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Navigating the Points- Based System

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Introduction

- The PBS replaced the old work permits system in November 2008
- New requirements for employment were introduced
- Most Universities are now registered as sponsors
- In addition to employment, the system also affects international students and visitors



Visitors – who is affected?

- Academics at overseas (non-EU) institutions
- Recipients of International Fellowships
- Staff seconded from overseas institutions
- PhD students at overseas institutions

Key point:

They wish to work/study while they are here
BUT they will not be employed by us



Which route?

- How long is the visit?
- Who is paying the travel and living costs?
- Who is the visitor?
- Who is the visitor's employer and will they be paying their salary during the visit?

Depending on the answers to the above,
there are two established routes...



Academic Visitors

An academic visitor must be:

- A **well-qualified** academic on sabbatical leave from an overseas academic institution who wishes to use their leave to carry out research here
- An academic taking part in **formal** exchange arrangements with UK counterparts
- An **eminent** senior doctor/dentist coming to take part in research, teaching or clinical practice.

Academic visitors must:

- Not be paid by any UK source during the visit, other than subsistence (or on an exchange basis)
- Not intend to take employment or engage in any work other than the academic activity
- Not be filling a normal post or a genuine vacancy
- Not stay in the UK for more than 12 months
- Intend to leave the UK at the end of their visit
- Be able to maintain themselves and any dependants without help from public funds
- Be able to meet the cost of the return or onward journey from the UK



What do we do?

- Provide a letter of invitation, clearly stating the terms of the visit, e.g. duration, funding, purpose
- Provide a similar letter to the embassy (unless a non-visa national), stating the key points and confirming that this is not a normal post or vacancy
- Obtain formal approval for the visit from Faculty Pro-VC (providing evidence of funding, visitor's CV and details of their employment)
- Ensure subsistence funding available on arrival



Sponsored Researchers

A sponsored researcher:

- Wishes to come to the UK to lead or to take part in a formal research project
- Will work under the full or partial control of the institution, which will itself benefit from the research
- Will be funded from sources in the UK or overseas
- Will have a visa initially for up to 12 months, which can be extended to a maximum of 2 years



What do we do?

- Complete sponsorship application
- Check supporting information:
 - Copies of passport pages
 - 3 months' bank statements
 - Evidence of funding, eg grant award letter
 - CV
- Provide visitor with certificate of sponsorship, and letters of invitation



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Questions?



Case Studies

- For each of the case studies provided, using the information you've been given, decide:
- Which Tier and category is appropriate?
- What information, if any, needs to be clarified?
- What we/the applicant needs to do in order to enable them to come here?
- What are the potential pitfalls that we need to look out for?



Group 1

Dr A

- Dr A is an Academic at an Indian University
- He has applied for and been awarded a two year Royal Society International Fellowship, to work with an Academic in your department
- The Royal Society will not employ him, but will pay a maintenance allowance



Mrs E

- Mrs E is an Academic at a Libyan University
- She is on sabbatical leave and wants to come to the UK to further her study into chemical engineering
- She will continue to receive her salary from Libya



Group 2

Dr B

- Dr B is an Academic at an Iranian University
- A Professor in your Department has been awarded a Royal Society grant to work with him, and funding to cover his travel and subsistence for a 3 month visit
- He will be employed by his home University throughout this period



Dr J

- Dr J is a Principle Researcher at a company in China
- He works in industry and is not aligned to an academic institution
- He wants to come to the UK to engage in collaborative research which is being paid for by his employer



Group 3

Dr C

- Dr C is a Research Scientist at a major company in Japan
- His employers wish him to spend a year working in your laboratories and are funding his travel, and paying his salary whilst he is here



Dr T

- Dr T is a Postdoctoral Researcher at a Hospital in Thailand
- He wants to come to the UK to learn and share laboratory techniques
- His employer is funding the visit



Group 4

Ms D

- Ms D is a PhD student at a University in China
- An Academic in your department has been awarded a British Council grant to facilitate collaboration with the University, specifically to fund reciprocal visits
- Ms D is one of the Chinese team named on the award letter



Dr A

- Dr A is an Associate Professor at a University in Jordan
- He is an eminent Academic in his field of research
- He wants to come to the UK to do research for an academic paper



Group 5

Dr C

- Dr C is a Postdoctoral Researcher at a University in Belgium
- She wants to come to the UK to work collaboratively on a piece of research
- She has been awarded a grant to facilitate the collaboration



Dr W

- Dr W is an Associate Professor at a University in China
- She wishes to come to the UK to complete the research she is doing and to write up an academic paper
- She will continue to receive her salary from China



Some quandaries...

Student visitors

A PhD student registered with an overseas university coming here to collaborate with our researchers doesn't fit the rules

Marie Curie researchers

UK applicants are ineligible, therefore we fail the resident labour market test for Tier 2. But the main alternative, sponsored researcher, only allows a 2 year stay

Student Visitors

1. must be seeking entry to study here for no more than six months
2. must have been accepted on a course of study provided by:
 - the holder of a sponsor licence for Tier 4; or
 - an organisation accredited by an accreditation body approved by the UKBA; or
 - an overseas HE institution which offers only part of its programmes in the UK, holds its own national accreditation and offers programmes equivalent to a UK degree
3. must leave the UK at the end of the visit
4. must support and pay for accommodation for themselves and any dependants, without help from public funds
5. must be able to meet the cost of the return or onward journey
6. must not take employment, engage in business, produce goods or provide services within the UK
7. must not undertake part-time or full-time vacation employment
8. must not undertake a work placement or internship (paid or unpaid) as part of the course of study
9. must not extend their stay in the UK



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To
Discover
And
Understand.