

# Guidelines – Skilled Worker Maintenance

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From: Human Resources - Recruitment

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## Introduction

When an offer of employment is made, and the individual requires a Skilled Worker Certificate of Sponsorship (COS), the individual must consider how they will meet the eligibility criteria for maintenance (available funds) in their application for a Skilled Worker visa. They must demonstrate that they have enough money to support themselves and any dependants whilst in the UK. The applicant will have no recourse to public funds (state benefits).

Please see the UK Visa and Immigration (UKVI) website for further details regarding the Skilled Worker application requirements: <https://www.gov.uk/skilled-worker-visa> including <https://www.gov.uk/skilled-worker-visa/how-much-it-costs> and <https://www.gov.uk/skilled-worker-visa/documents-you-must-provide>.

The salary offered will always meet the criteria for the role, as outlined by the UKVI Standard Occupational Classification (SOC) Codes and Skilled Worker route.

As the University is an 'A Rated' sponsor, we will certify maintenance on behalf of the individual and their dependants when sponsoring them for a Skilled Worker visa. In doing this we confirm that we will maintain and accommodate the individual and their dependants up to the end of their first month of employment in the UK, if needed. The COS assigned to the individual will confirm this.

The University can where necessary provide an interest free loan to maintain and accommodate the individual and their dependants until the end of their first month of employment. The request can be made at the agreed rate for:

- the applicant (see current costs here: <https://www.gov.uk/skilled-worker-visa/how-much-it-costs>) and
- partner and additional support for each child (see current Gov maintenance requirements here: <https://www.gov.uk/skilled-worker-visa/your-partner-and-children> ).

## Terms and Conditions of the Interest Free Loan

- If requested by the applicant, the University can provide an interest free loan to fulfil the maintenance requirement.
- The size of the loan will vary in accordance with individual circumstance, in line with government published rates up to a maximum of £5,000\*. Loan limit subject to change to match current Gov requirements:  
<https://www.gov.uk/skilled-worker-visa/how-much-it-costs>  
<https://www.gov.uk/skilled-worker-visa/your-partner-and-children>

*\* Please note that under the current regulations of HM Revenue and Customs (HMRC), the provision of an interest-free loan of this level is not a taxable benefit. Any tax liability which*

*may arise in the future as a consequence of changes in HMRC regulations will be charged to the employee.*

- The University will pay the full amount of the interest-free loan into the same UK bank account as the individual’s salary. This will be as early as possible following receipt of the signed contract of employment, the fully approved ‘FORM - Application for Maintenance Loan’ found [here](#) and following the employment start date.
- Please note: Workers granted permission under the Skilled Worker route will be subject to the Government’s ‘no access to public funds’ condition. This means you cannot claim most state benefits or tax credits or access homelessness or housing assistance from the state. The Government would consider any claim on public funds as a visa compliance issue.

### **Repayment**

- Repayment of the loan will be by direct deduction from the individual’s salary, on a basis to be agreed with them and over an agreed period of no more than 12 months.
- If the individual leaves the employment of the University, for any reason or ceases to be paid via the University’s payroll, the balance of the loan will be repayable immediately. The balance of the loan will be recovered from the individual’s final salary payment.
- If the balance of the outstanding loan is greater than the individual’s final pay, they will be required to repay the total outstanding balance before their last date of employment.
- Once the individual has officially left the University, the direct deduction arrangement from their salary for the repayment of the loan will be cancelled.

### **Process**

- If the individual requires an interest free loan to support them in the first month of their employment, and they agree to the terms and conditions in these guidelines, the individual will need to complete the ‘Application for Maintenance Loan’ form found on the HR website here: [Immigration and visas – Policies and Guidance Documents](#)
- The ‘Application for Maintenance Loan’ form must be signed by the individual’s Line Manager and by Faculty Finance. The fully completed form must be sent to the Recruitment Team at [recruitment@soton.ac.uk](mailto:recruitment@soton.ac.uk), who will forward onto the Payroll Team for processing.

### **Document version control**

<b>Policy/governance</b>	<b>UKVI legislation: Maintenance of Sponsored workers</b>		
<b>Reference</b>	Sharepoint/HR Operations Process and Instructions / Right to Work and Visas / Tier 2 & Skilled Worker Route / HR Guidelines / Guidelines on HR Website		
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<b>Document History</b>		
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<b>1.0</b>	05 January 2021	First draft