

# FAQs

## NHS Education for Scotland Sponsorship of Medical Trainees and Dental Trainees in Scotland: Frequently Asked Questions

### 1 - Application Process & Certificate of Sponsorship

#### 1.1 Why do trainees need to register for a NHS Education for Scotland (NES) Sponsorship account?

As part of the internal NHS Education for Scotland Sponsorship management and quality processes, each trainee applying for Skilled Worker sponsorship will need to register for and maintain a personal online account. The account is used to record all personal details, educational details and host copies of all required documents to verify and support sponsorship. It is necessary to record these details as they are used to create the Certificate of Sponsorship (COS) as required by the Home Office and used as a management tool to meet the on-going NHS Education for Scotland sponsorship responsibilities. It is therefore vital that all details and documents provided are accurate and up-to-date. Failure to keep the information up-to-date is a breach of the terms of sponsorship and could result in sponsorship being withdrawn.

Please refer to the [Sponsorship process flow chart](#) which outlines key stages of the process

#### 1.2 How do trainees register for an NHS Education for Scotland (NES) Sponsorship account?

Any doctors or dentists who accept the offer of a training programme in Scotland who have been noted by the recruiting organisation as requiring a Skilled Worker visa will be sent an email inviting them to register for NES Sponsorship system account shortly after the offers process concludes.

#### 1.3 What is a COS?

Before a trainee can apply to the Home Office for permission to enter/remain in the UK as a Skilled Worker, NHS Education for Scotland must assign a unique, Certificate of Sponsorship (COS) to each trainee.

The COS confirms to the Home Office the trainee has been appointed to a training programme and that NES will be their sponsor.

The COS is a 'virtual document' similar to a database record, has a unique reference number and contains information about the trainee and the programme they have been appointed to.

The COS number should be used to complete and support the Home Office Skilled Worker application. Please read Home Office guidance regarding making an application carefully before applying to ensure you meet all the requirements.

Important: a COS is only valid if:

- it contains the same details given on the NES Sponsorship account and supporting documents;

- it was assigned no more than three months before the date of Home Office application; and
- it has not been withdrawn or cancelled by NHS Education for Scotland or the Home Office.

IMPORTANT: A COS cannot be used more than once. If an application is refused by the Home Office, a new COS number will be required. Please see [FAQ 4.2](#) for details.

#### **1.4 How long will a COS be issued for?**

A COS can only be issued for the length of your training contract. If however you

have already been on a Skilled Worker visa, you can only remain on a /Skilled Worker visa for a maximum of 6 years, as per Home Office guidance. Therefore, a COS could be issued for less time than your training. A COS cannot be extended beyond your training contract date and can only be issued for a maximum of 5 years at one time.

#### **1.5 What happens if a trainee provides invalid documents or misses NHS Education for Scotland deadline dates to respond?**

As per the SOP guidance, NHS Education for Scotland will not sponsor:

- Medical or Dental Trainees in Scotland who are not part of a recognised Medical or Dental Training Programme.
- Medical or Dental Trainee who has not been recruited in accordance with the Home Office regulations on Skilled Worker sponsorship.
- Scottish Medical or Dental Trainees where the data retention and record keeping does not comply with the Home Office's regulations on Skilled Worker sponsorship

In order to ensure none of the above points apply, accurate documents must be provided/uploaded and we cannot proceed with a COS application if details are inaccurate or incomplete.

Furthermore, if any deadline is missed, NES cannot guarantee a speedy issue of the COS and if there is a delay in issuing a COS it is likely this will have an impact on the trainees start date.

#### **1.6 I already have an in-date visa, do I need another one?**

If your current visa is not sponsored by NES, you will be required to apply for a new Skilled Worker visa sponsored by NES before you can start in post.

## **2 - Applying for NES Sponsorship (Pre-Completion of Home Office Visa Application)**

### **2.1 What is the role of NHS Education for Scotland, the deanery and the employer?**

There are 3 teams who will be involved in your sponsorship:

1) NHS Education for Scotland is the sponsor for Medical Trainees and Dental DCT and ST trainees working in NHS Scotland on a Skilled Worker Visa. The sponsorship team issue your

Certificate and are responsible for reporting any changes in trainee circumstances to the Home Office.

2) The NHS Scotland territorial boards are the Employing & Placement boards. A Standard Operating Procedure (SOP) document exists between NHS Education for Scotland, and each NHS Scotland territorial board in Scotland, to formalise, underpin and support the management of sponsored trainees.

For full details, please refer to the [SOP](#)

3) The Deanery is made up of the Training Programme Management team.

The Employer & Deanery are key partners in helping NHS Education for Scotland effectively manage the reporting and monitoring of all NES sponsored trainees as per Home Office regulations

## **2.2 What are the terms and conditions of NHS Education for Scotland sponsorship?**

Every trainee applying for NHS Education for Scotland sponsorship is required to accept and agree to the following declarations before registering for an account on the NES Sponsorship system

- I can confirm that I have read the [Trainee Guidance Document](#) and understand what is expected of me whilst being sponsored by NES.
- I agree to provide the information requested in the Trainee Guidance Document in a timely manner and no later than the deadlines outlined in the document.
- I declare that the information I have given in support of my COS application, including information supplied on this system and any attached documentation, is, to the best of my knowledge and belief true and complete. I understand that if it is subsequently discovered that any information is incorrect, it may result in my COS application being rejected.
- I understand that immigration legislation is subject to change, and that any changes may have an impact on whether or not NES will be able to sponsor me. I understand that whilst NES will try their best to accommodate migrants who require Skilled Worker sponsorship, this is not guaranteed, and is dependent on my visa application as well as Home Office legislation.
- I am aware that if NES are unable to secure a certificate of sponsorship licence for me, or, if they can, and my subsequent Skilled Worker visa application is refused, they will not be able to sponsor me, and I will not be eligible to take up post.

Full terms and conditions are also outlined in the Standard Operating Procedures document on our website.

## **2.3 Can a trainee start the Training Programme whilst awaiting the outcome of their Skilled Worker visa application?**

This varies on depending on your visa type and Home Office guidance at the time of application.

Unless otherwise advised by the sponsorship team, you should not start without your visa in place. Trainees are advised to contact the NHS Education for Scotland Sponsorship team directly via the Service Desk link below.

<https://nesdigital.atlassian.net/servicedesk/customer/portal/30/group/121/create/593>

## **2.4 Can a trainee work less than full time whilst sponsored under Tier 2 or Skilled Worker Visa?**

If you were issued a COS while SOC code 2211 (Medical Practitioners) was on the Shortage Occupation list, you cannot work anything less than 30 hours per week (base hours not including on-call). If your COS was issued and RLMT was satisfied (your post was not on the Shortage Occupation list) your working hours will not impact the decision. Information regarding the Shortage Occupation List can be found on your COS letter, however if you are unsure, please contact the Sponsorship Team.

In addition to working hours, the rate of pay must continue to meet the current Home Office appropriate rates for the job (basic salary only, however, can include guaranteed bonuses such as your Training Practice Allowance). More information on appropriate rates can be found on the [Home Office website](#). The medical information on minimum salary thresholds can be found under '2211 Medical Practitioners' and '2215 Dental Practitioners' for Dental. The salary pro rata cannot be less than this amount specified in the link above. If a trainee's salary is less than the minimum amount NES will not be able to sponsor them.

If you are already sponsored by NHS Education for Scotland full time, and wish to reduce your hours, this must be reported to NES and your employer immediately so we can ensure your salary will continue to meet Home Office requirements. As part of the Home Office legislation with regard to Skilled Workers, NES are also required to report any changes in circumstance to the Home Office directly via the Sponsor Management System. This includes a reduction in hours as this will also change your salary.

### **2.5 Why is the salary on the NES Sponsorship account the minimum point of the payscale?**

All sponsored trainees salaries are automatically defaulted to the minimum point of the payscale on their Certificate of Sponsorship application unless their employer has received evidence of their current salary and can confirm otherwise. We appreciate that if a trainee has already been working in NHS Scotland their salary may be higher once they are actually in post. However, for sponsorship purposes this should not adversely impact a trainees' visa application as the minimum salary is still higher than the minimum Home Office requirements for the post.

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## **3 - Completing the Home Office visa Application**

**Please note: these FAQs can provide guidance, however, NES cannot assist with any visa application.**

### **3.1 Are trainee's eligible for the Health and Care visa route?**

Current guidance indicates all trainees are eligible for the Health and Care Visa.

We will confirm eligibility on each COS Letter that we issue. Home Office Guidance for the Health and Care visa application and eligibility can be found here:

<https://www.gov.uk/government/publications/health-and-care-visa-guidance-for-applicants>

### **3.2 When should a trainee apply to the Home Office for a new Skilled Worker: Health and Care visa to commence/continue their training programme?**

It is recommended that you apply for your new visa as soon as you receive the COS (which is valid for three months from the date it was assigned). Without a COS number, you cannot apply to the Home Office for your visa.

**IMPORTANT:** before using your COS and applying to the Home Office, you should ensure that you meet all of the Home Office requirements. Please refer to the [Home Office](#) website for Skilled Worker guidance and application requirements

### **3.3 Where can trainees find the Home Office Skilled Worker visa application form?**

The application form can be accessed on the [Home Office website](#). NHS Education for Scotland advises that trainees read the form and accompanying Home Office guidance & NHS Education for Scotland information very carefully. If the required information and documentation is not submitted, or if information is inconsistent with sponsor records, the application will be refused.

### **3.4 What is the purpose of the maintenance test on the Home Office visa application form?**

This is not applicable to NHS Education for Scotland sponsored trainees as NES certify maintenance as standard on all trainees Certificate of Sponsorship applications.

### **3.5 Can NHS Education for Scotland help trainees complete the Home Office Skilled Worker Visa application form?**

NHS Education for Scotland are not immigration experts and are unable to provide any guidance or help with completing the online or paper Home Office Skilled Worker visa application form. Trainees should directly contact the Home Office for advice. The web address is [www.HomeOffice.homeoffice.gov.uk](http://www.HomeOffice.homeoffice.gov.uk); telephone number for Home Office UK Visas and Immigration Contact Centre is 0300 123 2241.

### **3.6 When completing the Home Office Skilled Worker Visa application form, what contact details should I provide for NHS Education for Scotland?**

NHS Education for Scotland  
Westport  
102 Westport  
Edinburgh  
EH3 9DN

### **3.7 What Sponsor Rating does NHS Education for Scotland have?**

NHS Education for Scotland has an A Rating.

### **3.8 What is NHS Education for Scotland's sponsor licence number?**

NHS Education for Scotland's sponsor licence number: GK45J5N43.

### **3.9 Can the NHS Education for Scotland act as a financial sponsor?**

Yes. NHS Education for Scotland certifies maintenance as standard on all trainees Certificate of Sponsorship applications.

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## **4 - Outcome of Skilled Worker Visa Application and Ongoing Sponsorship**

### **4.1 Can a trainee start the Training Programme whilst awaiting the outcome of their visa application?**

This varies on a case by case basis and is dependant on Home Office guidance and the type of visa a trainee will be applying for.

Trainees are advised to contact the NHS Education for Scotland Tier 2 sponsorship team directly via email to discuss whether this will be possible: [tier2sponsorship@nes.scot.nhs.uk](mailto:tier2sponsorship@nes.scot.nhs.uk)

### **4.2 What happens if the Home Office refuses a Skilled Worker visa application?**

If a Skilled Worker visa application is refused, the trainee must inform NHS Education for Scotland as a matter of urgency by contacting us via the Service Desk link below.

<https://nesdigital.atlassian.net/servicedesk/customer/portal/30/group/121/create/593>

NHS Education for Scotland will act on this information to update their records and carry out their sponsor duties.

If the trainee wishes to appeal, this should be made known to NHS education for Scotland to ensure that the COS is not withdrawn. Alternatively, if the trainee wishes to make a second application/reapply, the trainee will require a new COS. This should be requested at the time of notifying of the application refusal.

### **4.3 What are the next steps once the Home Office approves/issues a Skilled Worker visa?**

After your application has been approved, you must log in to the NES Sponsorship system to record the outcome: <https://www.scotmt.scot.nhs.uk/NES-Sponsorship>

If you have received your Skilled Worker visa, you must also provide an attested copy which has been signed and verified by your supervisor or a consultant to confirm they have viewed the original document. Please note: if you have been issued a Biometric Resident Permit, we require an **attested copy** of both sides of this.

To attest the copy, please ensure the consultant or your supervisor views the original document and signs the copy stating that it is "a true likeness of the original", and includes their name, job title, GMC number and date.

You must then attach the attested copy of the visa on to the NES Sponsorship system. Once you have attached the copy to the system, you should select the "submit" button so we can view it.

#### **4.4 What is a biometric card?**

A biometric card is the Tier 2 visa as issued in the UK. It is proof of a trainees right to remain in the UK and has replaced the passport stamp for all those trainees who applied in the UK. Trainees will receive a biometric card once the Home Office approves the visa application. If a trainee applies for their visa outside of the UK, they will not be issued with a biometric card; instead they will receive an updated Entry Clearance Stamp in their passport. It is important that every trainee provides an **attested copy** of both sides the biometric card/entry clearance stamp to NHS Education for Scotland as soon as it is issued.

#### **4.5 Are there any on-going responsibilities of the trainee, employer and/or deanery?**

Yes; all members have key responsibilities to uphold in managing the sponsored trainee and process. As an example these include (but are not restricted to):

the trainee must adhere to the NES terms of sponsorship and the conditions of their Home Office visa;

NHSS Territorial Board employers must continue to meet employment legislation and utilise a robust reporting processes to share Skilled Worker visa information with NES;

NES and NHSS Territorial Boards must have systems in place to meet the SOP and report Skilled Worker information to NES via the NES Sponsorship system.

Please view the SOP for more information on the specific reporting requirements required by all parties.

#### **4.6 Who should be notified of a trainees change of home/postal address?**

For an address change, the trainee will need to action the following:

- update the new home address on their NES personal on-line NES Sponsorship account (no need to email the NES Sponsorship team)
- update the new home address with the Home Office ([click here](#)).
- update their employer with their new address

#### **4.7 What information/activity should be reported to NHS Education for Scotland (NES)?**

The sponsored trainee, employer, and deanery **MUST** contact NES to immediately report (within five working days of the event occurring) any of the following activity/changes:

- Home Office visa application has been refused
- start date is/will be delayed (e.g. visa issues, missed flight to UK etc.)
- if the trainee did not enrol/ turn up for their first day of work as expected
- has their training programme is withdrawn (e.g. is dismissed)
- withdraws/resigns from the training programme (post appointment)
- completes the training programme earlier than expected
- changes their sponsorship/immigration category
- has a change to the length of the programme (e.g. extended / remedial training required)
- is deferring/taking leave from the programme (statutory/maternity leave only)
- takes more than 10 consecutive days leave without permission OR misses x10 'expected contacts'\*\*
- takes any period of leave (sick, annual, special, maternity/paternity or study leave)
- Other (e.g. name change, visa application refused but later overturned via appeal, requests to work less than full time, a suspected breach of visa conditions or any other information relevant to sponsorship).

\*\* Expected contacts include any instance where the sponsored trainee is expected to attend a rotation, lecture, tutorial, seminar or scheduled meeting in relation to their Training Programme. If the sponsored Trainee misses an expected contact due to covering service delivery needs it should not be counted as a missed contact.

For absence or change of condition reporting: employer and deanery users should log in to the NES Sponsorship system to report the activity. For any other changes they should contact NES at [tier2sponsorship@nes.scot.nhs.uk](mailto:tier2sponsorship@nes.scot.nhs.uk).

#### **4.8 How do trainees, employers and deanery teams report information/activity to the NES?**

By logging in to the NES Sponsorship system (<https://www.scotmt.scot.nhs.uk/Tier2/Login.aspx>) or emailing us at [tier2sponsorship@nes.scot.nhs.uk](mailto:tier2sponsorship@nes.scot.nhs.uk)

#### **4.9 Will a sponsored trainee's visa be automatically revoked if the terms and conditions are breached and/or activity is reported to NES?**

No, NES will initially liaise with the employer to discuss the activity on a case by case basis. NES are required to report relevant the activity to the Home Office.

#### **4.10 Are NES permitted to withdraw sponsorship?**

Yes. NES sets out clear terms and conditions of sponsorship both in the SOP and in [Tier 2 Sponsorship Trainee Guidance Document](#) that must be followed and adhered to by all sponsored trainees for the duration of sponsorship. Some examples of when sponsorship may be withdrawn is if a trainee completes the programme early and no longer requires sponsorship, or if the



trainee fails to provide a copy of a required document. For other examples, please refer to the [Tier 2 Sponsorship Trainee Guidance Document](#). It is necessary to have these terms in place to provide clear information of what is expected from the trainees and to ensure that NES are meeting their legal sponsor duties as set by the Home Office.

#### **4.11 What happens if an extension to the NES Tier 2 / Skilled Worker visa is required?**

Trainees may need an extension to their visa if they require additional training time due to sickness, maternity or remedial training. This activity would have been reported NES by the trainee and the employer/deanery at the time of the change occurring. Near the end of the trainee's current visa expiring (we recommend approximately 3 months), the trainee should ensure that their NES Sponsorship account documents and details are up-to-date and request a new COS from NES (via email). NES will then contact the deanery who will be required to provide details of the additional training time required (e.g. to include the new expected end date of study and to confirm that training continues as full time on the recognised Training Programme placement). A new COS will be issued using a start date one day after the current visa expiring. Once a new COS is issued, the trainee should complete the Home Office extension application form which can be found on the Home Office website along with information on the relevant fees.

If you are a trainee who is currently on a Tier 2 visa and require an extension to training. You will need to apply for a Skilled Worker (Health and Care) visa. [Please refer to the Home Office Guidance for applicants to the Health and Care visa](#)

#### **4.12 How will NES use and manage NES Sponsorship system information/activity?**

NES will use information provided within the NES Sponsorship database to carry out auditory and quality checks; this information is also required when NES are subject to unannounced audit visits conducted by the Home Office.

#### **4.13 How do I contact the Home Office?**

The Home Office can be contacted via the [Home Office website](#). Applicants can also contact the Home Office UK Visas and Immigration Contact Centre via telephone on [0300 123 2241](#). Employers should contact the Home Office on [0300 123 4699](#).