Tier 4 Student Workers – UKVI Regulations and University Obligations

UKVI Regulations

Tier 4 student workers are restricted to the amount of hours they can work in the UK. Restrictions are:

- Those on a course of study below degree level – 10 hours per week during term-time.
- Those on a degree level or higher – 20 hours per week during term-time.

Any work in the UK for any employer is calculated towards this legal maximum.

At the University, hours worked in substantive, fixed-term or Unitemps contracts are all included in the calculation. The hours are strictly per rolling week (any consecutive 7-day period) and cannot be averaged.

University regulations state that PGR students would not normally exceed 8 hours of work per week, and PGT students would not normally exceed 15 hours per week.

Exceptions:

There are times of the year when Tier 4 student workers can exceed these hours, and there is no limit.

- PGR students get 24 days’ holiday, which must be agreed by their Supervisor. It is only during periods of holiday that these students are legally allowed to exceed the working limits. This holiday must be officially recorded by the department to evidence an increase of working hours, and must be provided to Unitemps and/or HR before working.

- UG students are restricted during the University’s published term times, and can work as many hours as they wish during non-term times and once their studies are completed, provided they have valid leave which permits work.

- PGT students are allowed to work full-time after the end of their course. Their course end date is the date on their CAS.

- PGR students are allowed to exceed these hours once they have completed all of the academic requirements of their course, and completion of their course of study has been confirmed by the Graduate School Office.

- Students who stop studying before completing their course are no longer entitled to work and must cease work immediately. They will be in breach of their conditions of leave if they work. This includes students who suspend or withdraw, either through their own choice, or if imposed by the University.

Students are informed by Unitemps, Welfare and Registry of their obligations upon gaining a Tier 4 Visa or a new contract.
Accurate Monitoring – Line Manager Responsibilities

Monitoring and recording is undertaken by Unitemps and HR; these records must be readily accessible to the UKVI, as we can be audited at any time.

Any breach of working hours must be reported to the UKVI, and carries a fine of up to £20,000 per student, and risks the student’s right to stay in the UK and complete their course of study.

To ensure our records are accurate, and for audit purposes, it is vital that:

- Line managers are aware of all the University contracts the student has, eg a GTA who works 7 hours per week and then processes extra work completed through Unitemps.

- Time sheets must not be falsified:
  - An accurate record of hours worked and when it happened must be stated.
  - The practice of increasing hours to increase pay is strictly prohibited.
  - Loading several weeks of work into one timesheet must not be carried out.
  - Where a set fee payment has been agreed, please discuss this with Unitemps before processing to ensure that the number of hours actually worked is accurately recorded.

- All workers must be registered with Unitemps, or have had a contract of employment, and have had their right to work documents checked before they commence any work.

- Any worker who has completed work without providing right to work documents will not be paid and should be advised as such by the hiring department.

Workers and hiring managers not supporting the regulations are putting the University’s visa licences at risk, as well as penalties from the UKVI.

Please contact Unitemps, Human Resources or the Registry if you have any questions relating to your obligations in this area.