



Tier 5 (Sponsored Researchers) Immigration Category

Departmental responsibilities for migrant workers

The UK introduced a new Points Based System in November 2008 and reduced the number of points of entry to the UK from eighty to five tiers.

Tier 5 is a temporary work category and has five sub-categories;

- Creative and sporting
- Charity workers
- Religious workers
- Government authorised exchange scheme
- International agreement

The School has a licence to sponsor individuals as sponsored researchers under the sub-category, government authorised exchange scheme.

Sponsored Researchers are individuals who are coming to the UK from overseas to undertake research at LSE and are being financially supported – ie, sponsored – by an external organisation for a maximum of 24 months.

Individuals who are not coming to the UK to conduct research are not eligible for sponsorship under Tier 5 as a sponsored researcher.

The School has an obligation to monitor all School employees who work at the School under the Tier 5 category. The onus is on the employer rather than the UK Government to ensure that all workers who are sponsored under Tier 5 abide by the conditions of the Tier 5 category. Therefore, if a department wishes to employ a Sponsored Researcher, it will need to do the following:

Departments should:

- Confirm to the Recruitment team in writing the nature of the visit and the work that the individual will be doing so that a decision can be made as to whether the individual is eligible to be sponsored under the Tier 5 category
- Inform the Human Resources Division (HR.Pay.Info@lse.ac.uk) immediately if a migrant work under the Tier 5 category fails to attend work on their first day of employment, as expected.
- Maintain a weekly attendance record of the attendance of all migrant workers in the department under the Tier 5 category. This should be kept in the form of a spreadsheet and sent to HR.Pay.Info@lse.ac.uk on a weekly basis.
An example of a record could be:

For week commencing 1 February 2010, Dr J Smith was absent from work on 4 February 2010 due to annual leave.

The record should show the name(s) of the migrant workers and the dates on which they were confirmed to attend work. Should any migrant worker be absent from work, such as on annual leave, sabbatical leave, conducting jury service etc, the dates of which they are absent and the reason for the absence should be recorded.

- Inform the Human Resources Division immediately, if a migrant worker is absent from work which has not been authorised. Any unauthorised absence should be reported to the Human Resources Division immediately, by email to b.hancock@lse.ac.uk

The school has 10 working days to report any unauthorised absence to the UK Border Agency. Any sponsor who is found to be in breach of its sponsorship obligations risks losing its licence, which will mean that it is no longer able to recruit migrant workers.

- Inform the Human Resources Division immediately, if a migrant worker no longer requires sponsorship under the Tier 5 category, for example, he or she leaves his or her employment at the School.

Please refer to the Attendance Policy on the HR website for a list of all permitted absences under the School policies and for further information on monitoring migrant workers. <https://www2.lse.ac.uk/humanResources/internal/attendancePolicy.aspx>