



Home Office

Intra-Company Routes caseworker guidance

Version 0.1

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About this guidance

This guidance tells caseworkers how to consider applications from existing workers of overseas businesses with a presence in the UK who wish to enter or remain in the UK to work under the Intra-Company routes of the Points-based System. “You” in this guidance means the caseworker.

This guidance is designed to be used alongside [Appendix Intra-Company routes](#) of the Immigration Rules. The rules explain the requirements an applicant must meet to be granted under the Intra-Company routes, and this guidance provides additional information on how to consider their application. Paragraph references in this guidance refer to paragraphs in Appendix Intra-Company Routes unless otherwise stated.

You may also need to refer to the following sections of the rules, where relevant:

- Part 9: Grounds for Refusal
- Part 10: Police Registration
- Appendix Skilled Occupations
- Appendix ATAS
- Appendix Finance

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help, or if you think the guidance has factual errors, then your line manager or locally embedded expert can email the [Economic Migration Policy team via the Work and Study Technical Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then your line manager or locally embedded expert can email the [Guidance Rules and Forms team via the Work and Study Technical Team](#).

Publication

Below is information on when this version of the guidance was published:

version **0.1**
published for Home Office staff on **xx xxxx 2020**

Changes from last version of this guidance

This is new guidance for the Intra-Company routes

Related content

[Contents](#)

Overview of the Intra-Company Routes

This page provides an introduction to the Intra-Company routes.

There are two Intra-Company routes: the **Intra-Company Transfer** route and the **Intra-Company Graduate Trainee** route. Both routes can be used by European Economic Area (EEA) nationals (from 1 January 2021) and non-EEA nationals. Please note, throughout this document, references to EEA nationals include Swiss nationals.

The **Intra-Company Transfer** route is for established workers who are being transferred by the business they work for to do a skilled role in the UK.

The **Intra-Company Graduate Trainee** route is for workers who are being transferred by the business they work for to undertake a role in the UK as part of a structured graduate training programme.

Dependent partners and children can apply on this route. For guidance on dependant applications, see dependant guidance.

The Intra-Company routes are not routes to settlement, and permission in these routes will not count towards the qualifying period of stay required to settle, should an applicant later apply to settle under another route.

The Intra-Company Transfer route replaces the Tier 2 (Intra-company Transfer) Long-term Staff route and the Intra-Company Graduate Trainee route replaces the Tier 2 (Intra-company Transfer) Graduate Trainee route. Existing Tier 2 (Intra-company Transfer) workers can apply for extensions, changes of employment and settlement under the Intra-Company routes.

Requirements

The requirements an applicant must meet to be granted permission on the Intra-Company routes are split into three parts:

- 1. Validity requirements (IC 1.1. – IC 1.6.)** – these outline the minimum criteria that must be met in order for a full consideration to take place. They ensure that for example, the correct form has been used and that the applicant has supplied their identity documents. Applications that don't meet these requirements are invalid and may be rejected.
- 2. Suitability requirements (IC 2.1. – IC 2.2.)** – these check the suitability of the applicant. Applicants must not fall for refusal on general grounds or be in breach of immigration laws. Applicants that don't meet these requirements must be refused.
- 3. Eligibility requirements (IC 3.1 – IC 11.3.)** – these are the main criteria of the Intra-Company routes. Applicants that don't meet these requirements must be refused.

The requirements for dependants of Intra-Company workers are split into the same three groups: **validity (IC 14.1. – IC 14.5.)**, **suitability (IC 15.1. – IC 15.2.)**, and **eligibility (IC 16.1. – IC 22.2.)**.

Representatives

If an applicant has a UK based representative, you must check that the representative is approved to provide immigration advice with either:

- [the Office of the Immigration Services Commissioner](#) (OISC)
- one of the following designated authorities:
 - the [Law Society](#)
 - the [Law Society of Scotland](#)
 - the [Law Society of Northern Ireland](#)
 - [the Bar Council](#)

If the representative is does not have the necessary permission to provide immigration advice, you must direct all communications to the applicant instead.

Requesting more information

If you need more information, or clarification of certain details to be able to consider granting an application, then please refer to [requesting more information](#). Where possible, you should try to identify all areas where further information is required, so it can be requested at the same time.

Verifying documents

You must conduct [verification checks](#) if you have any doubts about whether the supporting documents an applicant has submitted are genuine. If the application falls for refusal on other grounds, you do need to carry out verification checks, but you must explain in your decision that you reserve the right to carry out checks in any reconsideration.

Translating documents

If the documents provided are not in English or Welsh, the applicant must provide a fully certified translation from a professional translator or translation company that can be independently verified by the Home Office. The translation must include all of the following information:

- confirmation it is an accurate translation of the document
- the date of translation
- the full name and signature of the translator or an official from the translation company
- the translator or translation company's contact details

If no translation is supplied, you should request one. If the applicant still does not provide a translation or if you are unable to verify the translation, the document will not be accepted. You must continue to process the application as if the applicant had not provided the document.

Related content

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Validity for entry clearance and permission to stay

This page tells you where to find the validity requirements that an applicant must meet when they apply for entry clearance or permission to stay as an Intra-Company Transfer or Intra-Company Graduate Trainee.

Before considering any application, you must check the application is valid by referring to paragraphs IC 1.1 to IC 1.6.

If you are not satisfied the application meets all the validity requirements, you should consider whether to [request more information](#), reject the application or proceed to consider.

Applications from EEA nationals

Entry clearance applications made by EEA nationals before free movement ends can be considered as valid, but you should grant entry clearance beginning no earlier than 1 January 2021.

You must treat applications for permission to stay before 1 January 2021 from EEA nationals as invalid and reject them.

Application fees and Immigration Health Charge

The applicant must have paid the relevant application fees and any Immigration Health Charge (sometimes called the Immigration Health Surcharge or IHS). Further guidance on the Immigration Health Charge can be found [here](#).

Those applying from countries which are signed up to the Council of Europe Social Charter, are entitled to reduced fees (including when applying for the Health and Care Visa). Further details regarding the signatories to the CESC can be found in Table 1 [here](#).

Biometrics and identity documents

You must be satisfied that where the applicant has provided their biometrics, these are verified against a valid passport or other travel document they have supplied.

Certificate of Sponsorship

The applicant must have a Certificate of Sponsorship (CoS). This is a virtual document (similar to a database record) which is assigned by the sponsor. Sponsors use a secure IT system called the [sponsorship management system](#) (SMS) to assign a certificate of sponsorship.

The reference number for the certificate should be provided in the application. If the applicant has not supplied the reference number, they must provide an explanation. If you are not satisfied the sponsor has assigned a certificate to the applicant, you may reject the application. If the reason the sponsor has not yet assigned a certificate is because of delays by UKVI (for example, a delay in processing a sponsor licence application or a request for certificates of sponsorship), you may exceptionally place the case on hold pending the outcome.

You must check that the Certificate of Sponsorship was assigned to the applicant no more than 3 months before the date of application. If it was assigned too early, the application may be rejected.

For information on how to check the CoS information, refer to [The Certificate of Sponsorship checking system](#). (Note that the Certificate of Sponsorship will also need to be viewed when assessing the Eligibility requirements.)

Government or international scholarship agency awards

Where an applicant has received an award covering fees and living costs from a Government or international scholarship agency in the 12 months before the date of application, the government or agency must provide written consent to the application. The letter of consent must be on the official letter-headed paper or stationery of the organisation(s), bearing the official stamp of that organisation and issued by an authorised official of that organisation. The documents must confirm that the organisation gives the applicant consent to remain in or re-enter the UK.

Switching to the Intra-Company routes

An applicant who is in the UK cannot apply to switch into the Skilled Worker route if they have, or were last granted, permission in any of the ways listed in paragraph IC 1.5. Please note switching is now a validity requirement, not an eligibility requirement.

Related content

[Contents](#)

Suitability for entry clearance and permission to stay applications

This page tells you where to find the suitability requirements that an applicant must meet when they apply for entry clearance or permission to stay as an Intra-Company Transfer or Intra-Company Graduate Trainee.

You must check the application meets the suitability requirements by referring to:

- the suitability requirements for the Intra-Company Transfer and Intra-Company Graduate Trainee routes, contained in paragraph IC 2.1 to IC 2.2.
- the grounds for refusal, contained in Part 9: grounds for refusal.

Overstaying

You must check the applicant is not in breach of immigration laws, except where permitted by the Immigration Rules in respect of periods of overstaying. Refer to the full guidance on [overstaying](#).

Immigration bail

Any applicant who is in the UK on immigration bail is not suitable for the Intra-Company routes. These individuals do not hold permission to be in the UK.

Related content

[Contents](#)

Eligibility for entry clearance and permission to stay applications

This page tells you the requirements an applicant must meet to be granted either entry clearance or permission to stay as an Intra-Company Transfer or Intra-Company Graduate Trainee.

The requirements for granting entry clearance or permission to stay can be found in the eligibility requirements contained in Appendix Intra-Company Routes.

To be eligible, applicants must be awarded 60 points (for their sponsorship, job skill level and salary). All points requirements are mandatory in the Intra-Company routes and applicants must also satisfy non-points requirements regarding tuberculosis testing, available funds and maximum length of assignments under Intra-Company routes.

The eligibility requirements can be found in the rules as set out below:

- Entry requirement (IC 3.1.)
- Tuberculosis certificate (IC 3.2.)
- Points requirement (overview) (IC 4.1.)
- Points for sponsorship (IC 5.1. to IC 5.10.)
- Points for a job at the appropriate skill level (IC 6.1. to IC 6.7.)
- Points for salary (IC 7.1. to SW 9.5.)
- Financial requirement (IC 10.1. to IC 10.3.)
- Maximum length of assignments requirement (IC 11.1. to IC 11.3.)

Applications which do not meet these requirements should be refused.

Related content

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Tuberculosis certificates

This page tells you about the tuberculosis (TB) certificate requirement for applications for entry clearance in the Intra-Company routes.

An applicant must provide a valid TB certificate with their application, if they have been residing within a country listed in [Appendix T](#) of the immigration rules for more than 6 months immediately preceding the application. This only applies to **entry clearance** applications.

If a valid TB test certificate has not been supplied when they are required to do so, the application should be refused under paragraph IC 3.2.

Further information regarding which applicants are required to obtain a TB certificate before applying and the valid test centres can be found at <https://www.gov.uk/tb-test-visa>.

Related content

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Mandatory points requirement

This page provides an overview of how mandatory points are scored in the Intra-Company routes.

Under paragraph IC 4.1, an applicant must score 60 points against the following requirements:

Points requirement	Relevant rules	Points
Sponsorship	IC 5.1. to IC 5.8.	20
Job at appropriate skill level	IC 6.1. to IC 6.6.	20
Salary at the required level	IC 7.1. to IC 9.5.	20

If an applicant scores fewer than 60 points, you must refuse their application and explain where they have not been awarded points.

Related content

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[Sponsorship](#)

[Job at appropriate skill level](#)

[Salary at the required level](#)

Sponsorship

This page explains the Sponsorship requirements in the Intra-Company routes.

The applicant must score 20 points for sponsorship. To award these points, you must be satisfied that the application meets the requirements in paragraph IC 5.1. to IC 5.9.

Valid certificate of sponsorship

A certificate of sponsorship is only valid if certain requirements are met. The certificate assigned to the applicant must confirm all the details required by paragraph IC 5.1. You should contact the sponsor to request any missing details (in particular, PAYE scheme reference number may be missing if the certificate was assigned before the launch of the new Intra-Company routes).

Licensed sponsor

The sponsor must hold a valid Intra-Company Transfer sponsor licence. The sponsor must also be A-rated, unless the applicant is applying for an extension to continue working for the same sponsor.

You must confirm these requirements are met by accessing [the Certificate of Sponsorship Checking System](#). You can contact the Sponsor Licensing Unit (SLU) to find out more information about the status of a sponsor's licence if needed.

If the applicant's sponsor loses its licence while the application is under consideration, you have a duty to inform the applicant promptly. You do not need to inform the applicant before making a decision, so if you are ready to decide the application you can simply include this in your reasons for refusal. If, however, you are not yet ready to make a decision, you **must** inform the applicant separately and promptly. You do not need to hold the case or give any minimum notice period before making a decision.

In either case, you must only inform the applicant their sponsor no longer has a licence, not the reasons why. The only exception is if the licence was revoked for reasons directly linked to this particular application, and those reasons therefore have particular relevance to the refusal – for example, you are refusing on genuine vacancy grounds (see below) as well as the fact the sponsor is no longer licensed.

Immigration Skills Charge

The sponsor must have paid any immigration skills charge that applies to the application. You must [check the ISC payment is correct](#). If:

- the sponsor has paid the correct charge, or is exempt, continue with consideration as normal

- the sponsor has underpaid and there are other grounds for refusal which could not be remedied by writing out for further information, you must refuse the application and ensure that ISC non-payment refusal wording is included
- the sponsor has underpaid and you need to write out for further information, or the ISC is the only reason to refuse the application, you must:
 - give the sponsor an opportunity to pay the charge by [contacting the ISC Admin Team](#)
 - exclude from the service level agreement as a complex case
 - inform the applicant of the reason why a decision cannot be made within SLA
 - defer the case for 10 UK working days
- the sponsor has over paid, they will need a [partial refund](#)

Genuine Vacancy

You must not award points for sponsorship if you have reasonable grounds to believe the job the applicant is being sponsored to do:

- does not exist; or
- is a sham; or
- has been created mainly so the applicant can apply for permission.

To assess this, you may request additional information (see [Requesting more information](#)).

When awarding points for sponsorship, the assessment is whether the job exists at all, or has been created for immigration reasons. Whether the job has been exaggerated to make it appear to meet the requirements of the Intra-Company routes is considered separately, when awarding points for a job at the appropriate skill level.

Genuine vacancy concerns may lead to a compliance visit to the sponsor. Where it is not possible at the outset to decide such applications, they should remain on hold pending the outcome of a compliance visit. You must inform the applicant their application is on hold due to further checks with their sponsor at the same time as you inform the sponsor of those checks, but you must not disclose any as-yet-unproven concerns about the sponsor. If the result is the sponsor's licence is revoked, you must fully explain any genuine vacancy concerns in the decision letter, and not rely solely on the fact the sponsor does not have a licence.

If you believe the applicant is complicit in being sponsored for a vacancy which is not genuine, you may consider inviting them to attend an interview. You must put your concerns to the applicant in clear language and give them the chance to respond (either in an interview or in writing) before making a decision. If you find the applicant to be complicit, you must include this in the refusal decision. For more details, you should consider the guidance on [false representations](#).

Working for third parties

Where an Intra-Company worker is being supplied to one organisation by another organisation, their sponsor must be whoever has full responsibility for the duties, functions and outcomes, or outputs of the job.

For example, company A has a contract with a client - company Z - to deliver an IT solution within agreed timescales. An applicant, who is sponsored by company A to work on that project, may be sent to work for the length of the contract at company Z's premises, but they remain employed by company A throughout the period of the contract. As company A is fully responsible for their duties, functions, outputs or outcomes, company A must be the applicant's sponsor.

A sponsor can only assign a certificate of sponsorship if they have full responsibility for deciding the duties, functions and outcomes or outputs of the job. Where the applicant is carrying out work for a third party on their sponsor's behalf, they must be contracted by their sponsor to provide a time-bound, non-routine service or project on their sponsor's behalf. This means a service or project which has a specific end date, after which it will have ended, or the service provided will no longer be operated by their sponsor or anyone else. It also means an applicant must not be:

- hired to a third party who is not the sponsor to fill a position with that party, whether temporary or permanent (for example, an agency worker filling a vacancy with a third-party); or
- engaging in contract work to undertake an ongoing routine role or to provide an ongoing routine service for a third party who is not their sponsor, regardless of the nature or length of any arrangement between the sponsor and the third party.

Work for the sponsor group outside the UK

All applicants must be existing workers for the sponsor or a business linked to the sponsor by ownership (collectively referred to as the sponsor group).

An Intra-Company Transfer applicant must have 12-months' experience working outside the UK for the sponsor group (unless they are a high earner). The 12-months outside the UK do not need to be immediately prior to their application, and they don't need to be consecutive, provided that the applicant was continuously working for the sponsor group from the start of the 12-months to the date of their application.

For example, if an applicant has worked for a sponsor group for two years and during that time moved regularly between offices in the UK and overseas, they would qualify provided at least 12 months was spent working outside the UK and they are still working for the sponsor group at the time of their application.

Permitted absences

If the applicant was absent from work for any of the reasons listed in paragraph IC 5.8.(b) during their period of work for the sponsor group, you must not treat these absences as a break in the applicant's period of continuous work. You can therefore consider work outside the UK from both before and after any such absence.

For example, suppose an applicant worked for their sponsor group outside the UK for 6 months before taking parental leave for 1 year, and then returned to work for a further 6 months before applying to transfer to the UK in this route. You can consider the evidence of work from before and after the absence. Since the applicant worked for the sponsor group for 12-months in total and all work was outside the UK, they meet the requirement.

Evidence of work

The sponsor must confirm that the applicant has the required experience on the CoS, but the applicant is not required to supply any additional evidence with their application. The sponsor is however required to retain evidence, so if needed you should request information as outlined in [Evidence of overseas work and permitted absences](#).

If the applicant is applying for an extension in the same job, or to do a different job for the same sponsor group, you should not normally request additional information.

High earners

Applicants who are sponsored in jobs with a salary of at least £73,900 (based on a maximum 48-hour week) must be existing workers for the sponsor group but do not need to have worked outside the UK for any specific period.

Graduate trainees

An applicant on the Intra-Company Graduate Trainee route must have worked outside the UK for the sponsor group for a continuous period of at least 3 months. This 3-month period of work must be immediately before the date of application, and it must be continuous with no breaks for any reason.

The sponsor must confirm on the CoS that the applicant meets this requirement, and you can request additional evidence if needed.

Related content

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Job at an appropriate skill level

This page explains how to assess the skill level requirement for the Intra-Company routes.

The applicant must score 20 points for a job at the appropriate skill level. To award these points, you must be satisfied the applicant is being sponsored in an occupation code listed as being eligible for the Intra-Company Transfer and Intra-Company Graduate Trainee routes in Table 1 or Table 2 of Appendix Skilled Occupations.

You must not award points for a job at the appropriate skill level if you are not also awarding the 20 mandatory points for sponsorship.

Exaggerated or incorrect occupation codes

You must not award points for a job at the appropriate skill level if you have reasonable grounds to believe the sponsor has not chosen an appropriate occupation code. If you identify such an issue, you should refer the case to an Executive Officer caseworker for consideration. You do not need to make this referral for all applications, but must do so when there is particular cause for concern, for example when:

- the job description appears to be a standard or template response used for other businesses and the application is in a high-risk sector
- the applicant has been refused previously on similar grounds

This is not an exhaustive list.

A sponsor may have chosen a less appropriate occupation code either by accidental error or intentionally. The Executive Officer should request additional information where they have concerns (see [Requesting more information](#)), to give the sponsor an opportunity to correct any accidental error and/or address any questions about whether they have misrepresented the job.

The Executive Officer should consider whether the sponsor has chosen a less appropriate occupation code for any of the following reasons:

- to make a job which is not at the appropriate skill level appear more skilled; or
- to be able to pay the applicant a lower going rate; or
- to qualify for tradeable points for a job in a shortage occupation; or
- to qualify for tradeable points for a relevant PhD qualification.

To support this assessment, the Executive Officer may, in particular, consider:

- whether the sponsor has shown a genuine need for the job as described; and
- whether the applicant has the appropriate skills, qualifications and experience needed to do the job as described; and

- the sponsor's history of compliance with the immigration system including, but not limited to, paying its sponsored workers appropriately; and
- any additional information from the sponsor.

This is not an exhaustive list.

Concerns about exaggerated or incorrect jobs may lead to a compliance visit to the sponsor. Where it is not possible at the outset to decide such applications, they should remain on hold pending the outcome of a compliance visit. You must inform the applicant their application is on hold due to further checks with their sponsor, but you must not disclose any as-yet-unproven concerns about the sponsor. If the result is that the sponsor's licence is revoked, you must fully explain any genuine vacancy concerns in the decision letter, and not rely solely on the fact that the sponsor does not have a licence.

If the Executive Officer considers the applicant is aware their job is not at the appropriate skill level and is complicit in misrepresenting it, they may consider inviting them to attend an interview. The Executive Officer must put their concerns to the applicant in clear language and give them the chance to respond (either in an interview or in writing) before making a decision. If the Executive Officer finds they are complicit, you must include this in the refusal decision. For more details, you should consider the guidance on [false representations](#).

Graduate training programme

Applicants applying in the Intra-Company Graduate Trainee route, must be doing a job that is part of a structured graduate training programme, with clearly defined progression towards a managerial or specialist role within the sponsor organisation. The certificate of sponsorship should state that the applicant is a graduate trainee, and the sponsor must be able to provide further details of the training programme if you need further evidence that the application meets this requirement.

The sponsor must not have assigned more than 20 certificates of sponsorship to Intra-Company Graduate Trainees, including the certificate of sponsorship assigned to the applicant, in the financial year (which begins 6 April and ends 5 April each year) in which the certificate of sponsorship was assigned.

Related content

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[Mandatory points requirement](#)

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Salary at the required level

This page explains how to assess the salary requirements in the Intra-Company routes.

The applicant must score 20 points for salary. To award these points, you must be satisfied the application meets the requirements in paragraph IC 7.1. to IC 9.4.

You must not award points for a job at the appropriate skill level if they are not also awarding the 20 mandatory points for sponsorship.

Assessing salaries

Sponsors must pay applicants a salary that is at or above both:

- the general salary threshold of £41,500 for Intra-Company Transfers and £23,000 for Intra-Company Graduate Trainees; and
- the going rate (or 70% of the going rate for Intra-Company Graduate Trainees).

Under paragraphs IC 7.2 to IC 7.4, the salary can include only guaranteed basic gross pay and some guaranteed allowances. Other pay and benefits must not be included when assessing salary. Examples of pay and benefits which are not included are listed in paragraph IC 7.4. This is not an exhaustive list. However, if an applicant has chosen to give up part of their basic pay as part of a salary sacrifice scheme, this should not be deducted.

Allowances that can be included

Allowances that are paid to Intra-Company workers can be included if they are guaranteed for the duration of the applicant's permission (one-off bonuses are not included and cannot be pro-rated) and would be paid to a local settled worker in similar circumstances (such as London weighting). The only exceptions to this are for allowances paid as a mobility premium or to cover the additional cost of living in the UK.

The salary stated on the certificate of sponsorship must be the total including gross basic pay and all permitted allowances. The certificate of sponsorship must also provide a separate total of all allowances and an explanation of what those allowances are for. If insufficient information is provided or you are not satisfied that the allowances included in the salary are permissible, you should consider making a request further information.

Limits on accommodation allowances

Where allowances are for the purpose of accommodation, you should only include an amount up to 30% of the total salary package for applicants in the Intra-Company Transfer category, or 40% of the total salary package for applicants in the Intra-Company Graduate Trainee category.

Accommodation allowances example 1

The sponsor offers:

- accommodation allowances: £10,000
- salary and other (non-accommodation) allowances: £35,000

The total salary package the sponsor has offered is: £10,000 + £35,000 = £45,000.

The salary and other (non-accommodation) allowances can be a minimum of 70 per cent of the total package you can take into account. This means that £35,000 is 70 per cent of the maximum package you can take into account. You calculate this maximum package by dividing £35,000 by 70 per cent (or 0.7):

$$£35,000 \div 0.7 = £50,000.$$

In this example, the total package the sponsor has offered is less than the maximum package you can take into account. In this case you can:

- take into account the whole package
- use the total £45,000 when checking the appropriate rate
- award 20 points for the salary

Accommodation allowances example 2

The sponsor offers:

- accommodation allowances: £20,000
- salary and other (non-accommodation) allowances: £24,500

The total salary package the sponsor has offered is: £20,000 + £24,500 = £44,500.

You calculate the maximum package you can take into account by dividing the salary and other (non-accommodation) allowances by 70 per cent (or 0.7):

$$£24,500 \div 0.7 = £35,000.$$

In this example the total package the sponsor has offered is more than the maximum package you can take into account. In this case you can:

- only take into account £35,000
- award no points, as it is below the £41,500 threshold for long term staff

If the applicant is applying in one of the short-term staff or graduate trainee sub-categories you can consider accommodation allowances of up to a maximum of 40 per cent of the gross salary package, instead of 30 per cent for long term staff. This is to reflect the higher cost of short-term accommodation.

The general threshold

The general threshold is the minimum salary which applies regardless of the applicant's occupation code. This is £41,500 for Intra-Company Transfers and £23,000 for Intra-Company Graduate Trainees.

The general threshold is the same, regardless of how many hours a week the applicant is sponsored to work. It cannot be pro-rated for part-time work.

However, if the applicant is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week can be considered. For example, if the applicant is sponsored to work 60 hours a week for £10 per hour, they will be considered to have a salary of £24,960 (£10 x 48 x 52) per year and not £31,200 (£10 x 60 x 52).

The going rate

The going rate is the minimum salary which applies for a particular occupation code. The going rates are set out in Appendix Skilled Occupations. Applicants must be paid the full going rate if they are Intra-Company Transfers or 70% of the going rate if they are Intra-Company Graduate Trainees. There is no reduced going rate for Intra-Company Graduate Trainees working in occupation codes listed in Table 2 of Appendix Skilled Occupations.

Going rates must be pro-rated based on the weekly working hours stated on the certificate of sponsorship.

The going rates in Table 1 of Appendix Skilled Occupations are based on a 39-hour week. Hourly rates are shown in brackets. To avoid rounding errors, you should pro-rate the going rate based on the annual figure, rather than the hourly figure. You do this by dividing the annual going rate by 39, then multiplying by the weekly hours stated by the sponsor. For example, if the annual going rate is £36,000 and the applicant is sponsored to work a 26-hour week, the pro-rating calculation would be:

$$£36,000 \div 39 \times 26 = £24,000$$

The going rates in Table 2 of Appendix Skilled Occupations are based on a 40-hour week (doctors), a 37.5-hour week (NHS Agenda for Change occupations) or the definition of a full-time worker (teaching occupations). The pro-rating calculation must be adjusted accordingly, for example dividing by 37.5 rather than by 39. For teaching occupations (where weekly working hours are not consistent throughout the year, due to term dates), you should ask the sponsor to confirm what proportion of a full-time equivalent (FTE) the applicant is, and pro-rate the going rate accordingly.

The applicant's full weekly hours must be included when checking their salary against the going rate, even if they work more than 48 hours a week. For example, an applicant who works 60 hours a week in an occupation code with a going rate of £39,000 must be paid £60,000 (£39,000 ÷ 39 x 60), not £48,000 (£39,000 ÷ 39 x 48).

If the applicant's salary is less than the pro-rated going rate (or less than 70% of the going rate for Intra-Company Graduate Trainees), no points should be awarded for salary.

Related content

[Contents](#)

[Mandatory points requirement](#)

[Sponsorship](#)

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Financial Requirements

This page explains how to assess the financial requirement (previously known as maintenance) for applications in the Intra-Company routes.

An applicant will automatically meet the financial requirement when they are applying for permission to stay in the UK, having been in the UK for at least 12 months with valid permission on the date of application. [link to section on how to casework this within the Financial requirement guidance]

If the above does not apply, an applicant can meet the financial requirement by:

- their sponsor certifying they will, if necessary, maintain and accommodate the applicant up to the end of the first month of their employment, to an amount of at least £1,270; or
- they provide evidence showing they have held funds of at least £1,270 for a 28-day period as set out in [link to Financial requirement guidance].

Related content

[Contents](#)

Maximum length of assignments

This section explains how to assess the whether the applicant has already had the maximum amount of permission in the Intra-company routes and if not, the date at which they will reach that maximum.

The maximum length of time an applicant can hold permission in the Intra-Company routes within a given rolling period is stated in paragraphs IC 11.1. to IC 11.3.

Applicants who are high earners (with a salary over £73,900) can have a maximum of 9 years in any 10-year period. All other applicants can have a maximum of 5 years in any 6-year period. These limits apply to both Intra-Company routes, but the grant period for graduate trainees is restricted further (as explained in the [grant of refuse](#) section).

(Entry clearance caseworkers should note that unlike the 12-month cooling-off rule under Tier 2 routes, this limit is only concerned with permission held by the applicant. You no longer need to assess whether the applicant was in or out of the UK.)

The rest of this section will explain how to consider an application where the limit is 5 years in 6. To consider an application for a high earner, follow the same principles but replace all references to 5 years with 9 years, and all references to 6 years with 10 years.

Assessing the maximum possible stay

You must assess what permission the applicant had in the Intra-Company routes in the last 6 years and what permission they could be granted from this application. You will need to refer to the applicant's immigration history and the work start and end dates on their current certificate of sponsorship. Permission in the Tier 2 (Intra-Company Transfer) route counts as Intra-Company permission, as does permission in Intra-Company routes that is extended under section 3c.

If the applicant has already reached the limit and granting further Intra-Company permission would cause them to have more than 5 years permission in 6, the application should be refused. If the applicant has not yet reached this limit, you will need to calculate the maximum possible stay the applicant can have.

Intra-Company permission calculator

You can use the Intra-Company Permission Calculator tool to assist with your assessment of the maximum length of assignments requirement. This will calculate whether the applicant has already reached the limit and the date of the applicant's maximum possible stay.

Manual permission calculation

If you need to manually calculate whether an applicant meets the maximum length of assignments requirement, you should take the following steps:

Step 1: Look at the applicant's immigration history for the 12 months ending on the work start date on their current certificate of sponsorship.

- If the applicant did not have permission in the Intra-company routes in this period, the applicant meets the requirement. **Their maximum possible stay will be 5 years from the start date on their certificate of sponsorship.**
- If the applicant has or last had permission in the Intra-Company routes and is extending their stay in either of the Intra-Company routes **go to step 2.**
- If the applicant had permission in the Intra-Company routes in the 12-month period but is not extending, **go to step 4.**

Step 2: Find the date when the applicant originally entered into the Intra-Company routes. (If they have not extended previously, this will be the start of their last permission.)

- If the date when the applicant first entered into the Intra-Company routes is 5 years ago or more, **the applicant has already reached the maximum length of assignments and should be refused.**
- If date is less than 5 years ago, **go to step 3.**

Step 3: Look at the applicant's immigration history for the 12 months ending on the date they originally entered into the Intra-Company routes.

- If the applicant did not have permission in the Intra-company routes in this period, **their maximum possible stay will be 5 years from the date they originally entered into the Intra-Company routes.** (This will normally be true for applicants transitioning from Tier 2 (Intra-Company Transfer) due to the cooling off period.)
- If the applicant had permission in the Intra-Company routes in the 12-month period above, **go to step 4.**

Step 4: Look at the applicant's immigration history for the 6 years ending on the work start date of their current certificate of sponsorship. Work backwards from the end of that period (i.e. the date their new work starts), adding up the number of days when they did not have permission in the Intra-company routes until you reach 365 days, then make a note of that date. (You may need to use a date duration calculator such as that found on [timeanddate.com](https://www.timeanddate.com) to help you.)

- If the applicant had less than 365 days outside the Intra-Company Routes in the last 6 years, **they have already reached the maximum length of assignments and should be refused.**
- If the applicant had at least 365 days outside the Intra-Company routes in that period, **their maximum possible stay will be to the date 6 years from the date you noted.**

Previous curtailment

Where an applicant's previous permission in the Intra-Company routes was curtailed, you should use the curtailment date in place of the original end date for that permission. In these scenarios, you should be mindful of whether the applicant remained in the UK with a subsequent grant of permission. There may be a period of 3c leave between the curtailment date and the following grant date that should be considered as Intra-Company permission.

What to do when the maximum possible stay has passed

In some circumstances, the maximum possible stay calculated will fall in the past. This normally happens only when there has been some delay that results in the decision being made after the work start date on the certificate of sponsorship.

If this happens, you will be unable to grant further permission in the Intra-Company Routes and the application should be refused. If the application is for permission to stay and the delays were for reasons outside the applicant's control, you may consider granting exceptional leave as described in the [Grant or refuse](#) section.

Work end date is later than the maximum possible stay

The sponsor may have requested a work end date that is after the maximum possible stay you have calculated. In these cases, if the applicant is an Intra-Company Transfer, they can still meet the maximum length of assignments requirement because permission will be granted to the maximum possible stay rather than the requested end date.

However, because Intra-Company Graduate Trainees are undertaking structured training programmes, applicants would be unable to complete the programme if they were not granted permission to the required end date. Therefore, these applicants do not meet the maximum length of assignments requirement and should be refused if the maximum possible stay is sooner than the work end date.

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[Grant of refuse](#)

Changes of employment

This page explains when an Intra-Company worker must make a change of employment application and how to consider these applications.

When a change of employment application is needed

The circumstances where an Intra-Company worker's job can change without needing a fresh application are set out in Part 9 of the Immigration Rules (paragraphs 9.29.1 to 9.31.3). Other changes in job mean the Intra-Company worker must re-apply with a new certificate of sponsorship for their new job. This is referred to as a "change of employment" application.

A person must make a change of employment application if they:

- change employer
- remain with the same employer and:
 - change their core duties which means their new job is in a different occupation code to the one stated on their original CoS
 - they are a high earner (as described in [sponsor guidance](#)) and their salary is reduced to an amount lower than the high earner threshold that applied when they made their application

A person does not need to make a change of employment application if:

- they are staying with the same employer and changing their job to one in the same occupation code, and the change does not mean moving from a job on the shortage occupation list to one that is not on the list
- there is a change of occupation code which is due only to reclassification within the standard occupation code (SOC) system by the Office for National Statistics
- their pay increases
- they are moving under Transfer of Undertakings (Protection of Employment) (TUPE) arrangements, equivalent statutory transfer schemes, or the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector due to a takeover, merger or de-merger under TUPE (or similar) protection they change jobs, the new job is in the same occupation code and they would still score 60 points if they were to make a new Intra-Company application
- an [acceptable absence](#) that lasted for one month or longer
- their salary is reduced but this coincides with a period where they are not physically in the UK
- they are an Intra-Company Graduate Trainees and they change job/salary with the same sponsor, provided it's a role that is part of the structured graduate training programme and the sponsor has notified us
- their salary is reduced, but they would still score 60 points if they were to make a new Intra-Company application

Sponsors must still notify UKVI of any of the above changes (other than basic pay increases due to annual increments or temporary salary reductions permitted under the Sponsor Guidance).

If the applicant has been subject to a transfer under TUPE (or similar as listed above), the sponsor licence unit will check the transfer was done correctly. They will update the applicant's ATLAS or CRS record with the new sponsors details.

Considering a change of employment application

You must consider a change of employment application in the same way as an initial application.

The applicant must:

- provide a new certificate of sponsorship from their new sponsor
- meet all the suitability and eligibility requirements

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Supplementary and secondary employment

This page explains supplementary and secondary employment in the Intra-Company routes.

Supplementary employment

In addition to the job specified on the certificate of sponsorship, an Intra-Company worker's conditions allow them to do extra work if it is:

- in either a job on the shortage occupation list or a job in the same occupation code as the job for which the certificate of sponsorship was assigned
- no more than 20 hours a week
- outside the working hours covered by the certificate of sponsorship

If the extra work meets the above requirements, the applicant does not need to inform the Home Office before taking extra work.

Secondary employment

An Intra-Company worker can apply to do a second (additional) job that does not qualify as supplementary employment. For example, it requires more than 20 hours work a week. They will need a new certificate of sponsorship for this second job and apply for a variation of permission, in addition to the certificate and permission for their existing job. This is because working in the second job is not covered by their existing conditions.

They cannot apply for further permission to stay for the second job until they have started working for their first sponsor. They will need to make a new application which must confirm they want to change their existing permission. The confirmation must include:

- the applicant's name
- date of birth
- certificate of sponsorship reference number, from the current permission
- confirmation of the date when the current permission expires

If you approve their secondary employment, you will be varying the applicant's initial permission and the applicant will have 2 sponsors during the period both certificates are valid. Where the applicant has a biometric residence permit (BRP), you must arrange for a new BRP card to be issued. Where the certificate of sponsorship reference number is displayed, the card should now read '2 CoS as Letter'. This indicates the applicant has secondary employment.

You must also change the applicant's approval letter to state the primary and secondary sponsors and the employment end dates for each. You must tell the

applicant they must keep the approval letter with their biometric card as proof of their right to work.

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Grant or refuse

This section tells you how to grant or refuse an application under the Intra-Company routes of the points-based system.

The actions you must take will differ dependant on the type of application under consideration:

- [entry clearance](#)
- [entry at UK port](#)
- [leave to remain](#)

Dates of permission granted

For non-EEA nationals, and EEA nationals applying from 1 January 2021, you should grant entry clearance with effect from either the date of decision or a date requested by the applicant, whichever is later.

(Entry clearance caseworkers should note this is a change from the previous Tier 2 rules. There is no longer a restriction against entry clearance beginning more than 14 days before the start date stated on the applicant's certificate of sponsorship.)

Permission to stay should be granted with effect from the date of decision.

End date for Intra-Company Transfers

The end date for Intra-Company Transfer applicants will be whichever is sooner of:

- the work end date on the certificate of sponsorship plus 14 days; or
- the date 5 years after the work start date on the certificate of sponsorship; or
- the date at which they will reach the [maximum length of assignments](#) under Intra-Company routes.

If the end date on the certificate of sponsorship passed 14 or more days before you make the decision, or the applicant has already reached their maximum length of assignments, you cannot grant permission.

For permission to stay applications, you may exceptionally grant 14 days permission to stay, to allow the migrant to make a further application or leave the UK without becoming an overstayer. You should only do this because of delays outside the applicant's control, such as

- Home Office process delays
- suspension then reinstatement of their sponsor's licence

End date for Intra-Company Graduate Trainees

The end date for Intra-Company Graduate Trainee applicants will be whichever is sooner of:

- the work end date on the certificate of sponsorship plus 14 days; or
- the date 1 year after the work start date on the certificate of sponsorship.

If the end date on the certificate of sponsorship passed 14 or more days before you make the decision, you cannot grant permission.

For applications for permission to stay, you may exceptionally grant 14 days permission to stay to allow the applicant to make a further application or leave the UK without becoming an overstayer. You should only do this because of delays outside the applicant's control, such as:

- Home Office process delays; or
- suspension then reinstatement of their sponsor's licence.

EEA nationals applying before 1 January 2021

You should grant permission beginning no earlier than 1 January 2021 for an EEA national who makes an application for entry clearance before 1 January 2021.

You must treat applications for permission to stay before 1 January 2021 from these nationals as invalid and reject them.

Irish citizens

Once free movement ends on 1 January, Irish citizens' status will continue to be protected. As a result, Irish citizens will not be eligible to apply for permission under the immigration rules. You must reject any application for a visa from an Irish citizen as invalid when made at or after 11pm on 31 December, except where they are subject to:

- a deportation order made under section 5(1) of the Immigration Act 1971;
- an exclusion decision, or an exclusion order made under regulation 23(5) of the Immigration (European Economic Area) Regulations 2016; or
- a travel ban implemented under section 8B of the Immigration Act 1971.

If an Irish citizen falls within one of the above categories, you should consider their application in line with the rules in the same way as any other applicant.

Where an Irish citizen chooses to apply before 11pm on 31 December, you should contact the applicant to explain they would not be permitted to apply for permission from 1 January onwards, they will have rights under section 3ZA of the Immigration Act 1971 and don't require permission, and they may want to withdraw their application. Please [contact the CTA Policy Team](#) for further information before you do so. If, despite this, they wish to proceed, you must consider their application in the same way as any other applicant.

Digital status

EEA nationals making an application using the UK Immigration: ID Check app will be given digital status if they are granted permission.

Other EEA and non-EEA nationals will be given a biometric residence permit if they are granted permission for longer than 6 months.

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Grant or refuse entry clearance

This page tells you how to grant or refuse entry clearance for the Intra-Company routes.

Endorsements

You must use one of the following endorsements:

- INTRA-COMPANY GRADUATE TRAINEE
- INTRA-COMPANY TRANSFER

The category is 'D'.

Biometric information for entry clearance

Successful applicants for entry clearance are given either a digital status or a [biometric resident permit \(BRP\)](#). If the entry clearance application is successful, you must give those given a BRP a 30 day visa to allow them to collect their BRP after they have arrived in the UK. Due to the coronavirus situation, these 30-day visas have been temporarily extended to 90 days.

Refuse entry clearance

You must refuse the application if you are not satisfied that the applicant has met all the suitability and eligibility requirements of Appendix Intra-Company Routes, or if any of the grounds for refusal in Part 9: Grounds for Refusal apply.

Rights of appeal and administrative review - out of country applications

If an application for entry clearance is refused, the applicant cannot appeal against our decision. However, if they think the Home Office has made an error in considering their application, they can apply for an [administrative review](#).

Related content

[Contents](#)

[Grant or refuse](#)

Grant or refuse entry at UK port

This page tells you how to grant or refuse entry at a UK port on the Intra-Company routes.

Granting leave to enter

Before you grant leave to enter, you must be satisfied:

- the applicant has valid entry clearance or permission to stay in the UK as an Intra-Company Transfer or Intra-Company Graduate Trainee.
- there are no reasons to believe the applicant gave false information to obtain the entry clearance or permission to stay in the UK or circumstances have changed since it was issued
- none of the general grounds for refusal in Part 9 of the Immigration Rules apply

Refusing leave to enter

You must refuse under paragraph IC 3.1 of the Immigration Rules if someone seeks entry in an Intra-Company route without a valid UK entry clearance or leave to remain for this purpose.

You must take into account the applicant's continuing leave if you are considering refusing them after their return from a short absence abroad. You must consider the refusal under part 9 of the Immigration Rules.

If the applicant is subject to a deportation order, any leave they have been granted is cancelled. You must refuse under paragraph 9.2.1 of the Immigration Rules. You must also refer to [Border Force operational policy](#), before you make a decision.

You must also refer to [Border Force operational policy](#), if you are considering a refusal on the grounds of:

- national security
- public policy
- sensitive information
- where the decision may affect relations with another country

On entry refusal codes

- Lack of required non-settlement entry clearance – E4
- Other reasons – Z1

Appeal rights and refusal forms

An applicant who has valid entry clearance (EC) or a biometric residence permit (BRP), which is cancelled at the border will not have a right of appeal against that decision. Where an EC or a BRP is cancelled the applicant may have a right to [administrative review](#) of that decision.

Where there is a right to administrative review at the border, you must serve an IS82 No RD AR in UK port cases and at the juxtaposed controls you must - serve an IS82 Juxt AR.

Where the applicant has an EC or BRP and is having their leave cancelled at the border and does not qualify for administrative review, you must serve an IS82 RD no AR in UK port cases and at the juxtaposed controls you must serve the IS82 Juxt No AR.

Where the applicant does not hold an EC or BRP there is no right to administrative review, you must serve the applicant an IS82 No AR RLE in UK port cases, and an IS82 Juxt No AR RLE at the juxtaposed controls.

If the applicant is the subject of an extant deportation order, they do not have a right of appeal before removal. You must serve them with form IS 82A, which you can find on CID.

Related content

[Contents](#)

[Tier 2: grant or refuse](#)

Grant or refuse permission to stay

This page tells you how to grant or refuse permission to stay on the Intra-Company routes.

Biometric information

Successful applicants for permission to stay are given either a digital status or a [biometric resident permit \(BRP\)](#). You must check [the biometric residence permit \(BRP\) system](#) before you submit a BRP card production request.

Rights of appeal and administrative review

If an application for permission to stay is refused, applicants cannot exercise a right of appeal in country. However, if they think the Home Office has made an error in considering their application, they can apply for an administrative review. Details of how to make an administrative review application must be included in the decision letter.

If the applicant raises consideration of any of human rights, section 47 and section 55, see:

- [Safeguard and promote child welfare](#)
- [Section 55 and the child's best interests](#)
- [Human rights considerations: Article 8](#)
- [ISG 01 19 13 Removal decisions under section 47 of the Immigration, Asylum and Nationality Act 2006](#)

Related content

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[Grant of refuse](#)

Conditions of stay

This page tells you about the conditions that an applicant must meet if they are granted leave in an Intra-Company route.

Applicants granted entry clearance or permission to stay in an Intra-Company route are subject to the following conditions:

- they cannot take employment except:
 - working for the sponsor in the job recorded on their certificate of sponsorship;
 - [supplementary employment](#);
 - voluntary work (see below);
 - working out a contractual notice period for any job they were lawfully working in on the date of application.
- they have no access to [public funds](#)
- they must register with the police, if they are required to do so by [Part 10](#) of the Immigration Rules
- study (with no limit on the number of study hours if it doesn't interfere with the job they have been sponsored to do) subject to the following restriction:

The applicant can do voluntary work in any sector. They must not be paid or receive other money for the voluntary work, except reasonable expenses as described in [section 44 of the National Minimum Wage Act](#).

The Intra-Company worker is allowed to study, but they must obtain an Academic Technology Approval Scheme (ATAS) certificate for the course or research they intend to undertake and present it to their education provider before they start their study if:

- they are not a national of the countries listed in [Appendix ATAS 3.1](#)
- their course is in a subject listed in [Appendix ATAS 4.1](#) and it:
 - leads to a master's degree; or
 - leads to a PhD; or
 - leads to another postgraduate qualification; or
 - is a period of study or research which is part of an overseas postgraduate qualification.

If their course (or research) completion date is postponed or delayed for more than 3 calendar months or there are any changes to the course contents (or the research proposal), they must apply for a new ATAS certificate within 28 calendar days, and must provide a printout of the new certificate to their education provider promptly.

Related content

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[Changes of employment](#)

[Supplementary and secondary employment](#)

The certificate of sponsorship checking system

This section tells you how to check a certificate of sponsorship using the checking system and how to record it as used on the system.

How to search the certificate of sponsorship checking system

You can access the checking system using their username and password. To access the search function click 'CoS check'. The checker times out every 30 minutes, so you may need to log in again after this time.

You can search the system using the:

- Certificate of sponsorship reference number, by entering it into the relevant screen
- Applicant's details
- Sponsor's details

Searching using the applicant's details

If you select this option, you can search by:

- passport or travel document number
- family name
- given name
- nationality
- date of birth
- gender

The more information is provided, the narrower the search will be.

Searching using the sponsor's details

If this option is selected, you can search by:

- sponsor licence number
- sponsor name
- sponsor address
- postcode

When you check the certificate of sponsorship, you must:

- find it on the certificate of sponsorship checking system

- check the case type given on the caseworking system matches the type of certificate of sponsorship issued - this is on the top of the certificate
- record it as used in all approval and refusal cases
- not mark it as 'used' if you are rejecting the application as invalid, or withdrawing or voiding the application, or the applicant is varying it to another route, because no decision has been made and they could use it again

Check the current status of the certificate of sponsorship

Status of certificate of sponsorship on the checking system:	What you must do:
Assigned	Continue to assess the application.
Suspended	<ul style="list-style-type: none"> • not decide the case • keep it on hold • contact the sponsor licensing unit (SLU) to find out if they will be re-instating the sponsor or if it will be suspended indefinitely, and what information you can share with the applicant <p>If they do not issue a new certificate of sponsorship, you must refuse the application.</p>
Withdrawn	Refuse the application if the sponsor does not assign another certificate of sponsorship because it is no longer valid.
Used	<p>Check to see if the sponsor has assigned a new certificate of sponsorship.</p> <p>If not, you must refuse the application because there is no valid certificate of sponsorship.</p>

Related content

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Requesting more information

This page tells you about requesting more information or supporting documents related to Intra-Company Transfer and Intra-Company Graduate Trainee applications.

Applicants and their sponsors should provide all the necessary evidence and information with the application and certificate of sponsorship. If, however, there is a clear error or omission, it may be appropriate for you to discuss the application with a manager or technical expert to consider contacting the applicant and/or their sponsor to invite them to provide additional evidence or information.

Taking a fair and proportionate approach to assessment of evidence

You must review the information on the application form and other available evidence before deciding whether you are satisfied on the balance of probabilities (it is more likely than not) a requirement is met.

If the evidence with the application is meant to show the requirement is met and you are not satisfied the evidence is genuine evidence provided is genuine there are several ways to check:

- contact the applicant and request further information;
- check with document verification
- check with the issuing authority of that evidence to verify the information;
- check with the National Document Fraud Unit or Intelligence colleagues. You can find further guidance at <https://horizon.homeoffice.gov.uk/section/immigration-borders-and-nationality-guidance/guidance-theme/intelligence-and-forgery/forgery>

If in doubt, you should discuss with a manager whether to make further checks.

Official – sensitive: end of section

Format of evidence

The immigration rules no longer set out specific format requirements for most documents. This doesn't mean format is irrelevant – it will help you assess if a piece of evidence is genuine and if it provides the information needed for you to be satisfied a requirement is met. You must not refuse an application because the evidence is not in a particular format, but may request alternative or additional evidence if you are not satisfied what the applicant (or their sponsor) has provided shows the requirements of the rules are met.

If evidence, such as a bank letter, does not include the information you would normally expect, you should consider whether to take further action to verify it.

Where evidence is missing or inadequate

The applicant will be told what evidence to provide as part of the application process. However, sometimes evidence is missing or inadequate to enable you to assess whether the financial requirement is met.

You should consider seeking further information or making verification checks when, for example:

- evidence is missing (for example a missing page from a series) you believe the applicant has, or could obtain
- evidence is inadequate but could be clarified, for example, if a letter from an official financial sponsor does not include all the information you would expect

You should check any discrepancies about information on the certificate of sponsorship with the sponsor.

You may decide to ask for further information from the applicant, sponsor, or issuing institution (for example, the bank which issued the applicant's financial documents) or make verification checks in other cases if you think it would help assess whether the requirements are met. If you are not sure whether this would help, you should discuss this with a manager.

When contacting the applicant or sponsor, they should be given 10 UK working days in which to provide a response.

You do not need to contact the applicant or sponsor if evidence is missing or inadequate, but:

- you do not need the information because you can find it elsewhere, for example, from the certificate of sponsorship
- receiving it would make no difference to the decision (for example because you would still refuse the application for other reasons)

If the evidence supplied is inadequate, you do not have to offer the applicant an opportunity to provide different evidence. For example, if the applicant provides bank statements and they do not show the required level of funds or the evidence is not sufficient, you do not need to check whether the applicant has another bank account which might meet the requirement.

Failure to supply requested information

If you request additional information from the applicant or their sponsor, you should ask them to provide it, or an explanation why they are unable to, within 10 working days of the date you send the request letter.

If you do not receive the requested information in this timeframe, you must assess whether any excuse provided is reasonable and if so, you should give the applicant

more time to respond. If the applicant does not provide a reason or the reasons given are not satisfactory, you may refuse the application.

Related content

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Immigration skills charge

This section tells you how to check the sponsor has paid the immigration skills charge (ISC). It also explains how to request a top-up payment or refund through the ISC admin team.

Checking the sponsor has paid the ISC

The ISC payment is linked to the assignment of the certificate of sponsorship, not the application for entry clearance or permission to stay. It is paid by the sponsor.

The Immigration Skills Charge (Amendment) Regulations 2020, were made on 3 November 2020. These Regulations allow the ISC to be applied, from 1 December 2020, to applications for a certificate of sponsorship to recruit a migrant worker under the Skilled Worker or the Intra-Company routes.

An application is exempt from the ISC if any of the following apply:

- the applicant is seeking entry clearance for less than 6 months.
- the applicant is applying as an Intra-Company Graduate Trainee.
- the job is a PhD-level occupation under SOC codes 2111, 2112, 2113, 2114, 2119, 2150 or 2311.
- The job is in SOC codes 2444 (Clergy), 3441 (Sports Players) or 3442 (Sports coaches, instructors and officials). These occupations are not eligible for skilled worker and must apply under the relevant route (either sportspersons or ministers of religion).
- the applicant is switching from the Tier 4 (General) route or student route.
- The applicant was previously exempt having switched from the Tier 4 (General) or student route and is now applying to extend their permission in the same role with the same sponsor.
- the sponsor remains the same as on the applicant's previous application and both of the following apply:
 - the certificate of sponsorship is for a change of employment application as the applicant has moved SOC codes; and
 - the end date of the new CoS is no later than the end date of the previous CoS the applicant was assigned.
- the applicant initially entered Tier 2 (General) or Tier 2 (Intra-Company Transfer) with a certificate of sponsorship assigned before 6 April 2017 and has held continuous permission ever since under:
 - Tier 2 (General)
 - Tier 2 (Intra-Company Transfer)
 - Skilled Worker
 - Intra-Company Transfer

Charging costs

This section explains how much a sponsor is charged and the length of employment given on the certificate of sponsorship.

Applications which do not fall under an exemption attract a fee based on the type of sponsor and the length of the certificate of sponsorship.

A sponsor is eligible to pay the small or charitable sponsor ISC charge if it has [charitable status](#) or is subject to the small companies' regime as set out in [chapter one, paragraphs 381-384 of the Companies Act 2006](#) or is a person who employs no more than 50 employees. This is consistent with the differential rate that sponsors currently pay for a Skilled Worker sponsor licence. If the sponsor does not pay the charge or does not pay the right amount, the certificate of sponsorship is not valid.

To establish whether the sponsor has paid the correct charge, you must:

- check the ISC payment amount using the CoS checker
- use the work start and end dates to determine the length of employment then use the below table to ensure the correct payment has been made:

Work start and end dates	Small or charitable sponsor	Medium or large sponsor
12 months or less	£364	£1000
More than 12 months, but no more than 18 months	£546	£1500
More than 18 months, but no more than 24 months	£728	£2000
More than 24 months, but no more than 30 months	£910	£2500
More than 30 months, but no more than 36 months	£1092	£3000
More than 36 months, but no more than 42 months	£1274	£3500
More than 42 months, but no more than 48 months	£1456	£4000
More than 48 months, but no more than 54 months	£1638	£4500
More than 54 months, but no more than 60 months	£1820	£5000

Contacting the ISC admin team

You will need to e-mail the [ISC Admin Team](#) or ISC Admin Team in the Global Address List (GAL) whenever the sponsor needs to pay either:

- the full charge
- a top-up payment

You must also contact the [ISC Admin Team](#) where a partial refund is required.

You must send all emails from your Team Mailbox and format the subject heading of your e-mail as below:

'Department name – CID reference – CoS reference – action required'

For example:

- 'PSC – 17571913 - E4G7TK6D12M0J1 – partial refund'
- 'SKILLED WORKER – 1968524 – 54JGS5451PO032 – top up payment'

In the body of the email you will need to confirm:

- the sponsor
- certificate of sponsorship reference number
- applicant's details
- reason for top-up/refund
- top-up/refund value

The ISC Admin Team will reply to your team mailbox to confirm the sponsor has made the correct payment or after 10 UK working days if they haven't paid in full.

Further details on ISC, including a list of frequently asked questions, is included in separate [ISC guidance](#).

Sponsor pays top-up after write out

Once the sponsor has paid the correct charge, you must complete consideration of the case as normal.

Granting a shorter period of permission

If you grant an applicant a shorter period of permission than they requested, the sponsor will need a partial refund. You must:

- send e-mail to the ISC Admin Team to request a partial refund using the agreed naming convention confirming the sponsor, certificate of sponsorship reference number, applicant's details, reason for refund and refund value
- add Admin Event 'ISC Partial Refund – migrant granted lesser period of leave' to CID

Granting leave where sponsor has overpaid

If you grant an applicant leave but the sponsor has overpaid the ISC, such as if the sponsor paid the large sponsor payment when they qualify as a charity, the sponsor will need a partial refund. You must:

- email the [ISC Admin Team](#) to request partial refund using the agreed naming convention confirming the sponsor, certificate of sponsorship reference number, applicant's details, reason for refund and refund value

- add Admin Event 'ISC Partial Refund – overpayment' to CID

Refusing the application

If you refuse the application and the sponsor is due a full refund, you do not need to request a refund. The refund will be picked up by the ISC Admin Team using Management Information (MI).

If the sponsor does not pay the top-up after write out

You must continue with consideration the application. The appropriate Admin Event must be added to CID when refusing case, for example:

- 'Refusal Reason – ISC only'
- Where the **only** ground for refusal is the sponsor has not paid the necessary ISC **and** we have given them at least 10 UK working days from the date of the appointment / initial case consideration to pay it
- 'Refusal Reason – ISC plus other'
- where the sponsor has paid the incorrect ISC but this is not the only reason for refusing the application

Related content

[Contents](#)

Evidence of overseas work and permitted absences

This page tells you what documents an applicant should be able to provide to show they have worked outside the UK for the sponsor and linked organisations for the period required by paragraphs IC 5.7. to IC 5.9.

For Intra-Company Transfer applicants, the evidence they provide should show they have worked for the sponsor group outside the UK for at least 12 months, and that from the start of that period to the date of application, they have continuously worked for the sponsor group (whether in or out of the UK).

If there were any breaks in the continuous period of work for the sponsor group, the applicant must be able to demonstrate that these were for [permitted absences](#). An applicant who has undertaken permitted absences must still demonstrate they accumulated the required amount of overseas work for the sponsor group.

You should request information in accordance with this guidance: [Requesting more information](#).

Evidence of work

Sponsors are required to retain evidence to show that the applicant has worked for them and/or linked businesses for the required period. If required, the applicant must be able to supply documents that cover the whole period from the first month working outside the UK to the date of application (with the last document dated no more than 31 days before the date of application). This will normally be in the form of:

- **payslips:** these must be formal payslips issued by the employer or linked overseas business showing the employer's name - if payslips are printouts of online payslips, they must provide a letter from the employer, confirming the information on the payslips is accurate; this letter can be posted, faxed or scanned and emailed to you - the letter must be on company headed paper, and must be signed by a senior official
- **personal bank or building society statements:** these must clearly show the applicant's name, account number, date of statement, the financial institution's name and logo and transactions between the applicant and their sponsor covering the full specified period.

you can accept ad hoc bank statements printed on the bank's letterhead as evidence (this does not include mini-statements from automatic teller machines (ATMs)).

you can accept electronic bank statements if they contain all of the details listed above - applicants must also provide a supporting letter from their bank,

on company headed paper, confirming the authenticity of the statements and with the official stamp of the bank on every page of the electronic bank statements

- **building society passbooks**: these must clearly show the applicant's name, account number, financial institution's name and logo, and transactions between the applicant and their sponsor or linked business covering the full specified period immediately before the date of the application

If evidence of work is not available in the above format, the applicant may provide alternative evidence (see [missing evidence](#) below).

Permitted absences

If you ask the applicant to provide evidence of their overseas work, you must, at the same time, ask the applicant to provide evidence that any absences from that work are permitted under paragraph IC 5.8.(b).

Evidence of statutory maternity, paternity, parental, shared parental, or adoption leave

The applicant should normally evidence these absences by providing **two** of the following:

- birth or adoption certificates, containing the names of the parents or adoptive parents of the child for whom the leave was taken;
- a letter from their sponsor or linked overseas business, on company headed paper, confirming the start and end dates of leave;
- payslips or personal bank or building society statements or building society passbook covering the entire period of leave, as well as the 12 months working, showing statutory maternity, paternity, parental, shared parental, or adoption payments to the applicant (if the applicant received such payments).

Evidence of sick leave

The applicant should normally evidence these absences by providing **both** of the following:

- a letter from their sponsor or linked overseas business, on company headed paper, confirming the start and end dates of the applicant's leave
- payslips or personal bank or building society statements or building society passbook covering the entire period of leave, as well as the 12 months working, showing the applicant's statutory sick pay and/or sick pay from their health insurance, if relevant

Evidence for assisting in a national or international humanitarian or environmental crisis or taking part in strike action

The applicant should normally evidence these absences by providing **both** of the following:

- a letter from their sponsor or linked overseas business, on company headed paper, confirming the start and end dates of the applicant's leave
- payslips or personal bank or building society statements or building society passbook covering the entire period of leave, as well as the 12 months working, showing the applicant's pay

If the applicant is unable to provide a letter from their sponsor or linked overseas business, they must provide a full explanation of why the document cannot be provided, together with any other relevant documents, from an official source and which are independently verifiable, showing the duration of and reason for each such period of absence.

Missing Evidence

If the applicant cannot provide documents from those listed above, they may provide alternative documents such as those listed below.

This is not an exhaustive list and each case must be judged on its merits.

Evidence must be from an official source, must be independently verifiable and must relate to their work or reason for the absence:

- official adoption papers issued by the relevant authority
- any relevant medical documents
- a relevant extract from a register of birth provided it is accompanied by a letter from the issuing authority

If you are not satisfied with the evidence the applicant has provided, they should refuse the application. You should also consider reporting the matter to the UKVI Sponsorship team if the lack of evidence could be considered as the sponsor failing to meet its sponsor duties.