Home Office Points Based System for International Staff

Policy

Contents

Policy Owner: Human Resources
Last Review Date: September 2024

Purpose

1. The University's continued recruitment of high-quality staff from outwith the UK is reliant upon us maintaining relevant Home Office sponsorship licences.

2. The purpose of this policy is to outline the University's commitment and overall approach to working effectively and efficiently within the Points Based System of Immigration (PBS) to support both the recruitment and employment of non-UK staff who require a visa to work in or visit the UK. The policy and procedures are mandatory and apply to the work of all existing staff within academic and professional services departments involved in the recruitment and/or employment of staff.

Definitions

Points Based System of Immigration

3. There are five main categories of immigration under which people applying to come to the UK to work or study can be categorised. Applicants will need to demonstrate that they meet the relevant criteria and score the number of points required for the visa they are applying for. The five main categories of the system are:

    - Skilled Worker visa
    - Skilled Work: Health and Care visa
    - Global Talent visa
    - Student visa
    - Graduate visa

    In additional the University is also able to sponsor visiting researchers and visiting academics through the T5 (Temporary Worker) Government Authorised Exchange Worker Route.

    This policy and the associated procedures cover the arrangements for sponsorship through the Skilled Worker and the T5 (Temporary Worker) Government authorised Exchange routes.

Sponsorship Management System

4. This online system is used by sponsor licence holders to apply to the Home Office for Certificates of Sponsorship (CoS).

Certificate of Sponsorship

5. A certificate of sponsorship is a 'virtual document', with a unique reference number which employers issue to a migrant where a genuine role exists and the migrant meets the criteria and number of points required to apply for permission to enter the UK if they are overseas (known as 'entry clearance'), or permission to stay in the UK if they are already here (known as 'leave to remain').

Key Principles

6. The University of Strathclyde is pleased to have achieved A-Rated Sponsor status and takes its responsibilities as a Sponsor seriously.

7. The University is committed to developing and maintaining a positive and cooperative working relationship with Home Office colleagues and to engaging constructively and honestly with on-going dialogue and monitoring processes.

8. In its work on the Points Based System, the University acknowledges the two basic principles of sponsorship:
   - Those who benefit most directly from migration (employers, education providers or other bodies that bring migrants) help to prevent the system being abused; and
   - Those applying to come to the UK to work or study are eligible to do so and a reputable employer or education provider genuinely wishes to take them on.

9. In line with the specified duties that sponsors hold, the University has developed systems and processes to support and facilitate effective and appropriate monitoring, record keeping, and reporting of information to Home Office as required.

10. Systems and processes are in place to support the efficient and appropriate issuing of Certificates of Sponsorship and these are reviewed and updated as necessary on an on-going basis (see "PBS Recruiting and Monitoring Procedure").

11. All staff involved in employing non-UK staff to come to the University to work or visit via the Points Based System of immigration, are required to operate in line with the agreed policies and procedures. A wide range of both academic and professional services teams have key roles in the University's work in this area, it is therefore essential that all staff involved work collaboratively with relevant colleagues around the institution.

12. The University ensures an adequate number of suitable Level 1 and Level 2 users are in place to support the day-to-day administration of the Sponsorship Management System (SMS) and takes steps to avoid having more users than are required. These users are members of staff within the Human Resources team.

13. The University makes arrangements to renew its licences with the Home Office within the appropriate timescales.

14. The University provides and facilitates relevant training for staff members to support them in effectively undertaking work associated with Home Office systems.

Responsibilities

15. The Chief People Officer is the University's designated Authorising Officer for Skilled Workers and Temporary Workers and, as such, has overall responsibility for the number of staff members who have access to the Sponsor Management System (SMS) and the level of permission they will have, as well as the activities of all users of the system.

16. The Assistant Director – Employee Experience is the University's Key Contact for Skilled Workers and Temporary Workers and, as such, is responsible for ensuring that information received from the Home Office is appropriately dealt with and/or forwarded within the University. The Assistant Director – Employee Experience also has strategic responsibility for the operation and staffing of the Human Resources Teams, including work related to the SMS and internal systems relevant to the recruitment and employment of non UK staff requiring a visa.

17. The Human Resources Managers and relevant members of their teams have key operational responsibility in relation to the effective and efficient operating and development of systems and processes relevant to non-UK staff with a visa.

18. The Executive Deans of the four University Faculties and Senior Officers with responsibility for Professional Services Directorates have strategic responsibility for the effective implementation and operation of the University's policies and procedures relevant to the recruitment and on-going monitoring of non UK staff with a visa.

19. All staff who require a visa in order to work in the UK have a responsibility to comply with all legal requirements placed upon them, designated policy and procedures and in support of the University's compliance with the Home Office and relevant legal requirements.

20. All Heads of Department/School who have sponsored staff members within their areas have a responsibility to comply with designated policy and procedures and in support of the University's compliance with UKVI and relevant legal requirements.

Policy Review

21. The HR Home Office Compliance Group (HOCG) meets regularly to review internal processes to ensure all appropriate action is taken to ensure compliance with:
    - relevant immigration legislation;
    - Home Office guidance; and
    - Amendments issued by the Home Office.

22. The HOCG also ensure that University procedures and policies are updated regularly to ensure compliance with any changes to legislation or Home Office regulations or guidance. This Policy will be reviewed in line with the Policy Review Schedule.

Linked Policies and Procedures

Procedure for Recruiting and Monitoring Staff under the Points Based System (PBS)

Relevant Legislation or Guidance

Immigration Rules

UK points-based immigration system: employer information

Home Office sponsorship information for employers and educators

Immigration, Asylum and Nationality Act 2006

Student visa