

University of Strathclyde

Guidance Note on Work Permissions for Tier 4 Students

Introduction

This document provides guidance on right to work issues relating to Tier 4 students. It is essential that any Tier 4 student undertaking paid work, and their line manager, is aware of, and adheres to, the applicable work permissions.

Importance for students

Part time and vacation work that is complementary to studies can enhance a student's experience at Strathclyde and contribute significantly to personal development and graduate employability. The University supports students in undertaking appropriate work provided this is permitted within the terms of their immigration permission.

The Home Office treat breaches of work conditions extremely seriously and may curtail a student's permission to stay if a breach is identified. This may result in a student being removed from the UK before they can complete their studies and can have serious implications for future travel to or stay in the UK and other destinations.

Importance for the University

The University's licence to sponsor non-EEA students and staff under Tier 2, 4 and 5 of the UK immigration system are key to our internationalisation objectives. Line managers should be aware of the general issues set out in this document if engaging any Tier 4 student to perform paid work. If in doubt about whether a student's permission to stay allows them to undertake the work in question, please seek advice as detailed below before proceeding.

As an employer, the University may be subject to a significant fine (up to £20,000 per person) for employing illegal workers and such an event would also impact on the University's immigration licencing position. You can be sent to jail for up to 2 years and receive an unlimited fine if you are found to have 'knowingly employed' an illegal worker.

General Tier 4 student work permissions

Tier 4 students have limited permission to work in the UK under their visa terms:

- University students who are Tier 4 visa holders are usually entitled to work up to 20 hours per week during the semester and full time during University vacations while their Tier 4 visa is valid. Work permission is usually printed on the visa vignette or Biometric Identity Card (BID), sometimes called a Biometric Residence Permit (BRP). Staff should always check the student's visa or BID/BRP. In some cases permitted hours of work may be lower (10 hours per week) or prohibited.
- Please note that for these purposes, the summer vacation runs from the end of semester 2 to the beginning of semester 1 in the following academic year.
- Undergraduate Tier 4 students are therefore entitled to work full time during the Christmas, spring and summer University vacations.
- Postgraduate Masters Tier 4 students are **not** on vacation from their course during the summer University vacation and therefore, within the restrictions of the Tier 4 visa, are not entitled to work more than 20 hours per week during this period, but are entitled to work full time during Christmas and spring University vacations.
- MRes, MPhil and PhD Tier 4 students undertaking research are **not** regarded as being on vacation from their course of study during the spring and summer University vacations and therefore are not entitled to work more than 20 hours per week during this period.
- All Tier 4 students can, however, work full-time for up to 4 months after the official end date of their course (as indicated on PEGASUS as 'completed') until their visa expires. If you require further information about Tier 4 in general or Tier 4 work permissions in particular, please contact the International Student Support Team at infoandadvice@strath.ac.uk, or on 0141 548 4273 or on Level 1 of the McCance Building.

Any student undertaking paid work, regardless of the number of hours involved, is required to provide their employer with an official statement detailing their University course details and term/vacation times. The University publishes a statement on its website that may be used for this purpose, available at: <https://www.strath.ac.uk/professionalservices/keydates2018-19/>. Tier 4 students are not permitted to pursue a career in the UK by filling a full-time, permanent vacancy while subject to Tier 4 student status.

As a matter of normal practice, the University will place the above statement on file for any Tier 4 Strathclyde student who is engaged on an employee or worker contract with the University. A copy of the student's matriculation card will also be taken to confirm the course subject and level of study they are undertaking.

Employment after study

Tier 4 students considering applying to stay in the UK for employment after their studies have ended may be interested in one of the following immigration categories:

Tier 4 Doctorate Extension Scheme allows for students who are within 60 days of completing their PhD course to apply to stay in the UK for a further 12 months beyond the end of their course to find skilled work or to gain further experience in their chosen field. Enquiries about this scheme should be made to the International Student Support Team. More information is available here: <https://www.strath.ac.uk/studywithus/internationalstudents/beforeyouarrive/visasimmigration/>

Tier 2 (General) visa category is for those who have been offered a graduate level job with an employer who is registered with UKVI as a Tier 2 sponsor. Human Resources administer the University's use of Tier 2.

The Start-up Visa allows early-stage but high potential entrepreneurs to remain in the UK to develop their business. To be eligible for endorsement under the scheme you must engage with the Strathclyde Entrepreneurial Network for the eligibility and selection process and with International Student Support Team to check you meet visa requirements. For more information on the Start-Up Visa see <https://www.strath.ac.uk/whystrathclyde/strathclydeentrepreneurialnetwork/start-upsupport/start-upvisa/>

Tier 1 (Exceptional Talent) is for people who are internationally recognised as world leaders (or as potential world-leading talent) in the fields of science and the arts, as endorsed by a 'designated competent body'. Human Resources can provide advice on the possible use of this scheme in relation to potential University employment.

More information and helpful links about working after study are available on this web page: <http://www.strath.ac.uk/sees/infoint/workingduringandafterstudies/>

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