuous service is lost, expect in cases where Company E and Company F are in the same group of companies. This would be similar to TUPE.

Given the above, the following criteria may serve as a test to determine whether a transfer is "similar to TUPE":

The transfer will be deemed similar to TUPE if, upon transfer:

- The employee remains in the same role; and
- The employee's:
  - continuous employment is maintained; OR
  - continuous employment is lost but the new entity confirms that it will offer the same terms as if TUPE applies in all other respects; OR
  - continuous employment is lost, but the employee transferred to the new company by consent because he or she was considered an undertaking of the business since he or she provided a key role within the business.

(iii) Branches of overseas companies in the UK

Overseas-registered companies looking to establish a presence in the UK often initially set up a branch in the UK since this is much easier and less onerous than incorporating and establishing a new UK legal entity. Once the branch has been set up and has been trading for some time, the company then incorporates as a legal entity in the UK and the branch ceases trading. Under the current guidance, if the branch had a sponsor licence, the new UK entity would be required to apply for a new sponsor licence. Again, a change or circumstances application to enable a due diligence exercise to be conducted may be more practical and efficient than applying for a new licence.

4. <u>Licence Applications</u>

(i) Key Personnel

a. Key Personnel reference table

A reference table setting out the Sponsor Management System capabilities, duties and responsibilities of each type of key personnel, as

well as the liabilities of the incumbents of each role would assist sponsors to understand the responsibilities of each key personnel.

As to drafting, **clear referents for "you" and "your" when referring to responsibilities and liabilities throughout the Guidance** would also assist sponsors to understand where key personnel would be personally responsible for an action or liable in relation to a breach of sponsor obligations. Where a breach occurs, it would also assist in understanding who, ultimately, in the view of the Home Office, is responsible.

b. Key Contacts / Level 1 Users

Paragraph 6.3 of the Guidance states:

> "*New sponsors must have at least one level 1 user who is your employee*"

Not all companies have a UK-based employee who can act as a level 1 user. This applies especially to start-ups which very often do not have any employees and comprise only he founding directors of the company. Where an Authorising Officer is an office holder of the company (for example, the company director) but is not also an employee of the company, the Key Contact must be capable of acting as the level 1 user. It can be problematic for start-ups who do not yet have an employee to meet this requirement. As such, they are unable to make a sponsor licence application.

Paragraph 1.14 of the Guidance states:

> "*You can tell us that a representative has helped you to fill in your licence application; but you can only appoint them at the licence application stage if you also want to appoint them as your key contact. We will however reject applications where you do not have a level 1 user who is your employee*."

Legal representatives are permitted to act as Key Contacts, but currently may not be named on the licence application if this will render the sponsor without a level 1 user who is an employee.

Paragraph 6.19 of the Guidance states:

> "*[t]he key contact is usually the person who acts as the main contact between us and you. We will contact them if we have any queries about your sponsor licence application, the documents submitted or the payment.*"

Where a sponsor has utilised the services of a legal representative to submit the licence application, the legal representative would be able to fulfil the function as set out in paragraph 6.19. The legal representative is

under an obligation to provide any correspondence received from the Home Office to the sponsor, and would continue to be under such an obligation if acting as the Key Contact and level 1 user. **As such, special provisions should apply to permit start-ups to appoint their legal representatives as their Key Contacts and level 1 users as a bridge until the company has an employee who can take over both roles.**

c. Legal Representatives

It is time-consuming and inefficient for a legal representative who has assisted with a Tier 2 or 5 sponsor licence application to have to apply post-grant of the licence to be added as a legal representative, wait for his or her legal representative number and then make a request to be added as a level 1 user on the sponsor management system. A solution would be to **add a section to the licence application where the legal representative can confirm he or she consents to being the named legal representative on the licence and the Authorising Officer confirms that the legal representative may be granted level 1 access to the sponsor management system upon the grant of the licence**. The legal representative could sign and date the licence application submission sheet along with the Authorising Officer.

(ii) Required documentation for licence applications

a. CT600 and CT 603

Appendix A requests the joint provision of the CT600 and CT603 in support of licence applications. The CT603 is the Notice to deliver a Company Tax Return and the CT603 is the Company Tax Return form. The Inland Revenue does not require both these documents to be retained by companies and, in practice, it is the experience of ILPA members that companies very rarely hold both documents. **It is suggested that it would be more logical for Appendix A to require the provision of the CT620, which is the Acknowledgement of a Company Tax Return rather than the joint provision of the CT600 and CT603.**

b. Certification of documents for licence applications

- **Certification by chartered accountants**

  Appendix A states that a copy of a document can be certified by the issuing authority or a practicing barrister, solicitor or notary.

  Increasingly, it is common practice for companies to be "paper light" and as part of this process, documents are scanned and stored

electronically, and the originals are discarded. This is very often the case with accountants who store documents from HMRC for their clients in digital form. The accountant is often the only person who has seen the original HMRC documents required as part of a Sponsor Licence application. Therefore, for practical reasons, **certification of financial documents by a chartered accountant should be permitted for licensing applications.** Chartered accountants are professionals who are ordinarily able to certify a document as a true copy of the original.[8]

- **Certification of lengthy documents**

  Appendix A states that the person certifying must write their name, signature and the name of the organisation they represent on every page of the copy. **Common practice for the certification of lengthy documents is for the person certifying to bind the documents and certify the first page to include a statement on the number of pages the document contains. This should be permitted.**

(iii) Tier 2 (Intra Company Transfer) applications

Appendix A provides that the supporting documentation for Tier 2 (Intra-company Transfer) sponsor licence applications can include:

- *certified copy of the agreement which allows both entities to use a trademark which is registered or established under the laws of the UK and the jurisdiction of the other entity's country of operation - this is only applicable to Accountancy or Law firms;*

- *certified copy of the agreement which allows both entities to operate under the same name in the UK and in the jurisdiction of the other entity's country of operation - this is only applicable to Accountancy or Law firms.*

It is not clear why these provisions apply only to accountancy or law firms. Certainly, UK businesses in other sectors have linked entities in overseas jurisdictions which operate under the same trading name or trade mark but, due to ownership structures, are not able to provide other documentation listed in Appendix A to establish a link between the UK and overseas entities. **The broadening of these provisions to include other business areas would be beneficial to companies which could be considered comparable to accountancy or law firms.**

(iv) Virtual offices and remote working from home

Virtual offices and remote working are now firmly part of working life for many businesses. Virtual offices can provide communication and address

[8] See https://www.gov.uk/certifying-a-document [accessed on 5 October 2016]

services for a fee, without providing dedicated office space, to companies which are based at home. This allows companies to have a professional postal address and receptionist service, as well as on-site meeting spaces, while keeping office expenses low.

In 2014, the Office of National Statistics published a report entitled "Characteristics of Home Workers, 2014"[9] in which it reported that 4.2 million people (or 13.9% of those in employment) in the UK worked from home and included employees of organisations as well as self-employed people. Of these 4.2 million home workers, 2.7 million (or 8.9% of those in employment) used their home as a base, but met clients and customers elsewhere. The Office of National Statistics also reported that home workers tend to be concentrated in highly skilled occupations. Of the 4.2 million home workers in 2014, 14.8% were working as managers or senior officials, 35.2% were professionals or associate professionals and a further 23.5% were working within skilled trades. This meant that almost three quarters (73.4%) of homeworkers were in some of the highest skilled roles in the economy.

The Guidance should allow for modern working arrangements, particularly for start-ups, micro-organisations and tech companies, where remote working may be preferable to avoid unnecessary costs for office rental, and allow licence holders to operate from home, provided companies can show they have effective systems for monitoring working hours. The physical location the Home Office could attend to conduct an audit would be that of the Authorising Officer or Key Contact.

5. Duties, reporting and compliance

(i) Certificate of Sponsorship Requests

a. Requirements for unrestricted Certificate of Sponsorship requests

There is no reference in the Guidance to the information required by the Home Office to grant the request for an unrestricted Certificate of Sponsorship. The current policy to require full details of the role, salary, Standard Occupation Code and identify of the person to whom the sponsor wishes to assign a Certificate of Sponsorship appears to have evolved independently of explicit guidance, This creates high levels of uncertainty, and is detrimental to sponsors who do not have legal representation or experience with making unrestricted Certificate of Sponsorship requests.

[9] See The Office of National Statistics, *Characteristics of Home Workers 2014* at http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/dcp171776_365592.pdf [accessed on 8 October 2016]

When Home Office policy changes, this should be reflected in the Guidance. The Guidance should include a section which clearly sets out the information required to make an unrestricted Certificate of Sponsorship request.

b. Automated annual Certificate of Sponsorship allocations

The automatic annual Certificate of Sponsorship renewal system based on the previous year's use with no mechanism for sponsors to feed into the process is not effective. It is unfair to sponsors who would like to put forward a business case for an increased allowance. The automatic system fails to take into account changing business needs and business expansion.

Sponsors who are aware they will require a higher number of Certificates of Sponsorship than that used in the previous year should be permitted to put forward a business case for an increased allowance.

c. Timeframes for unrestricted Certificates of Sponsorship requests

To be effective and commercial, businesses often need to act quickly to parachute required skills into the business. The service standard of 18 weeks to process unrestricted Certificates of Sponsorship allocation requests can work to the detriment of businesses and cause loss of revenue where the business must be in a position to react to changing business needs quickly.

Currently, sponsors who are not part of the automated annual COS allocations are able to put a "business case" forward for the number of COS it will require in the up-coming financial year. Previously, it has been possible to obtain COS not only for roles for which the Resident Labour Market Test is complete and a candidate has been identified, but also for roles which the sponsor anticipates will be required due to business expansion. In recent years, sponsors have not been allocated COS where the Resident Labour Market Test was not complete and the candidate had not been identified. This, effectively, makes the annual COS allocations no different to a normal request for additional Certificates of Sponsorship to be allocated to the licence. **Allowing sponsors to request the number of COS they envisage will be required during the annual COS allocations and receive those COS, would reduce the number of requests for increases outside of the annual COS allocations. This, in turn, would reduce the 18-week processing time for unrestricted COS requests.**

(ii) Mandatory revocations

We understand the policy whereby a sponsor that has an evidenced and systemic disregard for the Immigration Rules should be penalised by way of mandatory revocation. The scope of mandatory revocations is extremely wide and fails to draw any distinctions between the breach and the consequence. **Any**

revocation of a licence should be discretionary and based on a balanced analysis of the evidence and the facts of each individual case.

(iii) Time-frames for sponsor licence management requests

The current processing time for administering sponsor licence mandatory reporting requests (e.g. a change of offices, change in key personnel etc.) is 18 weeks. Sponsors are obliged to report changes within relatively short time-frames to avoid breaching sponsor duties, however 18 weeks is not a reasonable response time, especially where a sponsor may be waiting for new key personnel to be provided with sponsor management system log-in details or for the allocation of a COS in order to hire a new employee or ensure a sponsored employee can submit a valid application to extend his or her visa before it expires. Furthermore, **where the report is a mandatory obligation to prevent the sponsor from being in breach of its sponsor licence obligations, a premium fee should not be levied to have reporting requests processed expeditiously.**

6. Legal Right to Work

(i) Dedicated section for the prevention of illegal working within the Guidance

The Guidance makes references to sponsor obligations to prevent illegal working and the possible sanctions, but **a dedicated section which provides links to all key documents on illegal working and the consequences of employing migrants illegally in one place would enable sponsors to locate information on the prevention of illegal working easily.** A link to the Employer Checking Service could also be included.

(ii) Employer Checking Service

The Employer Checking Service is a crucial tool for employers, regardless of whether the employer is a Tier 2 or 5 sponsor licence holder.

a. Timeframes to obtain a Positive Verification Notice

Employers are afforded a 28-day grace period from the date an employee's visa expires to obtain a Positive Verification Notice following an Employer Checking Service request. Especially for EEA nationals and their non-EEA national family members, the time between the submission of the application and the receipt of a Certificate of Application is increasing and is often not received within the 28-day grace period.

b. Negative Verification Notices

Employers who obtain a negative result following an ECS request are often left unsure as to how to proceed, especially if the employee insists that he or she has submitted an in-time application which is still being considered by the Home Office, and the employer believes this to be the case. In our

experience, a Negative Verification Notice will have an adverse impact on the employee as, since the employer cannot protect itself against a fine should the employee not have a right to work, the employee is either refused the role or dismissed. However, in many cases, a subsequent request to the ECS often results in confirmation that employee has the right to work. ILPA members have reported the following similar scenarios with opposite outcomes for the employee:

- A non-EEA national spouse of an EEA national applies for a job at Company A and is offered the position. The non-EEA national, having recently submitted an application for Permanent Residency, does not have his passport and Registration Card to present to Company A as evidence of his legal right to work. The non-EEA national has received his Certificate of Application from the Home Office and provides this to Company A to enable Company A to make an ECS request. The result comes back negatively, and Company A feels it has no choice but to withdraw its offer, although it believes the non-EEA national does have a legal right to work. The EEA national asks Company A to submit a second ECS request. Company A submits a second request which is returned positively and the non-EEA national is re-offered the role and accepts.

- A spouse of a British national submits an application to extend his leave to remain in the UK as the spouse of a person present and settled in the UK. The migrant works for Company B and is experiencing difficulties at work with the owner of the company. However, these difficulties do not amount to a cause for dismissal. The migrant submits an in-time application to extend his stay in the UK to the Home Office and provides Company B with his acknowledgement of application letter. Company B makes an ECS request which is returned negatively. The owner of Company B immediately dismisses the migrant on the basis that he does not have a legal right to work in the UK.

Guidance on what steps an employer or employee can take to dispute the Negative Verification Notice and recommendations regarding the course of action which should be taken if the response from the Employer Checking Service is negative would be beneficial.

(iii) Non-EEA Dependants of EEA nationals

By law, it is not necessary for a non-EEA national family member of an EEA national to apply for an EEA Family Permit or a Residence Card.[10] The guidance on the prevention of illegal working does not specify that an EEA Family Permit

[10] Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, Article 25(1)

is an acceptable legal right to work document and it is left to the employer to determine whether a non-EEA family member of an EEA national has a right to work, but the employer will not have a statutory excuse against a fine should it transpire the employee does not have a legal right to work. This uncertainty can lead to discrimination against EEA nationals and their third country family members and their inability to obtain work, unless the EEA family member has applied for a Residence Card and the employer can obtain a Positive Verification Notice from the employer checking service.

Where the third country family member does not have a Family Permit or a Residence Card, **the provision of guidance on the documents an employer should obtain to protect itself against a fine** would alleviate this uncertainty. Where a third country family member has a **Family Permit which states that the third country family member is the partner or spouse of the EEA national, this should suffice to evidence the third country family member's legal right to work in the UK**.

(iv) "Reasonable cause to believe"

It would serve as a useful guidance for employers if the Home Office could provide examples of scenarios where it has taken action against an employer that was found to have "reasonable cause to believe" it was employing an illegal worker.

7. <u>The Sponsor Management System</u>

(i) It would be a practical for sponsors if the sponsor management system allowed Level 1 users to list all the certificates of sponsorship which have been issued.

(ii) It would be practical for sponsors if the licence application form and a list of corporate entities linked to the licence were visible on the sponsor management system.

(iii) The ability for a law firm to have a single level 1 log-in for a client would be practical. Law firms usually have a team of solicitors and paralegals who work for the same clients. The ability to use a common log-in would enable solicitors to assist clients even where the main solicitor who acts for the client is unavailable.