

Year in Employment Guidelines

Title: Year in Employment International Student Guideline Summary

Date: 22nd September 2016

Please note that this is a summary document of the information affecting Tier 4 students in relation to the Year in Employment but it does not constitute the only regulations that Tier 4 students must abide by. Individual circumstances are unique and may be taken into account regarding Visa advice and this guidance is accurate at the time of publication. Guidance on all aspects of Tier 4 policy and any changes are available from the University's VISAS team: <http://www.southampton.ac.uk/visa>

Students who are on a Tier 4 visa can take part in the Year in Employment. However, they will incur extra costs, as they will need to apply for additional visa(s), and the terms of their visa means that they will have additional restrictions placed on their period of employment

The Year in Employment begins after the end of year 2 and you will need to have returned to your home country and apply for a new visa after year 1.

Additional requirements for Tier 4 students are highlighted through this document. As an overview, the following issues apply:

- Tier 4 students will not be able to commence their Year in Employment if they have failed to pass their summer exams (i.e. Tier 4 students will not be permitted to refer after they have started their Year in Employment).
- Tier 4 students will need a new CAS raised to reflect their changed programme name and length of programme. This will normally be raised before the Year in Employment commences. The cost of the CAS will be met by the University of Southampton but the cost of the new visa application will need to be met by the student.
- Tier 4 students undertaking a Year in Employment in the UK will most likely be eligible for visa sponsorship under the University's Tier 4 license (subject to the placement satisfying all Home Office conditions in force at that time). However, they and their employers will need to consent to attendance monitoring. This will need to be covered in a three-way agreement between the University, student and the employer outlining the responsibilities of each.
- Although entitled to accrue annual leave from their employers, Tier 4 students will only be able to take annual leave during University vacation periods. This is specified in an agreement between the employer, the student and the University of Southampton, and that employers are responsible for enforcing this.
- If during a placement an international student falls ill, it is crucial that they inform both the employer and the university for each and every day of that illness.
- International students must continue in their Year in Employment until the beginning of the Summer Exam Period (with the caveat above that annual leave must be taken during vacation time).
- If a Tier 4 student undertakes their Year in Employment outside the UK they become ineligible for continued visa sponsorship from the University for the duration of their placement. The University will be required to inform the Home Office of this change of

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circumstance. Upon satisfactory completion of the placement (and assuming the student remains in good standing with the University), the University will raise, at its expense, a new CAS for the student to use in support of a new Tier 4 visa application. The student will need to return to their home country in order to make this application. Further guidance is available from the University's VISAS team. Students requiring a visa to undertake their placement in another country should seek their own guidance.

Eligibility

Tier 4 students must be mindful of the UK study cap. This typically limits students to a maximum of 5 years in the UK, although there are some exceptions to this. Students should also note that the cap is calculated on the periods of leave to be in the UK which they been granted and not the periods of time they have actually been in the UK (where this is less).

Examples

A Tier 4 student took a foundation year and progressed onto the MMath programme. As their duration of studies is already at five years they will not be able to take a Year in Employment.

A Tier 4 student is on a four year programme but had to repeat their first year. As their duration of studies is already at five years they will not be able to take a Year in Employment.

A BSc Geography student is on a three year programme and has progressed from year one to two normally. She would be eligible for the YiE which make her period of visa sponsorship four years in total.

A BA History (3 year) student was required to repeat his first year with attendance but has progressed to year two. He would be eligible for the YiE as this would take his visa sponsorship to five years. However, he should note he would not be able repeat his final year in the UK (if that were deemed necessary by the Exam Board) and nor would he be able to study for a Master's degree in the UK in the future.

Starting the Year in Employment

- Tier 4 students must have met the requirements for progression in the summer examination period, and are not entitled to undertake referral examinations once they have started their Year in Employment.
- Tier 4 visa students should discuss the decision with the Visas and Immigration Student Advisory Service.
- Students on a Tier 4 visa will not be able to commence their Year in Employment in the UK until the end of the summer term of their second year of study
- Tier 4 students must enrol when prompted to do so. Failure to enrol within the given window will result in their visa sponsorship being terminated.
- Tier 4 students will need to meet the usual requirements to demonstrate their ability to pay the fee prior to applying for the visa.

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- Tier 4 students must consent to completing weekly remote reporting at:
<https://groupsite.soton.ac.uk/administration/tier-4-remote-study/Lists/Remote%20Study%20Log/AllItems.aspx>

If the placement is terminated for whatever reason

Tier 4 visa students have two weeks in which to find and commence a new placement, otherwise the following applies:

Tier 4 students will not be able to return to their original degree programme without agreement from the Assistant Director of Student & Academic Administration and the student's Director of Programmes (or their nominee) as the University will need to inform the Home Office of the change via their SMS. This return to the original degree programme will be highly exceptional due to the missed teaching.

If problems with the placement occur later in the year, Tier 4 visa sponsorship will need to be removed, meaning that they will not be able to remain or enter the UK¹ on our licence and will need to apply for (and pay for) a new visa prior to resuming their studies in the next academic year.

Managing Tier 4 visa sponsorship obligations

Tier 4 students must demonstrate (and the employer must provide upon request by the University, the Home Office, or its agencies,) the attendance of student, the engagement with desired learning outcomes of the Year in Employment, and progress. This could, for example, be recorded via notes from 1:1s or similar.

Tier 4 students who undertake the Year in Employment will be required to complete international check-in on their return if they have left the UK after suspending their studies.

Further Information

<http://www.southampton.ac.uk/visa>

<https://www.gov.uk/tier-4-general-visa/extend-your-visa>

- **VISAS team enquiry form:** <http://www.southampton.ac.uk/student-services/visa-and-immigration/visas-enquiry-form.page>
- **In person:** "Drop-in" available Tuesday and Thursday morning, stand up sessions between 9am-11am. Please check before arriving (Student Services Centre, Building 37, Highfield Campus)
- **Book an appointment** by phone: 02380 599 599

¹ Unless students have switched to a different immigration category.