



University of
HUDDERSFIELD
Inspiring global professionals

Recruiting & Employing Visa Holders Guidance for Managers

Human Resources
Version 01/24
Published: 3 May 2024

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Glossary

<p>Academic Technology Approval Scheme (ATAS)</p>	<p>Applicable to international researchers who are subject to UK immigration control and are intending to research at postgraduate level in certain sensitive subjects.</p> <p>The subjects and research areas are those where knowledge could be used in programmes to develop Advanced Conventional Military Technology (ACMT), weapons of mass destruction (WMDs) or their means of delivery.</p> <p><i>ATAS currently applies to the following visa categories:</i></p> <ul style="list-style-type: none"> ▪ <i>Student</i> ▪ <i>Skilled Worker</i> ▪ <i>Global Business Mobility</i> ▪ <i>Tier 5 International Agreement</i> ▪ <i>Tier 5 Government Authorised Exchange</i>
<p>ATAS Certificate</p>	<p>Researchers intending to research in sensitive subject areas are required to apply for and obtain an ATAS certificate before they can research in the UK. This must be submitted as part of their visa application.</p> <p>If the area of research changes, a new ATAS certificate may be required and must be obtained before any research in the new subject area is undertaken.</p>
<p>Certificate of Sponsorship (CoS)</p>	<p>Issued to those applying for a Skilled Worker Visa. The CoS contains details about the individual being sponsored and their employment with the University.</p> <p>We are assigned with a limited number of CoSs each year and there is a cost to issue a CoS.</p>
<p>Defined CoS</p>	<p>A defined CoS is issued to those applying for a Skilled Worker Visa from overseas. Defined CoSs are in addition to the annual allocation the University has, however, we must first obtain permission to proceed by submitting a Defined CoS application. Once approval comes through, the actual CoS is issued to the applicant.</p> <p>There is no limit on the number of Defined CoSs we can issue.</p>
<p>ECCTIS</p>	<p>Operates official recognition services on behalf of the UK Government, primarily their UK Visas and Nationality Service on behalf of the Home Office.</p> <p>They offer English proficiency services to verify overseas qualifications for visa applicants to demonstrate the level of their qualification and their English proficiency for a UK visa application.</p>

	<p>They offer PhD verification services where applicants need to use their PhD to qualify for tradeable points for the Skilled Worker Visa route.</p> <p>Combined services for both are also available, where required.</p>
Endorsement	<p>To be considered for a Global Talent Visa, applicants are required to seek endorsement from one of six endorsing bodies engaged by the Home Office to prove that they are a leader or potential leader in their field.</p> <p>Applying for endorsement is the first step in obtaining a Global Talent Visa. Once endorsement is obtained, a visa application must then be submitted.</p>
English Language Proficiency	<p>Some visa routes require individuals to evidence their English Language proficiency to a certain level. Candidates can do this by undertaking a secure test or by having an overseas qualification verified (where eligible).</p> <p>Nationals of majority English speaking countries and those who have a UK qualification will automatically meet this requirement.</p> <p>Those extending their existing visa may meet this requirement if they previously evidenced their English Language proficiency.</p> <p>All other candidates would need to either undertake a Secure English Language Test (SELT) or, if they have an overseas academic qualification which was taught in English, have it assessed by ECCTIS.</p>
eVisa	<p>An eVisa is a digital record of a person's immigration status. It removes the need for physical documents such as the biometric residence permit (BRP), passports containing a visa vignette sticker or an immigration ink stamp, or the biometric residence card (BRC).</p> <p>The Government are in the process of inviting those with physical documents to create a UKVI account to access their eVisa and hope to be 'digital by default' by 2025. Further information about eVisas can be found on the GOV.UK website.</p>
General Salary Threshold	<p>To sponsor a Skilled Worker their salary must meet or exceed the relevant salary thresholds. The applicable salary threshold depends on which option the worker we are sponsoring is claiming points under, and can be any of £38,700, £34,830, £30,960, £29,000, £26,100, or £23,200 per year.</p> <p>In addition to the general salary threshold, the worker must meet or exceed the going rate on the Standard Occupation Classification (SOC) code for their role.</p>

Global Talent Visa (GTV)	<p>An immigration category for talented and promising individuals in specific sectors who are wishing to work in the UK. Applicants for this route must first seek endorsement from one of six endorsing bodies engaged by the Home Office.</p> <p>Where possible we would recommend that this route is chosen over the Skilled Worker route as it is more beneficial to the visa holder. It has no reporting requirements, no minimum salary, no English Language or ATAS requirement and is a fast-track route to settlement in the UK, depending on the endorsing body.</p>
Going Rate	<p>Each role sits within a Standard Occupation Classification (SOC) code which determines whether the role is eligible for sponsorship for a Skilled Worker Visa and the minimum salary an individual needs to be paid for that role. This is called the going rate.</p> <p>The going rate is based on a 37.5 hour week therefore it will be recalculated based on the candidate's total hours per week.</p> <p>In addition to the going rate, the salary must also meet/exceed the general salary threshold for Skilled Worker sponsorship.</p>
Home Office	<p>The government department responsible for immigration, security, law and order.</p>
Immigration Health Surcharge (IHS)	<p>To be paid by the majority of UK visa applicants on top of their visa application fees. It entitles access to any healthcare services offered by the NHS.</p>
Immigration Salary List	<p>This replaced the previous Shortage Occupation List on 4 April 2024.</p> <p>Skilled Worker visa: immigration salary list - GOV.UK</p> <p>The list includes a small number of those roles which are difficult to source from the UK labour market. Applicants in roles under this list will benefit from a lower general salary threshold but will need to meet 100% of the going rate for sponsorship.</p>
Immigration Skills Charge (ISC)	<p>This is an additional charge which the University is required to pay when we assign a CoS to someone applying for a Skilled Worker Visa. There are certain SOC codes which are exempt from this requirement, including the main ones we use for our academic and research roles.</p>
Indefinite Leave to Remain (ILR)	<p>Depending on their eligibility, time-limited visa holders can apply for ILR to settle in the UK. ILR is also known as 'settlement'. This gives the holder the right to live, work and study in the UK for as long as they like and apply for benefits (where eligible). It can then be used to apply for British citizenship.</p>

	<p>Those who have held a work visa can usually apply after living and working in the UK for a continuous period of 5 years – Skilled Worker Visa holders would come under this. Global Talent Visa holders can apply after a 3-year continuous period of living and working in the UK (after 5 years if endorsed by Arts Council England or Tech Nation).</p> <p>Applicants who don't meet the 3 or 5 year option may be eligible to apply after living in the UK for 10 years under the long residence ILR route.</p>
Positive Verification Notice (PVN)	<p>A document issued by the Government that provides an employer with a temporary excuse to employ someone/continue to employ visa nationals who cannot show their documents or use the online right to work service. For example, they have a current visa application underway or there are errors with the online right to work service.</p>
Right to Work (RTW)	<p>All employees, whether they require a visa or not, must evidence their RTW before commencing employment.</p> <p>Those who hold a visa with an expiry date, must be able to evidence a continuous RTW whilst in employment, so may be required to apply for further leave to remain during their employment.</p>
Right to Work (RTW) Check	<p>A right to work check must be undertaken to establish whether someone has the right to work in the UK before they start employment. This is a Home Office requirement and it applies to all, whether they are British nationals or visa holders.</p> <p>Undertaking a check may involve photocopying original documentation, such as passports or birth certificates, or performing an online check on the GOV.UK website.</p> <p>For further information about how to perform right to work checks, including what documentation can be accepted, please refer to our Right to Work Checks Guidance document.</p>
Secure English Language Test (SELT)	<p>Some applicants may need to evidence their English proficiency when applying for a visa. Applicants can take a Secure English Language Test to evidence this or, in some cases, use the services of ECCTIS instead.</p>
Settlement	<p>Depending on their eligibility, time-limited visa holders can apply to settle in the UK. Settlement is also known as 'Indefinite Leave to Remain (ILR)'. This gives the holder the right to live, work and study in the UK for as long as they like and apply for benefits (where eligible). It can then be used to apply for British citizenship.</p>

	<p>Those who have held a work visa can usually apply after living and working in the UK for a continuous period of 5 years – Skilled Worker Visa holders would come under this. Global Talent Visa holders can apply after a 3-year continuous period of living and working in the UK (after 5 years if endorsed by Arts Council England or Tech Nation).</p> <p>Applicants who don't meet the 3 or 5-year option may be eligible to apply after living in the UK for 10 years under the long residence settlement route.</p>
Shortage Occupation List	<p>The Shortage Occupation List outlined the jobs in the UK which were in short supply within the resident labour market.</p> <p>Jobs on this list could be paid at 80% of the usual going rate to qualify for a Skilled Worker Visa.</p> <p>This was replaced by the Immigration Salary List on 4 April 2024.</p>
Skilled Worker Visa (SW)	<p>An immigration category for workers to come to, or stay in the UK, to do an eligible job with an approved employer (sponsor).</p>
Sponsorship / Sponsor	<p>UK employers are required to hold a sponsorship licence if they wish to employ overseas nationals who are not settled workers in the UK, or do not otherwise have immigration permission to work in the UK.</p> <p>The University has a duty to comply with UK immigration law and is required to fulfil various sponsorship obligations including reporting and record keeping duties.</p> <p>Skilled Worker Visas are sponsored visas.</p> <p>Sponsored Workers! Guidance or information specifically for sponsored workers will be in this format.</p>
Sponsorship Management System (SMS)	<p>Online system used by licenced sponsors to manage their licence and meet their duties to notify the UKVI of changes in circumstances for both the University and sponsored workers.</p>
Standard Occupation Classification (SOC) Code	<p>Each role sits within a SOC code which determines whether the role is eligible for sponsorship and what salary an individual needs to be paid in order to meet the required points for the Skilled Worker Visa route.</p>
The British Academy	<p>With respect to visas and immigration, The British Academy are a Global Talent Visa endorsing body for those in the fields of humanities and social science. There are additional criteria to meet to enable endorsement.</p>

The Royal Academy of Engineering	With respect to visas and immigration, The Royal Academy of Engineering are a Global Talent Visa endorsing body for those in the field of engineering. There are additional criteria to meet to enable endorsement.
The Royal Society	With respect to visas and immigration, The Royal Society are a Global Talent Visa endorsing body for those in the fields natural and medical science. There are additional criteria to meet to enable endorsement.
Tier 2	<p>The Skilled Worker Visa route replaced the Tier 2 Visa route.</p> <p>Tier 2 was a sponsored route therefore any current employees who hold a Tier 2 visa are subject to the same restrictions and reporting duties as Skilled Worker Visa holders.</p> <p>They will either need to apply for a Skilled Worker visa or Settlement when their current visa expires.</p>
Time-Limited Visa	This is any visa which has an expiry date. Holders will need to apply for further leave to remain in the UK before their existing visa expires.
UK Research and Innovation (UKRI)	With respect to visas and immigration, UKRI are a Global Talent Visa endorsing body for those working on a research grant or award which is funded by a UKRI approved funder. There are additional criteria to meet to enable endorsement.
UK Visas and Immigration (UKVI)	A division of the Home Office who run the UK's visa and asylum service.
Undefined CoS	An undefined CoS is issued to applicants who are applying from within the UK. Each CoS is deducted from an annual allocation the University is given.
Vignette	A vignette is a sticker added to a visa applicant's passport to evidence their Entry Clearance permission or Certificate of Entitlement.

Recruiting

The information below should be read alongside the [Recruitment & Selection procedure](#) and the additional information listed on [our website](#).

Advertising

Academic and Research roles are usually advertised on [www.jobs.ac.uk](#), which is a global website. Research has shown that most of our overseas applicants have applied for vacancies via [www.jobs.ac.uk](#).

Professional and Technical staff roles are not usually advertised on [www.jobs.ac.uk](#) as research has shown that we do not receive applications for these types of roles via that website.

Our Recruitment & Selection team will be able to help you identify the best media to advertise your vacancy.

Please refer to our [HR website](#) for more information on advertising.

Shortlisting

Before you shortlist candidates, it is important for you to be aware of unconscious biases and how they can influence recruitment decisions.

Unconscious biases are things that exist in our unconscious mind and can unknowingly inform our opinions about people.

All members of staff at the University are required to undertake unconscious bias training and complete a refresher every two years.

Shortlisting should be based only on the criteria which has been set out in the person specification. Applicants can only be shortlisted if they meet all the essential requirements for the role and only those essential criteria should be taken into consideration when shortlisting.

If, for example, we can see that someone is currently employed at an overseas institution, we cannot assume they'd be unable to relocate to the UK to undertake the role. Checks on someone's eligibility to work in the UK will be undertaken once the interviews have been held and the preferred candidate has been identified.

Please refer to our [HR website](#) for more information on shortlisting.

Interviews

If a candidate is invited for an in-person interview and subsequently requests an interview via Teams, we would recommend that you facilitate this where possible. If your candidates are interviewed remotely and you would like them to visit the campus and to see their working environment, your preferred candidate can be invited to the University at an agreed later date.

Please refer to our [HR website](#) for more information on interviewing.

Offer

Once interviews have been held and you have a preferred candidate who meets all the essential criteria for the post, you may go ahead and contact the candidate to verbally offer them the post

subject to:

- Satisfactory references
- Health clearance
- Eligibility to work in the UK

A start date should not be agreed at this point as all pre-employment checks must be completed beforehand.

Once our recruitment and selection team have received the Chair's report and confirmation that the post has been offered and accepted, they will send an offer letter to the candidate.

This letter will ask the candidate to provide evidence of their right to work in the UK if they already have permission, or for a copy of their passport if they do not. On receipt of that documentation, the team will determine whether the candidate requires a visa to undertake the role. If so, eligibility for a GTV will be determined in the first instance before checking whether a candidate meets the requirements for sponsorship on a SW Visa.

The recruiting manager will be contacted as part of the process as we need their help to determine eligibility for either visa route.

Pre-employment Checks

Right to Work Checks

Right to work checks must be carried out on **all** potential employees, regardless of their nationality, race or ethnicity and must be undertaken **before** employment/work commences. If an individual's right to work is time-limited, a further follow-up check would be needed before their existing right to work comes to an end.

a) How do visa holders evidence their right to work in the UK?

It depends on the type of visa they hold.

Most visa holders will evidence their right to work by providing a share code which the University uses to access the Home Office's Online Service. A profile page is generated which confirms their right to work in the UK along with any restrictions and an expiry date for their right to work (if applicable). This profile page is downloaded by an employee (usually within HR) who then meets with the person (either face to face or via video call) to confirm their likeness to that shown on Online Service profile page.

Some visa holders cannot use the Online Service to evidence their right to work and, instead, must attend the University with their original documentation for a manual (in-person) check.

Further information about online checks and the list of acceptable documents for manual checks can be found in the [Right to Work Checks guidance](#).

b) If they already hold a visa, will they need a new visa to undertake employment with us?

It depends on the visa they currently have but yes, in a lot of cases a new visa will be required.

Some individuals will already have a visa which gives them the right to work in the UK in any role. For those individuals, we would be able to undertake the appropriate right to work

check early in the appointment process and issue the contract of employment once the other pre-employment checks are complete.

SW/Tier 2 Visa holders who are employed elsewhere have the right to work in the UK in that role for that employer but would need to apply for a new SW Visa to take up employment with us as their sponsor.

For new employees, or those switching roles which requires a new visa, a right to work check must be completed before the start date of their new role. If a check cannot be completed before their start date, the start date will need to be delayed to allow a check to be completed. Because of this, processing the contract can be quite last minute.

c) What about those who don't have a visa?

Those who currently do not have the right to work in the UK would need to apply for a visa which will provide them with entry clearance to the UK. They would need to evidence that they have obtained their entry clearance, and their proposed travel plans before the start date can be agreed and contract processed.

d) Are there any restrictions for those who hold a visa with no expiry date, such as ILR or Settlement?

No. Anyone who holds a visa which doesn't have an expiry date has the freedom to live and work in the UK without any restrictions. After their initial right to work check, follow up checks are not required whilst they remain in employment with us.

e) How long does a visa application take?

It depends on whether they are currently in the UK or not and whether they are able to pay for a faster decision on their visa application.

Generally, if a visa is required for an individual to remain in the UK, the processing times take longer than those who are applying from outside of the UK.

Overseas applications take up to 3 weeks to be processed, whilst those submitted in the UK take up to 8 weeks to be processed.

Those applying for a GTV will need to apply for endorsement first before submitting their visa application. Depending on the endorsement route, this first step can take anywhere between 2 and 5 weeks, followed by the processing time for their visa application, as mentioned above.

Qualifications

The preferred candidate will be required to provide evidence of the qualifications listed on the person specification as part of the pre-employment checks.

If your candidate will be required to undertake a formal course (such as PG Cert, or PhD) their visa will need to be checked to determine whether there are any restrictions.

Graduate Visa holders are not permitted to study on any course which would be eligible for a Student Visa. Instead, they would need to switch to an alternative visa route which enables them to work and study. As some probationary periods are subject to employees completing a qualification within the first 12 months of appointment, they would be asked to switch to a different visa type before commencing in employment with the University.

Skilled Worker Visa holders are permitted to study, subject to the ATAS requirement.

Global Talent Visa holders are permitted to study, subject to the ATAS requirement.

ILR/Settlement Visa holders are permitted to study. The ATAS requirement does not apply for this type of visa.

Memberships

The preferred candidate will be required to provide evidence of their membership of any bodies listed on the person specification as part of the pre-employment checks.

Remuneration

Appointments are usually made at the bottom of the salary scale. If the panel wish to make an appointment above that point, a REM1 form will need to be sent with the Chair's report. This must be agreed by the Head of HR before the salary is confirmed to the individual.

If a visa is required which has a minimum salary requirement, such as the SW Visa, an individual's salary cannot be increased to meet that level. Any increase above the bottom of the scale must be based only on matching to their existing salary or the individual having significant experience of direct relevance to the performance of the role. If a request is not approved, HR will advise both the candidate and recruiting manager of any other options which may be available.

References

The preferred candidate will be asked to provide contact details for their referees to cover their last 5 years of employment. The recruiting manager will be sent a link to view any references as and when received.

Visa Applicants

The following section provides further information when an applicant needs to apply for a new visa in connection with their offered role.

Global Talent Visas

A GTV is aimed at leaders or potential leaders in the fields of academia or research, arts and culture and digital technology.

Applicants can be considered under the following fields:

1. Academia or research
2. Arts and Culture
3. Digital Technology

For our roles at the University, we concentrate on the academia or research field which covers science, medicine, engineering, humanities and social science.

Further information about the arts and culture and digital technology fields can be found on the GOV.UK website:

- [Global Talent Visa - Arts and Culture](#)
- [Global Talent Visa - Digital Technology](#)

The following information refers to applications made under the academia or research field.

Applying for a GTV is a two-step process. Step 1 is obtaining endorsement and Step 2 is applying for the visa itself. There are four endorsement routes available:

- Route 1: Academic and Researcher Job Offer
- Route 2: Individual Fellowship
- Route 3: Endorsed Funder
- Route 4: Peer Review

UK Research and Innovation (UKRI) endorse applicants under Route 3. For the other routes, endorsement is by either The British Academy, The Royal Academy of Engineering or The Royal Society, depending on the applicant's field of expertise.

Endorsement Routes

Route 1: Academic and Researcher Job Offer

This endorsement route is open to those who are being appointed to a senior position at the University, such as Readers (Grade 9) or senior academics on Grade 10 upwards.

This route requires a job offer from the University.

Our [GTV - Academic or Researcher Job Offer - Process Flowchart](#) shows the internal process for this endorsement route.

Should your preferred candidate be eligible for a GTV under this endorsement route, a member of the team will be in touch to request the necessary information from you.

Route 2: Individual Fellowship

This endorsement route is for those who have been awarded a fellowship which is approved by either The British Academy, The Royal Academy of Engineering or The Royal Society.

This is an independent route and applicants do not need a job offer to apply.

Route 3: Endorsed Funder

This endorsement route is for researchers and Knowledge Transfer Partnerships (KTPs) who are working on a research grant or award from a funder approved by the UKRI in one of the following capacities:

- Leading a unique research or innovation project
- Contributing to research in developing new technology or methodology

The grant and applicant, need to meet specific eligibility criteria for this route.

This route requires a job offer from the University.

Our [Global Talent Visa - Endorsed Funder - Process Flowchart](#) shows the internal process for GTVs under this endorsement route.

Should your preferred candidate be eligible for a GTV under this endorsement route, a member of the team will be in touch to request the necessary information from you.

Route 4: Peer Review

This endorsement route is for those who are not eligible under the other routes but meet the following:

- Are working in an [approved discipline](#)
- Are an active researcher e.g. in a university, research institute or business
- Have a PhD or equivalent research experience, including industrial or clinical research

This is an independent route and applicants do not need a job offer to apply.

Benefits of a GTV

- It allows freedom to switch jobs (without needing to apply for a new visa)
- It is a fast track route to settlement after 3 years
- Applicants can choose the visa length (it doesn't need to be linked to how long their employment contract is).
- The University also don't need to sponsor the visa, which means less reporting responsibilities and no sponsorship costs.
- There is currently no ATAS certificate requirement
- There is no English Language requirement, so individuals don't need to obtain formal verification of their English Language proficiency.

Skilled Worker Visas

A SW Visa is a sponsored work visa route.

Where a candidate requires a visa, HR would first check their eligibility for a GTV and if that route is not possible, HR would determine their eligibility for a SW Visa.

Candidates must score a total of 70 points to enable sponsorship. This includes 50 points for mandatory or 'non-tradeable' criteria and 20 points for 'tradeable' criteria.

Mandatory Criteria

Points Type	Description	Points Available
Sponsorship	The applicant must have a valid CoS for the job they are planning to do. The job must: <ul style="list-style-type: none">▪ be a genuine role▪ meet the rules on working for a third party (if relevant)▪ comply with the National Minimum Wage and Working Time Regulations	20
Job at an appropriate skill level	The job must be in an eligible occupation and (where relevant) meet the ATAS requirement.	20
English Language	The applicant must have English language skills at level B1 or higher on the Common European Framework of Reference for language in all 4 components (speaking, listening, reading, writing).	10

Tradeable Points for Salary

Applicants for a SW Visa need to show that they meet the required salary level for the role they are undertaking. Each role sits within a Standard Occupation Classification (SOC) code which determines whether the role is eligible for sponsorship and the minimum salary an individual needs to be paid for that role. This is called the going rate.

In addition to the going rate, the salary must also meet or exceed the general salary threshold for SW sponsorship.

If the salary offered is below the required amount, some candidates may be able to make use of one of the tradeable options below.

There are separate tradeable options depending on whether someone already holds a SW visa that was granted prior 4 April 2024.

- Options A to E below, relate to those who **do not currently hold** a SW visa.
- Options F to J below, relate to those who were granted with a SW visa prior to 4 April 2024 and are applying to extend/change jobs or employers before 4 April 2030. They can be considered under transitional arrangements.

Option	Description
A: Salary Only (no discounts)	<p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £38,700 per year ▪ 100% of the going rate for the relevant occupation code and ▪ £15.88 per hour
B: Relevant PhD (10% discount on the general threshold and going rate)	<p>If someone holds a PhD which is relevant to their role, they can be paid at 90% of the going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £34,830 per year ▪ 90% of the going rate for the relevant occupation code and ▪ £15.88 per hour
C: Relevant STEM PhD (20% discount on general threshold and going rate)	<p>If someone holds a PhD in a STEM subject which is relevant to their role, they can be paid at 80% of the going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £30,960 per year ▪ 80% of the going rate for the relevant occupation code and ▪ £15.88 per hour

<p>D: Immigration Salary List (20% discount on general threshold only)</p>	<p>If the role appears on the Immigration Salary List, they will receive a 20% discount to the general salary threshold but must meet the full going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £30,960 per year ▪ 100% of the going rate for the relevant occupation code and ▪ £15.88 per hour
<p>E: New Entrant (20% discount on general threshold and 30% discount on going rate)</p>	<p>If any of the below options apply, they can be paid at 70% of the going rate on the SOC code.</p> <p>There are a few ways an applicant can be classed as a New Entrant:</p> <ol style="list-style-type: none"> 1) They are under the age of 26 on the date they apply for entry clearance or permission to stay. 2) They are undertaking a postdoctoral role in any of the following occupation codes (the applicant does not need to hold a PhD to meet this): <ol style="list-style-type: none"> a. 2111 Chemical scientists b. 2112 Biological scientists c. 2113 Biochemists and biomedical scientists d. 2114 Physical scientists e. 2115 Social and humanities scientists f. 2119 Natural and social science professionals not elsewhere classified g. 2162 Other researchers, unspecified discipline h. 2311 Higher education teaching professionals 3) The job offer is in a UK Regulated Profession and the applicant is working towards a recognised professional qualification for that profession. 4) The applicant is working towards full registration or chartered status with the relevant professional body for the job they are being sponsored for. 5) The applicant's most recent permission was on the Graduate route and that permission is either current or expired less than 2 years before the date of application. 6) The applicant's most recent permission was as a Student and they meet the additional requirements below: <ol style="list-style-type: none"> a. that permission must either be current or have expired less than 2 years before the date of application b. in that permission (or any previous permission as a Student), the applicant was sponsored to study any of the following: <ol style="list-style-type: none"> i. a UK bachelor's degree ii. a UK master's degree iii. a UK PhD or other doctoral qualification iv. a Postgraduate Certificate in Education v. a Professional Graduate Diploma of Education c. the applicant: <ol style="list-style-type: none"> i. has completed the relevant course mentioned above ii. is applying no more than 3 months before they are expected to complete the relevant course above; or iii. is studying a PhD and has completed at least 24

	<p>months' study in the UK towards that PhD</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £30,960 per year ▪ 70% of the going rate for the relevant occupation code and ▪ £15.88 per hour
<p>Transitional Options</p>	<p>Description</p>
<p>F: Salary Only (no discounts)</p>	<p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £29,000 per year ▪ 100% of the going rate for the relevant occupation code and ▪ £11.90 per hour
<p>G: Relevant PhD (10% discount on general threshold and going rate)</p>	<p>If someone holds a PhD which is relevant to their role, they can be paid at 90% of the going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £26,100 per year ▪ 90% of the going rate for the relevant occupation code and ▪ £11.90 per hour
<p>H: Relevant STEM PhD (20% salary on general threshold and going rate)</p>	<p>If someone holds a PhD in a STEM subject which is relevant to their role, they can be paid at 80% of the going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £23,200 per year ▪ 80% of the going rate for the relevant occupation code and ▪ £11.90 per hour
<p>I: Immigration Salary List (20% discount on general threshold only)</p>	<p>If the role appears on the Immigration Salary List, they will receive a 20% discount to the general salary threshold but must meet the full going rate on the SOC code.</p> <p>20 points will be awarded where the candidate's salary meets or exceeds all of:</p> <ul style="list-style-type: none"> ▪ £23,200 per year ▪ 100% of the going rate for the relevant occupation code and ▪ £11.90 per hour

J: New Entrant
(20% discount on general threshold and 30% discount on going rate)

If any of the below options apply, they can be paid at 70% of the going rate on the SOC code.

There are a few ways an applicant can be classed as a New Entrant:

- 1) They are under the age of 26 on the date they apply for entry clearance or permission to stay.
- 2) They are undertaking a postdoctoral role in any of the following occupation codes (the applicant does not need to hold a PhD to meet this):
 - a. 2111 Chemical scientists
 - b. 2112 Biological scientists
 - c. 2113 Biochemists and biomedical scientists
 - d. 2114 Physical scientists
 - e. 2115 Social and humanities scientists
 - f. 2119 Natural and social science professionals not elsewhere classified
 - g. 2162 Other researchers, unspecified discipline
 - h. 2311 Higher education teaching professionals
- 3) The job offer is in a UK Regulated Profession and the applicant is working towards a recognised professional qualification for that profession.
- 4) The applicant is working towards full registration or chartered status with the relevant professional body for the job they are being sponsored for.
- 5) The applicant's most recent permission was on the Graduate route and that permission is either current or expired less than 2 years before the date of application.
- 6) The applicant's most recent permission was as a Student and they meet the additional requirements below:
 - a. that permission must either be current or have expired less than 2 years before the date of application
 - b. in that permission (or any previous permission as a Student), the applicant was sponsored to study any of the following:
 - i. a UK bachelor's degree
 - ii. a UK master's degree
 - iii. a UK PhD or other doctoral qualification
 - iv. a Postgraduate Certificate in Education
 - v. a Professional Graduate Diploma of Education
 - c. the applicant:
 - i. has completed the relevant course mentioned above
 - ii. is applying no more than 3 months before they are expected to complete the relevant course above; or
 - iii. is studying a PhD and has completed at least 24 months' study in the UK towards that PhD

20 points will be awarded where the candidate's salary meets or exceeds all of:

- £23,200 per year
- 70% of the going rate for the relevant occupation code and
- £11.90 per hour

If a candidate's role is not on the eligible occupations list, or their salary does not meet the required points, a SW Visa is not possible.

English Language Requirement

For a SW Visa, applicants are required to evidence their English Language proficiency to a certain level.

Nationals of majority English speaking countries and those who have a UK qualification will automatically meet this requirement.

Those extending their existing visa may meet this requirement if they previously evidenced their English Language Proficiency.

All other candidates would need to either undertake a Secure English Language Test (SELT) or, if they have an overseas academic qualification which was taught in English, have it assessed by ECCTIS.

If candidates are required to take a SELT or have their qualifications assessed, a copy of the outcome is required before the CoS can be issued. This is because we have a limited number of CoSs assigned to us each year. If one is used for an application which is then refused due to not meeting the English Language requirement, that CoS is lost.

ATAS

Researchers intending to research in sensitive subject areas are required to apply for and obtain an ATAS certificate before they can research in the UK. This must be submitted as part of their visa application.

If the area of research changes, a new ATAS certificate may be required and must be obtained before any research in the new subject area is undertaken.

If their job includes an element of research at PhD level or above, even if it is not a “research role” we need to check if an ATAS certificate is required. ***All academic roles at the University include an element of research.***

Some applicants will be exempt from this requirement:

- They are a national of a country on the Exempt Nationalities List
- Some SOC codes do not require an ATAS
- If the individual is not undertaking research at PhD level or above in their role
- If the research does not fall under one of the ATAS research fields

If candidates are required to obtain an ATAS certificate a copy of the certificate is required before the CoS can be issued. This is because we have a limited number of CoSs assigned to us each year. If one is used for an application which is then refused due to not meeting the ATAS requirement, that CoS is lost.

CoS Cost

The School/Service appointing the candidate is responsible for paying the CoS cost and the current cost of a CoS will be listed on the form we send to you for completion. We will make the initial payment in HR and recharge this to the cost centre you provide.

Immigration Skills Charge

Some roles are subject to an Immigration Skills Charge which must be paid by the recruiting School or Service ahead of a visa application being made. The fee payable depends on the

length of employment. The current charge is £364 for the first 12 months, followed by £182 for each additional six months, up to a maximum of 5 years. There are some exemptions to this charge. We will make the initial payment in HR and recharge this to the cost centre you provide.

Further information about the [CoS fees](#) and [Immigration Skills Charge](#) can be found the UKVI website.

CoS Supporting Information Form

As the recruiting manager/line manager for the candidate, we will ask you to complete a CoS Supporting Information Form which asks for the following information:

- Cost centre to recharge the CoS fee and (where applicable) the Immigration Skills Charge to
- Confirmation of whether an ATAS certificate is required, if we haven't already determined that one is not required
- PhD Statement if the candidate is using their PhD as a tradeable option

There are certain responsibilities you have as a manager of a sponsored worker. You will be asked to read through the [line manager's responsibility statement](#) and sign to say you have read and understand the responsibilities you have.

Should your preferred candidate be eligible for a SW Visa, a member of the team will be in touch with you to request the information outlined in the bullet points above.

Our [Skilled Worker Visa – Process Flowchart](#) shows the internal process for this route.

Other Work Visa Types

There are other visa categories which enable holders to undertake work, however, we are only involved with SW Visas and GTVs for endorsement routes 1 and 3.

If your candidate is applying for another type of visa, we would be able to provide them with a letter confirming the role they have been offered, including a proposed start date.

Student Visas

Student Visa holders have restricted working conditions applied to their leave which is based on the type of course they are undertaking. There are also additional conditions for all University of Huddersfield students.

If you are wanting to employ a student, checks must be undertaken to ensure they are permitted to do the role on their current visa. They also need to ensure they are not exceeding their permitted hours per week. This includes any work they may be undertaking elsewhere. If they are not able to undertake the role on their Student Visa, they will need to switch to another type, if eligible to do so.

Students Switching to Other Visa Types

Student Visa holders switching to certain work visa types will be required to meet additional criteria before they can apply for their new visa:

Students Switching to a SW Visa

They must meet one of the conditions listed below:

Condition A:

- The applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned.

Condition B:

- The applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance.

and

- The CoS must have a start date no earlier than the course completion date.

Condition C:

- The applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance.

and

- The CoS must have a start date no earlier than 24 months after the start date of that course.

Students Switching to a Graduate Visa

They must meet all the conditions listed below:

- The applicant must have last been sponsored by a Student sponsor which is a higher education provider with a track record of compliance on the date of application.
- The applicant must have successfully completed the course of study which was undertaken during their last grant of permission to study on the Student route (where the applicant was allowed to change their course of study without applying for further permission as a Student, this requirement only applies to the course to which they changed).
- The student sponsor must have notified the Home Office, by the date of application, that the applicant has successfully completed the course of study.

Students Switching to a GTV

They must meet one of the conditions listed below:

Condition A:

- The applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned.

Condition B:

- The applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance.

and

- Have completed at least 24 months of study on that course.

Visa Outcome

Once the candidate receives notification that their visa has been successful, they will be asked to send this to their HR contact along with any travel arrangements if they are relocating to the UK.

The start date will then be finalised and a contract of employment issued.

Arranging the Start Date

We ask that you do not agree a start date until a member of the team has been in touch to confirm you can do so.

For SW Visa applicants, we will request a proposed start date once the initial pre-employment checks have been completed. This date is the expected start date and is usually two to three months in the future to allow time for the CoS to be issued, the applicant to submit their application, receive their visa outcome and time for them to relocate to the UK, if required.

Once the visa outcome is received, along with travel arrangements (if applicable), we will ask you to finalise and confirm the start date.

As the start date remains subject to the when the visa outcome is received, it can sometimes differ from that stated on the CoS and there are some restrictions which may apply if that is the case.

Please refer to the start date changes information in the Contracts section below for more information on changing start dates.

The contract will then be issued. *A right to work check must be undertaken before the start date, otherwise it will need to be delayed to the next working day after the check is undertaken.*

For GTV applicants, we would ask you to confirm the start date once the visa outcome is received, along with travel arrangements (if applicable).

The contract will then be issued. *A right to work check must be undertaken before the start date, otherwise it will need to be delayed to the next working day after the check is undertaken.*

For those who hold a visa which already gives them the right to work in the UK, we will contact you to confirm the start date once all the other pre-employment checks are complete. As they have not needed to apply for another visa, their right to work check will have already been undertaken before we request a start date for the contract.

In some cases, candidates (including Student Visa switchers) may be permitted to start employment before they have obtained their new visa if they can provide evidence that they have submitted their application and paid all associated fees. The ability to do this depends on several factors including the individual's personal circumstances. Your HR contact will be able to confirm if that is possible for your candidate.

Contracts

As mentioned above, contracts can only be issued when the visa outcome, travel plans (if applicable) and confirmed start date are known.

Those who are on a time-limited visa will be advised that their employment remains subject to holding a continuous right to work in the UK for the role they are undertaking.

Start Dates Changes

Earlier Start Dates

If the start date is earlier than the original start date and the individual has already obtained their visa which evidences a right to work in the role offered, we just need to ensure that the right to work check has been undertaken prior to the earlier start date.

The latest we can complete a right to work check is the previous working day before a proposed

start date, for example, checks completed on a Friday would permit a Monday start date.

Sponsored Workers!

Sponsored Workers can start working in their sponsored employment as soon as they have permission to enter or stay in the UK, even if this is before the start date recorded on their CoS. We do not need to notify the UKVI of the change to a start date in this instance.

We must ensure that a right to work check has been completed before the earlier proposed start date.

Later Start Date

If the start date is later than the original contract start date and the individual has already obtained their visa which evidences a right to work in the role offered, we just need to ensure that the right to work check has been undertaken prior to the new start date.

The latest we can complete a right to work check is the previous working day before a proposed start date, for example, checks completed on a Friday would permit a Monday start date.

Sponsored Workers!

Sponsored Workers may start employment later than originally expected, however, they must commence employment by no later than 28 days from the latest of:

- the start date on their CoS (taking into account any changes to that date reported by HR before their application for entry clearance or permission was decided)
- the “valid from” date on their entry clearance vignette
- the date they are notified of a grant of entry clearance or permission to stay

If they do not start within this 28 day period, we would usually have to stop sponsoring them and withdraw the employment offer, unless an acceptable reason for a delayed start date applies. We would be required to notify the UKVI of the new start date and reasons for the delay.

If we, or the UKVI, decide that the reason for the delay is not acceptable, the worker’s permission will be cancelled. In either case we are required to notify the UKVI that we are no longer their sponsor.

Further information on acceptable reasons can be found in the [Sponsorship Guidance](#) under the Start date on the CoS section.

Visa Checks Prior to Starting

In addition to a right to work check there may be other visa checks that an individual needs to complete before their start date.

Entry Clearance Checks

For those arriving from overseas, we are required to check the date they enter the UK to make sure they have not entered before the ‘valid from’ date on their entry clearance. If they have arrived before the ‘valid from’ date, they have entered as a visitor and will not have permission to work. They would need to leave the Common Travel Area (UK, Guernsey, Jersey, Isle of Man and Ireland) and re-enter the UK once their visa becomes valid.

We do the entry clearance check on the basis of their entry clearance vignette (sticker) in their passport which is stamped on arrival by an Immigration Officer. If their vignette was not stamped on arrival, they must provide their boarding pass/tickets to evidence their entry date. Those who only hold an eVisa will not have a vignette and must provide their boarding pass/tickets to evidence their entry date.

Right to Work Checks

As mentioned in the earlier sections, a right to work check must be completed before the start date. If a check cannot be completed before the start date for any reason, the start date will need to be delayed.

For most visa holders, they evidence their right to work via the Home Office's online system. The person must generate a share code and send that to HR so we can access the online checking system.

Those who only hold an eVisa should be able to provide a share code as soon as they receive their visa outcome.

For those arriving in the UK from overseas, most will need to collect their Biometric Residence Permit before they can generate a share code. In these instances, we are permitted to do an initial right to work check on the basis of their entry clearance vignette and travel ticket, which must be seen in person and photocopied by HR. A follow up online right to work check is then undertaken when they are able to generate a share code.

Those visa holders who are not able to evidence their right to work via the online system must attend HR in person with their original documentation for a manual right to work check.

Before Their First Day

When managers receive the email request from HR to confirm someone's start date, they will also receive the 'Welcoming your new starter' guidance document. This explains a bit more about the induction process, including links to the Induction Guide and to People and Organisational Development's induction and settling in webpage.

You will need to make arrangements within your School or Service to welcome your new starter on their first day and let them know where and to who they need to report to.

Payroll will be in touch with the employee via their work email address to arrange a virtual induction on commencement of their role.

Expiring Visas

Where someone holds a time-limited visa they will be required to evidence they have obtained further leave to remain to continue in employment.

Our HR Operations Team keep track of visas which are due to expire. We will usually contact those who need to extend (or switch to) a SW Visa around 4 months prior to their visa expiry date. This is because, in some cases, they may require an ATAS certificate or evidence of their English Language proficiency and these can take time to receive.

For all other visa holders, we would contact the employee about a month before their visa expiry date to ask what their plans are for obtaining further leave to remain.

If someone has applied for a new visa but does not receive the outcome before their current one

expires, we would need to request a Positive Verification Notice through the Employer Checking Service to provide the University with an excuse to continue their employment whilst they wait for their new visa. The PVN lasts for 6 months and further PVNs can be requested if required.

Once the new visa is received, an online right to work check is required as soon as possible.

Where you have fixed term employees you are looking to extend or convert to permanent or indefinite contracts, please ensure you take their current visa status into account and submit your monitoring paperwork in good time.

Absences

There are no concerns for those who hold a visa with ILR or Settled Status.

Unauthorised Absence

An unauthorised absence would occur when an employee fails to attend the University when attendance is expected, and they have not communicated their absence to their School/Service contact.

If a member of staff fails to attend when attendance is expected, please notify your HR Operations Team contact as soon as possible who will be able to advise on the next steps.

Sponsored Workers!

When a sponsored worker has been absent from work without permission for more than 10 consecutive days, we are required to notify the UKVI within 10 working days.

The details we are required to report are:

- the date the absence started
- if the worker has since returned to work, the date they returned
- if the worker has not returned to work, details of any attempts we have made to contact the worker
- whether we have made, or will be making any salary deductions for the period of unauthorised absence, and what those deductions are
- whether we intend to continue sponsoring the worker

Any information we report about a worker's non-attendance, non-compliance or disappearance may be used to cancel their permission or take enforcement action against them.

Annual leave

All annual leave should be booked via MyHR and managers should use MyHR to approve/refuse so we have an electronic record for all employees.

Those on a visa, who may be applying for Settlement in the future should be advised to keep a separate record of any trips outside of the UK, including dates, location and duration as they may be required to evidence this as part of their application for Settlement.

Sponsored Workers!

When a sponsored worker applies for Settlement, they are required to submit evidence of annual leave they have taken whilst in employment with us.

As annual leave is not authorised in HR, the line manager/Head of Department/Head of Service would be asked to provide a letter to evidence periods of annual leave and any business trips outside of the UK.

HR are required to provide a confirmation of employment letter and would provide annual leave summaries from iTrent where available.

Business Trips

Where individuals will be overseas on business trips, you should ensure that you have contact information for wherever they will be located in case you need to contact them.

Those on a visa, who may be applying for Settlement in the future should be advised to keep a separate record of any trips outside of the UK, including dates, location and duration as they may be required to evidence this as part of their application for Settlement.

Sponsored Workers!

We are required to hold up to date contact details for all our sponsored workers. This includes when they are overseas on business.

If you have a sponsored employee who will be going on an overseas business trip, please complete and return the [Sponsored Worker – Business Trips/Remote Working Overseas form](#), which confirms:

- Dates of their visit
- Address details for both residence and work locations
- Contact telephone number

Depending on the length of the visit, we may be required to notify the UKVI of a temporary work location.

Travel Overseas and Time Spent Outside of the UK

Visa holders applying for Settlement must evidence their continuous residence in the UK. Most visa routes enable holders to spend time outside of the UK during their continuous residence period, however, there is a maximum duration for each route. If a visa holder exceeds that duration, it may impact their ability to apply for Settlement.

Sponsored Workers!

Those on a SW or Tier 2 Visa must not exceed 180 days outside of the UK in any 12-month period if they plan to apply for Settlement.

Sickness Absence

The sickness absence reporting procedure, laid out in the [Staff Handbook](#), applies to all staff, whether they hold a visa or not.

Sponsored Workers!

We are usually required to stop sponsoring SW/Tier 2 Visa holders when they take a period of unpaid leave which exceeds 4 weeks. However, there are some permissible absence types where we are not required to end sponsorship if workers are absent without pay or on reduced pay.

Sickness absence is one of the permissible absences.

We are required to notify the UKVI of any period of absence which affects their pay and this must be reported within 10 working days.

Family leave

Employees should follow the relevant family leave policy, regardless of whether they hold a visa or not.

Sponsored Workers!

We are usually required to stop sponsoring SW/Tier 2 Visa holders when they take a period of unpaid leave which exceeds 4 weeks. There are, however, some permissible absences where we are not required to end sponsorship where sponsored workers are absent without pay, or on reduced pay. These include:

- Statutory maternity leave
- Statutory paternity leave
- Statutory parental leave
- Statutory shared parental leave
- Statutory adoption leave

Although these are permissible absences, we are required to notify the UKVI of any period of absence which affects their pay. This must be reported within 10 working days.

Unpaid Leave

Whilst an individual is not in receipt of pay due to a period of unpaid leave, they will not accrue annual leave. As a result, their annual leave entitlement will be recalculated and they could end up overtaking their entitlement.

Managers should notify the HR Operations team as soon as someone requests a period of unpaid leave to check if this would have a detrimental impact to their annual leave entitlement.

Sponsored Workers!

Sponsored workers must not take more than 4 weeks of unpaid leave in any calendar year, unless it is relating to one of the permissible absences.

Where a sponsored worker takes a period of unpaid leave, HR will check whether they have already taken any other periods of unpaid leave within the last calendar year.

If their unpaid leave absence (or total absence within a calendar year) is 4 weeks or less, HR will report the absence to the UKVI, within 10 working days.

If their unpaid leave absence (or total absence within a calendar year) exceeds 4 weeks, their sponsorship with the University will end. HR will notify the UKVI that we are withdrawing sponsorship and their visa will then be cancelled.

Sabbatical Leave

Employees wishing to take sabbatical leave should refer to the [Sabbatical Leave policy](#) to determine eligibility.

Sponsored Workers!

Sabbatical leave to undertake employment in a different role or to undertake other activities outside of their current role, either within the UK or outside of the UK, whether paid or unpaid, would not be permitted on a SW Visa.

Sabbatical leave for those remaining in employment and continuing to undertake activities associated with their sponsored role is permitted.

If time will be spent outside of the UK during the permitted sabbatical leave period, please complete and return the [Sponsored Worker – Business Trips/Remote Working Overseas form](#), which confirms:

- Dates of their visit
- Address details of both residence and work locations
- Contact telephone number

Depending on the length of the visit, we may be required to notify the UKVI of a temporary work location.

Other Absences

Jury Service

Employees receiving a summons to serve on a jury must notify their line manager as soon as possible.

Employees are required to make a loss of earnings claim from the court, after which the University will then deduct from the employee's pay an amount equal to the allowance received.

Sponsored Workers!

An employee's pay is adjusted when on jury leave and although jury leave is a permissible absence type, we must report any jury leave absence within 10 working days.

Industrial Action

HR will receive notification of the employees who have taken part in industrial action and their salaries will be adjusted accordingly.

Sponsored Workers!

Where an employee's pay is reduced, due to taking part in industrial action, we are required to notify the UKVI within 10 working days.

Studying

If your employee is required to undertake a formal course (such as PG Cert, or PhD), their visa will need to be checked to determine whether there are any restrictions.

Graduate Visa holders are not permitted to study on any course which would be eligible for a Student Visa. Instead, they would need to switch to an alternative visa route which enables them to work and study. As some probationary periods are subject to employees completing a qualification within the first 12 months of appointment, they would be asked to switch to a different visa type before commencing in employment with the University.

Skilled Worker Visa holders are permitted to study, subject to the ATAS requirement.

Global Talent Visa holders are permitted to study, subject to the ATAS requirement.

ILR/Settlement Visa holders are permitted to study. The ATAS requirement does not apply for this type of visa.

Employee Changes

There are no concerns for those who hold a visa with ILR or Settled Status.

Working remotely

Remote working, outside of the UK and outside of the Hybrid Working Framework, is usually not permitted. In extremely rare circumstances individuals are permitted to work outside of the UK but permission to do so must be requested in advance from HR as there could be tax and National Insurance issues to consider.

Sponsored Workers!

If a sponsored worker will be working fully remotely, we are required to notify the UKVI of the address details, contact telephone number and duration of the remote working period. Please complete and return the [Sponsored Worker – Business Trips/Remote Working Overseas form](#).

Hybrid Working: We now add a note to the Certificate of Sponsorship to state the following: *The University of Huddersfield operates a Hybrid Working Framework, therefore, our employees may be permitted to work off campus up to a maximum of 2 days per week, subject to business needs.*

We are no longer required to notify the UKVI if someone is moving to a hybrid working pattern, however, we do need to report any changes to their main office work location. If your employee's main office work location changes, please let HR know as soon as possible.

Contact details

All employees should ensure that they update their contact details, including address, whenever these are updated. This can be done via MyHR.

Sponsored Workers!

We are required to hold up to date contact details for all our sponsored workers. As a result, we send a migrant worker contact details and status form to our sponsored workers every six months, from the date their first Tier 2/SW visa right to work check was undertaken.

The form asks for their home address, home telephone number, mobile number and personal email address. We also ask if they are aware of any changes which may impact their sponsorship such as a change in job, core duties, immigration status or criminal convictions.

Changes in Marital Status and Name

Employees may update their marital status and emergency contact details via MyHR.

If someone holds a Dependant Visa, Spouse Visa or Partner Visa and the relationship that visa is based on breaks down, they must notify the UKVI. Likewise, the main visa holder (non-dependant) must notify the UKVI of a break in a relationship from their dependant.

If an employee wishes to change their name because of a change in their marital status, they are required to present an official document to HR which shows the link to their new name. This could be, for example, a marriage certificate, decree absolute, new passport or deed poll.

All visa holders will be required to notify the UKVI if they are changing their name.

Changing to a Different Visa Category

If an employee switches to a different visa category, they need to make HR aware as soon as possible so we can undertake a new right to work check.

Their new visa should enable their employment to continue, however, this will be checked when the right to work check is undertaken as any work restrictions are listed there.

If someone wants to switch to a SW Visa, they must notify HR as soon as possible so we can determine their eligibility. Where possible, we would look at the GTV route in the first instance.

Sponsored Workers!

Where an individual is a SW/Tier 2 Visa holder, we are required to notify the UKVI if they move to any other type of visa. This may seem counterintuitive as the UKVI have issued the new visa, however, their systems are not currently linked.

We are required to notify them via the SMS as soon as we become aware of a change to their visa type and a new right to work check has been completed.

If you become aware of your employee obtaining a new visa type, or thinking of applying for a new visa, please ask them to make HR aware so we can update our records and undertake the new right to work check when the visa is issued.

Contractual Changes

There are no concerns for those who hold a visa with ILR or Settled Status.

Job Title Changes

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from changing their job title.

All requests for changes to an employee's job title must come through HR for approval.

Sponsored Workers!

If any other details are changing, we must assess whether they will continue to meet the requirements for sponsorship and whether a new visa application will be required before the change can take effect.

If just the job title is changing, we are required to notify the UKVI within 10 working days of the change.

Change in Work Location

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from changing their work location.

You must notify HR if your employee's usual work location changes – this does not apply to working from home details.

Sponsored Workers!

We are required to notify the UKVI of a change to a sponsored worker's work location. Please provide HR with the full address and contact telephone number for the new work location.

If it is a temporary change, please also confirm the dates for the change and the details of where they will work from at the end of that period.

Promotions

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from being promoted.

Please refer to [Academic Promotions Procedure](#) for information on the process for promotion to:

- University Teaching Fellow
- Principal Enterprise Fellow
- Principal Research Fellow
- Reader or Professor.

Lecturer to Senior Lecturer promotions are handled within the School and once the Dean has authorised the request it is sent to the HR Managers to check that all the required criteria has been met before confirmation of the promotion is given.

There isn't a formal promotions process for the following changes:

- Research Assistant to Research Fellow

- Industrial Assistant to Industrial Fellow
- Research Fellow to Senior Research Fellow
- Industrial Fellow to Senior Industrial Fellow
- University Practitioner to Senior University Practitioner

Instead, a request to appoint monitoring submission must be made for formal approval.

Sponsored Workers!

As promotional changes for Academic and Research staff will fall within the same Occupation Code as their existing role, a new visa will not be required, unless their existing visa is expiring.

We are required to notify the UKVI of a sponsored worker's promotion within 10 working days of the change.

Acting Up

For those on a non-sponsored visa, their eligibility should be checked to ensure there are no restrictions listed which would prevent them from undertaking acting up duties.

Please refer to the [Staff Handbook](#) for information on the Acting Up allowance process.

Sponsored Workers!

Sponsored workers are only permitted to act up into a role which sits within the same Occupation Code as their existing role and meets the requirements for sponsorship. If the original sponsored role was on the Shortage Occupation List/Immigration Salary List, the acting role must also be on the same list. If the role is suitable, we are required to notify the UKVI of the change within 10 working days.

Flexible Working/Decreases in Hours/FTE

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from reducing their hours/FTE.

Please refer to the [Staff Handbook](#) for information on the Flexible Working procedure.

Sponsored Workers!

Eligibility for sponsorship is based on an applicant's actual salary, therefore a reduction in hours could result in the individual no longer being eligible for their SW Visa.

If you have a sponsored worker who wants to reduce their hours, please contact HR in the first instance to check that the requested change does not negatively impact their visa.

If the reduction still enables sponsorship, we will need to notify the UKVI of a change to their hours and annual salary, within 10 working days of the change.

Increases in Hours/FTE

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from increasing their hours/FTE.

A monitoring submission must be made for formal approval to increase an employee's hours/FTE.

Sponsored Workers!

If a sponsored individual is currently part time and they increase their hours, we are not required to notify the UKVI as their salary will be above that listed on their CoS.

Extending Fixed Term Contracts

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from extending their fixed term contract, unless their existing visa is due to end. In which case, they will be required to apply for an extension to their visa before their current one expires. The University would then request a PVN to obtain an excuse to continue their employment whilst they wait for their new visa.

A monitoring submission must be made for formal approval to extend an employee's fixed term contract.

Sponsored Workers!

If your sponsored worker is employed on a fixed term contract, their visa would have been issued in line with that contract end date. As a result, they will be required to apply for further leave to remain to continue in employment with the University.

Providing they still meet the points for continued sponsorship and a new visa application is submitted before the current visa expires, they will be permitted to continue their employment, subject to obtaining a PVN. This provides the University with a time-limited excuse to continue their employment whilst the visa application is being considered.

Conversions to Indefinite or Permanent Contracts

For those on a non-sponsored visa, there shouldn't be any restrictions which would prevent them from converting to an indefinite or permanent contract, unless their existing visa is due to end. In which case, they will be required to apply for an extension to their visa before their current one expires. The University would then request a PVN to obtain an excuse to continue their employment whilst they wait for their new visa.

A monitoring submission must be made for formal approval to convert an employee's fixed term contract to permanent or indefinite.

Sponsored Workers!

If your sponsored worker is employed on a fixed term contract, their visa would have been issued in line with that contract end date. As a result, they will be required to apply for further leave to remain to continue in employment with the University and convert their contract to a permanent or indefinite one.

Providing a new visa application is submitted before the current visa expires, they will be permitted to continue their employment, subject to obtaining a PVN. This provides the University with a time-limited excuse to continue their employment whilst the visa application is being considered.

Request to Appoints

For those on a non-sponsored visa, their eligibility should be checked to ensure there are no restrictions listed which would prevent them from undertaking the new role.

A monitoring submission must be made for formal approval to appoint an employee to a new role.

Sponsored Workers!

If you want to appoint your sponsored worker to a different role, we need to check whether that new role sits within the same Occupation Code as the existing role and meets the requirements for sponsorship. If the original sponsored role was on the Shortage Occupation List/Immigration Salary List, the new role must also be on the same list. If the role is suitable, we are required to notify the UKVI of the change within 10 working days.

If the role sits under a different Occupation Code, we need to check that they would meet the requirements for sponsorship. If they do, they will need to apply for a new SW Visa and obtain that before they can start in their new role. If they don't, they would not be able to move to the new role.

Supplementary Employment

Those on a non-sponsored visa are permitted to undertake supplementary employment (either with the University or elsewhere), providing it does not affect their employment with the University.

Academic staff must refer to the staff handbook before commencing any additional employment: [Academic Staff, Supplementary Information: Section 4. Guidance to Academic Staff Wishing to Undertake External work.](#)

Sponsored Workers!

Sponsored workers can take additional paid employment, known as 'supplementary employment' but must continue to work for the University, in the role for which their CoS was assigned.

The supplementary employment must:

- Be for no more than 20 hours per week
- Be outside of the normal working hours of their sponsored role

And

- In the same profession and at the same professional level as the work the CoS was assigned

Or

- In a job listed on the Immigration Salary List

Or

- In a job which is in an eligible SOC 2020 occupation code

Leaving Employment

There are no concerns for those who hold a visa with ILR or Settled Status.

Resignations

When an employee plans to resign, they must submit a formal notification to their manager. The manager then submits this notification to HR, along with a completed leavers form. Our Operations team then write to the employee to confirm their end date. See the [Resignations Process Flowchart](#) for more information.

Retirements

When an employee plans to retire, they must submit a formal notification to their manager. The manager then submits this notification to HR, along with a completed leavers form. Our Operations team then write to the employee to confirm their end date. See the [Retirement Process Flowchart](#) for more information.

Fixed Term Ends

A notification is sent to the School or Service contact 2 months before your employee's fixed term end date. This notification advises that the employee is due to end their employment and if the work or funding is likely to continue, that a monitoring submission must be made at least 1 month prior to their end date.

Sponsored Workers!

Where you are planning to extend a sponsored worker's employment, we ideally need to start the visa extension process around 3 or 4 months before their end date, particularly if they require a new ATAS certificate for their visa extension. It is important that you submit the monitoring request as soon as possible. Make your HR Advisor aware as soon as possible as there may be some steps in the visa extension process which can be started before formal monitoring approval has been given.

For those who are leaving, we are required to notify the UKVI when we stop being their sponsor, unless their employment end date is the same as the work end date stated on their latest CoS.

If we do need to report their end of employment, we do this via the SMS within 10 working days of their last date of employment.

Redundancy

Please refer to the [Redundancy Policy](#) for further information about redundancies, including the process followed.

Sponsored Workers!

We are required to notify the UKVI of a sponsored worker being made redundant, via the SMS, within 10 working days of their last date of employment.

Dismissals

Dismissals can arise following a formal process such as the [Management of Sickness Absence Policy](#) or [Disciplinary Procedure](#).

Sponsored Workers!

We are required to notify the UKVI of a sponsored worker's dismissal, via the SMS, within 10 working days of their last date of employment.