

Year in Employment Guidelines

Title: Year in Employment International Student Guideline Summary

Date: May 2021

Please note that this is a summary document of the information affecting Student Visa students in relation to the Year in Employment but it does not constitute the only regulations that Student Visa 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 Student Visa policy and any changes are available from the University's VISAS team: <http://www.southampton.ac.uk/visa>

Note: The term 'Student visa' refers to both the Tier 4 (General) visa and the new Student visa, which replaced the Tier 4 (General) visa on 5th October 2020.

Students who are on a Student 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 apply for a new visa to complete your programme.

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

- Student Visa students will not be able to commence their Year in Employment if they have failed to pass their summer exams (i.e. Student Visa students will not be permitted to refer after they have started their Year in Employment).
- The University must notify the Home Office to reflect the addition of a placement to the course before the Year in Employment commences
- Student Visa students undertaking a Year in Employment in the UK will most likely be eligible for visa sponsorship under the University's Student Visa 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.
- Employers must keep records of any periods of annual leave that Student Visa students take during their employment. Student Visa students must inform the University (in advance) of any periods of annual leave that they have agreed with their employer. 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.

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- International students must continue in their Year in Employment until the beginning of the Summer Exam Period. If a Student Visa student undertakes their Year in Employment outside the UK they can continue to be sponsored under Student Visa. The University will be required to inform the Home Office of this change of 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 Student Visa 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

Student Visa students must be mindful of the UK study cap. This typically limits students to a maximum of 5 years at Undergraduate degree level 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).

Please seek advice from the VISAS team if the following situations apply to you and you are currently studying a Bachelors level course (BA, BSc, BEng)

- Have repeated a year(s) of your studies
- Have previously studied at Bachelors level on a Tier 4 or Student visa



Starting the Year in Employment

- Student Visa 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.
- Student Visa students should discuss the decision with the Visa and Immigration Student Advice Service (VISAS Team)
- Students on a Student 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
- Student Visa students must enrol when prompted to do so. Failure to enrol within the given window will result in their visa sponsorship being removed.
- Student Visa students will need to meet the usual requirements to demonstrate their ability to pay the fee prior to applying for the visa.
- Student Visa students must consent to completing weekly remote reporting at: <https://sotonac.sharepoint.com/teams/Tier4RemoteStudy>

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If the placement is terminated for whatever reason

Student Visa students have two weeks in which to find and commence a new placement, otherwise the following applies:

Student Visa 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, Student Visa sponsorship will need to be removed, meaning that they will not be able to remain or enter the UK¹ on their current visa and will need to apply for (and pay for) a new visa prior to resuming their studies in the next academic year.

Managing Student Visa sponsorship obligations

Student Visa 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.

Student Visa students who undertake the Year in Employment will be required to complete international check-in on their return if they have left the UK and are returning with a new visa.

Further Information

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

<https://www.gov.uk/student-visa> **Contact the VISAS Team for further advice:**

<https://www.southampton.ac.uk/studentservices/visa-and-immigration/contact-us/index.page>

¹ Unless students have switched to a different immigration category.