



Guidance Notes for Applicants

Tier 5 (Temporary Worker) Immigration Category of the Points Based System

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

Tier 5 is an immigration category for temporary workers who are coming to the UK to work under one of the following five subcategories:

- a. Creative and Sporting
- b. Charity Workers
- c. Religious Workers
- d. Government Authorised Exchange
- e. International Agreement

These guidance notes are intended to be used as a summary of the application procedure for individuals seeking to enter the UK under the Tier 5 (Temporary Worker) category. You should refer to the detailed information about the application procedure and the list of the supporting documents that you are required to submit with your application. This can be found on: <https://www.gov.uk/tier-5-government-authorised-exchange>

LSE has a licence to sponsor individuals under the 'Government Authorised Exchange' subcategory of Tier 5. Under this subcategory, LSE can sponsor individuals who are coming to LSE to work as a 'Sponsored Researcher' under Tier 5.

Sponsored Researchers are individuals who are coming to the UK from overseas to undertake research at LSE and are being financially supported – ie, sponsored – for a maximum of 24 months. This may include Sponsored Researchers hosted by LSE on the School's payroll or Sponsored Researchers who are being funded by external organisations.

Visiting academics who are unpaid are not eligible to be sponsored under Tier 5 as a Sponsored Researcher.

Please contact your HR Adviser to discuss the most appropriate immigration category a new employee should apply under for the right work in the UK and what the School can contribute towards the cost of the application.

Regrettably, HR is unable to reimburse any individuals for the cost of their visas if they are undertaking unpaid appointments at the School.

Certificate of Sponsorship

The School will act as a sponsor for all individuals wishing to come to LSE as a Sponsored Researcher. Regrettably, the School is unable to sponsor any individual wishing to come to the UK under any other sub-category of Tier 5.

The School will submit an application for a 'Certificate of Sponsorship' on your behalf. You will be contacted by email to request the information that we need from you in order to complete it.

The certificate of sponsorship is not a physical document but is a virtual document similar to a database record. You will be provided with a 'certificate of sponsorship' reference number, which you should keep secure and not disclose to anyone else. You will then need to make an application under Tier 5 of the points based system before you come to the UK.

Applying for a Tier 5 visa

If you are outside of the UK you should apply for a Tier 5 visa via your local Visa Application Centre. This link will explain how to apply: <https://www.gov.uk/tier-5-government-authorised-exchange/apply>

You can apply for a Tier 5 visa for a maximum period of 24 months, or the time given in your certificate of sponsorship plus 28 days, whichever is shorter.

Under Tier 5, an applicant must score 30 points for possessing a valid certificate of sponsorship and 10 points for maintenance.



Maintenance

All individuals who apply to enter the UK under Tier 5 must demonstrate that they can support themselves for the entire duration of their stay in the UK without the use of public funds. Individuals who enter the UK under Tier 5 are not eligible to access any UK state benefits.

You must be able to show that you have at least £900 (for applications made from 1 July 2014 it will be £945) of available funds.

This requirement can usually be met by either having personal savings of at least £900 (for applications made from 1 July 2014 it will be £945) which must have been held for at least a continuous 90-day period prior to the date of the application. Please note that if you have any dependents wishing to join you in the UK you must also provide evidence to show you have sufficient funds to support them during your stay in the UK.

Funds must be in the form of cash funds. Other accounts or financial instruments are not accepted. Evidence must be in the form of either a:

- Personal bank or building society statements covering the 90-day period immediately before the application
- Building society pass book containing the previous 90-day period
- Letter from a bank confirming funds and that they have been in the bank for at least 90 days
- Letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the home regulator (official regulatory body for the country in which the institution operates and the funds are located) confirming funds.

Switching Immigration Status

Please note that Tier 5 visa holders are not permitted to switch into any other immigration category from within the UK. If you wish to apply to switch into a new immigration category, you will need to return to your country of residence and submit a new application to your local visa office.

Monitoring Tier 5 migrant workers

The School has an obligation to monitor all School employees who enter the UK under the Tier 5 immigration category. Under the immigration system, the onus is on the employer to ensure that all migrants under the Tier 5 category abide by all the conditions of their Tier 5 visa.

The School must report to UK Visas & Immigration within 10 working days:

1. If a migrant does not arrive for work on their first day of employment
2. If a migrant is absent for more than 10 working days without reasonable permission
3. If the Sponsor stops sponsoring the individual
4. If there are any significant changes to the migrant's circumstances
5. If there are any suspicions of a breach of the conditions of working under the Tier 5 category

Obligations of a Tier 5 migrant worker

1. Attend LSE on your first day of employment

All employees are obliged to arrive for work on or before their first day of employment and report to the Human Resources Division, Second Floor, Sardinia House, Houghton Street, London WC2A 2AE. You are required to produce evidence of your entitlement to work in the UK so please bring the following:

- Your passport containing the relevant endorsement showing that you are permitted to live and take employment in the UK and, if relevant, any additional required documentation (eg, work permit evidence of student status).

If you are unable to report to the Human Resources Division on your first day of employment, you must inform your HR Adviser immediately stating the reason why you are unable to attend, where you will be until you do attend and the new date on which you do expect to report to the Human Resources Division in person.

If you do not report to the Human Resources Division on your first day of employment and you have not informed your HR Adviser of the reasons for failing to do so, LSE is obliged to inform UK Visas & Immigration as per the conditions of its sponsorship licence.



2. Contact your Department/Institute/Centre on a weekly basis to confirm your attendance at work and to report any absences

If you are absent from work you must state the reason for your absence, such as annual leave, sabbatical leave or jury service and the dates of the absence. All authorised reasons for absence are listed in the School's Attendance Policy, which can be found on the HR website

3. Please inform LSE immediately of any change to your immigration status

You should advise the Human Resources Division by email to HR.Pay.Info@lse.ac.uk should your circumstances change, for example, you no longer require LSE to sponsor you for employment because you have switched to another immigration category, or that you are leaving LSE.

4. Please inform the Human Resources Division immediately if your employment at the LSE significantly changes from your original contract of employment

Permission to work under the Tier 5 category is role specific and so any significant changes to your role at LSE may mean that you need to submit a new application for a visa.

5. Please ensure that your contact details are kept up-to-date

You must update your contact details, including full address, home telephone number and mobile telephone number immediately if you move house or change your telephone number during your employment at LSE. You can do this by using LSE For You, or by emailing HR.Pay.Info@lse.ac.uk

If you require further information regarding the Tier 5 immigration category, please contact your HR Adviser