



# Work during

- Immigration rules: max 20 hrs/wk term-time
- LSE recommends max 15 hrs/wk
- No limit during vacations: Christmas, Easter, summer vacation between years, BUT...
- Dissertation period for Masters students is not a vacation

# Work during

- No self-employment
- No permanent job
- No work as an entertainer or professional sports person
- Paid or unpaid work is included in the 20 hours/week during term time
- Volunteering separate, if genuine volunteering. Ask the organisation.



# Working illegally

## Consequences for you:

- Imprisonment, £5000 fine
- Removal from UK with time bar on returning
- Risk of refusal for future applications
- Lying on application: refusal, 10 year ban
- Self-employed: penalties for not registering, evading income tax, evading National Insurance

# Working illegally

## Consequences for employer:

- £10,000 fine
- Publicity: named and shamed

## Consequences for LSE:

- Tier 4 sponsor license suspended or revoked

# Working at end of your programme

You can work full-time after formal end date of programme

- UG: 4 July 2014
- Masters: 30 September 2014

Other work restrictions continue, e.g.

- no self-employment
- no permanent job

# Working after studies

- Switching to Tier 2 (General) before the end of your student visa, for sponsored skilled work
- Tier 2 (General) application in home country
- Tier 1 Graduate Entrepreneur
- Doctorate Extension Scheme
- Tier 5 application in home country for temporary work or in country for work experience
- Other schemes



## Tier 2 (General): the basics

- Employer must be a registered Tier 2 sponsor
- Job and salary defined by Codes of Practice
- Degree or equivalent (or 3 years work experience in the company)
- Minimum salary
- Certificate of Sponsorship (CoS) to apply
- English language and funds requirements for immigration application



# Tier 2 (General): Resident Labour Market Test – what is it?

The job must be:

- genuine vacancy advertised nationally in appropriate way (Tier 2 Policy Guidance)

and

- no suitable settled worker to take it

# Tier 4 to Tier 2 in the UK

Employer must be a registered Tier 2 sponsor

The position must:

- be skilled graduate level job (min NQF6), defined by Codes of Practice
- pay minimum salary £20,300
- is not subject to any cap or limit on CoSs
- **no** Resident Labour Market Test
- does not need to be related to your qualification

# Tier 4 to Tier 2 in the UK

## Applicant:

- Current Tier 4 or student visa
- Obtained a degree in UK at education provider with Tier 4 licence (LSE) *or*
- Completed min 12 months of PhD programme
- Completed degree during current visa, or during continuous stay which includes your current visa
- Always had visa with permission to study
- Does not own more than 10% of shares in sponsor (unless your salary is over £152,100)

# Tier 4 to Tier 2 in the UK: details

## Applicant:

- If sponsored by government or international scholarship agency during previous 12 months, they consent to the Tier 2 application
- English language (assumed from degree)
- Maintenance: acceptable evidence of **£900** held in your name for **90 days**, dated no more than 31 days before application



# When to apply in UK

- If need evidence of LSE degree – only apply when results are confirmed in writing (provisional results NOT acceptable)
- Apply *before* your current visa expires
- Within 3 months of the date your CoS is assigned
- No more than 3 months before the start date of your employment listed on your CoS

# Tier 2: applying overseas

Employer must be registered Tier 2 sponsor

Position:

- skilled graduate level job (min NQF6), defined by Codes of Practice, min salary £20,300
- passes Resident Labour Market Test (or is a 'shortage occupation' see shortage occupation list on Home Office website – unlikely to apply to LSE graduate posts)
- max initial sponsorship period: 3 years
- employer uses restricted CoS (monthly quota) unless salary is £150,000+

# Questions on forms (1)

## Why do employers ask :

- *do you have permission to work' or*
- *do you have the right to work in the UK?'*

This is standard question for employers to assess what they need to employ you and plan ahead.

## How to reply? Honestly:

- If you are applying for part time/ short term work and you can do it within your current Tier 4 visa, answer yes.
- If you are applying for a graduate role and you need sponsorship, answer no.

# Case Law

Employers cannot discriminate on basis of nationality or immigration status.

See case law:

*Osborne Clarke Services v Mr A Purohit -  
Employment Appeal Tribunal (February 2009)*



# Employers sponsor responsibilities

Tier 2 sponsors must monitor your attendance at work and report to UKBA if:

- you don't arrive for day 1 of your work
- you are absent for 10 days without employers' consent
- your employment ends
- significant changes to your job

# Other graduate work categories

- Tier 1 Graduate Entrepreneur
- Doctorate Extension Scheme (PhD students only)
- Tier 5 Government Authorised Exchange

See ISIS website > [lse.ac.uk/isis/workingafter](https://lse.ac.uk/isis/workingafter)

# Tier 1 (Graduate Entrepreneur) 1

- LSE can sponsor 10 graduates a year who have a 'genuine and credible' business idea
- 12 months to develop business idea which can be extended to 24 months
- Must apply before April each year
- Apply through Careers:
  - Seed Funding competition (Dec 2013 for students completing studies in 2013) *or*
  - Entrepreneur competition (Feb 2014)

# Tier 1 (Graduate Entrepreneur) 2

- Can also do unrestricted work for an employer
- Must retain contact with LSE who is your sponsor
- Can switch in UK from Tier 1 Grad Entrepreneur to Tier 2 – employer does *not* need to pass Resident Labour Market Test

Details: [lse.ac.uk/isis/workingafter](https://lse.ac.uk/isis/workingafter)



# PhD Graduates – Doctorate Extension Scheme

- Permission to work for 12 months after completion of studies
- Continue to be sponsored under Tier 4
- Apply up to 60 days before end date of study
- Only apply inside UK
- Show evidence of £2000
- Must retain contact with LSE who is your sponsor
- Can switch from Tier 4 to Tier 2 in the UK without employer needing to pass resident labour market test

# Tier 5 Government Authorised Exchange (1)

New rule from Oct 2013

Can switch from Tier 4 to Tier 5 in UK to do work experience if you:

- have obtained a UK bachelors, masters degree during your current visa; and
- are being sponsored to undertake an internship / work experience for up to 12 months which is directly related to your qualification and
- the role is additional (ie you will not fill a full time vacancy and the employer does not intend to employ you in future)
- The employer requires 'overarching body' to sponsor you

# Tier 5 Government Authorised Exchange (2)

**See information:**

[www.ukba.homeoffice.gov.uk/visas-immigration/working/tier5/government-authorized-exchange/](http://www.ukba.homeoffice.gov.uk/visas-immigration/working/tier5/government-authorized-exchange/)

and

[www.tier5intern.com](http://www.tier5intern.com)

# Others

- Tier 5 Youth Mobility
- Tier 5 Temporary Worker
- UK ancestry
- Student Union Sabbatical under Tier 4
- Tier 1 (Investor)
- Tier 1 (Entrepreneur)
- Turkish worker

See UKBA website > Working in the UK



# More information

**UKCISA** website – very useful overview:

Working after your studies

<http://www.ukcisa.org.uk/International-Students/The-next-stage/Working-after-your-studies/>

**ISIS** at LSE can advise on study-based immigration applications and on options after study: [lse.ac.uk/isis/workingafter](http://lse.ac.uk/isis/workingafter)

# More information

Tier 2 or Tier 5 sponsorship: your employer

Employability and jobseeking: LSE Careers

Eligibility, applications:

**UKBA website** > Working in the UK

[www.ukba.homeoffice.gov.uk/visas-immigration/working/](http://www.ukba.homeoffice.gov.uk/visas-immigration/working/)