Tier 4 Student Employment: Process Guidance

To safeguard against accidental breaches of their visa conditions, International students studying on a Tier 4 visa are restricted to working via one of three distinct routes within Newcastle University at any one time:

- Regular work with set hours and set pay, administered via HR
- Jobs On Campus (JobsOC): For casual and temporary work, administered via the Careers Service.
- Teaching and Demonstrating: (including both undergraduate and postgraduate workers)

This guidance sets out what is required by all departments recruiting Tier 4 workers, with specific guidance relating to Pre-Employment Checks; Key Actions for different work types (Regular Employment, JobsOC and Teaching and Demonstrating); and Weekly Hours Monitoring

Pre-Employment Checks

Right to Work Checks

Recruiting managers are responsible for ensuring that a UKVI right to work check is undertaken and documented in advance of any work being offered or undertaken. This applies to all workers, including Tier 4 students. Failure to carry out a valid right to work check can put the University in breach of its UKVI sponsor licence obligations and should therefore only be undertaken by University staff who have read and understood the UKVI 3-step process in the link below and/or been trained by members of the HR team.

As part of this right to work check, the recruiting manager must carefully check the wording of the student visa to ensure they are aware of their specific visa requirements.

Guidance is available from the HR website: [http://www.ncl.ac.uk/hr/assets/documents/prevention-of-illegal-working.pdf](http://www.ncl.ac.uk/hr/assets/documents/prevention-of-illegal-working.pdf).

On Campus Employment Checks

If the right to work check has identified that the candidate you have selected has a Tier 4 visa, you will need to undertake an on-campus employment check. This process ensures that Tier 4 students are only employed in one role at a time. The following procedure must be followed:

1. Hiring departments are required to use SAP to identify if students are receiving payment for any other work on campus. A new transaction is available via Managers Desktop to undertake this check.
2. Students already working for the university are required to choose just one role. Where Tier 4 students already hold another position within the university, the recruiting department must inform the student that they are limited to one role on campus, and that they must choose between roles.
3. If the student has another role on campus, they must complete the Tier 4 Casual Work Transfer Notification form.
4. The student must discuss the proposed end date/start date with you and their current manager.
5. Once you have received a confirmation email showing that the student has resigned from their current post, or where students do not have any current work within the university, you will be able to progress with the recruitment process.

Students employed via JobsOC can hold multiple assignments at any one time through the JobsOC service. If you wish to employ a student in a casual or temporary work assignment, and the student informs you that they are registered with JobsOC (or this is indicated within the SAP student payment report) you should contact the JobsOC team at jobsoc@ncl.ac.uk for confirmation and information about next steps.

You may wish to have a discussion with Tier 4 students you are considering offering work to prior to interview in order to establish if they have any other on-campus work arrangements already. This can prevent confusion or disappointment if students are unaware that they are limited to one work role at any one time.

It should be noted that the maximum hours a Tier 4 student is permitted to work under their visa includes work undertaken off-campus, as well as on-campus.
Key Actions

Regular Employment

If a Tier 4 student is offered a regular substantive post within the university, the recruiting manager is required to do the following:

1. Check that the student does not have any other on-campus employment. See the pre-employment check section above for details.
2. Ensure that students do not breach their visa conditions, including the number of hours they work each week. Hiring departments are required to monitor the weekly hours offered to Tier 4 students, including any overtime.

JobsOC

All casual and temporary work assignments offered to Tier 4 students (up to a maximum duration of 26 weeks for regular work) must be administered via the JobsOC service. 

Hiring managers are required to fully register Tier 4 students with the JobsOC team before any work can be undertaken. The JobsOC Registration process can take up to 5 working days.

Full details of the JobsOC Tier 4 Student Worker Registration process, including relevant forms are available on the JobsOC web page. Our web page also contains information about the JobsOC Student Temp and JobsOC Intern services.

Teaching and Demonstrating

If a Tier 4 student is offered a Teaching and Demonstrating role, the recruiting manager is required to do the following:

1. Check that the student does not have any other on-campus work. See the pre-employment check section above for details.
2. Ensure that students do not breach their visa conditions by monitoring the weekly hours offered to the student, including any overtime.

Full details of the Teaching and Demonstrating student recruitment process, including relevant forms are available on the Teaching and Demonstrating web page.

Weekly Hours Monitoring

University departments offering work to Tier 4 students are responsible for ensuring that they do not offer students more work than their visa allows. In order to ensure this they are required to:

- Conduct a weekly check of hours of work planned
- Check the course details and specific term dates of each worker

Hiring departments should be aware that UKVI rules dictate that weekly hours cannot be averaged out for the purposes of weekly hours monitoring and must be a true reflection of the hours the student actually works. The limit applies to a week beginning on Monday and ending on a Sunday, and includes both paid and unpaid work, including work experience.

Term Dates

Term dates differ for undergraduate, PGT and PGR students, and so recruiting departments must be aware of the specific term dates and visa requirements of each student worker. Details are available from the Student Progress Service.

Current term dates are available on the University Regulations web page.
Weekly Hours Monitoring Record keeping

University departments are required to email all Tier 4 workers on a weekly basis to check how many hours they have planned to work for the following week. While the university is not required to monitor all work outside of the university, it is good practice to ask students about all (paid and unpaid work) they are undertaking to safeguard against accidental breaches of their visa conditions.

Weekly checks should include:

- The specific dates being checked (Monday – Sunday)
- Total hours planned
- Notice that by not responding to the email they risk their work assignments being terminated.

Hiring departments should record responses, follow up with students who do not respond and prevent work being offered to students where they do not respond, or where it is evident they have planned to work above their weekly hours limit.

A template spreadsheet to use for monitoring email responses is available from the Careers Service. Please email jobsoc@ncl.ac.uk to request this resource.

Template email

The template below can be used in weekly hours monitoring:

Dear [student name]

As a Tier 4 student, you should be aware of the strict working conditions attached to your visa. The conditions cover both paid and unpaid employment. The consequences of breaching the conditions of your visa can be severe and could have a long-term detrimental impact on your immigration status and your studies in the UK.

Newcastle University has an obligation as your Tier 4 sponsor to ensure that you do not risk over-working during your studies. In order to safeguard students against accidental breaches of visa conditions, Newcastle University is required to monitor the hours Tier 4 students plan to work.

Please respond to this email by [enter deadline] with a summary of the hours you plan to work next week [enter dates].

<table>
<thead>
<tr>
<th>Weekly hours planned</th>
</tr>
</thead>
<tbody>
<tr>
<td>This role [Enter Job Title]</td>
</tr>
<tr>
<td>Other paid work</td>
</tr>
<tr>
<td>Other unpaid work/voluntary work</td>
</tr>
<tr>
<td>Total hours:</td>
</tr>
</tbody>
</table>

It is your responsibility to ensure that you are working in accordance with your visa regulations. The Visa Team are available to answer visa queries from non-EEA students. Further information is available on the UKCISA website.

You must respond to this email, failure to do so could result in the termination of your role.

Contact for queries

Any queries in relation to this procedure should be directed to studentemployment.tier4general@ncl.ac.uk.