

## **Answers to Frequently Asked Immigration and Sponsorship Questions including TUPE FAQ**

On the 26<sup>th</sup> June 2025, we held a webinar focusing on Answers to Frequently Asked Immigration and Sponsorship Questions including TUPE. This included:

- The changes to the Immigration Rules proposed under the Immigration White Paper
- The new changes introduced on 9<sup>th</sup> April 2025
- Can someone still work whilst awaiting a new Certificate of Sponsorship (CoS)
- When supplemental hours can be offered;
- Are providers compelled to offer a new CoS; and
- When TUPE may apply in relation to international recruitment.

Here, we share some of the questions asked both via our helpline and during the webinar.

*Note: These FAQs were accurate when the live webinar took place. Please refer to our [Disclaimer page](#) for more information.*

### **1. What is the minimum salary threshold applicable after 9<sup>th</sup> April 2025?**

For any Certificate of Sponsorship issued after 9<sup>th</sup> April 2025, the minimum salary threshold is £25,000 per year or £12.82 per hour, whichever is higher.

### **2. If someone is on a graduate visa that allows them to keep a dependent with them and are then sponsored under the Health and Care Worker visa, what options do they have to keep their dependent with them?**

Someone sponsored under the Health and Care Worker visa cannot apply for a dependent to join them or stay in the UK unless they were employed as a care worker or senior care worker under a Health and Care Worker visa before 11 March 2024. Otherwise, their dependent will need to rely on another way of retaining their right to stay in the UK.

### **3. If a care worker is displaced but not registered with the displaced worker pool, can a provider still recruit them?**

Due to the changes to the Immigration Rules announced on 1 July 2025, the requirement to engage with the displaced worker pool prior to assigning a CoS is no longer a legal requirement.

However, the displaced worker pool remains a vital source of information about candidates who are already in the country and available to work in the adult social care sector. For more

information about the West Midlands pool of displaced international care workers and associated support please visit: [www.irwestmids.co.uk/hire-sponsored-care-workers](http://www.irwestmids.co.uk/hire-sponsored-care-workers)

#### **4. What will happen to displaced care workers who cannot find a new sponsor?**

If they have not been able to find a new sponsor or any other route to apply for a visa before the expiry of their curtailment notice\*, and they do not have eligibility to apply for Further Leave to Remain or asylum, they will have no legal option but to leave the UK.

The West Midlands International Recruitment Programme remains in place to support displaced international care workers, living in the West Midlands, to try to help them find suitable employment opportunities and signpost to other support.

They can register for help via <https://www.wmca.care/p2c/support> or visit <https://irwestmids.co.uk/international-care-workers/>

*\*Curtailment notice is the formal notice issued by the UK Home Office informing a visa holder that their leave to remain in the UK (visa) will be shortened or ended early.*

#### **5. If a displaced care worker has overstayed their visa, can they still be sponsored?**

If they have overstayed their visa, but not their curtailment notice, then this would be fine. If they have also overstayed their curtailment notice, whilst it is still possible to issue them with a CoS, they may well have problems in being granted a visa given that they are in the country illegally.

We recommend contacting the International Recruitment Legal & HR Helpline to get further guidance, if you have a specific situation you would like to discuss:  
[www.irwestmids.co.uk/hr-legal-services-support/](http://www.irwestmids.co.uk/hr-legal-services-support/)

#### **6. Where a role meets the eligibility criteria for sponsorship and the candidate is the highest scorer following interviews, is cost justification alone sufficient to not offer sponsorship?**

Yes, as you are not obligated to offer sponsorship. However, the question would be why the provider would have reached that stage of the recruitment process with someone who they knew would not be eligible for the role. It is recommended to state on a job advert whether or not the role is open for sponsorship in order to avoid this situation.

### **Additional International Recruitment Related Support**

You can find lots of advice and guidance via our [International Recruitment Hub](#). We'd also like to signpost you to:

- **HR & Legal Webinars**

If you are a Care Provider in the West Midlands and would like details about our future International Recruitment Human Resources & Legal Webinars, please email our team at [hello@wmca.international](mailto:hello@wmca.international)

- **Legal & HR Advice**

If you need additional legal support please reach out to Lester Aldridge, who have been contracted to provide support until the end of September 2025: <http://irwestmids.co.uk/hr-legal-services-support/>

- **Recruitment & Immigration Support**

Lifted, a Technology platform and expert immigration team, have been commissioned to help Care Providers recruit and retain sponsored workers who are already here in the UK, as part of the International Recruitment Programme 2024/25. [You can find out more here.](#)