Tier 2

Guidance for current and prospective staff
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*Updated November 2019*
Guidance for Tier 2 Certificate of Sponsorship Holders

As a Certificate of Sponsorship holder you are required under Home Office regulations to do the following:

**KEEP YOUR PERSONAL DETAILS UP TO DATE**

On being offered a position of employment at the University you will be asked to complete a personal details form. It is a mandatory requirement that you either return this form to the Human Resources Department on or before your first day of work or update online via Core HR. Failure to do so may result in your removal from the University payroll.

To update your personal details online, once you have registered and activated your computing account ([https://register.liverpool.ac.uk/register/](https://register.liverpool.ac.uk/register/)) you can update your details via the Core Self-Service Portal by either clicking on the ‘CORE HR’ icon in the Tools menu on the University Digital homepage or by following the link [https://www.liverpool.ac.uk/intranet/hr/my-hr/corehr/](https://www.liverpool.ac.uk/intranet/hr/my-hr/corehr/)

Should your personal details change at any time you are required to contact your Human Resources Administrator informing them in writing or via email. This should be done at the earliest possible opportunity, in order for us to notify the UKVI agency.

**PROVIDE HUMAN RESOURCES WITH YOUR IMMIGRATION INFORMATION**

As a Certificate of Sponsorship holder it is essential that you provide the Human Resources Department with proof of your right to work in the UK.

On being offered employment at the University you will be issued with a unique certificate of sponsorship reference number which you will need to quote in your application to the UK Visa and Immigration Agency for leave to remain in the UK. Under Home Office regulations it is essential that you make this application and for it to be approved before you start work. For further information on how to apply for your Leave to Remain in the UK please see the UKVI website: [www.gov.uk](http://www.gov.uk)

On or before your first day at work you are required to visit the Human Resources Department to show the Leave the Remain stamp or Biometric Card in your passport. If for any reason you are unable to visit the Department you should contact your HR Administrator at the earliest possible opportunity. Failure to do so may result in your removal from the University payroll.

**REPORTING DUTIES**

As a Certificate of Sponsorship Holder it is vital that you inform your Line Manager and the Human Resources Department of the following:

- If you are not able to start work on the date stated in your offer letter
- If you resign from your post
- If you move into another immigration category e.g. obtain Highly Skilled Migrant Status, Indefinite Leave to Remain, British Citizenship
- Any changes to your work location address
- Any changes to contractual hours
- Any changes to salary or allowances
• Any periods of Unpaid Leave
• Any periods of Research Leave
• Any periods outside the UK paid or unpaid (except for annual leave)

You should do this in writing or via email at the earliest possible opportunity.

IMMIGRATION HEALTH SURCHARGE (IHS)

The UKVI introduced an IHS for all non-EEA Nationals who are issued a visa of more than 6 months. It is an additional charge over and above the visa fee and must be made up front at the time of the visa application. Payment of the surcharge will ensure that you have full access to the NHS on the same terms as a permanent UK resident. For further guidance please see the UKVI webpages:

www.gov.uk/government/publications/immigration-health-surcharge-information-for-migrants

The University of Liverpool are currently offering Tier 2 Certificate of Sponsorship holders an interest free loan repayable through salary to all individuals who need to pay IHS. This loan will only be payable once you commence your employment. However you will need to cover the cost initially yourself upfront when you apply for your visa, and then you can apply for a loan once you commence employment as it will be repaid through your salary.

As part of the online visa application process, you will be prompted to pay the surcharge via a separate online portal. After payment of the charge, you will automatically be issued a long reference number which will start ‘IHS’. When prompted in the online visa application, you must enter this reference number in order to proceed.

FREQUENTLY ASKED QUESTIONS

• How do I apply for the visa?
You must apply online www.gov.uk/apply-uk-visa

• What is the University’s Sponsor Rating?
The University of Liverpool is an A-rated Sponsor

• Where can I apply for my visa?
The visa application must be lodged in the country where you currently reside. Note: this does not have to be your country of origin.

• How long will the VISA application process take?
UKVI provide an 8 week service standard for all online applications. Applications made through the Priority and Premium services, will receive their BRP within 10 working days. This will also vary depending on the country in which you submit your visa application. For guidance on location specific timeframes, see here: www.gov.uk/visa-processing-times

• What documents do I need to submit?
After you submit your application online, you will be provided with an information sheet which confirms which documents you need to submit.

• How much will the visa cost?
Please see here for up-to-date guidance on visa fee costs: www.gov.uk/tier-2-general/overview
• **How long will the application process take?**
This will vary depending on the country in which you submit your visa application. For guidance on location specific timeframes, see here: [https://www.gov.uk/visa-processing-times](https://www.gov.uk/visa-processing-times)

Certain countries provide enhanced services which will expedite the visa application. For details on which services are available, including the processing times and the cost, see: [https://www.vfsglobal.co.uk/global/index.html](https://www.vfsglobal.co.uk/global/index.html)

• **What is the application process for my dependants?**
Your dependants can apply at the same time as you to enter the UK. Alternatively, they can wait until you have entered the UK and started work before they apply.

Your dependants must apply here: [https://visas-immigration.service.gov.uk/apply-visa-type/dependant](https://visas-immigration.service.gov.uk/apply-visa-type/dependant)

• **What happens after the application is granted?**
If your application is granted, the visa you initially receive inside your passport will only be valid for 30 days. This is known as a ‘30 day vignette’ and will facilitate your entry into the UK. You must enter the UK before the vignette expires or you will have to re-apply for your visa.

Within ten days of your arrival in the UK, you are required to collect your Biometric Residence Permit (BRP) from a UK Post Office. The BRP will state the full length of leave you have been granted and will supersede the 30 day vignette.

Full details of how you arrange collection of your BRP will be provided to you by UKVI at the point your application is approved. For further guidance, please see the UKVI webpages: [https://www.gov.uk/biometric-residence-permits](https://www.gov.uk/biometric-residence-permits)

• **What happens if my visa is refused?**
You must notify your HR Administrator immediately if your visa is refused.

If you are refused, there is no separate appeal process, but you may be able to lodge what is known as an ‘Administrative Review’. Please see any correspondence from the Home Office that accompanies your refusal letter.

• **Where can I find information about relocating to the UK?**
The University provides comprehensive guidance on common issues and topics regarding relocating to the UK, including accommodation, healthcare, Childcare, Schooling, travel and more: [https://www.liverpool.ac.uk/working/relocating/](https://www.liverpool.ac.uk/working/relocating/)

• **What happens on my first day at The University of Liverpool?**
Your Department/School will contact you in advance of your arrival to make arrangements for your first day. Under UK legislation as an employer we are required to check that your hold permission to live and work in the UK before you start work. You can evidence this with your passport and your 30 day vignette or your BRP. You must therefore bring your identity documents to the HR Department for copying before you commence work. If you have not yet collected your BRP before your first day, you can start work on the basis of your 30 day vignette provided it is still valid. You then must obtain your BRP from the Post Office as soon as possible and present this to Human Resources.

You may also wish to click on the following link to find more information about your first day: [https://www.liverpool.ac.uk/intranet/hr/new-starters/first-day/](https://www.liverpool.ac.uk/intranet/hr/new-starters/first-day/)
• What Happens if my Tier 2 start date is delayed?
If a start date is delayed by more than 28 days after either the Tier 2 CoS start date or the date the Tier 2 visa is issued, whichever is later, sponsorship must be withdrawn.

• What are the conditions of holding a Tier 2 visa?
Please see the UKVI webpages here: https://www.gov.uk/tier-2-general

• How long can you stay in the UK on a Tier 2 Visa?
You can come to the UK with a Tier 2 (General) visa for a maximum of 5 years and 14 days, or the time given on your certificate of sponsorship plus 1 month, whichever is shorter. You can apply to extend this visa for up to another 5 years, as long as your total stay is not more than 6 years. You may request an extension within 60 days of the expiry of the visa.

• When/how do I become eligible for Settlement in the UK?
Eligibility for settlement after five years requires that you have held any combination of the following types of visas continuously for a period of five years:

- Tier 1 (Entrepreneur)
- Tier 1 (Exceptional talent)
- Tier 1 (Investor)
- Tier 2 (General)

Where a Tier 2 visa has been held for five years, this can be across multiple employers, multiple jobs and multiple extensions.

You cannot combine time spent on Tier 1/Tier 2 visas with time spent on dependant visas – you must either hold dependant visas for a full 5 years or a Tier 1/Tier 2 visa for a full five years.

Note: if you currently hold a Tier 1 (Exceptional Talent) visa, and were endorsed under the ‘world leader’ category, you are eligible to apply for settlement after three years, not five.

In all other cases, eligibility under the five year ILR route requires five years continuous and lawful residence in the UK. ‘Continuous and lawful’ is defined as follows:

- You have continuously held one, or a combination of, one of the above visas, and have not overstayed beyond the expiry date of any of these visa; and

- ‘Continuously’ means no more than 180 days absence from the UK each year. This is calculated as follows:
  
  o Absences from the UK which occurred before 11 January 2018, cannot have been for more than 180 days in a consecutive 12 month period, based on the date you apply for ILR.
  
  o Absences from the UK which occurred after 11 January 2018, cannot have been for more than 180 days outside the UK in any 12 month rolling period.

When calculating absences, this includes all personal and business-related travel.
If your absences exceed 180 days for any given year and your most recent Certificate of Sponsorship contains a PhD level SOC Code (2111, 2112, 2113, 2114, 2119, 2311), then any absences for the purpose of research activities overseas shall **not** count towards the 180 day threshold.

If you obtain an ILR visa you will gain continuing and unlimited eligibility to work in the UK and must bring your ILR visa to HR for us to make the necessary copies and update our records.

If you have any further questions relating to your certificate of sponsorship, please do not hesitate to contact your area Human Resources Administrator. Queries relating to Leave to Remain in the UK should be directed to the UK Visa and Immigration Agency, website: [www.gov.uk](http://www.gov.uk)