

Supplementary Employment - Sharing good practice

To comply with UKVI guidance when employing overseas workers in Supplementary positions, employers must complete relevant Right To Work checks before providing up to 20 hours of employment. You are advised to read the full guidance.

<https://www.gov.uk/government/collections/sponsorship-information-for-employers-and-educators>

What are the rules? ([S8.12](#))

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What are the rules of supplementary employment?

S8.12. Supplementary employment must meet **all** of the following requirements:

- it must be for no more than 20 hours a week
- the worker must continue working in the job for which their CoS was assigned (except where they have completed [specialty training as a general practitioner](#), as set out below)
- it must take place outside of the normal working hours for which the worker's CoS was assigned
- it must be one of the following types of eligible employment:
 - in the same profession and at the same professional level as the work for which the worker's CoS was assigned
 - a job which is in an occupation listed in Appendix Immigration Salary List – if the occupation is later removed from this list, the worker must finish that employment
 - for Skilled Workers only, a job which is in an eligible SOC 2020 occupation code listed in Table 1, 2 or 3 of [Appendix Skilled Occupations](#)

What actions are needed? ([S1.33](#))

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Right to work checks

S1.33. You must check that any worker you wish to employ has permission to enter or stay in the UK and can do the work in question before they start working for you. This applies even if the worker is, or appears to be, a British citizen or other settled worker. If you fail to carry out a right to work check, or any necessary follow-up checks, you may be liable for a civil penalty under illegal working legislation. If you are issued with a civil penalty, we will normally revoke your licence. For guidance on how to carry out the relevant checks, and the evidence you must keep, see:

- [Right to work checks: an employer's guide](#)
- [Appendix D](#) to the sponsor guidance

An employers guide ([pg 47-48](#))

Where you are providing supplementary employment to a sponsored worker, you must carry out a right to work check in accordance with [this](#) guidance. The check must confirm they can do supplementary employment. You should also take steps to ensure the supplementary employment meets the above requirements by, for example, asking the worker to provide a letter or other evidence from their sponsor confirming:

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1. They're still working for their sponsor;
2. The job description and occupation code of their sponsored employment (if their supplementary employment is not in a shortage occupation);
3. Their normal working hours

Difficulties evidencing any of the three questions;

Email the Sponsor Compliance Team: SponsorComplianceTeam@homeoffice.gov.uk

Letter Template (optional)

This can be added to your reference request and amended to suit your organisation.

[Your Company Letterhead]

[ENTER DATE]

Dear [Primary Sponsor],

Re: Right to Work Checks for [APPLICANT NAME]

We write to you as the primary sponsor for the individual named above. We are conducting right-to-work checks to facilitate the provision of supplementary employment. We propose offering supplementary employment under occupation code [ENTER CODE], restricted to no more than 20 hours per week and outside of the applicant's normal working hours.

We kindly request your confirmation of the following:

1. **Primary Sponsorship Status:** *the applicant named above is still working for you.*
2. **Occupation Code**
3. **Normal Working Hours:** *specify the normal working hours agreed upon for the applicant.*

We would appreciate a response within [ENTER NUMBER] days.

This request is not a reference; however, if there are any safeguarding concerns or reasons why this candidate may not be suitable to work with vulnerable people, or if there is a reason why this right-to-work check cannot be completed, please inform us.

Thank you for your prompt response to this matter.

Kind regards,

[Your Information]