

Employer Portal Policy

Introduction

The Employer Portal is an on-line service. It is the way employers make applications for Employment Permits. The Employer Portal can also be used by employers to manage their [employee records](#).

This policy explains some of the main features of the Employer Portal. It also explains the timeframes that apply to certain functions carried out using the Employer Portal, and some special arrangements that exist for the processing of some types of Employment Permit applications.

Setting up an employer record

When registering as an 'employer' via the Employer Portal, the employer will need to provide the 6 digit employer code number that is used by Employment & Social Security Services for that employer. There will be a one-to-one relationship between an employer record on the Portal, and an employer for Social Security purposes. The employer is the legal entity that pays employees, and submits Income Tax and Social Security returns relating to the employee.

This means that an employee holding a Short, Medium or Long Term Employment Permit for that employer can work on any site the employer operates from. (Reference EP1)

Adding users to an employer record

The person who sets up the employer record in the Employer Portal will automatically have 'administrator' permissions. This means they can add new users to the employer record, and can remove users too.

There are 3 levels of user rights, and when a new user is added, the 'administrator' can select the level of the new user:

Administrators are able to: add new users; delete users; change user levels; make Employment Permit applications; add, edit and delete employee records, and change the details of the employer record (for example to update the employer address and contact details).

Users are able to: make Employment Permit applications; add, edit and delete employee records, and change the details of the employer record (for example to update the

employer address and contact details).

Browsers are able to view most of the information on the employer record, but can't make applications or edit any of the information they see. Browsers can't see payment records.

Making an Employment Permit application

Once an employer has an employer record, the Employer Portal can be used to make Employment Permit applications. The [Employment Permit Policy](#) lists over 230 types of jobs that can have Short, Medium or Long Term Employment Permits. Employers can also make applications for jobs that are not included in the Policy.

The first time an employer makes an application for a Short, Medium or Long Term Employment Permit, they will automatically be taken through the [Employer Assessment](#).

If the employee who needs the Employment Permit will be a live-in employee in an Open Market Private Family Home (Part A); Hotel (Part B); or Care Home (Part C); the employer will not have to complete the Employer Assessment. An Employment Permit is available for any full-time Open Market live-in job.

Applications made before an employee has been appointed

Employers can make a Short, Medium or Long Term Employment Permit application as soon as they know they can't find a person who already has the right to live and work in Guernsey to fill the vacancy, or any time after.

Normally, the new employee should have their Employment Permit in place before they move to Guernsey. There are some special rules about [Employment Permit applications made after employment starts](#).

If the application is made before the employer knows who is going to have the job (and assuming the application is successful), the employer will be given an 'approval in principle'. This confirms that a particular type of Employment Permit will be issued, once an employee has been recruited.

Please remember that, for Short and Medium Term Employment Permits, it might not be possible to issue a Permit to a person who has already lived in Guernsey for 5 years.

Please remember that Permit applications can be refused for people who have a serious criminal record. You can find out more by reading the [Criminal Convictions & Public Interest Policy](#).

Approval in principle durations

If the application is made before a person has been appointed to the role, the agreement to issue a Permit will be valid for a specific period of time:

Short Term Employment Permits - the approval in principle is valid for 3 months from the date the application is agreed. (Reference EP2)

Medium & Long Term Employment Permits – the approval in principle is valid for 12 months from the date the application is agreed. (Reference EP3)

The different timeframes reflect the fact that, typically, there is a longer recruitment cycle for the roles that will benefit from a Medium or Long Term Employment Permit.

From the ‘overview’ page of the Employer Portal, employers can see any Permit that has been agreed in principle, but has not reached the approval in principle expiry date. Once this expiry date is reached, the agreement will not display on the overview page, and a new Permit application will have to be made if it is still needed. (Reference EP4)

Permit reconversion

Sometimes employees don’t stay in a job for very long. If this happens, and the employee who is leaving the job had a Short, Medium or Long Term Employment Permit, it is possible to ‘reconvert’ the Permit back into an Approval in Principle, so that the agreement to issue an Employment Permit can be re-used by a new employee.

If a Permit is reconverted the Approval in Principle duration starts again. (Reference EP5)

Permit reconversion durations

If a person holds an Employment Permit, their Permit can be reconverted for use by their replacement:

Short Term Employment Permits – if the last employee to hold the Permit left the job within 28 days of starting it. (Reference EP6)

Medium & Long Term Employment Permits – if the last employee to hold the Permit left the job within 6 months of starting it. (Reference EP7)

The different timeframes reflect typical probation periods, and these are usually longer for the roles that will benefit from a Medium or Long Term Employment Permit.

From the ‘overview’ page of the Employer Portal, employers can see any Permit that is within the reconversion timeframe. There is a ‘reconversion’ button that can be used to begin the process.

Issuing a different type of Permit

Sometimes, it might not be possible for the Administrator to issue the type of Employment Permit an employer has applied for.

Most commonly this will be because of the transitional arrangements between the old Housing Control system and the new Population Management system for people with 'grandfather rights' based on their residence before the Law changed on 3 April 2017. But this can also happen if the employer has asked for a special arrangement, for example an Employment Permit for an employee who doesn't live in Guernsey all the time, but comes to the island regularly to work.

If the Administrator decides that the best way to meet the employer's request is to issue Discretionary Resident Permit with employment conditions attached to it, this is what will happen. (Reference EP8)

To avoid confusion for employers, who might not know whether a person has grandfather rights, or whether the special arrangement can be accommodated, if the employer is making an application because a person is going to work for them, the employer will always be directed to make an application for an Employment Permit. This will happen even if a Discretionary Resident Permit might need to be issued because of the employee's residence history or because of the special arrangements the employer is asking for. (Reference EP9)

Policy Review

This policy will be reviewed on 2 April 2019. The Administrator reserves the right to review this policy before the published review date if there is good reason to do so.