

## **UK Visas and Immigration (UKVI) Compliance Policy and Procedure**

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## 1 Introduction

- 1.1. UK Visas and Immigration (UKVI) is a division of the Government Home Office that is responsible for governance of the UK visa system and the decisions about who has the right to visit or stay in the UK. UKVI manages applications from foreign nationals who wish to work in the UK and organisations like the University of Greenwich who wish to sponsor them.

## 2 The Public Sector Equality Duty

- 2.1. The Equality Act (2010) requires public bodies such as the University of Greenwich to consider how their decisions and policies affect people with different protected characteristics.
- 2.2. The university is committed to promoting equality of access and outcome for all, celebrating diversity, and providing an inclusive learning and work environment for all students, staff, and visitors. The university will ensure they pay 'due regard' to the need to eliminate discrimination, harassment, and victimisation; advance equality of opportunity; and to foster good relations, irrespective of their age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation'.

## 3 Purpose

- 3.1. This policy sets out the university's approach to ensuring compliance with UKVI immigration laws and the prevention of illegal working at the university in respect of all employees. It also sets out the parameters within which the university can employ applicants who are not Settled Workers. This policy also reflects the university's commitment to the prevention of discrimination when sponsoring to work and when carrying out right to work checks for all applicants and employees.

## 4 Scope

- 4.1. This policy and its procedures apply to all job applicants and university employees, regardless of their contractual status, who are subject to UK immigration laws, including students who are also employees, but relating only to their employment and not their status as a student.

## 5 Right to Work in the UK

As an employer the university is committed to preventing illegal working and to ensure all prospective employees have the right to work, the university conducts a right to work check prior to any individual commencing employment, in accordance with the Home Office's guidance.

### 5.1. Who Needs A Right To Work Check?

- 5.1.1. All prospective employees of the university are required to demonstrate they have the right to work in the UK. The right to work check is conducted once a conditional offer of employment has been made and prior to the applicant

commencing any work with the university. All offers of employment will be conditional and subject to a successful right to work check.

## 5.2. How Long Does The Right To Work Check Last?

5.2.1. A successful right to work check will remain valid for the duration of the employee's employment with the university, unless an individual obtains time limited leave in the UK, in which case a follow up check will be required shortly before the current right to work is due to come to an end, which will maintain the employee's right to work in the UK.

## 5.3. What If I've Worked For The University Before?

5.3.1. Where an individual has previously worked for the university and they are commencing a new contract of employment, and the period between one contract ending and another beginning exceeds 2 calendar weeks, the current right to work check will be treated as invalid and a new right to work check will need to be conducted with the individual prior to them commencing the new contract with the university.

## 5.4. Conducting A Right To Work Check

5.4.1. Right to Work checks are carried out in line with Home Office guidance and conducted by a member of the People Directorate. The University is required to conduct a right to work check in a specific way depending on individual circumstances, some cases require a manual check, some require an online check and others require the University to check directly with UKVI. More information and the list of acceptable documents at the time this policy was last updated can be found on the UK Government website [here](#).

5.4.2. The right to work in the UK depends on an individual's immigration status. An individual has the automatic right to work in the UK if they are a settled worker:

- a) British citizen
- b) Irish citizen
- c) A person who has been granted limited leave to enter or remain ('pre-settled status') or indefinite leave to enter or remain ('settled status') under the EU Settlement Scheme (EUSS)
- d) A person who has made a valid application under the EUSS and is awaiting a decision on that application.
- e) A British Overseas territories citizen, except for those from sovereign base areas in Cyprus.
- f) A Commonwealth citizen who can prove they have the right to abode in the UK. 'Commonwealth citizen' means:
  - I A British Overseas Territories citizen.
  - II A British National (Overseas).
  - III A British Overseas citizen.
  - IV A British subject, or
  - V A citizen of a country listed in Schedule 3 to the British Nationality Act 1981.

- g) A Commonwealth citizen who has been granted permission on the UK Ancestry route on the basis they have a grandparent born in the UK or islands.
- h) Anyone who has indefinite leave to enter or remain (settlement) in the UK.

5.4.3. However, a right to work check before work commences must still be undertaken.

5.4.4. A settled worker can work in the UK without restrictions and therefore they do not need sponsorship. However, an appropriate right to work check must be carried out before the individual commences work, and a follow up check if they have time-limited permission. Some examples are:

- a) People with permission under the family route as a dependant of a British National.
- b) Some students with an endorsement that work is allowed up to 10 or 20 hours a week.
- c) Points Based System Dependants.
- d) Frontier Workers.

5.4.5. Right to work checks are conducted at the university in one of the following ways, dependent upon immigration status and if the person already has the right to work in the UK:

- a) A face to face (manual) right to work check or
- b) A Home Office online right to work check or
- c) Using the Employer Checking Service

5.4.6. It is not always a choice for the person or the university to make as to which check is used as the method of checking is set out in the Home Office guidance.

## **5.5. Those Without A Digital Status Or Permit**

5.5.1. At the university, right to work checks for most settled workers and anyone without a digital status or permit are conducted face to face. This is usually done by checking and copying an original passport or other document and a list of acceptable documents at the time this policy was last updated can be found on the UK Government website [here](#).

## **5.6. Those With A Digital Status Or Permit**

5.6.1. Right to work checks for those with a digital status or permit can only be undertaken using the Home Office's on-line right to work check.

5.6.2. These individuals will only be able to prove their right to work using the online service:

- a) Individuals who have been issued with an eVisa.

- b) Individuals with a Biometric Residence Card (BRC), a Biometric Residence Permit (BRP) and Frontier Worker Permit (FWP). The university cannot accept or check a physical BRC, BRP or FWP as proof of right to work.

5.6.3. Applicants who use the online service can access it here and will be issued with a 'Share Code', which they must share, along with their date of birth, with the Staff Visa Compliance Team, who will access the applicants right to work status. The Staff Visa Compliance Team must also verify the individuals identity and as such will ask to see the person either face to face in person or via a video call to complete the right to work check. See also Visa Application Outcome in this policy and procedure.

## **5.7. Follow up Right to Work Checks**

5.7.1. The university is required to recheck the right to work of individuals who have time-limited permission to work in the UK. This is required to ensure that the university can demonstrate an individual has the right to work for the duration of their employment.

5.7.2. An employee who needs to obtain further immigration permission to stay in the UK must make an application to the Home Office before their existing permission expires for it to be deemed 'in-time'. If they do not do this it may impact on their right to work in the UK, and they may not be able to continue working for the university.

5.7.3. For the university to verify the employee's in-time application the employee must provide the Staff Visa Compliance Team with proof that they have submitted an in-time application to the Home Office. In this case the employee's right to work will continue for a grace period of 28 days from the expiry of the employee's right to work, to enable the university to obtain verification using the Employer Checking Service (ECS). If an employee does not apply for further immigration permission to stay in the UK, the verification from the ECS is not received within 28 days of the employee's visa expiry, or the verification from the ECS is negative their employment with the university will be terminated.

## **6 Discrimination**

6.1. The university will not discriminate when conducting right to work checks and will ensure:

- a) Consistency when conducting right to work checks and that right to work checks are conducted on all prospective employees, including settled persons.
- b) That job selections are made based on suitability for the post.
- c) That no prospective job applicants are discouraged or excluded, either directly or indirectly, because of known or perceived protected characteristics.

6.2. The university shall not:

Make assumptions about a person's right to work in the UK or their immigration status based on their colour, nationality, ethnic or national origins, accent, surname, or the length of time they have been resident in the UK.

## **7 Penalties for Employing Illegal Workers**

- 7.1. The university holds an A-rated full skilled worker sponsor licence which allows it to assign Certificates of Sponsorship to individuals who cannot evidence their right to work through one of the prescribed methods set out above. If the required checks are not carried out properly and the university is found to have employed a person who does not have permission to work in the UK, the university can be penalised by way of a civil penalty of up to £60,000 for each person found to be working illegally, and the university could lose its sponsorship licence. Any individual knowingly allowing a person to work for the university illegally could also face criminal sanctions.
- 7.2. The most serious penalties will be imposed where it is found that the employer knew or had reasonable cause to believe, an individual they employed did not have the right to work in the UK. However, civil penalties will still be imposed if an individual is employed who does not have the right to work in the UK, even if the employer simply did not conduct the correct checks or did not undertake them properly in the prescribed manner.
- 7.3. Therefore, all employees involved in the hiring and onboarding of an employee are responsible for ensuring the people they hire can legally work in the UK.

## **8 Staff Visa Compliance Team Audit**

- 8.1. To ensure that practices remain compliant and to maintain its full sponsorship licence, the university is subject to a regular audit by the UKVI. The university also regularly undertakes internal audits and may arrange external audits of its right to work practices. Maintaining the university's licence is dependent upon the UKVI audit being successful. If the audit fails, the university could lose its sponsorship licence and therefore be unable to sponsor current or prospective staff.
- 8.2. The Staff Visa Compliance Team also conduct regular spot checks and internal audits of files throughout the year to ensure overall compliance with Home Office regulations.

## **9 Line Manager Responsibilities**

- 9.1. Line managers should not under any circumstances offer work to a potential member of staff or bring anyone into the university to work, without following the correct recruitment and compliance procedures. In the first instance they should contact the People Directorate to seek guidance.
- 9.2. If a manager knowingly offers employment to an individual without notifying the People Directorate and/or they proceed against their advice and allow an individual to carry out work for the university without the compliance checks in place, this will be treated as gross misconduct and may lead to the summary

dismissal of the manager responsible, that is dismissal without notice or payment in lieu of notice. If the worker was found to be working illegally the line manager could also be subject to criminal sanctions.

## 10 Sponsorship and Work Visas

If an applicant does not have the right to work in the UK according to the criteria listed under Conducting a *Right to Work Check*, their case will be passed to the Staff Visa Compliance Team as the applicant will need to obtain the relevant work visa. The applicant will receive a conditional offer of employment which will be subject to a successful visa application.

There are many types of work visa and the university holds a license to sponsor under the skilled worker route only. Not all roles are capable of sponsorship under the skilled worker route. The Staff Visa Compliance Team will discuss with the individual whether sponsorship is possible and/or the correct route and discuss any alternative options or more suitable non sponsored routes that may be available (See also [Applying for a Skilled Worker Visa](#)).

If an applicant requires sponsorship the Staff Visa Compliance Team will collate the relevant documentation and complete the assessment process to ensure the applicant meets the requirements for sponsorship.

### 10.1. Sponsorship

10.1.1. The sponsorship licence enables the university to assign a Certificate of Sponsorship (CoS) to an applicant who they wish to employ who is not part of the settled workforce and who does not have an alternative immigration route to allow work. The university can assign CoS to individuals who are currently outside or within the UK.

10.1.2. With a Certificate of Sponsorship an applicant can apply for a skilled worker visa, which should be researched and applied for by the individual. The Staff Visa Compliance Team and the university does not assist applicants or employees on visa applications.

### 10.2. Applicants with Existing Sponsorship

10.2.1. If a successful applicant already has the right to work for an employer in the UK through sponsorship with another organisation, the applicant will still need to obtain the right to work and sponsorship with Greenwich university before they can commence work. An individual cannot simply 'transfer' their sponsorship on a skilled worker visa to Greenwich University.

### 10.3. Supplementary Work Sponsorship

10.3.1. If an applicant already has the right to work in the UK and they are sponsored via the Skilled Worker visa route with another organisation, they can carry out 'supplementary work' of up to 20 hours per week with the university. The applicant can work up to a maximum of 20 hours a week at

the university provided it meets all of the conditions set out below. The job must be:

- a) Listed in the Appendix Immigration Salary List (which is replacing Shortage Occupation List, or
- b) in the same profession and at the same professional level as the job for which the CoS was assigned, or
- c) The worker must be a Skilled Worker with a job in an eligible SOC 2020 occupation code listed in Tables 1, 2, or 3 of Appendix Skilled Occupations, and
- d) For no more than 20 hours per week, and
- e) the individual must continue to work for their sponsor and any supplementary work must take place outside of the contracted hours for their sponsored employment.

10.3.2. If a hiring manager wishes to engage an applicant in employment at the university, they must seek advice from the Staff Visa Compliance Team in the first instance and before engaging with the individual, to ensure the individual can work for the university on their current visa. The Staff Visa Compliance Team will check the occupation code is the same.

#### **10.4. The Points-Based System**

10.4.1. On 1<sup>st</sup> January 2021 the UK introduced a new Points-Based Immigration System following the end to European free movement. To sponsor an individual, the university must have met the UKVI requirements for sponsorship including assessing the jobs occupation code is eligible; advertising and recruiting into the role in a UKVI compliant way; and assessing the applicants skill level.

10.4.2. To be eligible for a skilled worker visa an applicant must be awarded 50 mandatory points from *Table 1* (below) and 20 tradeable points from *Table 2* (below).

10.4.3. The resident labour market test is no longer required and therefore there is no cap on the number of people who can enter the UK via the Skilled Worker Route.

**Table 1.** *The applicant must be awarded 50 mandatory points from the table below.*

<b>Mandatory Points Requirement</b>	<b>Points</b>
Sponsorship	20
A job at appropriate skill level (eligible occupation code)	20
English language skills at level B1 (intermediate)	10

**Table 2.** The applicant must be awarded 20 tradeable points from the table below. An applicant may only be awarded points from one entry in the table.

<b>Option</b>	<b>Tradeable points requirements for each option</b>	<b>Points</b>
A	Salary must meet or exceed all of the following: £38,700(general threshold). The full going rate for the occupation code as stated in Table 1 of Appendix Skills Occupations. £15.88 per hour.	20
B	Salary must meet or exceed all of the following: £34,830 (general threshold) 90% of the going rate for the occupation code as stated in Table 1 of Appendix Skilled Occupations. £15.88 per hour.	20
C	Salary must meet or exceed all of the following: £30,960 (general threshold) 80% of the going rate for the occupation code as stated in Table 1 of Appendix Skilled Occupations. £15.88 per hour.	20
D	Salary must meet or exceed all of the following: £30,960 (general threshold) The full going rate for the occupation code as stated in Table 1 of Appendix Skilled Occupations £15.88per hour	20
E	Salary must meet or exceed all of the following: £30,960 (general threshold) 70% of the going rate for the occupation code as stated in Table 1 of Appendix Skilled Occupations. £15.88 per hour.	20

10.4.4. The Staff Visa Compliance Team will work with the applicant to determine that they meet the points required for sponsorship.

### **10.5. Academic Researchers – ATAS (Academic Technology Approval Scheme)**

10.5.1. Before assigning the COS the Staff Visa Compliance Team will check whether the applicant needs an Academic Technology Approval Scheme (ATAS) Certificate. The applicant may be required to apply for an ATAS Certificate if they are an academic researcher, conducting research under one of the relevant course codes at PhD level and are applying for a Skilled Worker visa.

10.5.2. If an individual is already conducting research in the UK or they were a visitor conducting research in the UK before the requirement for ATAS certificates was introduced on 21 May 2021 and are continuing this research, they do not need to apply for an ATAS certificate. They will need to apply if this is the case and are extending their sponsorship.

10.5.3. The Staff Visa Compliance Team will do the following:

- a) Check that the worker needs an ATAS Certificate
- b) Confirm if this is the case on the COS.
- c) If an ATAS Certificate is required, tell the applicant that they need to apply for one and include it in their visa application. The Staff Visa Compliance Team will not assign a COS without an ATAS certificate.
- d) Keep a copy of the ATAS Certificate, once it has been issued.

10.5.4. The applicant must do the following:

- a) Apply for an ATAS Certificate if they are advised to by the Staff Visa Compliance Team.
- b) Note that ATAS Applications can take 2-3 weeks to be processed but on occasion take up to 8 weeks.
- c) Include this in their visa application.
- d) If the worker does not include the ATAS certificate, their visa application may be refused.

## **10.6. Skills and Qualifications Verification**

10.6.1. The Education Counselling and Credit Transfer Information Services (ECCTIS) provides official recognition services on behalf of the UK Government, which the university use to verify the necessary skills and qualifications an individual needs to meet the points required for sponsorship.

10.6.2. When tradeable points are being used in the PhD or PhD in a STEM subject category, ECCTIS will provide a certificate of PhD verification for PhD level qualifications. The PhD verification can also be used to demonstrate English language where the PhD was taught in a majority English speaking country (as listed by UKVI).

10.6.3. ECCTIS can also be used by applicants to verify their English Language at degree level or above qualification which requires an English Proficiency statement.

## **10.7. Overseas Criminal Record Certificate (OCRC)**

10.7.1. A skilled worker may be required to produce a criminal record certificate dependent upon the standard occupational classification (SOC) code of the role they have applied for. The roles with SOC codes that are subject to a satisfactory criminal record certificate are determined by the Home Office and can be found [here](#).

10.7.2. The applicant must provide either an original or scanned copy of a criminal record certificate issued by the relevant authority in any country where they have been present for the previous 12 months or more (whether continuously or in total) in the past 10 years, while aged 18 or over.

## 10.8. Assigning a Certificate of Sponsorship (CoS)

10.8.1. Once the Staff Visa Compliance Team has confirmed that the applicant has met the points required, they will send a draft Certificate of Sponsorship (CoS) form to the applicant. The applicant must confirm the information on the draft CoS form is correct as incorrect information could lead to a rejection of their visa application.

10.8.2. The documents listed below will be required before the Staff Visa Compliance Team assign a CoS to any candidate, where applicable.

- a) Passport
- b) Certificate of Qualification
- c) ATAS Certificate (if applicable)
- d) English Language (Qualification certificate or test results reference or GCSE or A Level)
- e) Overseas Criminal Record Certificate (if applicable)
- f) Tuberculosis Test Results

10.8.3. The Staff Visa Compliance Team will only assign a CoS with the relevant CoS number needed to make the visa application once they have received all the relevant documentation including that which is mandatory or essential in the advert and job description.

10.8.4. The COS assigned will be 'defined' or 'undefined':

- a) 'Defined' – for applicants applying from outside of the UK, the Staff Visa Compliance Team apply for a defined COS via the Sponsor Management System (SMS) and once approved by the Home Office a COS is assigned.
- b) 'Undefined' – for applicants applying from within the UK e.g., an extension or a switch from a student visa to a skilled worker visa. This can be assigned by the Staff Visa Compliance Team at any time.

10.8.5. The Staff Visa Compliance Team will provide the applicant with confirmation of the CoS, which they should use to apply for their visa. The Staff Visa Compliance Team will maintain contact with the applicant until their visa application has been successful and their right to work approved and copies are saved to the applicant's file. It is important that applicants let the Staff Visa Compliance Team know when their visa has been granted and if outside the UK their expected date of travel. Once an applicant has been granted permission, they should normally start working in their sponsored employment within 28 days. The Staff Visa Compliance Team must inform UKVI via the Sponsor Management System (SMS), if the applicant does not commence employment within 28 days.

10.8.6. An employee who has been sponsored to work for the university must carry out their role in the UK.

## 10.9. Immigration Skills Charge

10.9.1. The Immigration Skills Charge (ISC) came into force on 6 April 2017. The charge applies to certain roles and is paid by the university through the Sponsor Management System (SMS) when a CoS is assigned. The university must pay for a minimum of 12 months of employment. The charge is only applicable to the applicant and not payable for dependents (family members). The university is not required to pay the ISC when sponsoring skilled workers who are:

- a) A worker who is applying for entry clearance from outside the UK for a period of less than 6 months.
- b) A worker who is being sponsored for any of the following occupations:
  - i. 2111 Chemical scientists
  - ii. 2112 Biological scientists
  - iii. 2113 Biochemists and biomedical scientists
  - iv. 2114 Physical scientists
  - v. 2115 Social and humanities scientists
  - vi. 2119 Natural and social science professionals not elsewhere classified
  - 2161 Research and development (R&D) managers
  - vii. 2162 Other researchers, unspecified discipline
  - viii. 2311 Higher education teaching professionals
- c) A worker who has previously been assigned a CoS to (or who has transferred to the university under TUPE or similar protection – further information available [here](#)) where:
  - i. They have been assigned a new CoS to work for the university; and
  - ii. The new period of permission they are seeking will not exceed their current period of permission – if the application would result in a longer grant of permission, the university must pay a charge for the additional period that would be granted, unless another exemption applies.
- d) A worker who has valid permission for the purpose of study (further information available [here](#)).
- e) A worker who had valid permission for the purpose of study when they were previously sponsored by the university (and they therefore did not have to pay the charge), and they are assigned a new CoS for the university to continue sponsoring them in the same role (see **How TUPE or similar protection affects the Immigration Skills Charge**)
- f) A worker who was assigned a CoS under Tier 2 (General) or Tier 2 (ICT) Long-term Staff before 6 April 2017 and all of the following are true:
  - i. That the CoS resulted in a grant of entry clearance or permission to stay.
  - ii. the worker undertook the role for which that CoS was assigned.
  - iii. the worker has not since ceased to have permission under Skilled Worker (or its predecessor route, Tier 2 (General)) or Senior or Specialist Worker (or its predecessor routes, Intra-

Company Transfer, or the Long-term Staff sub-category of Tier 2 (Intra-Company Transfer)).

- g) A Senior or Specialist Worker who benefits from the EU-UK Trade and Co-operation Agreement exemption (see **EU-UK Trade and Co-operation Agreement** – this applies if all of the following requirements are met:
- i. The university assign the CoS to the worker on or after 1 January 2023.
  - ii. the worker is a national of an **EU country** or is a Latvian non-citizen (this concession does not apply if the worker is a national of Iceland, Norway, Liechtenstein, or Switzerland)
  - iii. the worker has been assigned to the UK by a business established in the EU, and which forms part of the same “sponsor group”, as defined in **Sponsor a Global Business Mobility Worker**.
  - iv. the worker has worked for the sponsor group for at least one year before the CoS was assigned.
  - v. the end date of the assignment, as specified on the CoS, is no more than 36 months after the start date.

## 10.10. Applying For A Skilled Worker Visa

10.10.1. Once the COS has been successfully assigned to the applicant they must apply for their visa. How to apply depends on whether they are:

- a) [outside the UK](#) and coming to the UK
- b) inside the UK and [extending their current visa](#)
- c) inside the UK and [switching from a different visa](#)

10.10.2. To make their application the applicant is responsible for ensuring that they:

- a) Ensure they have applied for an ATAS or ECCTIS (where applicable)
- b) Obtained a TB test where applicable.
- c) Collate the necessary [documents to apply](#)
- d) If applying from outside of the UK [apply online](#)
- e) Pay the cost of the visa application and the Immigration Health Surcharge. Guidance on visa application fees can be found [here](#)
- f) Apply within the timeframe stated on the COS assigned to them.
- g) Ensure the COS number and proposed start date of employment with the university are included in the application.
- h) Provide the Staff Visa Compliance Team with evidence they have made the visa application.

10.10.3. Once the online visa application is completed and all necessary documentation has been provided, a decision on a visa application will typically be made within:

- a) 3 weeks if the applicant is outside the UK
- b) 8 weeks if the applicant is inside the UK

10.10.4. Further information on the decision making process can be found here: [outside the UK and Inside the UK](#)

## 11 Paying For A Visa

11.1. The applicant is responsible for paying the cost of their visa application. In addition to the cost of the visa application, the applicant will need to pay the Immigration Health Surcharge (IHS) fee. Full details of the cost of the visa application and the IHS fee can be found [here](#).

The university may be able to provide an interest free loan for those requiring sponsorship and their immediate dependents towards the cost of a successful visa application. Further information on eligibility and how to apply can be found in the university's [Visa Costs Loan Policy and Procedure](#) available on the university's staff portal.

## 12 Visa Application Outcome

### 12.1. Successful Visa Application

12.1.1. The applicant will be informed directly by the Home Office if their application has been successful. Once the visa application has been approved, the applicant is responsible for the following next steps.

12.1.2. If applying from **outside** of the UK, they must:

- a) Notify the Staff Visa Compliance Team that their visa application has been approved.
- b) Ensure they arrive in the UK within the timeframe stated on their entry clearance.
- c) Provide the Staff Visa Compliance Team with the relevant documents requested e.g., their vignette, stamped vignette or boarding pass.
- d) Once arrived and collected their BRP from the post office, provide the Staff Visa Compliance Team with the 'share code' issued to them, which they will use to conduct an online right to work check.

12.1.3. If applying from inside the UK, they must:

- a) Notify the Staff Visa Compliance Team that their visa application has been approved.
- b) Once they have received their BRP, provide the Staff Visa Compliance Team with the 'share code' issued to them, which they will use to conduct an online right to work check.

### 12.2. Unsuccessful Visa Application

12.2.1. If the visa application is rejected the applicant must inform the Staff Visa Compliance Team without delay and they will investigate the reason. Where this is due to a mistake on the application, the Staff Visa Compliance Team will work with the applicant to rectify this.

12.2.2. Where the applicant has been refused entry, they will be unable to satisfy the conditions of the job offer and will not be able to take up employment with the university. If the applicant has the right to appeal the decision this will be stated on the decision letter. Guidance on how to appeal can be found [here](#).

### 12.3. Dependents

12.3.1. The main applicant applying for a visa from outside of the UK will need to apply for their visa before other members of their family can make their own separate applications, as they will need the applicants Global Web Form (GWF) or a unique Application Number (UAN). This information can be found on correspondence from the Home Office regarding the visa application.

12.3.2. If an application is being made from inside of the UK to extend or switch a visa, the applicant can apply for their family member's visa at the same time as their own, including children who were born or have turned 18 during their stay. Alternatively, a family member can apply to extend or switch their visa at a later date, but it must be before their current visa expires.

## 13 Starting Work

13.1. Once the right to work check and all other pre-employment checks have been completed successfully, a formal contract of employment will be issued to the applicant and the People Operations team will commence onboarding of the employee into the university in preparation for the employee's start date.

## 14 Responsibilities of a Sponsored Worker During Employment

14.1. Any employee who is sponsored by the University of Greenwich, will be responsible for reporting the following changes to their personal circumstances to the Staff Visa Compliance Team during their employment:

- a) If you are absent without permission for 10 consecutive days.
- b) If there is a proposal to make changes to your job role, job title, salary, hours of work or other significant changes to your contract of employment.
- c) If you change your home address, telephone number or mobile telephone number.
- d) If you are requesting time off for Maternity, Paternity, Adoption or Parental leave.
- e) If you resign from your position.

14.2. A sponsored employee will also be required to provide the university with their contact details and their right to work documentation when this is requested.

## 15 Extending a Visa

15.1. It is the responsibility of the employee to monitor their visa end date and to request a CoS to extend their visa no earlier than 3 months before their CoS expiry date. Whilst the Staff Visa Compliance Team will make every effort to notify an employee when their visa is due to expire the university is not liable for

employees failing to apply to extend their visa in time. The employee must confirm with the Staff Visa Compliance Team their intentions and whether they wish to extend their Skilled Worker visa or switch to a different visa category (See also [Assigning a Certificate of Sponsorship](#)).

## **16 Working On A Student Visa**

- 16.1. The university may want to employ an individual who is on a student route visa (the student visa has replaced the Tier 4 (General) student visa).
- 16.2. A student can check if they are permitted to work in the UK by firstly looking at what is written on their student visa. A student studying at degree level will typically find that their student visa states they are permitted to work a maximum of 20 hours per week during term time. Students studying below degree level (e.g., a foundation programme) will typically be restricted to working a maximum of 10 hours per week during term time. A student visa that states 'no work' or 'work prohibited', are not permitted to work in the UK.
- 16.3. Line managers and students should be aware that working more than the number of hours permitted per week would be a breach of the student's immigration conditions and treated as illegal working.
- 16.4. Before engaging in the hire of a student, the manager should first seek guidance from the Staff Visa Compliance Team before proceeding further.

## **17 Termination Of Employment On A Skilled Worker Visa**

- 17.1. If an employee's employment is terminated while they are sponsored on a skilled worker visa, the university will withdraw their sponsorship and notify the home office that they are no longer employed by them. Once the Home Office have been informed, they will write to the individual to confirm their leave will be curtailed and the date it will come to an end. After the curtailment letter from the Home Office, the individual will have 60 days or until the end of their visa, whichever is the shortest, to either leave the UK or make alternative arrangements.

## **18 Reporting Changes to a Sponsored Employee's Job Role**

- 18.1. If there are any changes to a sponsored employee's original contracted terms and conditions whilst they are still employed with the university and working on a visa, these changes must be communicated to the Home Office by the university using the Sponsorship Management System within 10 days of the change occurring.
- 18.2. The reasons for reporting a change and the individual responsible for reporting the change, are listed below:

<b>What Should be Reported?</b>	<b>Who should report it?</b>	<b>Who should it be reported to?</b>
Employee does not take up the post	<b>Staff Visa Compliance Team</b>	<b>UK Home Office by the Staff Visa Compliance Team</b>
Delay to the employee's start date	<b>Staff Visa Compliance Team</b>	<b>UK Home Office by the Staff Visa Compliance Team</b>
Employee does not report to work on their first day	<b>Line Manager</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee is absent for 10 consecutive days without authorisation	<b>Line Manager</b>	<b>Staff Visa Compliance Team</b>
Employee is absent due to reported sickness for 1 month or more	<b>Line Manager</b>	<b>Staff Visa Compliance Team</b>
Employee's contract ends due to resignation, redundancy, or dismissal	<b>Line Manager/People Directorate</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee switches to another visa type that no longer requires sponsorship	<b>Employee</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee's working location changes within their existing sponsored role	<b>Line Manager/People Directorate</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee's job title or duties change including Academic Promotion	<b>Line Manager/People Directorate</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee's salary changes	<b>Line Manager/People Directorate</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee's working hours change	<b>Line Manager</b>	<b>UK Home Office by Staff Visa Compliance Team</b>
Employee takes unpaid leave	<b>Line Manager</b>	<b>Staff Visa Compliance Team</b>
Employee's personal contact details change e.g., address, phone	<b>Employee</b>	<b>Staff Visa Compliance Team</b>
Employee requests maternity, paternity, adoption, or parental leave	<b>Line Manager/People Directorate</b>	<b>Staff Visa Compliance Team</b>
Where there is any reasonable belief that the worker is breaching their contractual obligations, their visa or engaging in criminal activity	<b>Line Manager</b>	<b>Staff Visa Compliance Team</b>

## 19 Other Policies

### 19.1. Sickness Absence Policy and Procedure

The university's Sickness Absence Policy and Procedure can be found on the university's staff portal.

### 19.2. Disciplinary Policy and Procedure

The university's Disciplinary Policy and Procedure can be found on the university staff portal.

### 19.3. Bullying and Harassment Policy and Procedure

The university's Bullying and Harassment Policy and Procedure can be found on the university staff portal.

**19.4. The Sponsorship of International Students for Visa Purposes Policy** can be found [here](#).

*This policy will be reviewed regularly.*

Version	Purpose/Change	Author	Approved By	Date
1.0	First Draft	Vanessa Roots Senior Workforce Policy Officer	JNC	08/03/2023
2.0	10.4.2 Updated Home Office entry requirements	Vanessa Roots Senior Workforce Policy Officer	N/A	20/07/2023
3.0	Home Office updates to clauses: 5.4.2, 5.4.4, 7.1, 10.3.1, 10.4 (Table 2), 10.5.4, 10.8.5, 10.9.1	Vanessa Roots Senior Workforce Policy Officer	N/A	23/07/2024