



SELF-SPONSORSHIP SKILLED WORKER VISA

If you are interested in setting up a new business in the UK, or you own an existing UK business, you may be eligible for a Skilled Worker visa via self-sponsorship, that is by being sponsored by your own UK company.



Requirements for a Self-Sponsorship Skilled Worker Visa

In order to sponsor yourself for a Skilled Worker visa, you will need to satisfy UK Visas and Immigration that:

- You are aged 18 or over;
- There is an established UK company which is active and genuine;
- Your UK company has successfully applied for a Skilled Worker sponsor licence;
- Your UK company has assigned a valid Certificate of Sponsorship to you for the job you are planning to do;
- Your job offer is a genuine vacancy;
- Your job is at an appropriate skill level;
- You will be paid a salary which equals or exceeds a general salary threshold, the 'going rate' for the occupation and a minimum hourly rate (if applicable);
- Your sponsor has paid any required Immigration Skills Charge;
- You are competent in the English language to at least CEFR Level B1 (equivalent to IELTS 4.0);
- You have enough money to support yourself without relying on public funds;
- You have provided a criminal record certificate, if required; and
- You have provided a valid TB certificate, if required.

The exact requirements you will need to satisfy to sponsor yourself for a Skilled Worker visa will vary depending on your circumstances. You may want to speak to an immigration lawyer for expert advice.



How to Apply for a Self-Sponsorship Skilled Worker Visa

In order to sponsor yourself for a Skilled Worker visa, you will need to complete 4 steps:

1. Establish a UK company
2. Apply for a Skilled Worker sponsor licence
3. Assign a Certificate of Sponsorship
4. Apply for a Skilled Worker visa

Stage 1: Establish a UK Company

In order to qualify for a Skilled Worker visa through self-sponsorship, you will first need to either register a new company in the UK or have already registered a company in the UK.

Is It Possible to Register a UK Company From Overseas?

It is possible to register a UK company from overseas. There is no requirement for a director of a UK company to be a UK resident or British citizen. However, all directors of UK companies, including non-UK residents, must meet certain requirements and obligations.

If a non-UK resident director is unable to fulfil their duties, such as attending board meetings or signing official documents in person, they may appoint a UK-based representative.

If you are not familiar with the UK company registration process or UK laws and regulations, you may wish to engage the services of a professional company formation agent who can guide you through the process and ensure that all the requirements are met. Additionally, you will need to ensure that you comply with any relevant laws and regulations in your home country regarding the registration of overseas companies.

Stage 2: Apply for a Skilled Worker Sponsor Licence

Requirements for a Skilled Worker Sponsor Licence

Once you have registered a UK company, the next step towards obtaining a Skilled Worker visa via self-sponsorship is for your UK business to apply for and be granted a Skilled Worker sponsor licence.

The Home Office will want to be satisfied that:

- Your UK business is a genuine business operating lawfully in the UK; and
- Your UK business is capable of carrying out its sponsor duties effectively; and
- Your UK business is offering genuine employment that meets the salary and skill level





Genuine Business Operating Lawfully in the UK

In order to satisfy the Home Office that your business is a genuine business operating lawfully in the UK, you will need to provide at least four specified documents as set out in

Appendix A of the sponsor guidance.

The exact documents you will need to provide will vary depending on the circumstances of your application. However, where a business has been trading in the UK for less than 18 months (and therefore qualifies as a start-up business), a Skilled Worker sponsor licence

Application will typically need to include the following documents:

Mandatory document:

- **Evidence that the business has a current, corporate bank account with a bank registered by the Financial Conduct Authority and the Prudential Regulation Authority in the UK;**

Plus any three of the following documents:

- **Proof that the business has registered with HMRC as an employer for PAYE and National Insurance; or**
- **Proof that the business has registered for VAT; or**
- **Proof that the business has employer's liability insurance cover for at least £5m from an insurer authorised by the Financial Conduct Authority; or**
- **Proof of ownership or lease of business premises by the business; or**
- **Most recent annual accounts of the business.**



Can a Non-UK Resident Open a UK Business Bank Account?

It is possible for a non-UK resident to open a business bank account in the UK, but the requirements and procedures may vary depending on the bank and individual circumstances.

To open a UK bank account as a non-UK resident, you will typically need to provide identification documents such as a passport or national ID card, proof of address (which may be more difficult to obtain as a non-resident), and proof of income or funding source. Some banks may require you to have a UK address or to be a tax resident in the UK. In addition, some banks may only offer certain types of accounts to non-UK residents, such as basic bank accounts.

It's also important to note that some banks may require you to visit a branch in person to open an account, while others may allow you to open an account online.

It is recommended that you research different banks and their requirements for non-UK residents, and contact them directly to find out what documents and information you will need to provide to open a business bank account. You may wish to consult a professional who can explain your options and help to ensure that all of the bank's requirements are met.

Does the UK Business Need to Be Trading in the UK?

Your UK business will need to be registered with Companies House, have a UK business bank account and, in most cases, be registered for PAYE/NI and VAT, but it will not need to be actively trading or have generated any revenue in the UK.

However, it will often be easier to satisfy the Home Office that your UK business is a genuine organisation operating lawfully in the UK where, for example:

- You have an existing overseas business that is actively trading and a legitimate business case can be made for establishing a branch of your overseas business in the UK;
- You have a detailed business plan for your UK business;
- You have sufficient investment funds to operate your UK business, particularly any staffing costs;
- You have undertaken some early stage business activities in the UK such as setting up a functioning website, telephone number and email address.



Business Is Capable of Carrying Out Its Sponsor Duties

All licensed sponsors must fulfil certain duties. Your duties as a licensed sponsor will include recording duties, record-keeping duties and compliance with UK immigration laws.

The Home Office will judge whether your business is capable of carrying out its sponsor duties by looking at your current human resources and recruitment systems and practices. For example, it will want to know whether you have systems in place that allow you to know when a sponsored worker has not turned up for work or to identify when their current permission is coming to an end. They may also conduct a compliance audit, either before they decide your application or after your licence is granted.

This includes conducting a job description analysis, Sponsor Licence Policy guide, Right to Work Checks guidance, record keeping checklist and templates for record keeping, and ongoing advice regarding HR systems and procedures.

Genuine Employment That Meets Salary and Skill Level Requirements

In addition to reviewing documentation about your company in the UK, the Home Office will want to be satisfied that:

- Your UK company will be offering employment which meets the skill level requirement of the Skilled Worker route (normally RQF Level 3 or above);
- Your UK company will be offering employment which meets the salary level requirement of the Skilled Worker route (normally at least £26,200 per year, but may be at least £23,580 or £20,960 per year if you, as the worker, score alternative 'tradable points');
- The job you are looking to sponsor is genuine;
- There is a direct employer-employee relationship between the sponsoring business and the worker, although the worker can be employed overseas and self-employment is permitted in some circumstances;
- The business is not looking to sponsor a role which will involve hiring a worker to a third party to undertake an ongoing or routine role.

As part of your company's sponsor licence application, you will therefore additionally need to provide the Home Office with the following:

- An explanation as to why your company is applying for a Skilled Worker sponsor licence, the sector you operate in and your opening/operating hours;
- A current hierarchy chart detailing any owner, director and board members;
- A list of employees, including names and titles (if your business has 50 employees or less);
- Information about the jobs your company wishes to fill and for which it intends to assign a Certificate of Sponsorship (CoS), including the job title and occupation code, duties, where the job sits on the hierarchy chart, the minimum salary the company would guarantee if the job were vacant today and the skills, experience and qualifications required;
- If the role for which the business intends to assign a CoS has not been advertised but a person has already been identified for the role, details of how the person was identified as the most suitable person for the job and various personal details.

Appointing Key Personnel

Prior to submitting your application for a sponsor licence, you will need to appoint 3 Key Personnel:

- An Authorising Officer – to manage the sponsorship licence and be ultimately responsible for the licence, ensuring that your sponsor licence duties are met;
- A Key Contact – to act as the main contact between your business and the Home Office;
- At least one Level 1 User to carry out day-to-day sponsorship activities using the Sponsorship Management System (SMS).

When considering self-sponsorship, the following specific key personnel requirements should be kept in mind:

- The Key Personnel roles can be filled by the same person or a combination of different people;
- Each of the key personnel (or the key person, where all roles are filled by the same person) must be based in the UK at the date of appointment and throughout the period over which they will fill the role that they have been appointed to;
- The Authorising Officer and initial Level 1 User must be a paid director, employee or office holder (e.g. a company secretary) of the UK entity at the date of application;
- The Authorising Officer must have sufficient oversight over the UK business to fulfil his or her responsibilities; and
- The Level 1 User must be British or settled in the UK.

In practice, these requirements mean that in order to apply for a Skilled Worker visa via self-sponsorship you will need to have a trusted person based in the UK who is either British or settled and who you are willing to appoint as a paid director, employee or office holder of your UK business.

If you are considering paying for the services of a third-party agent to act as a UK Director and Authorising Officer for a fee, you may wish to consider how the agent will satisfy the Home Office that they have sufficient involvement in and oversight over your UK business to fulfil their responsibilities. You may also wish to keep in mind that the Home Office can, and regularly does, conduct unannounced compliance visits to the Authorising Officer's business premises.



Stage 3: Assign a Certificate of Sponsorship (CoS)

Once your company's sponsor licence application has been approved, your business will be able to apply for and then assign a Defined Certificate of Sponsorship (CoS).

Certificate of Sponsorship are electronic records which must be assigned for each migrant worker you wish to employ. Each CoS will have a unique reference number which enables an applicant worker to apply for a self-sponsorship Skilled Worker visa.

Your Certificate of Sponsorship must have been issued not more than 3 months before the date of your Skilled Worker application.

Your Certificate of Sponsorship must include certain mandatory information, including:

- Details of your name, job and salary;
- A start date which is no more than 3 months after the date your Skilled Worker visa application;
- Confirmation that the Certificate of Sponsorship has not been used in a previous application which was either granted or refused and has not been withdrawn by the sponsor or cancelled by the Home Office.

Stage 4: Apply for a Self-Sponsored Skilled Worker Visa

Once a Certificate of Sponsorship has been assigned, you will be able to apply for a Skilled worker visa via self-sponsorship.

In order to sponsor yourself for a Skilled Worker visa, your visa application will need to demonstrate that:

- Your Certificate of Sponsorship is valid;
- Your job offer is a genuine vacancy;
- Your job is at an appropriate skill level;
- You will be paid a salary which equals or exceeds a general salary threshold, the 'going rate' for the occupation and a minimum hourly rate (if applicable);
- Your sponsor has paid any required Immigration Skills Charge;
- You are competent in the English language to at least CEFR Level B1 (equivalent to IELTS 4.0);
- You have enough money to support yourself without relying on public funds;
- You have provided a criminal record certificate, if required; and
- You have provided a valid TB certificate, if required.

In practice, these requirements mean that in order to apply for a Skilled Worker visa via self-sponsorship you will need to have a trusted person based in the UK who is either British or settled and who you are willing to appoint as a paid director, employee or office holder of your UK business.

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You can apply for a Skilled Worker visa up to 3 months before the day you are due to start work in the UK.

If applying from overseas, you should normally receive a decision on your self-sponsored Skilled Worker visa application within 3 weeks. The standard processing time for an application to switch into or extend a stay in the UK as a Skilled Worker is 8 weeks. Priority services may also be available.

Can I be a Director and shareholder of the UK company if I sponsor myself for a Skilled Worker visa?

Yes, if you sponsor yourself for a Skilled Worker visa you can be a Director and hold up to 100% of the shares in your company.

Will I need to show a certain amount of investment funds to qualify for a Skilled Worker visa via self-sponsorship?

No, self-sponsored Skilled Worker visa applicants do not need to satisfy an investment funds requirement and so no minimum amount of investment funds is required. However, the Home Office will need to be satisfied that your UK business is a genuine organization operating lawfully in the UK. This may be easier to demonstrate if you can show that you have sufficient investment funds to grow your UK business and cover minimum salary levels.

Does the UK business have to be innovative or unique?

Unlike the Innovator founder route, the Skilled Worker route does not require the sponsoring UK business to be innovative, viable or scalable. There is no requirement for the business to be endorsed by a Home Office approved endorsing body and there are no restrictions on the type of business activity that the company can engage in. Any business type can qualify for the Skilled Worker self-sponsorship visa route.

Will I need to provide a business plan in support of my self-sponsored Skilled Worker visa application?

A business plan is not mandatory. However, if you are looking to sponsor yourself as a Skilled Worker it will often be easier to satisfy the Home Office that your UK business is a genuine organization operating lawfully in the UK if you have a detailed business plan for your UK business.

Will I need to receive a salary while I am in the UK on a self-sponsorship Skilled Worker visa?

Yes, self-sponsored Skilled Worker visa holders need to receive a salary from their company which must (subject to being able to rely on alternative tradable points) equal or exceed both a general salary threshold, the 'going rate' for the occupation (as set out in the relevant occupation code) and a minimum hourly rate (if applicable), whichever is higher.



Does the self-sponsored Skilled Worker visa route have an English language requirement?

In order to qualify for a Skilled Worker visa via self-sponsorship you will need to demonstrate English language ability on the Common European Framework of Reference for Languages in all 4 components (reading, writing, speaking and listening) to at least level B1 (intermediate).

Applicants applying for entry clearance or leave to remain as a self-sponsored Skilled Worker will satisfy the English language requirement if they:

- Are a national of a majority English-speaking country;
- Have passed a Secure English Language Test;
- Have been awarded a degree taught in English;
- Obtained a GCSE/A Level or Scottish Higher in English while at school in the UK; or
- Have already shown they met the requirement, of level B1, in a previous successful application for entry clearance or permission to stay.

How long is a self-sponsorship Skilled Worker visa valid for?

If your application to sponsor yourself for a Skilled Worker visa is approved, you will be granted entry clearance or permission to stay for a period ending 14 days after the end date of your Certificate of Sponsorship (which may be up to a maximum of 5 years after the start date of your Certificate of Sponsorship).

Can I take on additional work in the UK while running my UK business as a self-sponsored Skilled Worker ?

Self-sponsored Skilled Worker visa holders are permitted to work in the job they have been sponsored for. They may also undertake supplementary employment provided that the employment meets the definition of 'supplementary employment' and they continue to work in the job for which they are being sponsored.

Can I qualify for indefinite leave to remain if I sponsor myself for a Skilled Worker visa?

Yes, self-sponsored Skilled Worker visa holders can qualify for Settlement, after spending a continuous period of 5 years in the UK. You will need to satisfy a residence requirement and pass the Life in the UK test (unless an exemption applies).

Your UK business will still need to be a Home Office approved sponsor and require you to work for them for the foreseeable future. You will also need to be paid at least the general ILR salary threshold (which, for most applicants, is £26,200 per year) or the going rate for the occupation, whichever is higher.

