

# Employing someone from outside the UK: Blooms florist

## 1.1

- Sole proprietor florist with a small high street shop, trading as a Private Limited Company for 5 years
- Vacancy for a Florist (occupation code 5443)
- Guaranteed basic salary of £23,400 per annum for the job (based on a 39-hour working week)

Sam Smith, the proprietor of Blooms Florist wants to employ Magda, a Polish national. Magda states that she has settled status and provides her right to work code and date of birth to Sam. Sam conducts a [right to work check](#), verifies Magda's settled status and offers her the job. Sam does not need to apply for a sponsor licence.

## 1.2

Sam has expanded her business and has another vacancy for a Florist. Sam wants to employ Carlos, an Argentinian national who resides in Ushuaia, Argentina. Carlos states that he does not have settled status. Sam reads the [guidance on who needs to be sponsored](#) which confirms that she must sponsor Carlos on the Skilled Worker route if she wishes to employ him.

Sam checks the [guidance](#) and searches this by the occupation code for a Florist (5443) to confirm that the job is eligible for a Skilled Worker visa.

Sam uses the [Skilled Worker points calculator](#) to determine if Carlos is eligible for a skilled worker visa. As the salary for the job is below the minimum of £25,600 per annum Sam is asked to confirm if the post will be filled by a new entrant. Sam selects the link and reviews the new entrant conditions presented to her on screen and determines that as Carlos is aged 24, he will be under the age of 26 if he applies for a visa.

Sam reviews the results of the points calculator which advises that whilst the job role and salary appear to meet the requirements, Carlos must have a job offer from a registered sponsor to apply for a visa.

## 1.3

Sam considers whether to apply for a sponsor licence so that she can employ Carlos as a Florist on the Skilled Worker route. Sam checks whether she is [eligible](#) to apply for a licence. Sam determines that her business meets the eligibility criteria and checks what documentation she needs to provide to support her application.

Sam checks tables 1 to 4 of [Appendix A](#) and determines that as she has been

trading for over 18 months she must provide 4 pieces of evidence from table 4. Sam can provide:

- evidence of employer's liability insurance cover for at least £5m from an authorised insurer
- evidence of Registration with HMRC as an employer to pay PAYE and National Insurance
- latest corporate/business bank statement
- lease of her business premises, signed by all parties concerned

Sam notes the requirement in Appendix A for additional information to be provided in support of applications on the Skilled Worker route. She checks the cost of [applying for a sponsor licence](#) and determines that her business meets the definition of a small sponsor.

Sam also checks the [fee to assign a certificate of sponsorship \(CoS\)](#), including the [Immigration Skills Charge](#) and considers the time it will take for her [licence application](#) to be considered. She also considers the time it will take her to apply for and assign a [defined CoS](#) and for Carlos to make and have his [visa application considered](#). Sam decides to apply for a sponsor licence.

## 1.4

Sam prepares to apply for a sponsor licence. She already has her supporting documents to hand. Sam reads the [guidance for employers](#) and determines that she will also need to appoint people within her business to manage the sponsorship process when she applies for a licence.

As the sole proprietor, Sam decides that she will fill the [role of authorising officer, key contact and level 1 user](#). Sam considers the checks that will be made to ensure she is suitable for the roles and is satisfied that she will pass them.

Sam starts her [online application](#). She is first asked to register by providing her full name and e-mail address. She is provided with an on-screen User ID which she copies onto her clip board and proceeds to the log in screen.

Sam receives an e-mail with a password and uses this, along with her User ID to log in. Sam is prompted to change her password. When she has done so, Sam is presented with on-screen guidance and advised that she will need to provide the following information to complete her form.

This includes:

- organisation details, Authorising Officer, Key Contact, Level 1 user, and representative (if appointed)
- the number of CoS required and the reason for this number
- the names and trading dates of the organisation if it has traded under another name in the last four years
- the organisation size and sector

- the name and registration number of any accrediting or governing body
- the name and registration number of any Stock Exchange the organisation is registered with
- details of any criminal convictions or civil penalties
- supporting evidence
- payment card details

Sam uses the on-screen help text to access further information to determine the correct sector for her business. Sam also uses the on-screen help text to determine how many undefined CoS she should request for her first year of sponsorship. Sam determines that as Carlos is not in the UK, she will need to apply for a defined CoS. Sam therefore states that she needs zero undefined CoS.

Sam selects the documents that she has already prepared from a pre-populated list. She then proceeds to complete her personal details as the authorising officer. Sam confirms that she will also act as the key contact and level 1 user and is not asked for her personal details again.

Sam confirms that she has not used a representative to complete her application and proceeds to the declaration stage. After agreeing to the declaration Sam proceeds to submit the application. Sam proceeds to the payment screen and selects the fee for a small sponsor.

Sam completes the payment declaration and is directed to the WorldPay service to complete her payment details. Sam completes the payment details using her company credit card and receives confirmation that the payment is successful. Sam proceeds to review the submission sheet that she must submit with her supporting documents.

Sam prints and signs the submission sheet and uses her smartphone to capture a digital image of the submission sheet and her supporting documents. Sam attaches the jpeg images to an e-mail and sends this to the e-mail address on the submission sheet.

Sam receives an e-mail confirming that her application has been submitted successfully and advice about next steps.

## **1.5**

Sam submitted her application for a sponsor licence and her supporting documents 4 weeks ago. She is contacted by e-mail by UKVI and asked to clarify how she identified that Carlos was the most suitable person for the job. Sam is given 5 working days to provide this information. Sam provides the information by e-mail the same day.

After a further 2 weeks Sam has not been notified of the outcome of her application. Eager for an update, she contacts the sponsorship, employer and education helpline to ask how her application is progressing. Sam is advised by the call handler that most applications are dealt with in less than 8 weeks, and, if her application will take longer to consider she will be contacted by UKVI in the next 2 weeks to explain why.

## 1.6

Sam receives an e-mail from UKVI with a letter attached outlining the decision on her application. The letter confirms that Sam has been granted an [A-rated licence](#) in the Skilled Worker route.

The letter confirms that Sam does not have an allocation of undefined CoS and provides details of how to apply for a defined CoS. The letter also includes Sam's unique sponsor licence number for Sam to use in communications with UKVI and Sam's level 1 user ID that she will need to access her Sponsorship Management System (SMS) account.

Sam receives the password to access her SMS account by e-mail. Sam follows the link provided in her decision letter to access the guidance for sponsors and from there, accesses the [SMS Guide 1: Introduction to the Sponsorship Management System](#). Sam follows the guidance on how to log on for the first time and familiarises herself with the features and functions of her SMS account.

## 1.7

The first activity that Sam wants to undertake on her SMS account is to assign a defined CoS to Carlos. Sam checks the [guidance on applying for a defined CoS](#) and accesses [SMS Guide 12: Defined Certificates of Sponsorship](#), following the guidance to complete details of the job. Sam submits the application and can view details of her request. Sam receives an e-mail confirming that her application has been received and that the application is under review. Sam logs out of SMS.

Sam receives a further e-mail the next day to confirm that her application has been granted and that the CoS can now be assigned. Sam logs into SMS and follows [SMS Guide 12: Defined Certificates of Sponsorship](#) to access the granted application, complete Carlos' details and assign the CoS. Sam is taken to the Worldpay page where she pays the fee for assigning the CoS and the Immigration Skills Charge using her company credit card.

Sam receives confirmation that the payment was successful and progresses to a confirmation page that includes a unique CoS number. Sam takes a screen shot of the page with the CoS number. Sam e-mails the CoS number to Carlos, advising that he will need to provide this when he makes his visa application.

## 1.8

Carlos applies for and is granted a Skilled Worker visa to work for Sam. Shortly before he is due to travel to the UK, Carlos contacts Sam to advise that he has a family emergency which will delay him taking up his job by 3 weeks. Sam confirms that she still wishes Carlos to take up his job.

Sam checks the guidance on her [reporting duties](#) as a sponsor and confirms that as the delay to the start date is no more than 28 days, she can continue

to sponsor Carlos. Sam notes that she must report within 10 working days that there will be a delay to Carlos starting his role.

Sam logs into SMS and follows [SMS Guide 9 : Reporting worker activity](#) to report the delay to Carlos start date. Sam reports that she is continuing to sponsor Carlos, but his job start date has been delayed. There are no further delays to Carlos' travel plans and Sam is not required to report that he has taken up his role.

## 1.9

Sam is increasingly busy and needs support to manage her sponsor licence. Sam checks the [guidance](#) and decides to appoint the accountant who manages her HR functions as a level 1 user.

Sam logs into SMS and follows [SMS Guide 1 :Introduction to the Sponsorship Management System](#) to request a new level 1 user. Sam completes her accountant's details and submits the request to UKVI for consideration. Sam can view and track the progress of her request in her SMS account. The level 1 user ID is displayed against the request and understands from the guide that the password will be provided to the new level 1 user by e-mail if the request is successful.

Sam checks the [processing times](#) for level 1 user requests and determines that the service standard for customers updating their licence details is 18 weeks. Sam receives an e-mail shortly before the end of the service standard period to confirm that her request has been approved. The e-mail advises Sam that the password has been sent to her accountant and that she must provide them with the user ID.

Sam logs into SMS, retrieves the level 1 user ID and forwards this to her accountant, along with a link to the [sponsor guidance](#) and [SMS Guide 1: Introduction to the Sponsorship Management System](#). Sam's accountant confirms that they have successfully logged into SMS.