1. **Introduction**

1.1 Staff who hold a Tier 4 (general) Student visa have restrictions placed on their work activity. **Students under Tier 4 are permitted to:**

- Work for up to 10 or 20 hours per week during term time (in accordance with the holders visa);
- Work full-time during vacations;
- Undertake a work placement as part of the course;
- Work as a postgraduate doctor on a recognised Foundation Programme;
- Work as a postgraduate dentist on a recognised Foundation Programme, providing the student is being sponsored by the Yorkshire and Humber Strategic Health Authority or the South London Local Education and Training board;
- Work as a student union sabbatical officer for up to 2 years.

1.2 As the employer, it is the University’s responsibility to ensure students holding a Tier 4 visa do not work in excess of 10 or 20 hours per week (dependent on visa conditions) during term time. In addition, as the employer and sponsor for our Kent students, it is the University’s responsibility to ensure the student continues to hold their Tier 4 visa and conditions are met.

1.3 Although difficult for the University to guarantee the student is not working additional hours with additional employers, we can ensure multiple contracts with the University do not exceed the permitted hours per week. Students are advised at registration and when signing an employment contract that hours are restricted during term time in accordance with their visa.

1.4 At present the University does not have an electronic system for submitting timesheets. Staff are encouraged to submit timesheets on a monthly basis, although this is not mandatory.

2. **Monthly check of submitted timesheets**

2.1 On a monthly basis, payroll will generate a list of current staff who hold a Tier 4 (general) Student visa.

2.2 Prior to the monthly BACS run, payroll will identify timesheets submitted by staff holding a Tier 4 (general) Student visa.

2.3 The HR Immigration Adviser will review the identified timesheets and document any Tier 4 (general) Student visa holders who have exceeded 20 hours per week during term time.
3. **Monthly hours report**

3.1 The HR Immigration Adviser will request a report from HR Systems and Planning on a monthly basis to include all staff holding a Tier 4 (general) Student visa, the hours claimed and salaried hours (if applicable).

3.2 The HR Immigration Adviser will highlight cases where the total hours claimed exceeds 81.

3.3 For claims which exceed 81, the HR Immigration Adviser will review the timesheets to determine the period during which the hours have been worked.

4. **Working in breach of visa conditions**

In the event that hours have been worked outside of the visa conditions, the following process will be applied to the member of staff and line manager:

4.1 **First incidence of exceeded hours**

- Correspondence to member of staff reiterating visa restrictions and advising a breach has been recorded.

- Line manager(s) will be notified of exceeded hours offered. A reminder will be issued regarding Tier 4 (General) Student visa restrictions.

- Advice will be provided to the member of staff and line manager(s) regarding subsequent breaches and possible consequences.

- A record of the correspondence and breach of conditions will be noted.

4.2 **Second incidence of exceeded hours**

- An initial informal investigation will be carried out by the HR Immigration Adviser.

- The member of staff and line manager will be notified of the suspected second incident and the formal investigation.

**Line Manager**

- If repeat breaches are identified, following a formal investigation, the relevant University disciplinary process for misconduct may be instigated under either the [Grades 1-6 Disciplinary Policy](#) or [Statute 7](#), as appropriate. Appendix A

- In the event where a member of staff holds multiple contracts, an investigation will be conducted for all contracts held.
Tier 4 visa holder

- If repeat breaches are identified, following a formal investigation, the relevant University disciplinary process for misconduct may be instigated, under either the grades 1-6 Disciplinary Policy, or Statute 7, as appropriate.

- Compliance Manager (Overseas Students) to be notified via visacompliance@kent.ac.uk
Appendix A

First incident
- Letter confirming breach has been recorded
- Notification of subsequent breaches
- Note of incident

Second incident
- Initial informal investigation
- Member of staff and line manager notified of second breach
- Compliance Manager (Overseas Students) notified

Repeat breach
- Case to relevant HR Adviser
- University disciplinary process