

VISITOR POLICY AND GUIDANCE

Standard Visitor, Permitted Paid Engagement and Tier 5

1 Background

- 1.1 The University regularly welcomes visitors from around the world who undertake various activities at the University. These may include giving one off lectures, attending meetings, acting as examiners, sharing knowledge, or collaborating on projects.
- 1.2 Individuals who do not have permission to live and work in the UK (eg, individuals who are non-British nationals, or who do not have settled status in the UK) are subject to restrictions in terms of the activities they can undertake in the UK. In some cases they may need to obtain a visa which permits them to work. In other cases they will be able to enter the UK as a Visitor.
- 1.3 A Visitor needs to obtain permission to enter the UK in the form of either a visit visa (obtained prior to entry to the UK), or be granted leave to enter on arrival in the UK.
- 1.4 This policy contains guidance on the immigration rules and University requirements in relation to Visitors. It also sets out the procedures that should be followed when a Visitor is invited to the University, **including the issuing of invitation letters and retention of documents.**
- 1.5 Further details in relation to the visitor rules can be found [here](#).

2 Visa and non-visa nationals

- 2.1 Nationals of foreign countries will be categorised either as visa nationals or non-visa nationals. This impacts what they must do when visiting the UK.
- 2.2 Visa nationals must always apply for a visa in advance before coming to the UK. This is known as entry clearance. Applications should be made online not more than three months before the intended date of travel. Applications can be made from any country (ie, applications do not need to be made from the applicants own country of residence),

but not from inside the UK. Further details of how to apply for a Visitor visa and the full requirements can be found [here](#).

- 2.3 Non-visa nationals do not need apply for a visa in advance (except for academic visitors who wish to stay for more than 6 months). Non-visa nationals can seek 'leave to enter' when they arrive at UK entry clearance and have their passport stamped under the correct visa category when they enter the UK.
- 2.4 EU nationals are treated as non-visa nationals. In other words, they do not need to obtain a visit visa before entering the UK.
- 2.5 The full list of visa national countries can be found [here](#)
- 2.6 The activities which a visitor can carry out in the UK will depend on the type of visitor visa they hold and the category they fall under, depending on what they state is the main purpose of their visit.
- 2.7 **In all cases the University requires a visitor to be issued with an invitation letter from the University in relation to their visit. This should be included with the visa application (for visa nationals) or presented at entry clearance (for non-visa nationals).**
- 2.8 There are two main categories of visitor which are of relevance to the University:
 - 2.8.1 Standard Visitor.
 - 2.8.2 Permitted Paid Engagements.
- 2.9 Further details in relation to both categories are set out below.

3 Standard Visitor

- 3.1 The below table sets out details of the permissible activities in the Standard Visitor category which are of relevance for the University. The full list of permissible activities can be found in the [Home Office Visitor guidance](#).

The main purpose of the visit and the activities to be undertaken in the UK should be discussed and agreed with the proposed visitor before an invitation letter is issued. If you are unsure about whether this is the correct category, seek advice from the HR Department.

Type of visitor	Permissible activities	Maximum stay in the UK
<p>Any person invited by the hosting department/University</p>	<ul style="list-style-type: none"> • Attend meetings, conferences, seminars, interviews. • Give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser. • Negotiate and sign deals and contracts. • Attend trade fairs, for promotional work only, provided the visitor is not directly selling. • Carry out site visits and inspections. • Gather information for their employment overseas. • Employee of an overseas company or organisation receiving training from a UK based organisation in work practices and techniques which are required for the visitor's employment overseas and not available in their home country. • Archaeologists taking part in a one-off archaeological excavation. • A Professor from an overseas academic institution accompanying students to the UK as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation. However this must not amount to filling a permanent teaching role for that institution. 	<p>6 months</p>

	<p>In addition to undertaking the above activities, visitors are also permitted to:</p> <ul style="list-style-type: none"> • Visit friends, family and / or come to the UK for a holiday. • Perform up to 30 days of incidental study and/or 30 days of incidental volunteering with a registered charity at any time. Visitors must not undertake voluntary work. 	
<p>Scientists and researchers</p> <ul style="list-style-type: none"> • Invited by the hosting department/University; and • Who remain paid and employed at their overseas institution. <p>NB: This is not applicable to overseas Postgraduate research students coming to undertake research in the UK. Individuals should be referred to Admissions.</p>	<ul style="list-style-type: none"> • Gather information and facts for a specific project which directly relates to their employment overseas, or conduct independent research. • Independent research means private research for own purposes. • Share knowledge or advise on an international project that is being led from the UK, provided the visitor is not carrying out research in the UK. 	<p>6 months</p>

<p>Academics</p> <ul style="list-style-type: none"> Invited by the hosting department/University; <p>and</p> <ul style="list-style-type: none"> Who are highly qualified in their own field of expertise; <p>and</p> <ul style="list-style-type: none"> Who are currently working in that field at an institution overseas. This effectively means they must be employed overseas in a teaching or research role. <p><i>Note: Recent graduates, especially those who gained their degrees in the UK, would not normally qualify as academic visitors. Individuals on leave from private research companies will also not qualify. Individuals who are retired (ie, not employed overseas) will also not qualify.</i></p>	<ul style="list-style-type: none"> Taking part in formal exchange arrangements with UK counterparts (including doctors). <p>An example of this would be where the University is collaborating with an overseas institution and exchanges staff for some or all of the duration of the project (provided salary continues to be paid by the overseas institution).</p> <ul style="list-style-type: none"> Carrying out research for their own purposes if they are on sabbatical leave from their home institution. <p>An example of this would include research for a book.</p> <ul style="list-style-type: none"> Eminent senior doctors or dentists, taking part in research, teaching or clinical practice provided this does not amount to filling a permanent teaching post. <p>These individuals would usually be highly accomplished in their field of expertise.</p>	<p>12 months</p> <p><u>Note:</u> both visa and non-visa nationals must apply for a visa if they wish to remain in the UK for more than 6 months.</p>
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- 3.2 In all cases, visitors cannot:
- 3.2.1 Undertake any form of employment in the UK (except for the permissible activities listed in the table above).
 - 3.2.2 Fill a normal post or a genuine vacancy at the University, even on a temporary basis.
 - 3.2.3 Receive funding for their work or activities in the UK from any UK source (payments of expenses, including travel and subsistence may be disregarded, but should be reasonable and justifiable). Travel, maintenance and accommodation may be provided by a third party.
 - 3.2.4 Stay in the UK for more than 6 months (or 12 months for visiting academic visitor activities, provided a visa has been obtained in advance in relation to such activities).
 - 3.2.5 Switch to any other immigration category whilst inside the UK. This means, for example, that the person cannot enter the UK as a visitor and then apply in the UK for a leave to remain in the Skilled Worker or Temporary Worker Government Authorised Exchange categories.
 - 3.2.6 Have recourse to public funds.
- 3.3 Where research activities are involved, it will be necessary to determine whether the person can enter the UK as a Visitor, or should enter as a Temporary Worker Government Authorised Exchange (which would require sponsorship for a visa by the University). It is crucial that the correct visa category is used. The appropriate visa category for research activities can be broadly summarised as follows:
- 3.3.1 Undertaking private research for own purposes – can enter as a Visitor
 - 3.3.2 Sharing knowledge / experience but not conducting research in the UK – can enter as a Visitor
 - 3.3.3 Undertaking collaborative research, or research linked to a grant or fellowship – should enter as Temporary Worker

- 3.4 **An invitation letter should be issued to individuals entering the UK to undertake these sorts of activities on University headed paper. A template invitation letter can be found [here](#). If you require help with drafting the invitation letter, please contact the HR Department.**
- 3.5 **Visa nationals (ie, who will need to apply for a visa in advance) may need to provide additional information in support of their application, including in the University support letter. Advice should be sought from the HR Department where an application is being made by a visa national.**
- 3.6 Individuals seeking to enter the UK as non-visa nationals will need to be able to satisfy Immigration Officers at the border that they are genuinely entering the UK as visitors. To minimise the risk of being refused entry, it is sensible for visitors to have evidence that they can maintain and accommodate themselves in the UK (eg, evidence of accommodation and funds) and that they can meet the cost of an onward or return journey or have a return ticket.

4 Permitted paid engagements

- 4.1 Some visitors can come to the UK for up to one month and be paid without having to be sponsored by the University. These visitors are undertaking permitted paid engagements (“PPE”).
- 4.2 This route is potentially relevant for the University as it covers roles such as visiting examiners assessors and some lecturers. It is available to visitors who are coming to:
- 4.2.1 Give a lecture or series of lectures (but not undertake a formal teaching role). This effectively means the person cannot be filling a part-time or full-time role in the UK; or
 - 4.2.2 Examine students, or
 - 4.2.3 Participate in or chair selection panels (this would typically be as part of the University’s quality assurance processes).
- 4.3 The restrictions relating to PPE visitors are essentially the same as for the Visitor (standard) category, except that PPE visitors can be paid for the activities they undertake and are limited to one month’s stay in the UK.

- 4.4 In order to qualify for entry under the PPE route, the individual must be able to show that they have a formal invitation from the University to carry out the engagement (ie, a formal invitation letter), and that the specific activity relates to their area of expertise and/or qualifications, and full-time occupation overseas. This means that academics who are retired will not qualify.
- 4.5 **A formal invitation letter must be issued by the University to the person. This letter must be approved by the HR Department prior to being issue. No payment for PPE activities will be made unless the invitation letter has been approved by the HR Department. An invitation template letter can be found [here](#). If you require help with drafting the invitation letter, please contact the HR Department.**
- 4.6 Non-visa nationals must be able to demonstrate to the Immigration Officer at the border that they are qualified to perform the paid engagements or that the engagements relate to their area of expertise, qualifications or occupation overseas. Certificates relating to their educational qualifications and a letter from their overseas employer confirming their current employment and expertise in the relevant field will usually be sufficient to evidence this and should be carried by the person on arrival in the UK. To minimise the risk of being refused entry, it is sensible for non-visa nationals to have evidence that they can maintain and accommodate themselves in the UK (eg, evidence of accommodation and funds) and that they can meet the cost of an onward or return journey or have a return ticket. **A PPE visitor should ensure that their passport is stamped with the PPE endorsement, otherwise the University will not be able to pay the person for the work undertaken.**

5 When is a visitor visa not the correct visa?

- 5.1 A visitor visa would not be appropriate in the following circumstances:
- 5.1.1 The person will be employed by the University. In this case, a Skilled Worker, Temporary Worker Government Authorised Exchange, or Global Talent visa would usually be required.
- 5.1.2 Someone coming to give one, or a series of, lectures for more than one month. A Temporary Worker Government Authorised Exchange visa may be appropriate, but the person should not be filling an advertised vacancy and must be supernumerary (ie, additional to normal staffing requirements).

- 5.1.3 Someone coming to participate in collaborative research on a University-hosted research project. A Temporary Worker Government Authorised Exchange visa would usually be required.
- 5.1.4 Students coming on internships or work placements to undertake research. Further advice should be sought from the HR Department in these circumstances as advice is likely to be required from the [University's International Student Advisory Team](#).
- 5.1.5 A person holding the title of Visiting Professor, if working on University-hosted formal research projects. A Temporary Worker Government Authorised Exchange visa or Global Talent visa would usually be required.

6 Visitor documents to be retained by the University

- 6.1 All visitors to the University will be required to present their visa / immigration stamp (as contained in their passport) to the host department. A copy will be taken and retained by the host department for the duration of the visit. For individuals in the Visitor (standard category) copies will be destroyed after the visit has concluded.
- 6.2 For PPE visitors, copies of passport and visa / immigration stamps **should be forwarded to the HR Department**. No payment will meet made without these documents being provided. These documents will be retained on file until the University's next Home Office compliance audit.

7 Process

- 7.1 A Visitor Request Form must be completed and signed off by the relevant Head of School/Function prior to any visit.
- 7.2 Relevant documentation must be submitted alongside the Visitor Request Form in support of the application e.g. visit details, funding information.
- 7.3 The Visitor Request Form and supporting documentation should be sent to the School/Function Executive Support team to process.
- 7.4 On receipt of the approved form, Executive Support colleagues should send the Visitor the appropriate invite letter. If it is unclear which visitor route applies, HR Coordinators can offer guidance.
- 7.5 It is the Visitor's responsibility to obtain the relevant visa/entry clearance.

- 7.6 On the first day of the visit and before any activity is undertaken, the relevant Executive Support colleague must check the Visitor's visa/entry clearance. A copy must be taken, endorsed and retained as per the [UKVI right to work check guidance](#).
- 7.7 Standard Visitor Visa holders must not receive funding for their work or activities in the UK from any UK source (payments of expenses, including travel and subsistence may be disregarded, but should be reasonable and justifiable). Expense payments must be made in accordance with the [University Expenses Policy](#). Travel, maintenance and accommodation may be provided by a third party.
- 7.8 PPE payments must be claimed via the PPE Claim Form and submitted to Payroll@reading.ac.uk.
- 7.9 Documentation should be retained and/or destroyed in line with section 6.
- 7.10 All visitors must be alerted to UKVI [Visitor Rules](#).
- 7.11 Overseas Visitor details MUST be added to the Tax teams Overseas Visitor Spreadsheet if their stay at the University is greater than 2 days. For more information, please contact vat@reading.ac.uk .

TEMPORARY WORKER GOVERNMENT AUTHORISED EXCHANGE GUIDANCE

1 Temporary Worker Government Authorised Exchange activities

1.1 This category enables the University to sponsor 'researchers' (which includes academics, researchers, scientists, research engineers, and other or other skilled research technology specialists) for a maximum duration of 2 years to undertake the following activities:

1.1.1 External examinations.

1.1.2 A formal research project or collaboration.

1.1.3 A period of work-based training / work experience / internship / placement.

1.1.4 Skill development / knowledge transfer.

1.1.5 A series of lectures, which doesn't amount to a formal teaching post.

2 Key points relating to the Temporary Worker Government Authorised Exchange category

2.1 The following points should be noted:

2.1.1 **Funding** - the researcher may be funded by their host, their overseas employer, or an independent UK or non-UK funding body. The researcher cannot be self-funded and must be in receipt of funding in line with, or above, the National Minimum Wage.

2.1.2 **Employment** - the researcher does not have to be employed overseas to be eligible for sponsorship and if necessary, it is permitted for the University to issue an employment contract to the researcher, provided the activity does not amount to a genuine vacancy, as below.

2.1.3 **Genuine vacancy** - the work or activities undertaken must never amount to what the Home Office terms 'a genuine vacancy'. This means that the role must be over and above the University's normal staffing requirements, and which would not be automatically refilled once the post holder leaves.

2.1.4 **Advertisement** - roles are not normally advertised and recruited to in the conventional way (although work experience, internships and other placements may be subject to a degree of competition).

2.1.5 **Study** - migrants may do courses of study, however, any study undertaken cannot interfere with the purpose of engagement, as defined on their CoS and must be ancillary.

2.1.6 **Sponsor duties** – the University has a number of duties and obligations as a sponsor which are similar to the duties in and responsibilities in respect of Skilled Worker staff, even if the person is not employed by the University.

3 Process

Any individual seeking to come to the University through the Temporary Worker Government Authorised Exchange route must first be issued a Certificate of Sponsorship (CoS) from the University. It is for individual Departments to request a CoS.

3.1 An Application for a Temporary Worker Government Authorised Exchange CoS must be completed and signed off by the relevant Head of School/Function prior to any visit.

3.2 Relevant documentation should be submitted alongside this form, in support of the application e.g. visit details, funding information.

3.3 The Application for a Temporary Worker government Authorised Exchange CoS and supporting documentation should be sent to the HR Coordinator to process.

3.4 On receipt of the approved form, HR will make a CoS application and write to the Visitor, detailing the CoS information. This will be copied to the inviting School/Function, noting the reporting and recording duties that must be adhered to.

3.5 It is the Visitor's responsibility to obtain the relevant visa/entry clearance.

3.6 On the first day of the visit and before any activity is undertaken, the relevant Executive Support colleague must check the Visitor's visa/entry clearance. A copy must be taken, endorsed and retained as per the [UKVI right to work check guidance](#). This must be sent to HR for recording purposes.

3.7 The HR Operations team will enter Visitor details on to iTrent and any payment, if applicable, will go through the payroll.

3.8 Overseas Visitor details MUST be added to the Tax teams Overseas Visitor Spreadsheet if their stay at the University is greater than 2 days. For more information, please contact vat@reading.ac.uk.

Version control

Version	Keeper	Reviewed	Approved by	Approval date
1.0	HR	Annually	AD HR	October 2019
1.1	HR	Annually	AD HR	March 2021
