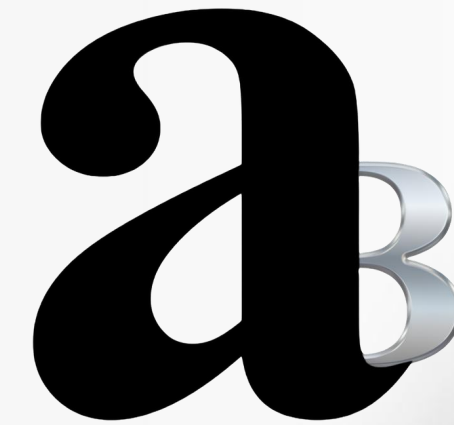




CARE ENGLAND

Representing independent care providers



ASTON BROOKE
S O L I C I T O R S

UKVI Salary Compliance Rules

Adult Social Care

| Aston Brooke Solicitors

- Aston Brooke Solicitors, a specialist law firm with extensive experience in **Corporate Immigration & Compliance Law**
- The firm is well-placed to support care providers navigating the complexities of UKVI immigration laws and sponsorship compliance.
- Aston Brooke offers an invaluable opportunity for clients to access **expert legal guidance**, ensuring their ongoing compliance and sustainability in an evolving regulatory landscape.



| Aston Brooke Solicitors

- Aston Brooke recognises the essential role international workers play in the care sector.
- With the Home Office intensifying post-licence visits and compliance checks, having the right legal expertise is crucial for care providers holding a sponsor licence.
- The firm is committed to equipping clients with the knowledge and tools they need to maintain compliance and retain their sponsor licences.

| SERVICES FOR PROVIDERS



Assist employers
in applying for a
sponsor licence



Legal
representation on
compliance audits



Pre-audit
compliance checks &
UKVI mock audits



Online case
management
solution



Training courses &
webinars for providers



Skilled worker visa
applications for the
sector



Judicial review



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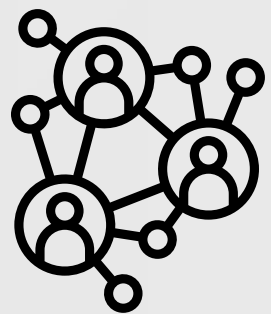
| Bespoke Immigration Platform



A bespoke and cutting-edge online platform that streamlines the sponsorship and compliance process with real time updates on sponsored employees.



This system has been vetted and demonstrated to the UKVI who have confirmed that it complies with employer's sponsorship duties



The platform ensures compliance of all five areas of sponsorship obligations and avoid any pitfalls.



| Salary Compliance Rules

- What changed on 8 April 2026?
- The change that took effect on 8 April 2026 is not a new headline salary threshold for care workers, but a new salary compliance framework and associated immigration rule changes that affect how sponsors must demonstrate pay compliance.



| Salary Compliance Rules

- New pay-period salary compliance rules
- From 8 April 2026, UKVI can assess sponsored workers' salaries based on actual payroll periods (weekly/monthly pay runs), rather than relying primarily on the annual salary stated on the Certificate of Sponsorship (CoS).
- Sponsors must ensure workers meet the required salary throughout the year, not just on an annual basis.



| Salary Compliance Rules

- What this means for care providers:
- Payroll must consistently meet the required salary level every pay period.
- Underpayments cannot simply be corrected later in the year by a bonus or higher payment.
- Sponsors need stronger payroll monitoring and record-keeping.
- UKVI compliance visits are likely to scrutinise payslips, hours worked and salary calculations more closely.



| Salary Compliance Rules

- Health and Care Worker route
- The absolute minimum salary floor for care workers and senior care workers remains £25,000 per year. This threshold did not increase on 8 April 2026. This means the hourly rate is still £12.82 per hour for a minimum 37.5 hour week.



| Salary Compliance Rules

National Minimum Wage increase

- From 1 April 2026, the National Minimum Wage for workers aged 21+ increased to £12.71 per hour. This puts upward pressure on the care sector pay and require providers to review salary structures for sponsored workers.
- Providers will need to align all workers to £12.71 per hour despite a lower rate on any CoSs assigned before the 9 April 2025.
- Any CoSs assigned after 9 April 2025 will need to be paid at £12.82 per hour.



| Why Social Care is Higher Risk

- Variable shifts and overtime.
- Travel time (home care).
- Sleep-in arrangements.
- Sickiness and unpaid leave.
- Salary sacrifice.
- High staff turnover and rota changes.



| Salary Compliance Rules

Practical implications for care providers

- Audit payroll processes immediately
- Ensure sponsored workers consistently meet salary requirements every pay period.
- Check hourly rates, overtime arrangements and unpaid absences.
- Review Certificates of Sponsorship
- Make sure salaries recorded on CoS match actual payroll payments.



| Salary Compliance Rules

Budget for higher employment costs

- National Minimum Wage increases.
- Potential salary uplifts needed to maintain compliance.

Strengthen compliance records

- Retain payslips, timesheets, contracts and payroll reports.
- Prepare for increased UKVI scrutiny of sponsor licence holders.

Monitor recruitment strategy

- Early planning



| Payroll Controls

Monthly checks:

- CoS salary vs actual salary.
- Contracted hours vs paid hours.
- Underpayments.
- Payslips, RTI and timesheets reconcile.
- Retain evidence for audit.



| Payroll Controls

Maintain:

- Employment contract
- Certificate of Sponsorship details
- Payslips
- Payroll reports
- Rotas
- Timesheets
- Absence records
- Change approvals



| Salary Compliance Rules



COMMON RISK AREAS

- Pay falling below threshold in any period
- Unpaid or excess hours reducing hourly rate
- Inconsistent pay patterns
- Incorrect SOC code / going rate



| SLU Desktop Compliance

➤ The desktop compliance team is running a particularly vigorous campaign against care providers - supported by data sharing from HM Revenue & Customs. This is not a routine compliance activity.

➤ **UKVI is actively cross-checking:**

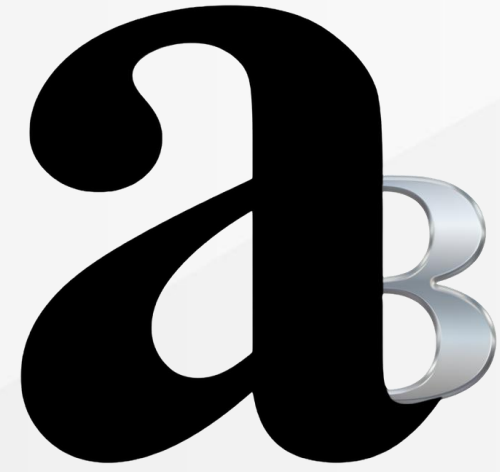
- Certificates of Sponsorship against HMRC RTI Data
- Salary thresholds and underpayment risks
- Genuine vacancy evidence
- Working hours and unpaid leave patterns
- Reporting and record-keeping compliance



| Key Takeaways

- Immigration compliance is an ongoing obligation.
- Payroll accuracy is essential.
- Managers, HR and payroll must work together.
- Carry out monthly compliance reviews.





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| Questions & Answers

| Let's continue the conversation



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General enquiries: *support@astonbrooke.co.uk*



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