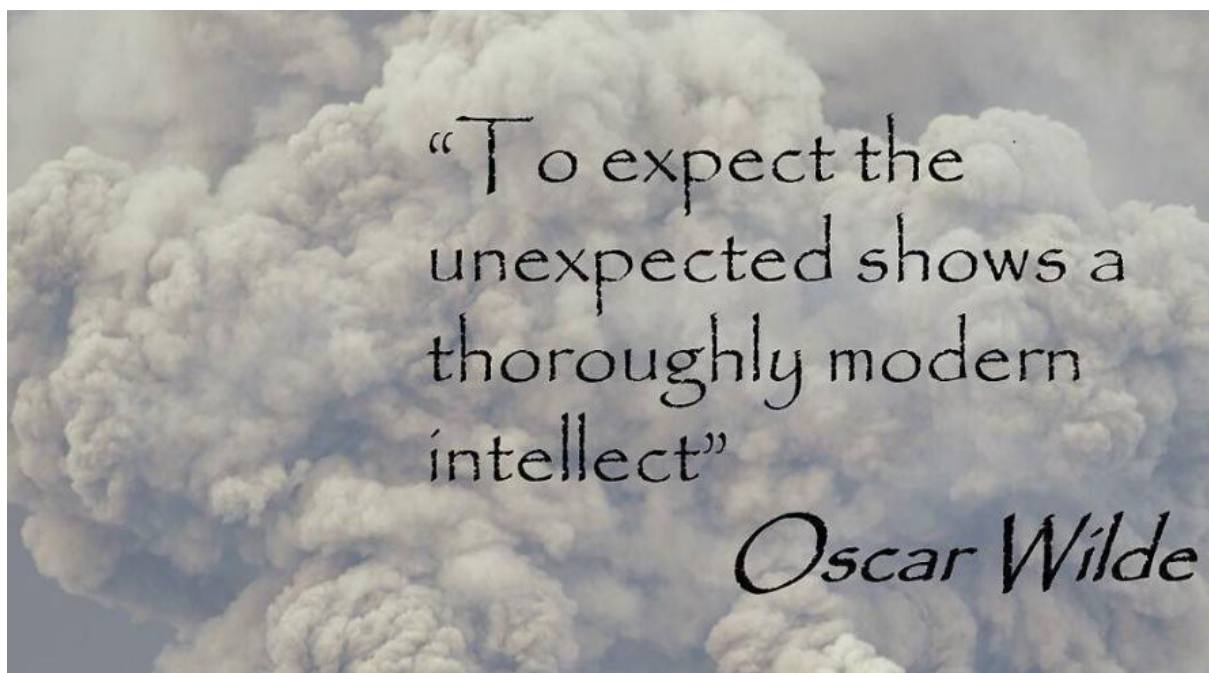




Sponsorship Compliance & Business Contingency Support Pack



Business Contingency & Compliance Plan

Immigration, Employment and Workforce Compliance

Purpose

This document outlines the organisation's procedures to ensure compliance with UK employment law, immigration law, and regulatory requirements relating to sponsored workers, agency workers, and general workforce management.

The objective is to ensure:

- Business continuity
- Legal compliance
- Protection of sponsored worker licences
- Avoidance of penalties, licence suspension, or revocation by the Home Office

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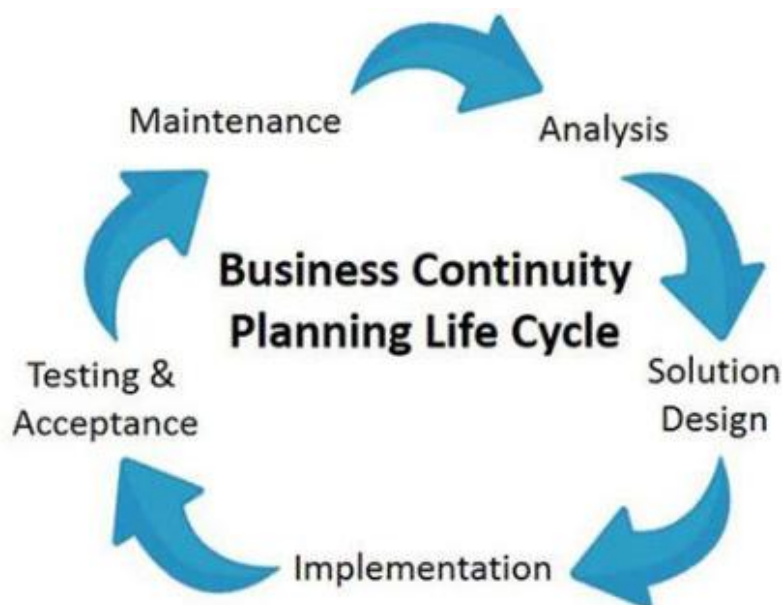
Business contingency planning	2
Common UKVI Breaches	3
Key Personnel & Sponsorship Reporting Compliance	4
Complying with wider UK law	6
Worker recruitment	7
Reporting duties	12
Payroll & Sponsorship Compliance	14
Record Keeping Requirements	17
Data Protection Checklist	18
UKVI Compliance Visit Readiness Checklist & Action Plan	20
Risk Management	22
Internal Auditing and Testing Contingency Plans	23
Business Compliance and Contingency Template	27
Risk rating Matrix and Risk Matrix	32
Action Plan template	35

LEGAL DISCLAIMER: This pack and accompanying videos have been written in general terms and therefore cannot be relied on to cover specific situations. The information within this pack do not form a substitute for considered, specific advice tailored to your circumstances. The applications of the principles set out will depend on the particular circumstances involved, and we recommend that you obtain professional advice before acting or refraining from acting on any of the contents of this pack and accompanying videos.

Business Contingency Planning



The business contingency lifecycle is the process companies follow to prepare for, respond to, and recover from unexpected disruptions, like cyberattacks, supply chain failures, or natural disasters. It starts with identifying potential risks and understanding how they could affect operations. Next comes planning, businesses create strategies and backup systems to keep things running or quickly restore them if something goes wrong. Then they test these plans through drills or simulations to make sure they actually work. When a real disruption happens, the company puts the plan into action to minimise damage and downtime. Finally, after the situation is under control, they review what happened, learn from it, and improve their plans for the future. This ongoing cycle helps businesses stay resilient and better prepared for whatever challenges come their way.



Watch our webinar on [Business Contingency Planning for International Recruitment](#)

Common UKVI Breaches

Watch our video on Common Breaches: [Common Breaches](#)

UKVI Sponsorship Licence Revocation — Key Causes

- **Serious or repeated non-compliance with sponsor duties** — failing to keep required records, not reporting changes to job roles, salaries, hours or worker status through the Sponsor Management System, and ineffective HR oversight. UKVI considers systematic breaches as indicating an inability to sponsor effectively.

- **Misuse of Certificates of Sponsorship (CoS)** — issuing CoS for non-genuine roles, exceeding allocations without justification, or sponsoring staff for roles that don't meet visa route criteria (e.g., skill or salary thresholds).

Right to work and payroll failures — not conducting or recording right-to-work checks properly; paying less than the minimum required or less than stated on the CoS; and other payroll irregularities that may be flagged via HMRC data sharing.

Operational and reporting failures — assigning start dates outside the permitted windows, failing to record visa expiry dates, poor record keeping, or failing to cooperate with compliance visits.

Threat to immigration control or dishonesty — providing false or misleading information, obstructing inspections, or committing fraud will often lead to immediate revocation.

Behaviour not conducive to the public good or criminality — relevant convictions or civil penalties can trigger licence loss.

Recouping sponsorship costs from workers — as of recent rules, attempting to pass on sponsor licence, CoS or associated administrative costs to sponsored workers is grounds for revocation.

HMRC Issues and Compliance Risks for Care Providers

VAT and tax avoidance investigations — HMRC has targeted **VAT grouping arrangements** used by some care providers to reclaim VAT on exempt welfare services by linking with unregulated entities. HMRC considers many of these structures to be tax avoidance and is refusing new applications or reviewing existing arrangements.

Employment tax and wage compliance risks — Care employers must ensure correct operation of PAYE (Pay As You Earn), National Insurance contributions, national minimum/living wage, holiday pay and accurate payroll reporting. Failures here can lead to HMRC compliance checks, penalties, and increased enforcement focus on the sector.

Use of tax reliefs and claims — Improper or aggressive claims for reliefs (e.g., R&D tax credits) can attract HMRC challenge; care providers are in a sector flagged for non-compliance risk.

Key Personnel & Sponsorship Reporting Compliance

When a UK business sponsors workers from overseas, it must appoint certain “key personnel” to manage its licence and keep everything compliant. These roles, such as the Authorising Officer, Key Contact, and Level 1 User are responsible for making sure the company follows immigration rules and keeps accurate records. Part of their job is sponsorship reporting, which means telling UK Visas and Immigration about important changes, like if a sponsored worker leaves their job, changes role, or stops showing up to work. They also need to report changes within the business itself, such as a new address or ownership structure. This information is usually submitted through the Sponsorship Management System (SMS). Keeping these details up to date is essential because failing to report correctly or on time can lead to fines, losing the sponsorship licence, or being barred from hiring overseas workers in the future.

KEY PERSONNEL GOVERNANCE CONTROLS

You must maintain accurate and up-to-date records of:

A. Authorising Officer

Full name

Job title

Company email address (not personal email)

Seniority appropriate to role

Aware of sponsor duties

Actively overseeing compliance

B. Level 1 SMS Users

Names recorded

Job titles recorded

Access reviewed quarterly

No unauthorised access

Leavers removed immediately

C. Level 2 SMS Users (if applicable)

Names recorded

Job titles recorded

Scope of access defined

Activity monitored

D. Key Personnel Contact Updates

You must update:

Changes to Authorising Officer

Changes to Level 1/2 users

Change of company address

Change of contact details

Failure to update is a compliance breach.

COMPLYING WITH WIDER UK LAW

Your organisation must:

- Comply with immigration law
- Comply with wider UK law
- Maintain accurate records
- Monitor sponsored workers
- Report relevant changes
- Not engage in behaviour contrary to the public good
- This includes cooperation with police if required.

Your organisation must comply with:

National Minimum Wage <https://www.gov.uk/national-minimum-wage-rates>

Working Time Regulations <https://www.legislation.gov.uk/uksi/1998/1833/contents>
<https://www.acas.org.uk/working-time-rules>

Watch our video on National Minimum Wage: [International Recruitment: National Minimum Wage Working Hours](#)

WORKING TIME REGULATIONS & REST BREAKS

Even if a worker signs a 48-hour waiver, rest entitlements still apply. You must evidence compliance.

Rest Break During Working Day

If working more than 6 hours:
Minimum 20-minute uninterrupted break

Does not have to be paid (check contract)

Record break patterns in rota system

Daily Rest

Minimum 11 hours between working days

Example:

Finish 8pm → earliest start 7am next day.

Weekly Rest

Worker must receive either:

24 hours uninterrupted rest each week

OR

48 hours uninterrupted rest each fortnight

Maintain rota evidence.

Failure to evidence rest compliance = audit vulnerability.

Pension auto-enrolment <https://www.gov.uk/workplace-pensions/joining-a-workplace-pension>

Illegal working legislation

<https://www.legislation.gov.uk/ukpga/2016/19/part/1/chapter/2>

[https://assets.publishing.service.gov.uk/media/65ba189e4ec51d0014c9f1d2/2024.01.22_FINAL - Right To Work Code of Practice.pdf](https://assets.publishing.service.gov.uk/media/65ba189e4ec51d0014c9f1d2/2024.01.22_FINAL_-_Right_To_Work_Code_of_Practice.pdf)

Right to Rent legislation (if applicable)

Planning permission requirements

Food authority registration (if applicable)

CQC or relevant inspectorate registration

Safeguarding obligations

VAT and tax obligations

UK/UN sanctions compliance

No engagement in criminal activity

Non-compliance in these areas can trigger sponsor licence action.

Worker Recruitment

Recruitment Requirements

Check that recruitment evidence supports the job requirements:

- Job advert reflects the **actual role requirements**
- If driving is required – copy of driver's licence on file
- If NVQ Level 2 required – copy of NVQ2 certificate
- If 1 year care experience required – CV showing employment history

Recruitment Records

For each sponsored worker maintain:

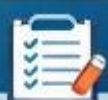
- Interview notes
- Interview questions asked
- Recruitment scoring sheets (if used)
- Reasons for selecting the candidate

Watch our video on: [Record Keeping](#)



Recruitment Records for Sponsored Workers

Keep only the recruitment information of sponsored workers/selected candidate, not other interviewees.



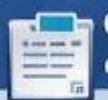
Pre-Recruitment Stage (Before Advertising)

- ✓ Job description & person specification
- ✓ Proof role is genuine & meets criteria ⓘ
- ✓ Salary benchmarking evidence
- ✓ Business case for recruitment
- ✓ Organisational chart showing vacancy
- ✓ Proof of sponsor licence



Advertising & Recruitment (Records to Keep)

- ✓ Signed offer letter
- ✓ Contract of employment
- ✓ Where & when adverts were placed
- ✓ CoS assignment record & reference number
- ✓ Explanation of how salary calculated



Offer & Certificate of Sponsorship (CoS)

- ✓ Signed offer letter
- ✓ Contract of employment
- ✓ Salary evidence meets visa threshold
- ✓ CoS assignment record & reference number
- ✓ Interview notes & scoring
- ✓ Reason for selection/rejection
- ✓ Proof candidate has required qualifications



Visa Application Stage

Records to Keep

- ✓ Passport copy and visa (vignette/BRP/eVisa/sharecode)
- ✓ Visa approval confirmation
- ✓ Right to work check & sharee code
- ✓ Date & person conducting check



Ongoing Employment (Sponsor Duties)

- ✓ Absence records & payroll records
- ✓ Payroll records ✓ Payroll
- ✓ Re-Use/late contact details ✓ Up to-code
- ✓ Changes in role/salary
- ✓ Performance concerns (if relevant)
- ✓ Copy of latest visa/extension



Ongoing Employment (Sponsor Duties)

- ✓ Absence records & payroll records
- ✓ Start date confirmation
- ✓ National Insurance number
- ✓ UK contact details & emergency contact
- ✓ Copy of latest visa/extension

Important Compliance Time Frames

- ✓ Right to Work check must be done before employment begins
- ✓ Report non-attendance to Home Office within 10 working days
- ✓ Report changes (salary, job role, termination, address changes etc.) within 10 working days

Recruitment Records Checklists

RIGHT TO WORK CONTROLS

You must document:

- Who conducts initial right to work checks
- When checks are completed (must be BEFORE employment begins)
- How checks are recorded
- Where evidence is stored
- Follow-up checks:
- Who is responsible
- Expiry tracking system
- Reminder alerts in place
- Evidence retained

Use:

- Standardised right to work checklist
- Employer Checking Service (if required)
- Record date and checker name

DBS MONITORING CONTROLS

- If DBS is required for role:
- Responsible person identified
- DBS renewal tracker maintained
- 6-monthly review of expiry dates
- Evidence of renewal application retained
- Expired DBS = licence risk.

RECORD KEEPING CHECK

- Full address history retained
- Contact details current
- Move dates recorded
- All contract variations saved
- Absence records up to date

DBS CONTROL CHECK

- DBS review log maintained
- Expiry dates tracked
- Renewals planned in advance
- No expired certificates

DISCIPLINARY RISK CHECK

- Policy followed
- Meeting notes retained
- Warnings documented
- Dismissals reported if sponsored
- SMS updated within timeframe

EMPLOYEE CIRCUMSTANCE MONITORING

- You must have systems to:
- Remind employees to report changes in visa status
- Remind employees to report address changes
- Capture changes in working hours
- Capture long-term absence
- Capture change in job role
- Capture professional registration changes

PRE-EMPLOYMENT CHECK

- Right to Work check completed before start
- ECS check obtained if required
- Contract matches CoS details
- Salary threshold verified
- Hours clearly stated in contract
- DBS checked (if role requires)
- Pension auto-enrolment set up

CONTRACT & HOURS CONTROL CHECK

- Contracted hours match payroll
- Any reduction in hours documented
- Salary maintained at required threshold
- Hourly rate adjusted if necessary
- Occupational Health evidence retained (if applicable)
- Review date diarised

WORKING TIME COMPLIANCE CHECK

- 20-minute break recorded for shifts over 6 hours
- 11-hour daily rest maintained
- Weekly/fortnightly rest compliant
- 48-hour opt-out forms retained (if applicable)
- Rota evidence saved

PENSION CONTROL CHECK

- Auto-enrolment completed
- Opt-out request in writing and signed by the worker
- Evidence retained

HIGH-RISK TRIGGERS REQUIRING IMMEDIATE REVIEW

- Investigate immediately if:
- Worker requests reduced hours
- Worker returns from long-term sickness
- Phased return requested
- Repeated lateness or absence
- Address change not reported
- DBS approaching expiry
- Salary falls near threshold
- Right to work expiry approaching

Supplementary Work Compliance Checklist

Sponsor Responsibilities

The sponsor must ensure workers understand the supplementary work rules.

Employment Contract

- Employment contract clearly states that the worker can only work up to 20 hours per week in supplementary work
- The rule about maximum supplementary hours is clearly explained in writing
- The worker has signed the contract confirming they understand the rule

Worker Awareness

- Evidence that the worker has been informed about supplementary work restrictions
- Verbal explanation provided to the worker (if applicable)
- Meeting minutes or written record of the discussion
- Worker signature confirming understanding

The UK Visas and Immigration (UKVI) may treat lack of evidence as incorrect advice given by the sponsor, which can be considered a sponsor compliance failure.

Employer Offering Secondary (Supplementary) Hours

If your organisation is offering supplementary hours to a sponsored worker, you must confirm their eligibility.

This helps confirm the worker can legally undertake supplementary work.

Right to Work Checks

- Right to Work check completed
- Evidence retained on file
- Evidence from the Sponsor

Request confirmation from the worker's sponsor:

- Letter confirming they still sponsor the worker
- Worker's job description
- Worker's occupational (SOC) code
- Confirmation of contracted working hours

Alternative Evidence (If Sponsor Letter Not Available)

If the sponsor cannot provide confirmation, obtain documents from the worker:

- Copy of employment contract
- Job description
- Contracted working hours
- Copy of rota
- Most recent payslip
- These documents help verify the worker's current employment status and hours.

Ongoing Monitoring

If you provide supplementary work, monitor changes in the worker's main employment.

- Regular checks that the worker remains sponsored
- Verify that contracted hours have not changed
- Ensure supplementary work does not exceed 20 hours per week
- Action if Employment Status Changes
- If you become aware of any changes:
- Stop offering supplementary work immediately
- Record when you became aware of the change
- Document the action taken

Proof of Contracted Hours (Documents to Retain)

Keep the following evidence on file:

- Copy of Certificate of Sponsorship (CoS)
- SOC code
- Job role details
- Contracted hours
- Salary details
- Most recent payslip
- Right to Work check evidence

Reporting Duties to UKVI

Worker Changes

Report Within
10 Working Days

Organisation Changes

Report Within
20 Working Days

Company Size Changes Report Within **10 Working Days**

Reportable Worker Changes

 Fails to Start Within 28 Days 

 Absent 10 Consecutive Days 

 Over 4 Weeks Unpaid / Reduced Pay 

 Salary Drops Below CoS Level 

 Job Duties Change Significantly 

 Work Location Changes 

Unauthorised Absence Reporting

 Absence Start Date

 Return Date (If Applicable)

 Contact Attempts Made

 Salary Deductions

 Sponsorship Continuation 

Changes to Work Location

 Branch / Office Change 

 Remote Working Setup 

Ending Sponsorship

 Visa Refused or Cancelled 

 Visa Refused or Cancelled 

 Worker Quits Role 

 Employment Ends Early 

 Registration Withdrawn 

 Indefinite Leave to Remain 

You must also report:

- As soon as reasonably practicable
- If you suspect breach of immigration conditions
- If you suspect terrorism or criminal activity (inform police)

Worker Circumstance Reporting Checklist

Report within 10 working days if:

- Worker does not start role within 28 days
- Unauthorised absence exceeds 10 consecutive working days
- Unpaid/reduced pay exceeds 4 weeks in calendar year
- Salary reduced from CoS level
- Change in job role or core duties
- Promotion within same occupation code
- TUPE transfer
- Normal work location changes
- Permanent remote working arrangement
- Sponsorship ends for any reason

CHANGE OF WORK LOCATION REPORTING

You must report if:

- Worker moves to different branch/site
- Worker works from new address not declared
- Worker begins permanent remote working
- Location must match what is declared on the Certificate of Sponsorship.

UNAUTHORISED ABSENCE REPORTING PROCEDURE

If absence exceeds 10 consecutive working days:

Report within 10 working days after the 10th day.

Include:

- Date absence started
- Date returned (if applicable)
- Attempts made to contact worker
- Salary deductions applied
- Whether sponsorship will continue
- Failure to report is a serious breach.
-

STOPPING SPONSORSHIP – REPORTING CHECKLIST

Report if:

- Visa application refused
- Permission cancelled
- Worker withdraws before start
- Contract ends early
- Professional registration withdrawn
- Worker unpaid/reduced pay > 4 weeks
- Worker granted settlement (ILR)
- Worker resigns
- Worker dismissed
- Worker made redundant
- Home Office rejects reported change
- All must be reported within 10 working days.

Payroll & Sponsorship Compliance

The UK government (through UK Visas and Immigration, or UKVI) has started using tax and payroll information from HM Revenue and Customs (HMRC) to check whether employers are following the rules when sponsoring overseas workers. Previously, UKVI often relied on site visits or paperwork checks, but now it can compare what an employer says they are paying a worker with the actual salary reported to HMRC. This means they can quickly spot problems, such as workers being paid less than required or inconsistencies in employment records, without even visiting the business. UK Visas and Immigration has confirmed it regularly checks salary compliance using HMRC data as part of its enforcement approach, and this can lead to penalties or even licence revocation if issues are found. Overall, this data-sharing makes compliance more automated and stricter, so employers need to ensure their payroll and sponsorship records fully match.

CRITICAL RISK AREAS

Failure in any of the below areas can result in:

- Sponsor licence revocation by UKVI
- HMRC penalties and interest
- Loss of migrant workforce
- Reputational damage
- Operational disruption

High-risk areas:

- Salary threshold breaches
- Unreported reduction in hours
- RTI mismatches with SMS records
- Unlawful payroll deductions
- Incorrect statutory payments
- Late reporting of changes
- Redundancy process errors

Wage Deductions

Employers sponsoring overseas workers must ensure that wages are paid correctly and that any deductions for items such as rent, uniforms, transport, or other charges are handled lawfully and transparently. Deductions must not reduce a worker's pay below the required salary threshold or National Minimum Wage requirements, and separate written agreements must be in place for any permitted deductions.

Employers should retain signed consent forms and clear payroll records to evidence compliance. Failure to manage wage deductions correctly may be treated by UK Visas and Immigration (UKVI) as exploitation or non-compliance and can result in immediate sponsor licence revocation.

Employers **must not make deductions directly from wages** for:

- Rent
- Uniforms
- Other charges

Separate written agreements must be in place for such payments.

Failure to comply may result in **immediate licence revocation**.

Employers must retain clear evidence of all pay arrangements and any authorised deductions, including signed written agreements, payroll records, and payslips, to demonstrate compliance with UKVI and HMRC requirements.

HMRC Checklist

PRE-EMPLOYMENT CHECK

Employer registered with HMRC
PAYE scheme active
Correct PAYE & Accounts Office reference recorded
Employment contract matches CoS salary & hours
Salary meets visa threshold
Payroll software HMRC-recognised
Right to work documented
Genuine vacancy evidence retained

MONTHLY PAYROLL CONTROL CHECK

FPS submitted on or before payday
EPS submitted if required
Payslips reflect contracted hours
RTI matches payslips
Salary matches sponsorship record
No unlawful deductions
Any authorised deductions supported by signed agreement
Salary threshold maintained
Payroll reconciled
Variances investigated

SPONSORED WORKER MONITORING CHECK

Monitor absence patterns
Monitor sickness patterns
Track unpaid leave
Track reduced hours requests
Report changes via SMS
Redundancy properly consulted & reported
Maintain an evidence file

STATUTORY PAY CHECK

SSP correctly calculated
SMP/SPP/ShPP correctly calculated
RTI reflects statutory payments
Supporting documentation retained

HIGH-RISK TRIGGERS REVIEW

Investigate immediately if:

- Payroll fluctuates significantly
- HMRC sends a query
- RTI late submission occurs
- Salary falls below threshold
- Worker disputes pay rate
- Local authority reduces contracted hours
- Worker requests reduced hours

LOCAL AUTHORITY CONTRACT REDUCTION RISK

If contracted hours reduce and you cannot maintain sponsored worker hours:

Recommended action:

- Conduct full redundancy consultation process
- Apply consistently to all workers
- Report sponsored worker redundancies via SMS immediately

Do NOT:

- Quietly reduce hours below sponsorship level
- Allow informal unpaid leave patterns

REDUNDANCY CONTINGENCY PROCESS

If hours cannot be maintained:

1. Conduct fair consultation
2. Apply objective selection criteria
3. Issue notice formally
4. Report sponsored worker redundancy on SMS
5. Retain documentation

Never leave a sponsored worker “inactive” without reporting.

Record Keeping Requirements

Keep records for 2 years after the worker has left your employment.

Update worker personal information – home addresses, you need to have a history of where the worker has lived throughout their sponsorship, not just the current address. Home Office recommends 3 monthly request for updating information takes place – this should be to all staff and not just sponsored workers.

Keeping Information up to date

Sponsorship Management System (SMS)

Make sure you keep information up to date,

The Home Office is aware that the SMS is not secure and profiles have been hacked to issues CoS to workers unknown to the sponsor. The Home Office recommend that you check your SMS monthly to prevent issues and ensure information is up to date. Remember if you change something on Companies House, that you have also changed the information on the SMS, as the Home Office will view discrepancies as reason for revocation.

It is recommended to take screenshots when you update the SMS and keep on file to evidence that you have made the changes.

If the business structure changes the licence will no longer apply, or may need to be changed for a new licence.

GDPR Data Retention Controls

Retention Schedule

Record Type	Retention Period	Disposal Method
Sponsored worker records	2 years after sponsorship ends	Secure shredding/deletion
Payroll records	6 years	Secure deletion
DBS records	As per policy	Confidential disposal
RTW evidence	Employment duration + 2 years	Secure deletion

Record Type	Retention Period	Disposal Method
Recruitment records	6–12 months (unsuccessful applicants)	Secure deletion
CCTV footage	As per policy	Automatic deletion

UKVI Compliance Grab File

Maintain electronically and in hard copy where possible and make sure that information can be easily accessed if you have a visit from UKVI.

Sponsor Licence Documents

Sponsor licence summary
Licence rating/status
Key personnel list
SMS screenshots/evidence
Latest UKVI correspondence

Sponsored Worker Records

Full worker list
Certificates of Sponsorship
Employment contracts
Job descriptions
Contact details
Absence records

Payroll & Salary Evidence

Payroll reports
RTI submissions
Payslips
Salary reconciliation reports
Pension records

DBS & Safeguarding Records

DBS logs
Renewal tracker
Safeguarding training
Professional registrations

Governance Documents

Organisation chart
Compliance structure
Escalation chart
Internal audit reports

Right to Work Evidence

RTW checks
Share code evidence
Passport copies
Visa/eVisa evidence
Follow-up checks

Recruitment Evidence

Interview notes
Advertisements
Recruitment scoring
CVs/applications
Selection rationale

Data Protection Checklist

Governance, Leadership & Accountability

My role in business continuity and data risk is clearly understood (advisory and assurance)

There is a named lead responsible for activating and managing the continuity plan

Roles and decision-making authority during disruption are documented and understood

Cover arrangements are in place if key roles (including mine) are unavailable

Senior leaders receive assurance that data and digital continuity risks are reviewed

3. Risk Scenarios & Impact

Cyber-attack or ransomware scenarios are included

IT system or cloud service outages are planned for

Loss, theft, or compromise of devices is considered

Accidental deletion or corruption of records is included

Supplier or third-party failure is considered

5. Safe and Lawful Working During Disruption

☐ Temporary ways of working are planned and documented

☐ Workarounds do not introduce unmanaged data protection or safeguarding risks

☐ Decisions taken under pressure are proportionate and justifiable

☐ Confidentiality, accuracy, and information integrity are maintained

Critical Services, Data & Dependencies

Critical services (e.g. medication, care planning, safeguarding) are prioritised

The data and systems that support these services are clearly identified

I understand what data must be available at all times to keep people safe

Dependencies on systems, suppliers, and individuals are documented

Single points of failure are recognised and mitigated where possible

4. Data Backups, Downtime & Recovery

Personal and care-critical data is backed up securely

Backups are protected, encrypted, and separate from live systems

There are clear downtime procedures staff can follow if systems are unavailable

Critical information remains accessible during outages (without breaching confidentiality)

Recovery arrangements are tested and provide real assurance, not assumptions

6. Incident Awareness, Reporting & Escalation

☐ Staff know how to recognise and report data-related incidents

☐ Escalation routes for incidents are clear and accessible at all times

☐ Data-related incidents are escalated promptly to the right people

☐ A calm, structured response is encouraged rather than blame

7. Communication & Assurance During Disruption

- ☐ Internal communication during disruption is clear, calm, and factual
- ☐ Advice on data protection and information risk is available when needed
- ☐ Key contacts, guidance, and records remain accessible during outages
- ☐ External communication considers transparency, risk, and reassurance

8. Records, Learning & Governance Assurance

- ☐ Key decisions and actions during incidents are documented
- ☐ Rationale for data-related decisions is recorded
- ☐ Incidents and near misses are reviewed
- ☐ Learning is shared and used to improve continuity planning

Review, Testing & Continuous Improvement

Business continuity arrangements are reviewed regularly

Data and digital risks are revisited when systems or services change

Scenarios and downtime arrangements are tested or talked through

UKVI Compliance Visit Readiness Checklist & Action Plan

This checklist is designed to help organisations prepare for announced or unannounced UK Visas and Immigration (UKVI) compliance visits and to demonstrate effective sponsor licence governance, record-keeping, and operational compliance.

Reception Escalation Process

Immediate Actions on UKVI Arrival

Request identification from UKVI officers
Record names and arrival times of officers
Notify Authorising Officer immediately
Notify Compliance Lead / HR Lead
Escort officers to the designated meeting room
Inform senior management/directors
Activate UKVI Compliance Response Team

Reception Staff Instructions

Reception staff must:

- Remain calm and professional
- Never refuse entry to authorised officers
- Avoid discussing compliance matters
- Contact the designated escalation leads immediately
- Maintain confidentiality

Document Retrieval Standard (15-Minute Rule)

Centralised digital filing system
Sponsored worker files indexed
Payroll reports accessible immediately
DBS tracker maintained
RTW evidence categorised
SMS reporting evidence stored centrally
Recruitment evidence retained

Documents Immediately Available in Room

Document

Sponsor licence summary
Organisation structure chart
Sponsored worker list
Key personnel list
Latest audit reports
SMS reporting logs
Compliance policies

Audit Room Preparation

Quiet private room available
Internet access available
Printing/scanning access available
Seating prepared
Visitor refreshments available
Extension leads/chargers available
Confidential waste disposal available

Mock Inspection Internal Preparation Checklist

Worker records reviewed
Contract matches CoS
Salary verified
Work location verified
Job duties verified

Sponsored Worker Interview Preparation

Sponsored workers should:

- Understand their job role
- Understand contracted hours
- Know work location(s)
- Understand reporting responsibilities
- Be aware of sponsor details
- Understand supplementary work restrictions

Topics Workers May Be Asked

UKVI may ask workers:

- What is your role?
- What hours do you work?
- Who is your manager?
- Where do you work?
- Are you undertaking supplementary work?
- Have your duties changed?
- Are you being paid correctly?

Important Guidance

Workers should:

- Answer honestly
- Avoid guessing
- Ask for clarification if needed
- Never provide inaccurate information

Post-Visit Review Process

Same-Day Debrief

Record officer's questions asked
Record documents reviewed
Identify concerns raised verbally
Record any immediate actions requested
Secure copies of documents provided

48-Hour Review Actions

Conduct an internal compliance review
Identify weaknesses/gaps
Assign corrective actions
Update risk register
Schedule follow-up audit

Compliance Incident Escalation Procedure

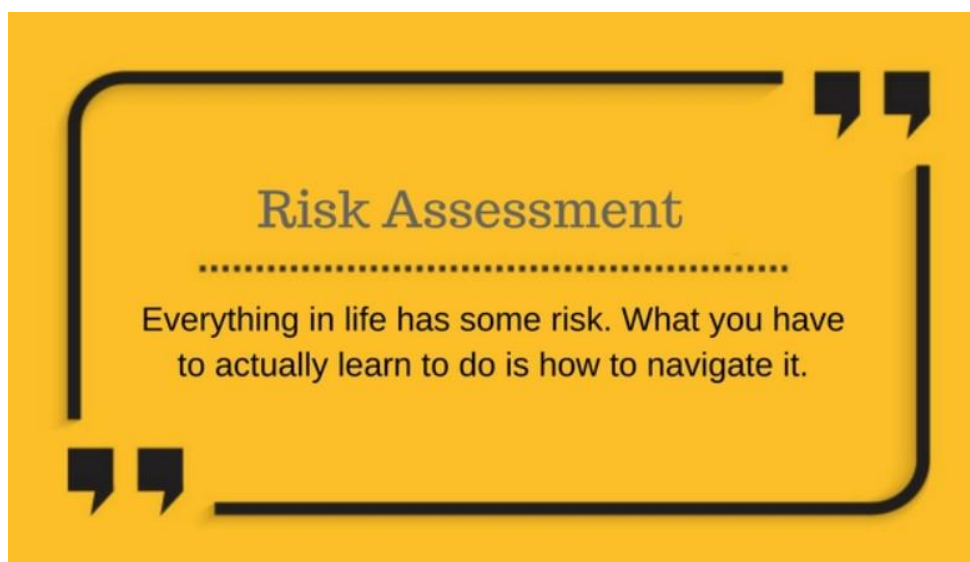
The organisation must operate a clear Compliance Incident Escalation Procedure to ensure that potential sponsorship, payroll, and safeguarding risks are identified and managed promptly. Any missing Right to Work (RTW) evidence must be escalated to the Authorising Officer (AO) and HR Lead on the same day for immediate audit and corrective action. Salary threshold breaches must be reported within 24 hours to Finance and the AO to allow urgent payroll review and correction. Notification of a UKVI compliance visit must be escalated immediately to Directors so that the compliance response process can be activated without delay. Any suspected Sponsorship Management System (SMS) access compromise must be reported immediately to IT and the AO to enable password resets, access restrictions, and investigation. Where a DBS expiry is identified, HR must be informed on the same day and the individual must be removed from regulated activity until appropriate clearance is confirmed. All incidents, actions taken, and outcomes should be documented and retained within the organisation's compliance records.

Incident Type	Escalation Time	Report To	Required Action
Missing RTW evidence	Same day	AO + HR Lead	Immediate audit
Salary threshold breach	Within 24 hrs	Finance + AO	Payroll correction
UKVI visit notification	Immediate	Directors	Activate compliance response
SMS access compromise	Immediate	IT + AO	Reset access + investigate
DBS expiry discovered	Same day	HR	Remove from regulated activity

Risk Management

A risk matrix is a simple tool businesses use to organise and understand potential problems when testing contingency scenarios for international recruitment. It works by listing possible risks—such as visa delays, compliance issues, or sudden rule changes from UK Visas and Immigration—and then scoring each one based on how likely it is to happen and how serious the impact would be if it did. These scores are usually plotted on a grid, helping the business quickly see which risks need the most attention. For contingency planning, this means focusing on high-risk scenarios first and putting clear plans in place to manage or reduce them. The matrix should be regularly updated, based on real experiences and changes in the recruitment landscape, to make sure it stays relevant and useful.

To complete a risk matrix for business contingency scenarios in international recruitment, start by listing the main things that could go wrong—such as visa delays, candidates withdrawing, or changes in rules from UK Visas and Immigration. Next, for each risk, give it two simple scores: how likely it is to happen and how much impact it would have on your business if it did. You then place each risk on a grid (the “matrix”), which helps you quickly see which ones are low, medium, or high priority. After that, decide what actions you would take to prevent or respond to the higher-risk scenarios—for example, having backup candidates or allowing extra time for onboarding. Finally, review and update the matrix regularly, especially after running test scenarios, so it stays accurate and useful as your recruitment processes evolve.



Risk Matrix: Refer to page 28 & 29

Refer to our [webinar](#) for risk assessment examples

Internal Auditing and Testing Contingency Plans

Internal auditing and testing contingency plans are essential for ensuring that an organisation remains compliant, resilient, and prepared for unexpected disruptions or regulatory scrutiny. Regular internal audits help identify weaknesses in areas such as sponsorship compliance, payroll, right to work checks, record keeping, and workforce monitoring before they become serious compliance breaches. Testing contingency plans through mock scenarios, audits, and operational exercises allows the organisation to assess whether processes work effectively in practice, including the ability to maintain safe staffing levels, respond to UKVI visits, recover critical systems, and manage workforce shortages. These activities also help demonstrate proactive governance, continuous improvement, and effective risk management to regulators, while reducing the likelihood of sponsor licence suspension, revocation, financial penalties, or operational disruption.

Recommended Best Practice

Control	Frequency
Mock UKVI audit	Quarterly
Worker interview testing	Quarterly
RTW audit	Monthly
SMS reconciliation	Monthly
Payroll audit	Monthly
DBS review	6 monthly
Scenario and contingency plan testing	6 monthly
Compliance training	Annual

Scenario Planning

Running business contingency scenarios to test international recruitment means putting your hiring processes under “what if” situations to see how well they hold up when things go wrong. For example, a company might simulate delays in visa approvals, sudden rule changes from UK Visas and Immigration, or a sponsored worker being unable to start on time. By testing these scenarios in advance, businesses can spot weaknesses—like gaps in communication, over-reliance on one recruitment source, or delays in onboarding—and fix them before they become real problems. This kind of practice helps ensure the company can continue hiring and supporting international staff smoothly, even when unexpected challenges arise.

You can use the following case studies as examples scenarios to test your business contingency plan.

Case Studies

Case Study 1: Underpayment and HMRC–UKVI data matching

A domiciliary care provider sponsored multiple Health and Care Worker visa holders but paid them less than the salary stated on their Certificates of Sponsorship, partly due to unpaid travel time between visits. HMRC identified National Minimum Wage breaches during a payroll inspection and issued arrears and penalties. UKVI cross-checked HMRC data and conducted a sponsor compliance visit, finding systemic underpayment and inaccurate records. The sponsor licence was revoked for failure to meet salary and sponsor duties, and sponsored workers were given curtailment notices.

Case Study 2: Non-genuine roles and misuse of Certificates of Sponsorship

A small care home rapidly expanded overseas recruitment and issued Certificates of Sponsorship for “care worker” roles. A UKVI audit found that several sponsored staff were not working the hours stated, were placed in roles outside eligible SOC codes, or were not working at all due to lack of residents. UKVI concluded the roles were not genuine and that sponsorship was being used to facilitate immigration rather than fill real vacancies. The licence was revoked for misuse of CoS and posing a threat to immigration control.

Case Study 3: Poor record-keeping and failure to report changes

A residential care provider failed to report changes in sponsored workers' hours, work locations, and absences via the Sponsor Management System. During an unannounced visit, managers could not produce right-to-work records, contracts, or evidence of monitoring attendance. Although no single breach was extreme, the volume and consistency of failures led UKVI to determine the provider lacked adequate HR systems. The licence was revoked for serious and repeated non-compliance.

Case Study 4: Recouping sponsorship costs from workers

A care agency required overseas recruits to repay visa costs, Certificate of Sponsorship fees, and "administration charges" through salary deductions. A whistle-blower complaint triggered a UKVI investigation, which confirmed unlawful cost recovery and coercive practices. UKVI treated this as exploitation and dishonesty, leading to immediate revocation of the sponsor licence and referral to other enforcement bodies.

Case Study 5: HMRC VAT avoidance structure leading to wider scrutiny

A large care group used a VAT grouping structure involving a connected entity to reclaim VAT on welfare services. HMRC challenged the arrangement as tax avoidance and opened a formal investigation. During this process, HMRC shared concerns with UKVI, prompting a sponsor compliance visit. While immigration breaches alone might have led to suspension, combined concerns about governance, transparency, and compliance resulted in sponsor licence revocation.

Case Study 6: Employing workers without valid right to work

A care provider continued employing several sponsored workers after their visas had expired, relying on informal assurances rather than conducting proper follow-up checks. HMRC identified discrepancies in PAYE records, and UKVI confirmed illegal working during an inspection. The provider received civil penalties, and the sponsor licence was revoked for employing workers without lawful permission.

Practice a safe staffing exercise – take your rota and remove the sponsored workers. Look at how many hours will need to be covered, specific shift times (nights/days), and medication administration.

Document your testing examples and review your contingency plan.

Business Compliance and Contingency Template

List key personnel

Authorising Officer

Full name	
Job title	
Company email address (not personal email)	
Seniority appropriate to role	
Aware of sponsor duties	
Actively overseeing compliance	

Level 1 SMS Users

Names recorded	
Job titles recorded	
Access reviewed quarterly	
No unauthorised access	
Leavers removed immediately	

Level 2 SMS Users

Names recorded	
Job titles recorded	
Scope of access defined	
Activity monitored	

Continuity of Care

Safe Staffing numbers:	
No of Sponsored Workers:	
Roles critical for service delivery	
Area of service at high risk of unsafe staffing	
Suspension of Licence Impact Statement	
Revocation of licence impact statement	

Bank Staff and Recruitment

Names of Agency that can be used	
Lead for recruitment	
Time frame for recruitment	
Lead for recruitment	
Time frame for recruitment following a revocation	

Communication

Lead for communication to team	
Time frame for communication revocation	
Mitigating Impact to Sponsored Workers	
Inform affected employees as soon as possible after the revocation	
Support that can be offered and signposting details	

Finances

Lead for Finance oversight	
Pre-approved spending limits	
Cost Impact	

Cyber Security

Control	Responsible Person	Frequency	Date last completed
Cyber Security Lead appointed		Annual Review	
Data Protection Lead appointed		Annual Review	
GDPR/Data Protection policy reviewed		Annual	
Cyber incident escalation process documented		Annual	
Risk assessment completed		Annual	
Cyber insurance reviewed		Annual	

Internal Audits

Action	Date Last Completed
Audit lead	
Right to work expiry tracking system audit	
6 monthly checks of DBS time frame	
Employee record Checklist and checks time frame	

3 monthly employee changes to details reminder and checks	
Worker interview testing	
SMS reconciliation	
Payroll audit	
Compliance training	

Testing and Review

Named lead	
Test scenarios date completed	
Date of last plan review	

Compliance Visit Response Team

Role	Name	Contact Number	Responsibilities
Authorising Officer			Lead UKVI liaison
Compliance Lead			Coordinate evidence
HR Lead			Worker files
Payroll Lead			Salary/payroll evidence
Operations Lead			Staffing/rota evidence
IT Support			System access/retrieval
Reception Lead			Visitor coordination

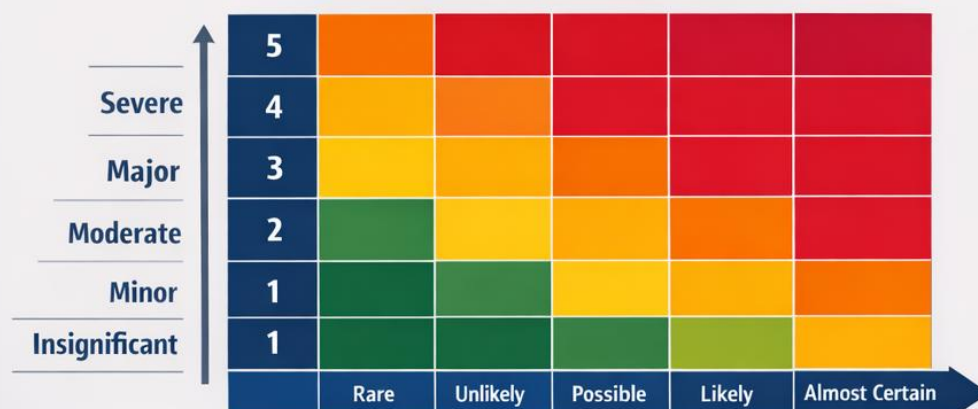
RISK RATING MATRIX

Assessing Compliance Risks: Consequence x Likelihood

Consequence Rating	
Rating	Impact
1.	Insignificant
2.	Minor
3.	Moderate
4.	Compliance failure
5.	Major
5.	Critical breach

Likelihood Rating	
Rating	Likelihood
1. Rare	Highly unlikely
2. Unlikely	Could happen
3. Possible	Might occur
4. Likely	Expected
5. Almost Certain	Almost certain

Risk Matrix: Consequence x Likelihood



Risk Levels & Actions

CRITICAL 17-25	HIGH 10-16	MEDIUM 5-9	LOW 1-4
Immediate Action & Escalation	Urgent Mitigation Required	Monitor & Review Controls	Manage with Routine Controls

Risk Register Template

Risk Register													
Organisation													
Date													
Risk #	Date	Description of Risk	Risk Source	Risk Consequences	Consequence Rating	Likelihood Rating	Inherent Risk Rating	Existing Controls	Residual Risk Rating	Planned Treatments	Risk Owner	Treatment Due Date	Risk Review Date
Example 01	2/2/26	Failure to report change in sponsored worker role		Loss of sponsor licence	4	3	12	HR checklist, SMS reporting guidance	6	Staff training, monthly audit	HR Manager		

Action Plan

Organisation:			
Date:			
Actions required	Who is responsible	When will this be completed	Where will this be reported to evidence actions

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