

## Guidance Notes for Research Supervisors of Sponsored Researchers on their reporting responsibilities associated with the engagement of non EEA and Swiss Nationals

### 1. Introduction

- 1.1 In order to continue to engage non EEA and Swiss nationals as Sponsored Researchers the University is now required to sponsor such workers and had to apply and satisfy certain criteria as set out by the UK Visas & Immigration in order to be approved as a sponsor by the UK Visas & Immigration.
- 1.2 In order to maintain our licence to sponsor non EEA and Swiss nationals the UK Visas & Immigration places a number of reporting duties on the University as an employer. You as a Research Supervisor of a non EEA or Swiss national are required to assist in the implementation of number of these reporting duties.
- 1.3 These guidance notes have been prepared to assist Research Supervisors in implementing their responsibilities following changes to the engagement of non EEA or Swiss nationals, as a consequence from the introduction of the Points Based System (Tier 5) by the UK Visas & Immigration.

### 2. Reporting duties of the University as a sponsor

- 2.1 The reporting duties of the University as a sponsor include:
  - The University, as a sponsor **must** report to the UK Visas & Immigration within 10 working days if a sponsored migrant fails to appear on the first day of their engagement, and if known, provide reasons for why the migrant did not take up their post.
  - If the migrant is absent from work for **more** than 10 working days **without the research supervisor's permission**; this must be reported to the UK Visas & Immigration within 10 working days of the tenth day of absence.
  - On cessation of sponsorship e.g. due to dismissal or resignation, the University, as sponsor, must report this to the UK Visas & Immigration within 10 working days and should where possible provide details of the new employer.

### 3. Reporting duties of you as a Research Supervisor

- 3.1 The direct reporting to the UK Visas & Immigration, on behalf of the University, will be conducted by Human Resources; however you as the Research Supervisor **will be required to report to your nominated HR Business Partner** for your area as follows:

- If a new sponsored researcher<sup>1</sup> does not take up their placement on the agreed date, and if known, the reason why they have failed to take up the placement offered – no later than 6 working days following their expected date of appointment.
- If the sponsored researcher is absent from work, occasions of annual leave or attendance at conferences or courses are not required to be reported as they will have been agreed by you as their supervisor – however absences caused e.g. by sickness or unauthorised absences must be reported **immediately** to Human Resources and **no later than 6 working days** following their first date of absence.
- **If the sponsored researcher is absent from work without your approval you should contact the nominated HR Business Partner for your area immediately and the following procedure should be activated:**
  - You as the Research Supervisor should attempt to make contact with the sponsored researcher via the contact numbers on file they have provided. (If contact is made and an explanation provided no further action will be taken unless the migrant states that they do not intend to return to work, in which case the University – via Human Resources – will notify the UK Visas & Immigration within 10 working days)
  - If no contact is made using the contact telephone numbers provided by the sponsored researcher you will arrange a house visit to be carried out either on the first day or at some point on the following day. (If contact is made and an explanation provided no further action will be taken unless the migrant states that they do not intend to return to work, in which case the University – via Human Resources – will notify the UK Visas & Immigration within 10 working days)
  - If no contact is made you will arrange to write to the sponsored researcher at the address held on file. (If contact is made within 5 working days and an explanation provided no further action will be taken unless the migrant states that they do not intend to return to work, in which case the University – via Human

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<sup>1</sup> In instances when the Sponsored Researcher is a research student from a non EEA country they will be required to comply with the monitoring procedures for research students as outlined under Student Monitoring Tier 4 General Student handbook issued by the Compliance Manager for Tier 4.

Resources – will notify the UK Visas & Immigration within 10 working days.)

- If the sponsored researcher has not been contacted successfully following the above process – the University – via Human Resources – will ensure that the UK Visas & Immigration is notified within 10 working days of the original absenteeism.
  
- If a sponsored researcher resigns from their placement, a copy of their resignation letter must be forwarded **immediately** to Human Resources and **no later than 6 working days** following receipt of their letter of resignation.

**It is essential that you notify HR immediately of any changes. You should note that failure to report any such changes may jeopardise the University's license to engage non EEA nationals as Sponsored Researchers.**

#### **4. Maintenance of Staff Contact Details**

- 4.1** As a condition of our sponsor licence the University is required to maintain up to date contact details for all migrant workers – which include changes of address, change of telephone or mobile numbers.
- 4.2** As a Research Supervisor should you become aware the sponsored researcher has moved accommodation, changed their home telephone number or mobile phone number, you are required to remind them they must report this change, in their personal contact details **in writing** within 6 working days of any changes in their contact details by completing the 'Change of Personal Contact Details' proforma which is available on the HR website <http://www.ulster.ac.uk/hr/Forms/ContactDetailChange.doc> and forwarding to Human Resources in order to maintain up to date our records of the sponsored researchers contact details should these be required by the UK Visas & Immigration.

**You should be aware that UK Visas & Immigration officials can arrive on campus at any time and we as an employer must be in a position to locate that individual. It is therefore essential that the University has accurate contact details.**