

# Home Office sponsor guidance update

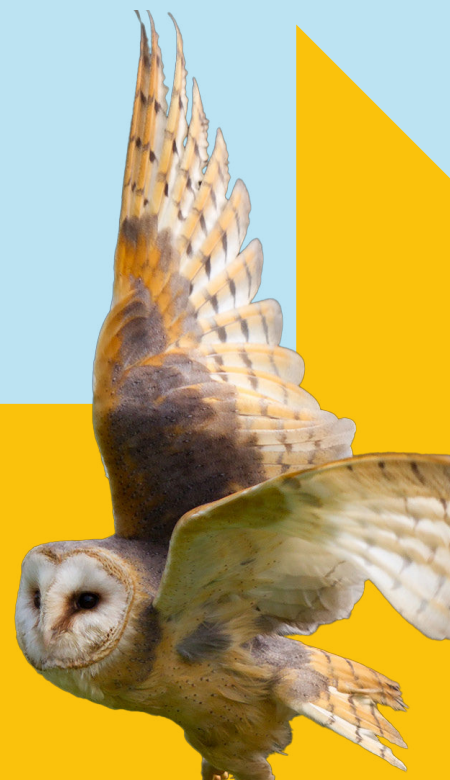
## Understanding your additional HR duties

On Friday 6 March 2026, the Home Office published updated sponsor guidance (version 03/26), introducing several important changes for employers holding a sponsor licence.

Sponsors are now expressly required to review the guidance in full, reinforcing an ongoing obligation to remain up to date with all relevant provisions.

### Key immediate actions for sponsors

- Develop and roll out a programme to ensure sponsored workers (including existing sponsored workers) understand their UK employment rights
- Update HR processes and record-keeping to ensure evidence is retained showing that sponsored workers have been informed of their employment rights
- Review contractual pay periods and payroll arrangements to ensure salary thresholds are met within the relevant payment periods



## New 'eligible role' requirement

A significant change is the replacement of the 'genuine vacancy' test with a new 'eligible role' requirement. Sponsors must ensure that any role they sponsor:

- Genuinely exists or is expected to exist when the Certificate of Sponsorship (CoS) is assigned
- Accurately reflects the duties, hours and job description recorded on the CoS
- Meets all relevant immigration requirements, including skill level and salary thresholds and
- Is appropriate for the size and nature of the business

In practice, this requires sponsors to ensure roles are clearly evidenced, accurately described and genuinely needed at the point a CoS is assigned. The Home Office is likely to scrutinise alignment between job duties, occupation codes, salary and business need, particularly during compliance checks.

Sponsoring a role that does not meet the 'eligible role' definition may result in licence revocation.

## Greater emphasis on compliance and discretion

The updated guidance places increased emphasis on compliance and the Home Office's discretion. Enforcement action may now be taken where there is a "reasonable suspicion" of non-compliance, rather than waiting for a proven breach.

Sponsors are also explicitly required to read all relevant parts of the guidance, including appendices, glossaries and route-specific sections.

### Recommended actions:

- Ensure familiarity with all relevant sections of the sponsor guidance for applicable routes
- Assign responsibility to an individual or team to monitor updates and track changes

Sponsor compliance should be treated as an ongoing governance obligation rather than a one-off administrative task. Sponsors should:

- Download and circulate the latest guidance and remove outdated internal materials
- Audit Certificates of Sponsorship (CoS) against actual roles and reporting lines
- Review HR, payroll and record-keeping systems through a compliance lens
- Consider undertaking proactive internal compliance reviews ahead of any Home Office audit

## Stronger expectations around HR processes

The guidance reinforces the importance of accurate and consistent HR practices:

- Job descriptions and duties on the CoS must reflect the actual work carried out
- Any permitted changes to roles must be properly reported via the Sponsorship Management System
- Right to work checks now explicitly extend to certain non-direct workers engaged by the sponsor (e.g. some contractors and consultants, or temporary workers)

Sponsors must also ensure that sponsored workers understand their employment rights. The Home Office guidance provides an expressly non-exhaustive list of relevant employment rights:

- National Minimum Wage entitlements
- Working Time Regulations compliance
- Pension auto-enrolment and opt-out rights
- Statutory leave and pay
- Health and safety obligations
- Trade union information
- Equality Act protections
- Grievance procedures

Other core employment rights that employers may wish to cover off include rights connected with termination of employment (including notice, redundancy pay and unfair dismissal rights), whistleblower protections, sick leave and sick pay and rights in connection with disciplinary processes. The guidance expressly refers to ACAS as a source of relevant information, and sponsors may wish to refer workers to this service.

Sponsors must retain evidence that this information has been provided. While much of this information may be covered off in existing employment documentation (e.g. contracts, handbooks and relevant policies), other information may not. It would be advisable for sponsors to issue specific information sheets to sponsored workers (cross-referring to existing documentation as appropriate) to ensure that the necessary information is provided, and to keep counter-signed copies of these information sheets on the relevant worker's file to evidence compliance.

#### **Recommended actions:**

- Create or source information sheet, cross-referring to existing employment documentation as appropriate
- Ensure systems are in place to retain and easily access this evidence in the event of a compliance check

## **Salary compliance**

The updated guidance introduces a new mandatory ground for licence refusal or revocation where a worker's salary has been artificially inflated to meet immigration thresholds.

Sponsors must ensure that:

- The salary stated on the CoS is paid in practice and on an ongoing basis
- Payments meet required levels within the relevant pay periods
- Payroll practices align with Home Office expectations, particularly given increased data-sharing with HMRC

Additional considerations:

- Review pay structures to ensure thresholds are met within defined pay periods
- Note that flexibility to average salary across time periods is limited
- Sectors with irregular work patterns may need to adjust payroll cycles accordingly

## Why these changes matter

These updates reflect a stricter compliance environment. The Home Office has made it clear that:

- The sponsorship system operates at its discretion and
- Enforcement action, including suspension or revocation, may be taken based on reasonable suspicion of non-compliance

For sponsors, this means:

- Increased scrutiny of whether roles genuinely reflect actual work
- Higher expectations for HR systems and record-keeping
- Expanded obligations to inform workers of their rights

Employers should review and, where necessary, strengthen internal processes to ensure continued compliance.

## How we can help

Forsters' [Immigration](#) and [Employment](#) team provide tailored advice and practical solutions to support employers manage their sponsorship responsibilities.

[Get in touch](#) with one of our team to discuss how these changes may impact your organisation and to receive bespoke support for your immigration and employment needs.



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