Eligibility To Work in the UK Procedure	
Enabling Policy Statement; Executive Owner; Approval Route:	Our Colleagues – Chief Operating Officer – Operations Committee
Is the Procedure for internal use only (Non-disclosable) ?	Disclosable
Associated Policy Statements:	Our Students
Authorised Owner:	Human Resources Director
Authorised Co-ordinator:	Associate Director (People Services)
Effective date:	12 November 2025
Due date for full review:	12 November 2026
Sub documentation:	• Line Manager Compliance Responsibilities for Sponsored Workers (for Skilled Worker Visa and GAE Visa only) • Sponsored Worker Compliance Responsibilities

Approval History

Version	Reason for review	Approval Route	Date
1.0	3 Yearly review and migration to the POPP governance structure Amendments due to legislation changes in April 2024 and update of content	Operations Committee (via Chair's Action)	03 July 2024
2.0	Annual review. Amends made to bring this in line with amended UKVI guidance	Operations Committee (via Chair's Action)	23 September 2025

1. Purpose

The purpose of this procedure is to ensure that the University complies with its legal responsibilities in accordance with the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020, by ensuring that all employees hold the appropriate documents to allow them to work in the UK.
This procedure will also provide guidance on pre-employment and subsequent checking of documents to ensure ongoing compliance.

Where applicable, the University will act as a Sponsor under the current system of immigration, and this procedure outlines the duties placed on the University as a Sponsor as well as the additional responsibilities of employees who are sponsored by the University.

2. Scope and Exceptions to the Procedure

This procedure applies to all University staff including those employed in our subsidiaries.

The University has a responsibility to ensure that every employee has the legal right to work in the UK. The consequences of getting it wrong and employing an individual illegally include fines of up to £60,000, criminal prosecution for the University and individual employees, and downgrading or loss of our licence to sponsor visas for current or prospective employees.

Every employee is required to supply the appropriate documents to prove that they have the right to work in the UK before and where applicable throughout their employment with the University.
This procedure applies to any worker who is paid by the University through its payroll and therefore includes permanent and fixed term contract employees, Associate staff, External Examiners/Assessors as well as those paid via the Short-Term Teaching Payroll.

This procedure does not form part of any employee's contract of employment. It may be amended from time to time with appropriate consultation with recognised trade union representatives.

3. Definitions and Terminology

Frequently used terms:

- **ATAS** - Academic Technology Approval Scheme
- **CoS** – Certificate of Sponsorship
- **GAE** – Tier 5 Government Authorised Exchange
- **GTV** – Global Talent Visa
- **SOC -** Shortage Occupation Codes
- **UVKI** – UK Visa and Immigration
- **ISL** – Immigration Salary List
- **ISC**- Immigration skills charge

4. Procedural Principles

4.1. Right to Work Checks

The University of Surrey has a duty to prevent illegal working by carrying out document checks on all employees to confirm if a person has the right to work in the UK.

To establish an individual's right to work, one of the following three checks will be conducted:

a) **Manual Check**
Please refer to the guidance here for steps on how to complete a manual right to work check.

b) **Digital Check via an Identity Service Provider (IDSP)**
Please refer to the guidance here for steps on how to complete a IDSP right to work check.
c) **Online Check via the Home Office**
Please refer to the guidance here for steps on how to complete a Home Office online right to work check.

In certain cases, for example, if your immigration application is still in progress or if there are issues with the online Right to Work check, the University may contact the Employer Checking Service. This service is used to verify specific documents issued by UK Visas and Immigration (UKVI) or to confirm an individual's eligibility to work in the UK.

Candidates may also be required to bring in their original qualification certificates relevant to the position they have been appointed to.

Where documents confirm that an individual has an automatic or indefinite right to work in the UK, no further eligibility checks are typically required during their period of employment.

However, if an individual has a time-limited right to work, follow-up checks will usually be carried out when their visa is due to expire, to ensure they continue to have the legal right to work in the UK.

4.2. Who is eligible to work in the UK?

An individual may have an automatic or indefinite right to work because:

- They are a national of the UK or Ireland
- They hold a valid time-limited visa or permit that doesn't require sponsorship
- They have indefinite leave to remain in the UK

4.3. Recruiting an employee from outside the UK

The University recognises that it should be active in the global recruitment market in order to attract and retain the most innovative and creative individuals who will make a significant contribution to the UK economy.

The Resourcing team, in collaboration with the HR Operations team, will assess whether a role is eligible for sponsorship under the Skilled Worker visa or can be supported through the Global Talent visa. The vacancy will then be advertised accordingly.

Recruiting managers should be aware that for some posts, if a Skilled Worker visa is required, an Immigration Skills Charge (ISC) will apply when sponsoring a non-UK/non-Irish national. The Resourcing team/ HR Operations team will provide guidance on this where applicable.

4.4. Skilled Worker Visa

If you have been offered a role at the University that is eligible for sponsorship under the UK's Points-Based Immigration System, the University will apply for a Skilled Worker Certificate of Sponsorship.

Before the Certificate of Sponsorship can be issued, you will need to demonstrate that you meet the minimum eligibility requirements for the Skilled Worker route.

Please check the guidance here for the documents you will need to provide to us.

If you are unable to provide evidence of sufficient available funds, please contact us at

HROperations@surrey.ac.uk. In certain limited circumstances, the University may be able to assist with meeting the maintenance requirement.

The University may be required to pay an additional charge, known as the Immigration Skills Charge, when assigning a Certificate of Sponsorship to an individual applying for a Skilled Worker or Senior or Specialist Worker visa.

This charge applies if the individual is applying:

- From outside the UK to work in the UK for 6 months or more
- From inside the UK for any length of time

The University will also not have to pay the charge if sponsoring someone with one of the following occupation codes:

- chemical scientists (2111)
- biological scientists (2112)
- biochemists and biomedical scientists (2113)
- physical scientists (2114)
- social and humanities scientists (2115)
- natural and social science professionals not elsewhere classified (2119)
- research and development managers (2161)
- other researchers, unspecified discipline (2162)
- higher education teaching professionals (2311)

For more information and associated costs, please see here. Please note that any fees will be charged to the hiring department.

For more information, see here.

4.5. Duties of the University as a sponsor, applies to Skilled Worker & GAE visa

The University has a duty to prevent illegal working by carrying out document checks to confirm if a person has the right to work in the UK. The University must also comply with its responsibilities and obligations as a sponsor of international staff under the points based system.

All staff have a role in ensuring the University remains compliant with immigration law.
University's duties as a licensed sponsor include:

- reporting duties
- record-keeping duties
- complying with our immigration laws, including all parts of the Worker and Temporary Worker sponsor guidance
- complying with wider UK law
- not engaging in behaviour or actions that are not conducive to the public good

Failure to comply with the University's sponsorship duties may result in UKVI taking action, such as reducing or removing the Certificate of Sponsorship (CoS) allocation, downgrading or suspending the sponsor licence, revoking the licence entirely, or reporting the University to the police or other relevant authorities.

4.6 Duties of the sponsored worker

Employees sponsored under the Skilled Worker or GAE visa must sign the 'Sponsored Worker Compliance Responsibilities' document.

This checklist applies to all sponsored employees with time-limited leave to remain in the UK. The University is legally responsible for ensuring all employees have the right to work and comply with visa requirements. Non-compliance may lead to disciplinary action and/or notification to the Home Office. Employees must read, understand, and sign the checklist, and contact HR with any questions. This documentation may be requested during Home Office audits

4.7 Duties of the line manager for a sponsored worker

The University has a legal obligation to ensure that all employees have the right to work in the UK. For employees requiring visa sponsorship, the University must ensure they meet all statutory requirements and remain fully compliant with UK Visas and Immigration (UKVI) regulations.

The University takes its sponsorship duties seriously and relies on Line Managers to support compliance through the following responsibilities:

Key Responsibilities:

- Ensure a fair and transparent recruitment and selection process has been followed for all roles. This includes submitting all interview notes to the Resourcing team as part of the audit trail.
- Ensure compliance with UK Right to Work and visa regulations for all team members sponsored under a Skilled Worker or GAE visa.
- Sign the 'Line Manager Compliance Responsibilities for Sponsored Workers' document to confirm understanding of your responsibilities.

4.8 Global Talent Visa (GTV)

This visa route is for established or emerging leaders in academic or research, arts and culture or digital technology. This visa does not require an employer to sponsor a worker or to take any responsibility for maintaining records or reports like those which are found in the conditions of a skilled worker visa.

There are four routes for eligible academics and researchers to obtain endorsement for a Global Talent visa:

i.) **Academic and research appointments** – fast-track endorsement for individuals who have accepted an eligible position at an approved UK higher education institution or research institute with responsibility either for academic, research or innovation leadership and development, or for directing or leading an individual or team research or innovation project or programme of work. This route is administered by the British Academy, Royal Academy of Engineering and the Royal Society.

The University is currently able to support visas under this route for those academic roles that meet the relevant criteria, normally Senior Lecturer and above.

ii.) **Individual fellowships** – fast-track endorsement for individuals who have been awarded an individual fellowship on the list approved by the British Academy, Royal Academy of Engineering and the Royal Society. The fellowship must be held currently or within the last five years.

iii.) **Endorsed funders** – fast-track endorsement for researchers and specialists whose name or job title is specified in a successful grant application from an endorsed funder approved by UKRI. In order to be eligible, researchers must be hosted or employed by an eligible institution approved by UKRI.

iv.) **Peer review** – standard endorsement for individuals who submit an application for full peer review by the British Academy, Royal Academy of Engineering or Royal Society.

To be considered for entry under the Global Talent visa the individual would normally need to apply for endorsement (peer review/endorsed funders route/s) from one of the recognised professional science, academic and technical institutions, and then apply for their visa. There are no set requirements for salary levels, and individuals can apply to stay in the UK for up to 5 years at a time.

In most cases the University will reimburse for visa fees connected to the Global Talent Visa for the individual only. For other associated costs e.g. dependent fees the University offers an interest free loan.

For more information, see here.

4.9 Visitor Visa

You can visit the UK as a Standard Visitor for tourism, business, short-term study (courses up to 6 months), and other permitted activities.

Typically, you can stay in the UK for up to 6 months. In some cases, such as receiving medical treatment, you may be able to apply for a longer stay.

Visa requirements depend on your nationality, so please check if you need a visa before applying.

For more information, see here.

4.10 Youth Mobility Scheme (YMS)

The Youth Mobility Scheme visa is for young adults from participating countries and territories who wish to experience life in the United Kingdom for up to two years (or three years for Australian, Canadian, and New Zealand citizens).

This visa route does not lead directly to indefinite leave to remain in the UK. However, Youth Mobility Scheme visa holders may be eligible to switch to a different visa route from within the UK that can lead to settlement.

For more information, see here.

4.11 Temporary Worker - Government Authorised Exchange (Tier 5)

The Temporary Worker – Government Authorised Exchange (GAE) visa is applicable for individuals who want to come to the UK for a short period of time to undertake training, work experience, research or a fellowship through an approved GAE scheme. Individuals must have a sponsor, this can be their current employer, or an external funding body, meet the maintenance criteria and be issued a Certificate of Sponsorship by the University.

Depending on the scheme, university can apply for a maximum of 12 months or 24 months.

The University is allocated a limited number of Temporary Worker – GAE Certificates of Sponsorship on an annual basis, applicants will need to provide evidence that they meet the criteria before being assigned a CoS. HR Operations will be able to advise when this is the

appropriate route to use.

For more information, see here.

4.12 UK Ancestry Visa

If you are a Commonwealth citizen with ancestral ties to the UK, the UK Ancestry visa may give you the right to live and work in the UK on a long-term basis.

For more information, please see here.

4.13 Graduate Scheme

This is a two or three year visa for individuals who have successfully completed a course in the UK, and must be applied for from within the UK. Individuals can apply for this visa if they are in the UK, hold a current Student or Tier 4 (General) visa, and have studied and successfully completed a UK bachelor's degree, postgraduate degree or other eligible course. There are limited work restrictions and no reporting requirements for the University attached to this visa. For more information, please see here.

4.14 Student Visa

There are some occasions on which the University will employ students to undertake substantive roles, however the recruiting manager should be aware that there may be restrictions that apply to this appointment.

A student with restricted right to work in the UK may be permitted to obtain employment to supplement their studies. It is important to remember that the leave to remain was granted to study in the UK, and this must remain the focus of their stay.

Work permitted during the student's studies is stated on the visa which may be an endorsement in the passport, or via an online Share Code.

If you hold a student visa for a part-time course, you will generally not be permitted to work in the UK, this includes both paid and unpaid work.

If you have a valid student visa for a full-time degree course, you are allowed to work while studying; however, there are restrictions on the number of hours you can work and the types of work you can undertake.

The number of permitted hours will depend on the level of study for which the Certificate of Acceptance of Studies (CAS) was granted.

Students can do most kinds of work, but must not:

- fill a full-time permanent vacancy other than where they are filling a post as a Student Union Sabbatical Officer
- be self-employed
- be employed as a professional sportsperson including as a sports coach
- work as a doctor or dentist in training

For holders of student visas working through Unitemps, a similar process is in place to ensure they do not work more than their permitted hours. For further details, please contact Unitemps.

For more information, see here.

4.15 Permitted paid engagements

This visa allows visitors to come to the UK to carry out permitted paid engagements.

For more information, please see here.

4.16 Academic Technology Approval Scheme (ATAS)

ATAS is the 'Academic Technology Approval Scheme' and applies to international researchers who are intending to undertake research in certain subjects.

Visa applicants coming to the UK to work in designated research areas must obtain ATAS clearance before starting any research activity.

When an offer of employment is made for a role requiring ATAS clearance, HR Operations will inform the individual of this requirement. A Certificate of Sponsorship (CoS) will only be issued once ATAS clearance has been granted.

For existing employees whose contracts are being extended, and who required ATAS clearance for their initial visa application, a new ATAS certificate must be obtained to cover the extended period of employment.

Fore more information, see here.

4.17 Immigration Health Surcharge

UK Visas and Immigration has introduced an Immigration Health Surcharge (IHS), which is payable in addition to the standard visa fee. Applicants may be required to pay the IHS as part of their online visa application. You can check whether the Immigration Health Surcharge applies to you by using this link here.

For more information, see here.

4.18 Loan Facility

The University of Surrey is able to offer an interest-free loan of up to £10,000 to support eligible employees and their dependants with payment of UK visa fees (e.g. Skilled Worker, Global Talent, Indefinite Leave to Remain (ILR)), and Immigration Health Surcharge (IHS) *costs.

The University does not provide financial support for priority visa services unless there is an urgent need that has been approved by the hiring department. Additionally, translation costs and fees for English language certification or testing, such as IELTS or Ecctis, are not covered. The available loan also excludes expenses related to premium biometric appointments.

You may apply for this loan after you have started working at the University; your HR contact will provide the relevant details in your welcome email on your first day.

You must retain all receipts as evidence of your expenditure.

If you withdraw your offer acceptance after submitting your visa application, you will be responsible for reimbursing the University for any costs incurred in applying for or obtaining such

clearance.

**Please note that this loan scheme is subject to visa conditions. For Skilled Worker visa holders, salary deductions to repay loans may affect your eligibility for sponsorship since they could impact the minimum salary thresholds required. However, other visa types are generally not affected by this. To check eligibility or request further information, please contact HROperations@surrey.ac.uk*.
If an employee leaves the University of Surrey before fully repaying a loan, the remaining balance will be deducted from their final salary. If the final salary does not cover the full amount, the employee must repay the outstanding balance within 14 days of their last working day.

4.19 Workers not eligible to work in the UK

The University takes its responsibilities very seriously and if at any point it becomes clear that an employee is not eligible to work in the UK (perhaps due to expiration of Leave to Remain or production of incomplete or fraudulent documents) then the University will end the employee's employment.

The employee will be notified in writing and invited to attend a meeting to discuss their eligibility to work. The employee will have the right to be accompanied. The notification letter will set out that if the employee cannot provide evidence to demonstrate that they can work in the UK, then they could be summarily dismissed without notice. An employee has the right to appeal against any formal decision of dismissal and should address their written grounds of appeal to the Director of HR within 10 working days.

4.20 Complying with the law

To ensure that it is complying with the law, the University must also fulfil the following duties:

- Ensure that the sponsored worker is legally entitled to the job in question and has the appropriate registration or professional accreditation where legally required.
- To not employ or stop employing sponsored workers if their leave to enter or remain in the UK does not allow them to undertake the work in question.
- Only to issue certificates of sponsorship to workers who, to the best of the University's knowledge, meet the relevant requirements.

4.21 Co-operating with the UK Visas and Immigration

The University must allow UK Visas and Immigration staff access to any of its premises on demand and adhere to any action plan set by the UK Visas and Immigration.

5. Governance Requirements

5.1 Implementation: Communication Plan

The procedure was embedded when first published and is available on SurreyNet (HR Procedures Page) for all staff to access.

5.2 Implementation: Training Plan

Training of staff was undertaken with original implementation of the procedure. If there are any further changes to the procedure or related legislation further training will be provided by the HR department.

5.3 Review

This procedure is scheduled for an annual review but may be updated sooner if there is a change in legislation or UKVI guidance.

5.4 Legislative Context and Higher Education Sector Guidance or Requirements

The Procedure will be guided by the requirements set out by UKVI and any relevant legislation. This means that there may be changes to the offering of this procedure based upon any changes in either of the aforementioned areas.

5.5 Sustainability

The Sustainable Development Goals (SDGs) relate to this procedure by promoting fair, legal, and inclusive employment. Goals like SDG 8, 10, and 16 align with UK procedures that ensure workers have the legal right to work, prevent discrimination, and uphold transparent and lawful employment practices.

6. Stakeholder Engagement and Equality Impact Assessment

6. 1 An Equality Impact Assessment was completed on 22 April 2024, reviewed on 12 November 2025 and is held by the Authorised Co-ordinator.

6.2 Procedure applies to all University subsidiaries, for legal reasons

6.3 Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Review of V2.0	N	11/11/2025	Kelley Padley, Governance Officer
H&S	Review of V2.0	N	24/10/2025	Matt Purcell, Director of Health and Safety
Sustainability	Review of V2.0	N		
Academic Freedom of Speech	Review of V2.0	N	11/11/2025	Joshua Andresen, AFFE Committee Representative
Executive Owner, Our Students	Review of V2.0 (section 4.14)	N	21/10/2025	Stefano Allodi (delegated by Emma Rowsell)