



# A Guide to Sponsorship of Skilled Workers and Temporary Worker Sponsored Researchers

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## Introduction

This guidance document has been written to support the processes relating to the sponsorship of skilled workers (including students switching to the Skilled worker route) and Temporary Worker Sponsored Researchers and includes the Certificate of Sponsorship (CoS) end to end business process.

The guidance has been written by stage in the process and with the key roles involved in the process in mind. The responsibilities of a Line Manager, Hiring Manager and School or Department Administrator may vary in this process between Colleges, Schools and Professional Service Group Departments. Line Managers should contact their local support team to understand the process and responsibilities within their own area.

For example, a School or Department Administrator could be performing tasks in the process of a Line Manager or Hiring Manager and where there is overlap, this is shown.

## Glossary

<b>Assignment</b>	The role of the post holder in People and Money.
<b>ATAS requirement</b>	Some applicants applying for a sponsored visa will need to obtain an Academic Technology Approval Scheme (ATAS) certificate from the Counter-Proliferation and Arms Control Centre of the Foreign, Commonwealth and Development Office (FCDO) before they make their application. This is known as the 'ATAS requirement'.
<b>CAH3 Code</b>	A CAH3 code is used to check whether the research activity of a job is covered under the ATAS Requirement. The list of subject areas can be found on the <a href="#">UK Government</a> webpages under 'Academic Subjects relevant to ATAS' and against each subject area there is a short code – this is known as the CAH3 code
<b>Certificate of Sponsorship (CoS) Application Form</b>	Use this form if you wish to employ an individual who requires a Skilled Worker visa to work in the UK.
<b>Certificate of Sponsorship (CoS) Extension Form</b>	Use this form if you want to continue to employ an individual who requires a Skilled Worker visa to work in the UK.
<b>Certificate of Sponsorship (CoS) Application Guidance</b>	Use this guidance to help you complete the Skilled Worker Certificate of Sponsorship application form.
<b>Certificate of Sponsorship (CoS) Extension Guidance</b>	Use this guidance to help you complete the Skilled Worker Certificate of Sponsorship extension application form

<b>EEA</b>	Countries in European Economic Area, list of countries available on <a href="#">UKVI Website</a>
<b>EUSS</b>	EU Settlement Scheme
<b>EUCLID</b>	Immigration overview screen – has to be a screenshot of the page so it includes the date it was taken (must be taken on or before the application form completion date and before the person starts work)
<b>English Language criteria</b>	Individuals must meet the UK Visas and Immigration (UKVI)'s English Language requirement. Individuals may need to prove their knowledge of English language, unless an exemption applies, e.g. they met the requirement in a previous successful visa application or due to being a national of one of the UKVI's listed English speaking countries. <a href="#">English language requirements</a>
<b>Financial maintenance criteria</b>	An individual is required to show that they are able to maintain themselves in the UK. <a href="#">Further information on Maintenance</a> If the individual cannot evidence their maintenance it is possible for the University to certify maintenance. This is requested at the time a CoS is issued.
<b>Graduate Visa</b>	The Graduate Route is a post-study work visa that will allow a graduate to stay in the UK to work or look for work for 2 years after their degree has been awarded, or 3 years, if awarded a Doctoral qualification. <a href="https://www.ed.ac.uk/student-administration/immigration/working-in-the-uk/after-studies/graduate-visa">https://www.ed.ac.uk/student-administration/immigration/working-in-the-uk/after-studies/graduate-visa</a>
<b>ILR</b>	Indefinite leave to remain
<b>Immigration Skills Charge</b>	You might have to pay <a href="#">the Immigration Skills Charge</a> when you assign a Skilled Worker certificate of sponsorship
<b>In Country CoS Application</b>	Process of applying for a CoS for anyone with a change of employment/switch of immigration categories and extensions to current Visa
<b>Internal Transfer</b>	The process of moving an employee from one assignment to another
<b>Job Requisition</b>	Adding the requirements of a job to People and Money to initiate the process of sourcing, selecting and hiring a candidate
<b>Job Requisition Business case</b>	The form that must be completed as part of the request for approval to recruit. The form contains the business justification for the role and supplements the information contained on the Create Job Requisition screen. It must be attached in Section 9 of the Create Job Requisition screen.
<b>Multi-entry visa</b>	If the employee will be based outside the UK for work for extended periods of time or will need to travel in and out of the UK for business on a regular basis.
<b>Marie Curie H2020 Checklist</b>	If the post is a Marie Curie post (early stage researcher or experienced researcher) then further documents are required. 1. email confirmation from the Edinburgh Research Office confirming the ARC grade, salary, and mobility and/or family allowance. This should match the salary on the CoS.

	<p>2. a completed Marie Curie H2020 checklist from the applicant stating that they wish to opt in or out of the pension scheme. Both of these documents are required before the CoS can go ahead, as the salary will change based on the pension choice.</p> <p><a href="https://www.ed.ac.uk/research-office/winning-research-funding/manage-award/financial-management/start-project/marie-curie-fellows">https://www.ed.ac.uk/research-office/winning-research-funding/manage-award/financial-management/start-project/marie-curie-fellows</a></p>
<b>Non-EEA</b>	Countries from outside the EEA
<b>Onboarding</b>	Processes and activities arranged by the line manager/SDA for the employee's first day of employment.
<b>Out of Country CoS Application</b>	Process of applying for a CoS for anyone with a change of employments/switch of immigration categories and extensions to current Visa outside the UK. Inside UK (undefined COS) Outside UK is a defined.
<b>People &amp; Money (P&amp;M)</b>	The University's HR and Finance services online system.
<b>PhD completion date</b>	When the hard bound thesis has been submitted and there are no more corrections.
<b>PhD level SOC code</b>	The occupation code allocated to the role indicates that a PhD qualification is a requirement for the job.
<b>Reporting duties</b>	<a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a>
<b>Requisition</b>	Adding the requirements of a job to People and Money to initiate the process of sourcing, selecting and hiring a candidate.
<b>Right to Work (RTW)</b>	<a href="#">Right to Work Checks   The University of Edinburgh</a>
<b>Right to Work Checklist</b>	<a href="#">How to undertake the check   The University of Edinburgh</a>
<b>Salary Threshold</b>	The job must have a salary that meets the appropriate threshold.
<b>Service Request (SR)</b>	The term Service Request is used to describe a help ticket which is opened within People and Money. The ticket is then sent to the HR Helpline for review and response or sent on to HR Operations or Immigration to process as needed. Wherever feasible, we urge all users to submit their Service Requests through the People and Money Helpdesk App, as this route allows you to type the relevant category name into the category box and attach attachments to the Service Request.
<b>Semester dates</b>	We need screenshots of semester dates for the duration of employment if the individual is a student visa holder, studying at the University of Edinburgh or switching from a student visa to a Skilled worker visa. <a href="https://www.ed.ac.uk/semester-dates">https://www.ed.ac.uk/semester-dates</a>
<b>Shortage Occupation</b>	<a href="#">Skilled Worker visa: shortage occupations - GOV.UK (www.gov.uk)</a>
<b>Skilled Worker Onboarding Checklist</b>	An onboarding checklist that should be manually allocated to all new out of country Skilled Worker CoS applications to guide employees, managers, SDA's and HR Operations with the steps in the onboarding process. For in country applications (i.e. change of employments/switch of immigration categories and extensions) and Temporary Workers we do not allocate this checklist.

<b>Skilled Worker</b>	The Skilled Worker visa is a work route under the Points Based Immigration System. This visa type was introduced on 1 December 2020 and has replaced a visa previously known as Tier 2 (General). Information regarding the sponsorship of international staff can be found <a href="#">Skilled Worker   The University of Edinburgh</a>
<b>Skill level</b>	To be eligible for a Skilled Worker Visa, one of the mandatory criteria is that you have a job at an appropriate skill level as listed on the Skilled Occupation Codes of the Immigration rules. The job must be at or above the minimum skill level, i.e. UK RQF3/A-level or above.
<b>Standard Occupation Classification Code (SOC code)</b>	Where an international worker is to be appointed on a Skilled Worker visa the role must be allocated a Standard Occupational Classification (SOC). This classifies the type of role, e.g. job type such as Academic or Research Professional, Administrative, etc. This will be done by the school/department admin team on the Job Requisition Business Case. Some SOC codes require the individual to have a Criminal Record Certificate at the time they apply for their visa.
<b>Sponsored worker</b>	This is an individual with either a Skilled Worker visa or a Temporary Worker – Sponsored Researcher visa.
<b>Staff visa service</b>	A team within Edinburgh Global – advise the individual on immigration routes and how to make applications.
<b>Temporary Worker Sponsored Researcher CoS application</b>	The sponsorship of international individuals who are undertaking a supernumerary research role in the University. <a href="#">Temporary Worker Sponsored Researcher   The University of Edinburgh</a>
<b>Temporary Worker Sponsored Researcher role description template</b>	<a href="#">Temporary Worker Sponsored Researcher   The University of Edinburgh under 'Requesting a Certificate of Sponsorship (CoS)</a>
<b>Tier 2 worker</b>	As of 1 December 2020, the Tier 2 visa route has closed. Any future applications for an individual to be sponsored to work in this level of role will be considered under the Skilled Worker visa route. Please note applications for a change of employment/extension for a Tier 2 visa will also be considered under the Skilled Worker route
<b>Student Visa (previously known as Tier 4 Visa)</b>	Student Visa - Non-UK/Irish nationals coming to the UK to study a full-time programme for more than 6 months, will need to apply for a Student visa. <a href="https://www.ed.ac.uk/student-administration/immigration/applying-for-visa">https://www.ed.ac.uk/student-administration/immigration/applying-for-visa</a> .
<b>Tradable elements</b>	Points can be traded against the salary threshold for instance where the role is considered a shortage occupation or if the individual holds a PhD in a subject, or PhD in a STEM subject, which is relevant to the job.
<b>UKVI</b>	This is the UK Visas and Immigration department, which is part of the Home Office of the UK Government. UK Visas and Immigration is responsible for making millions of decisions every year about who has the right to visit, stay, or work in the country. The University must comply with the legislation and processes outlined by the UKVI.
<b>Verified</b>	Signed off as checked and is true/accurate.
<b>Visa Fee assistance</b>	The University offers assistance for fees incurred in relation to Global Talent, Skilled Worker or UK Residency applications and associated UK legal fees. These are the Visa Loan or Visa Fee reimbursement. Further information is available at

	<a href="https://www.ed.ac.uk/human-resources/international-staff/international-staff/after-1-january-2021/immigration-fee-assistance">https://www.ed.ac.uk/human-resources/international-staff/international-staff/after-1-january-2021/immigration-fee-assistance</a>
<b>Visitor</b>	It is important that anyone invited to the University as a visitor or temporary worker are in the UK under the correct visa category for the intended activity at the University. Further information is available at <a href="#">Academic visitors   The University of Edinburgh</a>

## End to End Process Map

Please see this link for the [End to End Process Map](#)

## Key Roles

<b>Role</b>	<b>Description</b>
<b>Candidate</b>	Individual applying for an advertised or non-advertised post
<b>Hiring Manager</b>	Hiring Managers will have overall accountability for a set of job requisition actions and the associated job applications. The Hiring Manager is often the Line Manager but does not have to be.
<b>HR Partner</b>	A member of the HR Partnering team who can provide advice and guidance throughout the recruitment process with specific responsibility for Grading Job Descriptions and supporting HR Operations if any issues found at the 'Before Offer Check' stage
<b>HR Services Team</b>	Members of the central HR team that own key transactional elements of the recruitment cycle, e.g. approving/rejecting job requisitions and job offers. Has visibility of job requisitions without being a member of the hiring team.
<b>Immigration team (now Global Mobility)</b>	Part of the HR function, they provide specialist advice on right to work and immigration aspects of employing international staff. They liaise with UKVI and would manage any UKVI audits on behalf of the University.
<b>Line Manager</b>	All members of staff that have or will have direct or matrix style management responsibilities for the role being recruited. Line Managers may also be Hiring Managers. Line managers would be expected to review and approve the requisition as appropriate.
<b>Pending worker</b>	A successful candidate who has been offered a post within the university. They remain a pending worker until their first day of employment
<b>School/Department Administrator (SDA)</b>	Staff that provide local administrative/operational support for the end-end recruitment process, including offline activity and practical arrangements.
<b>Student Immigration service</b>	Provides support to students for visas related to study. Applicable if moving to Graduate visa. <a href="https://www.ed.ac.uk/student-administration/immigration">https://www.ed.ac.uk/student-administration/immigration</a>
<b>Staff Visa Help (Staff Immigration Service)</b>	Provides support to prospective and current staff, visitors and their accompanying dependents. Applicable to Student Visa holders moving to Skilled Worker Visa. <a href="https://www.ed.ac.uk/global/staff-visas">https://www.ed.ac.uk/global/staff-visas</a>
<b>UK Visas and Immigration (UKVI)</b>	Part of the Home Office <a href="https://www.gov.uk">UK Visas and Immigration - GOV.UK (www.gov.uk)</a>



## Before you start

Before commencing any recruitment Line Managers and School Department Administrators should familiarise themselves with [Right to Work Checking procedures](#) and guidance on [Obtaining a Visa to Work](#) for anyone who does not have the right to work in the UK. There are a number of routes available including Global Talent visa and Youth Mobility.

Familiarise yourself with the information on the types of roles that the University can sponsor and the UKVI criteria that needs to be met, please read the [University HR Sponsorship](#) webpages. The University is also a UKVI licensed sponsor for the Skilled Worker and Temporary Work - Government Authorised Exchange (i.e. Sponsored Researcher) visa routes.

Familiarise yourself with the [Recruitment Guidance Webpages](#)

Processes related to Certificates of Sponsorship (CoS) and the sponsorship and ongoing employment of skilled workers and sponsored researchers are embedded within many of our HR end to end processes for which we have specific guidance. Rather than replicate the full guidance, this guide has been written to specifically call out the steps in relation to Recruitment and Onboarding of skilled workers, including the CoS application process through to obtaining a visa and starting with the University. The guidance also covers changes to employment, reporting duties and visa expiry and extensions. A separate section covers the engagement of Sponsored Researchers.

All our end-to-end guides and supporting system guides can be found on the [People and Money user guides | The University of Edinburgh](#).

Having a certificate of sponsorship alone is not a visa. An individual will still need to apply for and receive their visa to have the Right to Work in the UK.

Please see the [appendices](#) for further information on appointing someone through the Global Talent Visa route.

### Skilled Worker Visa

A Skilled Worker visa allows individuals to come to or stay in the UK to do an eligible job with an approved employer. For further information see [Skilled Worker visa: Overview - GOV.UK \(www.gov.uk\)](#).

## Temporary Worker Government Authorised Exchange (i.e. Sponsored Researcher) Visa

Allows individuals to work as a sponsored researcher. A sponsored researcher is a person who wishes to come to the UK to lead or to take part in any formal research project. Formal research projects are those hosted but not necessarily funded by a UK research institution including universities, non-commercial research organisations, charitable organisations and national research councils (such as the Medical Research Council). The sponsored researcher undertakes research and works under the full or partial control of the institution, which will itself benefit from the research. Sponsored researchers can be funded from sources in the UK or overseas, but can't be self-funded. Payment for the role must meet UK National Minimum Wage. They are not employed by the University and can't fill a vacancy.

If the Researcher is to be an employee of the University please follow the steps for the Skilled Worker process below.

Further information is available on Government Authorised Exchange Visa route [Government Authorised Exchange visa \(Temporary Work\): Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/visas/government-authorised-exchange-visa-temporary-work).

## Where to go for help

UK Immigration Law regulates the provision of immigration advice in the UK.

The accredited advisers at the Student Immigration Service, and our Staff Visa Service at Edinburgh Global are the only staff members who are permitted to provide immigration advice at the University.

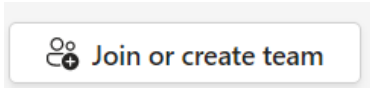
Other staff members within HR can provide information and signposting. See below for more information about how to tell the difference between 'information' and 'advice'. Further information is available on the [Provision of Immigration Advice](#) webpage.

### What is the difference between 'information' and 'advice'?

Information can be given as general statements of fact. Normally, if it is possible to substitute the word 'you' with 'visa holders', then that is classified as information.

Advice is related to a particular individual and is given in connection to one or more relevant matters.

Topic	Who to contact
Staff Visa advice	Staff Visa Service - <a href="https://www.ed.ac.uk/global/staff-visas">https://www.ed.ac.uk/global/staff-visas</a> Contact - <a href="https://www.ed.ac.uk/global/staff-visas/contact-us">https://www.ed.ac.uk/global/staff-visas/contact-us</a>

Student Visa advice	Student Immigration Service - <a href="#">Student Immigration Service   The University of Edinburgh</a> Contact - <a href="https://www.ed.ac.uk/student-administration/immigration/contact-us">https://www.ed.ac.uk/student-administration/immigration/contact-us</a>
Certificate of Sponsorship information or support	Contact HR Operations by submitting a service request using the category Immigration>Sponsorship. Follow the <a href="#">how to raise and maintain a service request enquiry guide</a> for information.
Sponsorship Specialist Guidance	Email <a href="mailto:hr.immigration@ed.ac.uk">hr.immigration@ed.ac.uk</a>
Certificate of Sponsorship Community of Practice (Teams Site)	To join this team: <ul style="list-style-type: none"> <li>• Click the 'Teams' icon in the left-hand menu in your Teams app.</li> <li>• From the main menu of all your teams, click  on the top right-hand side.</li> <li>• Search 'Certificate of Sponsorship Community of Practice' and then click 'Join team'.</li> </ul>

## SKILLED WORKERS

### Step 1 – Job description and Assessing Criteria for Sponsorship

Hiring managers know the role that is required, and supported by the SDAs, are best placed to ensure the job description accurately outlines the essential and desirable criteria for the role.

When developing the job description an assessment of whether the role being advertised will meet the criteria for sponsorship is required. Hiring managers/SDAs should review the job description essential and desirable criteria against the requirements for applying for a Skilled Worker Certificate of Sponsorship if they have any intention of sponsoring a skilled worker in the post. An assessment of whether the ATAS requirement applies should also take place. It should be noted that whatever is advertised will form part of the evidence when applying for a CoS, therefore accuracy within the job description is important. (e.g. if the advert asks for a PhD then the individual must have a PhD).

#### Assessment Criteria for Sponsorship

- Does the salary being offered meet the going rate for the occupation/SOC code or £26,200 whichever is higher? Please note the hours of work for the occupation (generally based on 37.5 hours per week) can be pro-rata to the University working week of 35 hours per week.
- Is the role one that is eligible for PhD tradeable points? At this stage you won't know the candidate's qualification but can consider the salary criteria.

- Does the individual hold a PhD relevant to the job and the salary meets 90% of the going rate for the occupation/SOC code or £23,580 whichever is higher?
- Does the individual hold a PhD relevant to the job in a STEM (Science, Technology, Engineering and Maths) subject and the salary meets 80% of the going rate for the occupation/SOC code or £20,960 whichever is higher?
- Is the role a shortage occupation and the salary meets 80% of the going rate for the occupation/ SOC code or £20,960 whichever is higher?
- Does the role/individual meet the new entrant criteria and the salary meets 70% of the going rate for the occupation/SOC code or £20,960 whichever is higher? At this stage you won't know the candidate's circumstances but can consider the role criteria.

Please note: A PhD-level SOC code for UKVI purposes does not mean the candidate must have a PhD, however the School considers this work to be PhD level. However, if the person needs a PhD to complete the role and this is added to the essential criteria in the job description, then the individual must have one and evidence of this will be checked by UKVI. Depending on the status of the studies, HR Ops may accept a letter from the individual's university confirming the status of the study, e.g. been awarded, with actual certificate to follow. If someone has equivalent qualification, the interview notes should demonstrate this.

**There are 3 requirements which determine if the ATAS requirement applies:**

- Does the job require knowledge / skills / experience at PhD level or above
- Does the role require the individual to undertake/contribute to research activity in a research area defined by the Foreign, Commonwealth and Development Office (FCDO) as sensitive.
- Is the post being offered to an employee who is not an exempt national

[Calculator – determining if a role is eligible for sponsorship](#)

This [calculator](#) explains whether a role may be sponsorable and can be used in Schools/Departments for guidance purposes, but additional guidance may still be required from HR Ops. HR Operations will make the final determination later in the process once the candidate has been selected. once the candidate has been selected.

Role	Hiring team (LM or SDA)	HR Operations	Immigration Team	UKVI
Tasks	1. Use the calculator to determine if role is likely to be eligible for sponsorship, if unsure seek further advice or proceed on the basis that it will be sponsorable.	3. Provide guidance to Hiring team if it is unclear from the calculator whether a role may be sponsorable.		

	2. Consider whether they would expect to sponsor an individual if required and whether ATAS requirement applies			
<b>Supporting Information</b>	List of shortage occupations <a href="https://www.gov.uk/guidance/skilled-worker-visa-shortage-occupations">Skilled Worker visa: shortage occupations - GOV.UK (www.gov.uk)</a> Salary threshold information - <a href="https://www.gov.uk/guidance/immigration-rules-immigration-rules-appendix-skilled-occupations-guidance">Immigration Rules - Immigration Rules Appendix Skilled Occupations - Guidance - GOV.UK (www.gov.uk)</a> <a href="#">Procedural Guidance for ATAS requirement</a> (under ATAS section) <a href="#">Calculator</a> to determine if role is sponsorable (note access to the Certificate of Sponsorship Community of Practice teams page is required).			

## Step 2 – Job Requisition Business Case (JRBC)

The process in which Hiring teams request approval to recruit (off-line).

The JRBC includes the following CoS related information which should be completed:

- Is the role open to sponsorship? Even if the role is sponsorable, the hiring manager can choose to opt out of sponsorship. You only need to provide a SOC code if you will consider applicants requiring sponsorship. In certain circumstances, you may also need to allocate an ATAS CAH code.
- Are you opting out of sponsoring this role(s). You should also indicate this when creating the job requisition in People and Money. If you are opting out you do not need to provide a SOC code.
- Please note, in cases where a Hiring Manager has opted out of sponsoring the role and subsequently wishes to appoint a candidate who requires sponsorship, the role will need to be re-advertised with a revised sentence in the advert stating that the role can be sponsored. This is to maintain the principle of openness and fairness and give candidates that may have otherwise applied the opportunity to do so.
- Further guidance is available on the University Sponsorship webpage [University sponsorship | The University of Edinburgh](#).

Role	Hiring team (LM or SDA)	HR Operations	Immigration Team	UKVI
<b>Tasks</b>	<ul style="list-style-type: none"> <li>• Completes JRBC.</li> <li>• Allocate SOC code</li> <li>• Provide CAH3 code and put on JRBC if ATAS certificate required.</li> </ul>	<ul style="list-style-type: none"> <li>• Once Job Requisition approved, notification received through bell icon.</li> </ul>		

	<ul style="list-style-type: none"> <li>Once JRBC is completed, raise Job Requisition in People and Money</li> </ul>			
<b>Supporting Information</b>	<a href="#">University sponsorship   The University of Edinburgh</a> <a href="#">Skilled Worker   The University of Edinburgh</a> - under section Allocate a SoC code. <a href="#">Skilled Worker   The University of Edinburgh</a> - under section ATAS requirement			

### Step 3 – Advertising the role

There is a requirement to retain evidence of the advertising campaign for the role which is being sponsored. Further information and guidance on keeping documents for University sponsorship is available on [University sponsorship | The University of Edinburgh](#). Please note: When HR Operations place an advert if you are opting into sponsorship they take screenshots of the advert within the recruitment campaign to retain, as required by the Home Office. If you opt out, they do not as sponsorship wasn't anticipated. This means that if you subsequently want to sponsor someone, you would need to re-advertise the post so that there is evidence of the placement of the advert.

In order to meet the requirements of the UKVI, best practice is to advertise for a minimum of 2 weeks. Hiring teams should take into account the time to publish the advert. As standard the University advertises academic posts on FindaJob, Job.ac.uk and the University's vacancy page. This is sufficient to meet criteria for UKVI.

There are circumstances when advertising may not be applicable, i.e. where a Research grant specifically names the researcher who is to be involved.

Role	Hiring team (LM or SDA)	HR Operations	Immigration Team	UKVI
<b>Tasks</b>	1. For advertised posts create a job requisition in People and Money.	2. HR Operations will undertake a final check using the sponsorship calculator to determine if role can or cannot be sponsored. HR Ops use the SOC code allocated and run it through the calculator.  3. HR Operations enter sponsorship wording on job advert and post advert live.		

<b>Supporting Information</b>	<a href="#">University sponsorship   The University of Edinburgh</a>			
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## Step 4 – Job Application

The process in which candidates apply for the role advertised.

Role	Candidate	Hiring team (LM or SDA)	HR Operations	Immigration Team	UKVI
<b>Tasks</b>	Answers the pre-screening question ‘Do you currently have the right to work in the UK?’	Hiring Manager reviews responses to pre-screening questions whether they have RTW during shortlisting process			
<b>Supporting Information</b>					

## Step 5 - Interviewing

The process in which candidates are interviewed for the role. Right to Work Checks can be carried out at interview stage but must be completed before the successful candidate starts work. Completing the checks at this stage allows hiring managers to understand if sponsorship needs to be considered and aids setting a reasonable start date for the successful candidate.

Role	Candidate	Hiring team (LM or SDA or RTW checker)	HR Operations	Immigration Team	UKVI
<b>Tasks</b>	May provide evidence of RTW at interview or notifies Hiring team if looking to be sponsored.	If applicable, conduct RTW checks following the RTW checklist			
<b>Supporting Information</b>	<a href="#">Right to Work Checks   The University of Edinburgh</a>				

## Step 6 – Selecting a reasonable start date

Hiring teams must choose a start date which gives sufficient time for a CoS application to be processed; visa granted; and the individual to make travel arrangements to be in the UK/Edinburgh ready to start. This can be over 9 weeks (even if they choose to apply for a fast-track visa application). The visa start date and CoS should be aligned and the employee cannot start work before the visa is valid.

### Changing a start date

If a hiring manager wants to bring the start date forward or change the start date it is very important that guidance is sought from HR Operations before confirming any changes with the candidate. Consideration should also be given to whether the end date needs to be changed. Raise a Service Request > Enquiry > Immigration > Sponsorship and add the Title "Change to start date for sponsored worker - {include sponsored workers name}".

If the individual informs the Line Manager/SDA that they need to change their start date, please ensure HR Operations are notified by raising a Service Request > Enquiry > Immigration > Sponsorship and add the Title "Change to start date for sponsored worker - {include sponsored workers name}". Please also include the reason why it is changing e.g. flight availability, personal circumstances etc. HR Operations will then assess what action is required and where relevant report the change to the UKVI by updating the sponsorship management system.

**Please note the revised start date must be within 28 days of the start date on the CoS or from the date the visa is granted, whichever is the latest, otherwise the CoS may be withdrawn/cancelled.**

Some examples when a candidate may be able to start earlier than the CoS start date, following a right to work check, as per the below:

Vignette dates example – if an individual receives their skilled worker vignette with an issue date (01 June) earlier than the cos start date (01 July) then they can enter the UK and start work from 01 June onward.

Home office online share code check – If a home office online check confirms a visa start date (01 June) earlier than the cos start date (01 July) then the individual can enter the UK and start work from 01 June onward.

Role	Hiring team (LM or SDA)	HR Operations	UKVI
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<b>Tasks</b>	<p>1. Select appropriate start date, monitor and update this if required.</p> <p>If the individual informs you they need to change their start date, please ensure you inform the HR Operations Immigration team by raising a Service Request &gt; Enquiry &gt; Immigration &gt; Request Certificate of Sponsorship (COS) and add the Title "Change to start date for sponsored worker - {include sponsored workers name}". HR will then assess and where relevant report the change to the UKVI and update the sponsorship management system</p> <p>NB - If the date is changed on the CoS then make sure the offer start date has changed to match. Upload an updated offer letter to DoR.</p>	<p>2. Review start date change request, if OK to proceed:</p> <ul style="list-style-type: none"> <li>• Report change to UKVI (where relevant)</li> <li>• Update local tracker</li> <li>• Update start date for employee record in People and Money</li> </ul>	<p>3. Notified of start date change (where relevant).</p>
<b>Supporting Information</b>	<a href="#">Guide to Recruitment and Onboarding</a>		

## Step 7 – Job Offer

Offers of employment are typically made verbally in the first instance by the Line Manager or Hiring Manager and followed up with a written offer letter containing appropriate ‘subject to’ clauses. At this stage the Hiring team will ensure that a Right to Work check is undertaken for the successful candidate to establish their Right to Work status . If the individual you wish to make a job offer to does not have current entitlement to work in the UK it may be possible for the University to sponsor their employment or research if the criteria set by the UKVI are met as per the guidance on the [University Sponsorship](#) webpage.

A job offer process needs to be fully completed - i.e. the candidate needs to ‘Move to HR’ to create the pending worker record in P&M - before the CoS can be applied for.

Role	Hiring team (LM or SDA)	HR Operations	Candidate	UKVI
<b>Tasks</b>	<p>1a. Conduct Right to Work checks</p> <p>2. Create the job offer in People and Money and draft the offer letter using the appropriate template and include the clauses relating to RTW and ATAS Requirement (if applicable)</p> <p>4a. Extend Job Offer</p> <p>4c. When candidate accepts offer ensure record has been 'Moved to HR' so that the pending worker record has been created in P&amp;M.</p> <p>5a. If an ATAS certificate is required provide the candidate applying for an ATAS certificate a description about the research they will be undertaking. A template letter is available to send the necessary information to the person available <a href="#">Skilled Worker   The University of Edinburgh</a> (under ATAS Certificate section).</p> <p>Note if the candidate has been offered via a non-advertised post the pending worker record should be created as soon as possible.</p>	<p>3. Review the offer and approve/reject</p>	<p>1b. Provides documentation for Right to Work check</p> <p>4b. Accepts job offer</p> <p>5b. Applies for ATAS Certificate (if applicable). <b>Note this can take 4 or more weeks during spring/summer months.</b></p> <p>6. Provide a copy of ATAS certificate when awarded to Hiring Manager or SDA.</p>	
<b>Supporting Information</b>	<p><a href="#">Demonstrating your Right to Work   The University of Edinburgh</a> (for candidates and staff)</p> <p><a href="#">Obtaining a visa to work   The University of Edinburgh</a> - for Managers and SDA's</p> <p><a href="#">Securing your visa   The University of Edinburgh</a> - for staff</p> <p><a href="#">Guide to recruitment and onboarding</a></p> <p><a href="#">Guidance – Use of the Skilled Worker Checklist</a> (under recruitment &amp; Onboarding &gt; Offer and Hire section)</p>			

## Step 8 – Check Financial Maintenance Criteria

The individual will need to provide evidence to the UKVI that they meet the financial criteria when they make their visa application. The individual must show they have at least £1,270 in personal savings. They must have held this in their bank account for a minimum of 28 days prior to the date of the visa application. The balance cannot fall below the £1,270 amount for even one day during that 28 day period. Please note the HR Operations team do not require evidence of this.

Where the individual is unable to provide evidence to show they meet the criteria (outlined on the form), the University can certify maintenance on behalf of the individual. This must be agreed from a financial perspective by the Head of HR/Head of School/Department. Evidence confirming the agreement must be provided when submitting the CoS documents e.g. email confirmation.

Role	Line Manager/SDA	Individual	Head of School/Head of HR
	1. Check that the individual can meet the financial maintenance criteria  3. If unable to provide evidence contact Head of School/Head of HR	2. Confirms or alerts Line Manager/SDA unable to evidence this	4. Provides an email to Line Manager to confirm

## Step 9 – Requesting a certificate of sponsorship

A certificate of sponsorship is required before a visa application can be made, the process varies depending on CoS type, the process is documented below.

Hiring Managers or SDA's are responsible for starting the CoS application process. If an ATAS certificate is required then it must be in place **before** submitting the CoS application to HR Operations. Please note that various supporting documents are required to be submitted with the CoS Application. These are listed within the [Skilled Worker Cos Application form and guidance](#).

New Out of Country Skilled Workers must be allocated with the Skilled Worker onboarding checklist within People and Money. It is important that the line manager and/or SDA monitor the completion of all onboarding tasks within the Skilled Worker Checklist and prompt the individual for timely completion.

Certificate of Sponsorship Type	Line Manager/SDA	HR Operations	Candidate
<b>New Out of Country Skilled Worker</b>	1. Allocate the Skilled Worker Onboarding Checklist in People and Money. Further information is available in the <a href="#">Guidance – Use of</a>	4. Check documentation supplied by school/department and apply for a new defined CoS.	9. Receives onboarding task 'Here is your certificate of

	<p><a href="#">the Skilled Worker Checklist</a> (under recruitment &amp; Onboarding &gt; Offer and Hire section).</p> <p>2. Working with the candidate, complete the <a href="#">Skilled worker CoS application form</a>. - Ensure that it is clear on Skilled worker CoS application whether the individual is already working in the UK or not.</p> <p>3. Submit CoS request form with supporting evidence* by Service Request using category Request Certificate of Sponsorship (COS). In the title of the SR please indicate that this is an out of country application e.g. 'SW OOC START DATE, NAME'</p> <p>*You must provide sponsorship supporting evidence collected, i.e. evidence to support vacancy 'genuine-ness'/recruitment paperwork as outlined on the checklist in the request form/guidance.</p>	<p>5. CoS created and assigned to individual on UKVI SMS (Sponsorship Management System).</p> <p>6. Draft CoS Confirmation Letter.</p> <p>7. Upload CoS SMS document and individual's CoS confirmation letter to DoR in People and Money.</p> <p>8. Mark the 'For information: CoS application processed' onboarding task complete to notify the Line Manager/SDA and sponsored worker that the CoS has been processed.</p>	<p>sponsorship (CoS)number' onboarding task - this includes the CoS confirmation letter which details next steps for applying for a visa.</p>
<p><b>In Country Skilled Worker (i.e. change of employment/switch of immigration categories including student/graduate visa to skilled worker)</b></p>	<p>1. Working with the candidate, complete the <a href="#">Skilled worker CoS application/extension form</a></p> <p>2. Submit CoS request form with supporting evidence* by Service Request using category Request Certificate of Sponsorship (COS). In the title of the SR please indicate the type of application e.g. 'T4/Student switch/SW Change of Employment START DATE, NAME'</p> <p>7. Send CoS letter and UKVI SMS Document to candidate/employee</p>	<p>3. Check documentation supplied by school/department and apply for a change of employment/switch or extension CoS.</p> <p>4. CoS created and assigned to individual on UKVI SMS (Sponsorship Management System).</p>	<p>8. Receives CoS confirmation letter which details next steps for applying for a visa.</p>

	*You must provide sponsorship supporting evidence collected, i.e. evidence to support vacancy 'genuine-ness'/recruitment paperwork as outlined on the checklist in the request form/guidance.	5. Draft CoS confirmation letter for candidate/employee and complete SDA letter  6. Send CoS letters and CoS SMS document to SDA via email	
<b>Supporting Information</b>	<a href="#">A to Z List of HR Forms   The University of Edinburgh</a> <a href="#">How to Allocate Checklists and tasks</a> (under Recruitment & Onboarding > Onboarding section) <a href="#">Guidance – Use of the Skilled Worker Checklist</a> (under recruitment & Onboarding > Offer and Hire section)		

## Step 10 – Visa Application

The process in which the applicant requiring sponsorship applies for the Skilled Worker visa following confirmation that the University can sponsor the worker as per the confirmation of CoS.

CoS Route (as above)	Candidate/Employee	Line Manager/SDA	UKVI
<b>New Out of Country Skilled Worker</b>	1. Receives 'Here is your certificate of sponsorship (CoS) number' onboarding task and CoS confirmation letter.  2. Follow guidance in CoS confirmation letter and applies for visa  3. Keeps manager/SDA up to date with progress of application  4b. Completes the 'Confirm when you have received your VISA and let us know the start date' task in People and Money to alert Line Manager/SDA that visa has been received.	5. Receives 'Visa Received: What needs to happen before day 1' onboarding task and follows instruction in task	4a. Confirms outcome of visa application

	6. Receives the 'Entering the UK and preparing for your arrival' onboarding task and follows instruction in the task. Mark the task as complete when finished.		
<b>In Country Skilled Worker (i.e. change of employment/switch of immigration categories including student/graduate visa to skilled worker)</b>	<p>3. Receives CoS confirmation letter</p> <p>4. Follow guidance in CoS confirmation letter and applies for visa</p> <p>5. Keeps manager/SDA up to date with progress of application</p> <p>4b. Confirms when the visa has been received</p>	<p>1. Receives CoS Confirmation letter for employee, SDA letter and SMS document.</p> <p>2. Send employee letter and SMS document to employee</p>	4a. Confirms outcome of in country visa application
<b>Supporting Information</b>	<p><a href="#">Securing your visa   The University of Edinburgh</a>  <a href="#">Procedural Guidance for ATAS requirement</a> (under ATAS section)  <a href="#">Receiving your visa and what to do next</a>  <a href="#">National Insurance details</a>  <a href="#">How to Allocate Checklists and tasks</a> (under Recruitment &amp; Onboarding &gt; Onboarding section)  <a href="#">Guidance – Use of the Skilled Worker Checklist</a> (under recruitment &amp; Onboarding &gt; Offer and Hire section)</p>		

## Step 11 - Immigration Fee Assistance

Anyone applying for a Skilled Worker Visa can apply for a **Global Talent and Skilled Worker Interest Free Visa Loan**. Loans can be taken to assist with UK Visas and Immigration (UKVI) application fees, immigration healthcare surcharges, UK legal fees (associated to immigration queries) and the cost of using the UK ENIC/ECCTIS service. Further information for managers and SDA's [Immigration Fee Assistance | The University of Edinburgh](#) and for candidates [University support for you and your family | The University of Edinburgh](#).

### Visa Loans

CoS Route (as above)	Candidate/Employee	HR Operations	Payroll / Accounts Payable
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<p><b>New Out of Country Skilled Worker</b></p>	<p>1. Receives onboarding tasks to prompt submission of the interest free visa loan and agreement to visa loan terms and conditions and marks task as complete</p> <p>2. Complete relevant sections of Global Talent Skilled Worker Visa Loan Form and emails form to HR Helpline</p>	<p>3. Completes necessary checks following internal guidance notes and authorises form.</p> <p>4. Update internal tracker.</p> <p>5. Send Form:</p> <p>For staff not yet on the payroll, email the completed form to <a href="mailto:finance.helpline@ed.ac.uk">finance.helpline@ed.ac.uk</a>. Then upload HR Ops form to SR, delete original version and re-direct SR to payroll.</p>	<p>6. Process the Loan Request and arrange payment. Payroll: set up loan recovery elements when individual starts</p>
<p><b>In Country Skilled Worker (i.e. change of employment/switch of immigration categories including student/graduate visa to skilled worker and extensions)</b></p>	<p>1. Completes Visa Loan Form and Terms and Conditions from <a href="#">Immigration Fee Assistance   The University of Edinburgh</a></p> <p>2. Sends form to HR Ops for processing</p> <p>a) if brand new employee: email to HR Helpline</p> <p>b) if current employee: raise Service Request under the category 'Visa Loan'</p>	<p>3. Completes necessary checks following internal process notes and authorises form.</p> <p>4. Update internal tracker.</p> <p>5. Send form:</p> <p>a) For staff already on the payroll, upload HR Ops form to SR deleting the original form and redirect the Service request to the Payroll queue. Indicate if 'Urgent' and 'Payroll Impacting Month'.</p>	<p>6. Process the Loan Request and arrange payment. If brand new employee: Payroll: set up loan recovery elements when individual starts. If current employee: set up loan recovery elements when loan processed.</p>

		b) For staff not yet on the payroll, email the completed form to <a href="mailto:finance.helpline@ed.ac.uk">finance.helpline@ed.ac.uk</a> . Then upload HR Ops form to SR, delete original version and re-direct SR to payroll.	
<b>Supporting Information</b>	<a href="#">Immigration Fee Assistance   The University of Edinburgh</a>		

### Visa Reimbursements

A **Visa Reimbursement** can be applied for when a **current employee** wants to claim reimbursement of the costs they incurred when securing or extending their, and/or their dependant's, Global Talent or Skilled Worker visa. This includes the cost of the UKVI standard service, but not any enhanced UKVI Service fees.

CoS Route	Candidate/Employee	Line Manager/SDA	HR Operations	Payroll
<b>All</b>	1. Completes Visa Reimbursement Form from Immigration Fee Assistance   The University of Edinburgh  2. Sends completed visa reimbursement form and receipts of payments to local SDA admin.	3. Receives form and receipts from employee.  4. Checks, adds costing information and authorises form.  5. Raises SR under Forms > Visa Fee Reimbursement ensuring the title is: "EMPLOYEE NUMBER EMPLOYEE NAME Visa Reimbursement"  7. Receives resolved SR notification	3. Completes necessary checks following internal guidance notes and authorises form.  4. Update internal tracker.  5. Upload HR authorised form to SR and redirect to Payroll.	6. Process visa reimbursement.
<b>Supporting Information</b>	<a href="#">Immigration Fee Assistance   The University of Edinburgh</a>			



## Step 12 - Request for contract

Before the Request for Contract task can be completed, the SDA/Line Manager must ensure that verified copies of Right to Work documentation is uploaded to Document of Record (DoR) for the worker. Without this the contract cannot be processed, for all sponsored workers please follow the guidance below as to the document types to be uploaded to DoR.

CoS Route (as above)	Line Manager/SDA	HR Operations	Candidate/Employee
<b>New Out of Country Skilled Worker</b>	<p><b>1. Before requesting a contract the hiring team must complete the 'Upload Verified copies of visa (vignette) or online PDF and Passport task'.</b> Follow the instructions in the task to upload copies to DoR of the following:</p> <ul style="list-style-type: none"> <li>• University Right to Work (RTW) checklist</li> <li>• If relevant, copies of passport including the copy of the stamped vignette. <b>Note: if it is not stamped with a UK stamp when arriving at border, then we need evidence of arrival in the UK e.g. boarding card</b></li> <li>• If relevant, PDF online RTW check and evidence of permission type e.g. copy of the Biometric Residence Permit (BRP)/confirmation letter from the UKVI confirming the visa has been approved. <b>Note: where only an online check is provided (i.e. they do not have a vignette) then we must also have evidence of their arrival in the UK e.g. boarding card.</b></li> </ul>	<p>4. RTW documentation approved/rejected</p> <p>5. Complete the onboarding task 'Input the COS number provided by UKVI and the SOC code (provided on the certificate of sponsorship request form)' into the <a href="#">Additional Person Information</a> screens.</p> <p>Check that the Nationality has been entered for the worker.</p> <p>6. Contract Issued</p>	<p>2. Receives Sponsorship responsibilities during employment task</p> <p>7. Employee receives contract</p>

	<p>2. Receives ‘Manager responsibilities for sponsored staff’ onboarding task</p> <p>3. Complete the <b>Request Contract task on the Enterprise Onboarding Checklist</b> to notify HR Operations that the contract can be issued</p>		
<p><b>In Country Skilled Worker (i.e. change of employment/switch of immigration categories including student/graduate visa to skilled worker)</b></p>	<p><b>1. Before requesting a contract the hiring team must</b> upload copies to DoR of the following:</p> <ul style="list-style-type: none"> <li>• University Right to Work (RTW) checklist</li> <li>• Online check and evidence of permission type e.g. copy of the Biometric Residence Permit (BRP)/confirmation letter from the UKVI confirming the visa has been approved.</li> </ul> <p><b>We do not need evidence of arrival in the UK or stamped vignette as these individuals are already in the country.</b></p> <p>2. Complete the <b>Request Contract task on the Enterprise Onboarding Checklist</b> to notify HR Operations that the contract can be issued</p>	<p>3. RTW documentation approved/rejected</p> <p>4. Input RTW information into the Additional Person Information screens.</p> <p>Check that the Nationality has been entered for the worker.</p> <p>5. Contract Issued</p>	<p>6. Employee receives contract</p>
<p><b>Supporting Information</b></p>	<p><a href="#">How to Request Contract Generation</a> – under heading Recruitment and Onboarding &gt; Onboarding section  <a href="#">Guidance – Use of the Skilled Worker Checklist</a> (under Recruitment &amp; Onboarding &gt; Offer and Hire section)  <a href="#">Settling into the university</a> - useful information for new starts  <a href="#">Right to Work Checks   The University of Edinburgh – for staff</a></p>		

## Contract Changes

Managers must consider any significant changes to the employment of a sponsored worker as there may be a reporting requirement. For example, change of role; job title; duties; hours; salary; taking on an additional post or transferring; leaving the university; or TUPE. For any reduction in hours this must be carefully considered, if the salary is reduced below the threshold for the SOC code sponsorship may no longer be permitted.

If a sponsored worker is transferring to a new post and the SOC code is different to that used to apply for their current visa, or their visa is due to expire, this must also be reported to HR Operations before processing the transfer as a new CoS and subsequent new visa application may be required. The individual will not be able to start working in the new role until they have the new visa.

Depending on the change, HR Operations may have to notify or seek approval from UKVI **before** it can take place. Please consult with HR Operations by raising a service request under the category 'Sponsorship' and have the title 'Contract change for Skilled Worker'.

Further information for managers is also available on the [Information for Managers of Sponsored Staff | The University of Edinburgh](#) webpage.

## Reporting duties

The University has an obligation to the UK Visas and Immigration (UKVI) in terms of record keeping/reporting duties for sponsored staff on Tier 2/Skilled Worker and Tier 5/Temporary Worker Sponsored Researcher visas. A full list of the reporting duties is available here [Information for Managers of Sponsored Staff | The University of Edinburgh](#) - see the heading reporting duties. Sponsored employees are also accountable for reporting any changes to their Line Manager. Further information is available here [Information for Sponsored Staff | The University of Edinburgh](#).

Role	Line Manager / SDA	HR Operations	Employee
<b>Tasks</b>	Notify HR Operations via a Service Request, using category 'Sponsorship' through People and Money <b>immediately</b> of any changes as per the list of reporting duties <a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a> - see the heading reporting duties	Assess the change and notify UKVI as appropriate.	Ensures at all times:  <ol style="list-style-type: none"><li>1. the University holds an up to date UK residential address, personal email address and phone number for you.</li><li>2. Agree in advance, with Line Manager/School Office, any leave of absence for example attendance at conferences, fieldwork, sickness</li></ol>

			absence, change in work location and annual leave. As we are required to inform the UK Visas and Immigration of any unauthorised absences, it is necessary to ensure there is prior agreement in place. Similarly, changes to your working arrangements should be agreed with your line manager and any sickness absences reported on the first day of absence.
<b>Supporting Information</b>	<a href="#">Information for Sponsored Staff   The University of Edinburgh</a> - for employees <a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a> - for managers		

### Visa expiry and extensions for sponsored staff

This process starts about 4 months prior to a visa expiring with a discussion with the employee about continued right to work. For employees with an open-ended contract, the University will be looking to support the visa extension. Employees on fixed-term contracts should have a discussion regarding the continuation of the contract and any aspects relating to the visa. The 4-month timescale allows sufficient time for the ATAS and extension process.

Employees who wish to remain in the UK, must make a visa extension application in the 3-month period before their visa expires and must make their application from within the UK.

To enable a sponsored employee to extend their visa for Skilled Workers or Temporary Worker Sponsored Researchers, it is necessary to issue another CoS. This can be requested by completing the Skilled Worker CoS Extension Application form/Temporary Worker Sponsored Researcher CoS Application form.

When an individual renews their visa a repeat right to work check is required.

For extension applications the role must be the same role as previously sponsored, or the individual may transfer to a role with the same Occupation/SOC code as the previously sponsored role. The role must still meet sponsorship requirements, including the appropriate salary threshold. If tradeable points to meet the salary threshold were not required in the initial application, but are required on the extension application, the individual cannot start work in the new role until they have received their new visa.

If applicable, an ATAS certificate must be in place before submitting the CoS application to HR Operations.

Role	HR Operations	Line Manager/SDA	Employee
<b>Tasks</b>	1. Run Permission expiry report and share with managers anyone with a visa due to expire in 4 months time  5. Apply for extension of CoS, check documentation, CoS created and assigned to individual on UKVI SMS (Sponsorship Management System)  6. Draft CoS confirmation letter for candidate/employee and complete SDA letter  7. Send CoS letters and CoS SMS document to SDA via email  9. Merge CoS documents and upload to SharePoint	2. Discuss with employee visa extension.  4. Complete and Submit CoS extension request form with supporting evidence (if applicable) by Service Request using category Request Certificate of Sponsorship (COS). In the title of the SR please indicate that this is an extension application e.g. 'SW Extension START DATE, NAME'  8. Issues CoS Letter	3. Applies for ATAS certificate (if applicable)  10. Receive new certificate of sponsorship (CoS) number this includes the CoS extension confirmation letter and details next steps for applying for a visa.
<b>Supporting Information</b>	<a href="#">A to Z List of HR Forms   The University of Edinburgh</a> <a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a> - see CoS extension application forms <a href="#">Visa Expiry and Extension   The University of Edinburgh</a> - for employees		

## TEMPORARY WORKER SPONSORED RESEARCHER

Before you start, please read the [Inviting a Visitor](#) to the University of Edinburgh webpage which has information on the different types of visitor routes available. There are a number of visa routes covered by Temporary Worker but the Government Authorised Exchange – Sponsored Researcher visa route covers those who require sponsorship as a sponsored researcher in a supernumerary research role.

When it is identified that the person you wish to engage will require a Temporary Worker Sponsored Researcher visa you must follow the below steps to apply for a CoS to allow the individual to subsequently apply for their Visa.

Please note that the process differs to that of a Skilled Worker. Temporary Worker Sponsored Researchers are not employees and therefore will not have access to People and Money (unless it's a requirement of their role) and should be engaged for a period of 2 years maximum. Sponsored researchers can be funded from host, their overseas employer, or an independent UK or non-UK funding body. They cannot be self-funded. Payment for the role must meet UK national minimum wage. In certain circumstances funding can be topped up by the University to ensure the national minimum wage is met. Please seek guidance from HR Operations if you think this applies.

### Step 1 – Job Description and Allocation of SOC code

Hiring managers know the role that is required, and supported by the SDAs, are best placed to ensure the role description accurately outlines the essential and desirable criteria for the role.

An assessment of whether the ATAS requirement applies should also take place. It should be noted that whatever is in the job description it will form part of the evidence when applying for a CoS, therefore accuracy within the job description is important (e.g. if the job description asks for a PhD then the individual must have a PhD).

#### **Assessment Criteria for Sponsorship**

The University holds a licence to provide sponsorship under the Government Authorised Exchange Scheme for researchers to undertake the following:

- A formal research project or collaboration
- A period of work-based training/work experience/internship/placement;
- Skill development/knowledge transfer;

The roles must be over and above normal staffing requirements, i.e. they cannot fill a vacancy. The researcher cannot be self-funded and must be in receipt of funding in line with, or above, the National Minimum Wage. It is necessary to have a clear job description for the role.

**There are 3 requirements which determine if the ATAS requirement applies:**

- Does the job require knowledge / skills / experience at PhD level or above
- Does the role require the individual to undertake/contribute to research activity in a research area defined by the Foreign, Commonwealth and Development Office (FCDO) as sensitive.
- Is the post being offered to an employee who is not an exempt national

Role	Line Manager/SDA	Individual
	<p>1.Using the <a href="#">Temporary Worker Role Description Template</a> write the role description</p> <p>2b. Assess if an ATAS certificate is required – if yes provide a letter of invitation to the individual available from <a href="#">Temporary Worker Sponsored Researcher   The University of Edinburgh</a></p> <p>3. Allocate a SOC code – one of the following is recommended:            2111 Chemical Scientist            2112 Biological Scientist &amp; Biochemist            2113 Physical Scientist            2114 Social &amp; Humanities Scientist            2119 Natural &amp; Social Science Professionals not elsewhere classified            2150 Research &amp; Development Manager            2311 Higher Education Teaching Professionals            2426 Business &amp; Related Research Professional</p> <p>4.If ATAS applies allocate a CAH3 code</p>	<p>2b. Applies for ATAS Certificate if applicable</p>
<b>Supporting Information</b>	<p><a href="#">Temporary Worker Sponsored Researcher   The University of Edinburgh</a>  <a href="#">Procedural Guidance for ATAS requirement</a> (under ATSA requirement section)</p>	

## Step 2 – Check Financial Maintenance Criteria

The individual will need to provide evidence to the UKVI that they meet the financial criteria when they make their visa application. The individual must show they have at least £1,270 in personal savings. They must have held this in their bank account for a minimum of 28 days prior to the date of the visa application. The balance cannot fall below the £1,270 amount for even one day during that 28 day period. Please note the HR Operations team do not require evidence of this.

Where the individual is unable to provide evidence to show they meet the criteria (outlined on the form), the University can certify maintenance on behalf of the individual. This must be agreed from a financial perspective by the Head of HR/Head of School/Department. Evidence confirming the agreement must be provided when submitting the CoS documents e.g. email confirmation.

Role	Line Manager/SDA	Individual	Head of School/Head of HR
	1.Check that the individual can meet the financial maintenance criteria  3.If unable to provide evidence contact Head of School/Head of HR	2.Confirms or alerts Line Manager/SDA unable to evidence this	4.Provides an email to Line Manager to confirm

## Step 3 – Gather Supporting documentation

Role	Line Manager/SDA	Individual	
	The following additional documents will be required to support the certificate of sponsorship application in step 4 below: <ul style="list-style-type: none"> <li>Completed Right to Work Checklist (section 3 onwards with verified copies of all passport/identity documents)</li> <li>Letter from sponsoring body detailing the value of the award, the period involved, name of individual and confirming the placement is at University of Edinburgh</li> </ul>	Provides supporting documentation to the Line Manager/SDA	



	<ul style="list-style-type: none"> <li>• Letter from School to sponsored researcher confirming the arrangement between them and the sponsoring body, including the period involved and the placement at the University (a -letter from the School to HR confirming the details may also be accepted).</li> <li>• Copy of highest qualification (<i>with certified translation where required</i>).</li> <li>• 2 original employment references</li> </ul>		
<b>Supporting Information</b>	<a href="#">Temporary Worker Sponsored Researcher Applications form and guidance</a>		

## Step 4 – Selecting a reasonable start date

Line Managers/SDA's must choose a start date which gives sufficient time for a CoS application to be processed; visa granted; and individual travel arrangements so the individual is in the UK/Edinburgh ready to start. This can be over 9 weeks (even if they choose to apply for a fast-track visa application). The visa start date and CoS should be aligned and the employee cannot start before the visa is valid.

### Changing a start date

If a hiring manager wants to bring the start date forward or change the start date it is very important that guidance is sought from HR Operations before confirming any changes with the individual. Consideration should also be given to whether the end date needs to be changed. Raise a Service Request > Enquiry > Immigration > Sponsorship and add the Title "Change to start date for sponsored worker - {include sponsored workers name}".

If the individual informs the Line Manager/SDA that they need to change their start date, please ensure HR Operations are notified by raising a Service Request > Enquiry > Immigration > Sponsorship and add the Title "Change to start date for sponsored worker - {include sponsored workers name}". Please also include the reason why it is changing e.g flight availability, personal circumstances etc. HR will then assess what action is required and where relevant report the change to the UKVI by updating the sponsorship management system.

## Step 5 – Submit request for Certificate of Sponsorship

A certificate of sponsorship is required before a visa application can be made. Line Managers or SDA's are responsible for starting the CoS application process. If an ATAS certificate is required then it must be in place **before** submitting the CoS application to HR Operations.

Role	Line Manager/SDA	HR Operations	Individual
	<p>1. Working with the candidate, complete the Temporary Worker Sponsored Researcher CoS Application Form.</p> <p>2. Submit CoS request form with supporting evidence by Service Request using category Request Certificate of Sponsorship (COS). In the title of the SR please indicate the type of application e.g. Temporary Worker START DATE, NAME'</p> <p>7. Issues CoS Letter and SMS document to individual</p>	<p>3. Check documentation supplied by school/department and apply for CoS</p> <p>4. CoS created and assigned to individual on UKVI SMS (Sponsorship Management System).</p> <p>5. Draft CoS confirmation letter for candidate/employee and complete SDA letter.</p> <p>6. Send CoS letters and CoS SMS document to SDA via email.</p>	<p>8. Receives Cos confirmation and applies for Visa.</p>

## Step 6 – Visa Application

The process in which the applicant requiring sponsorship applies for the Skilled Worker visa following confirmation that the University can sponsor the worker as per the confirmation of CoS.

Role	Candidate/Employee	Line Manager/SDA	UKVI
	<p>1. Receives CoS confirmation letter and applies for visa</p> <p>2. Keeps manager/SDA up to date with progress of application and confirms when the visa is received</p>	<p>4. Receives confirmation that visa received and start date</p>	<p>3. Confirms outcome of application.</p>

<b>Supporting Information</b>	<a href="#">Securing your visa   The University of Edinburgh</a> <a href="#">Procedural Guidance for ATAS requirement</a> (under ATAS section) <a href="#">Receiving your visa and what to do next</a>
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## Step 7 – Starting the Period of Engagement

Before the sponsored researcher can start their period of engagement, the SDA/Line Manager must ensure that they submit verified copies of Right to Work documentation to HR Operations.

	Line Manager/SDA	HR Operations	Sponsored Researcher	Payroll
	<p><b>1. When the visa has been received the Line Manager/SDA must submit a Service request ensuring all of the below attachments are included using the category Enquiry &gt; Immigration &gt; Right to Work ensuring the name of the SR is 'New TW record to be created START DATE :</b></p> <ul style="list-style-type: none"> <li>• University Right to Work (RTW) checklist</li> <li>• If relevant, copies of passport including the copy of the stamped vignette. <b>Note: if it is not stamped then we need evidence of arrival in the UK e.g. boarding card</b></li> <li>• If relevant, PDF online RTW check and evidence of permission type e.g. copy of the Biometric Residence Permit (BRP)/confirmation letter from the UKVI confirming the visa has been approved. <b>Note: where a online check is only provided (i.e. they do</b></li> </ul>	<p>2. RTW documentation checked. If anything is missing, reply to SR.</p> <p>3. Create record in P&amp;M ensuring the RTW information is input into Additional Person Information screens.</p> <p>Check that the Nationality has been entered for the worker.</p> <p>4. If relevant, send new SR to payroll attaching the form 100 and explain the payment</p>	<p>7. Receives letter</p>	<p>5. Keys bank details for payment (if applicable).</p>

	<p><b>not have a vignette) then we must also have evidence of their arrival in the UK e.g. boarding card.</b></p> <ul style="list-style-type: none"> <li>• If relevant, complete Adhoc Payment Form 100 (if a top up payment required)</li> </ul> <p>The hiring team must also ensure that the individual's <b>UK home address and UK phone number are detailed in the body of the SR.</b></p>	6. Complete Temporary Worker letter to be sent before they start and send to employee		
<b>Supporting Information</b>	<a href="#">Right to Work Checks   The University of Edinburgh – for staff</a>			

## Reporting duties

The University has an obligation to the UK Visas and Immigration (UKVI) in terms of record keeping/reporting duties for sponsored staff on Tier 2/Skilled Worker and Tier 5/Temporary Worker Sponsored Researcher visas. A full list of the reporting duties is available here [Information for Managers of Sponsored Staff | The University of Edinburgh](#) - see the heading reporting duties. Sponsored employees are also accountable for reporting any changes to their Line Manager. Further information is available [Information for Sponsored Staff | The University of Edinburgh](#).

Role	Line Manager / SDA	HR Operations	Employee
<b>Tasks</b>	1. Notify HR Operations via a Service Request, using category 'Sponsorship' through People and Money <b>immediately</b> of any changes as per the list of reporting duties <a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a> - see the heading reporting duties	Assess the change and notify UKVI as appropriate.	Ensures at all times: <ul style="list-style-type: none"> <li>3. the University holds an up to date UK residential address, personal email address and phone number for you.</li> <li>4. Agree in advance, with Line Manager/School Office, any leave of</li> </ul>

			<p>absence for example attendance at conferences, fieldwork, sickness absence, change in work location and annual leave. As we are required to inform the UK Visas and Immigration of any unauthorised absences, it is necessary to ensure there is prior agreement in place. Similarly, changes to your working arrangements should be agreed with your line manager and any sickness absences reported on the first day of absence.</p>
<b>Supporting Information</b>	<p><a href="#">Information for Sponsored Staff   The University of Edinburgh</a> - for employees  <a href="#">Information for Managers of Sponsored Staff   The University of Edinburgh</a> - for managers</p>		

## Appendices

### Global Talent Visa

The Global Talent Visa is available for academic or research staff who are internationally recognised as a world leader or emerging leader in one of the science or arts fields.

A Global Talent visa **is not a sponsored route**, therefore this entitles the individual to undertake work with any employer. The application process is a two stage process which is undertaken by the applicant. Help will be available from the Immigration Legal Adviser (Staff).

Further information on the process is available on the Staff Visa webpages - [Global Talent visa | The University of Edinburgh](#)