

Tier 5 Government Authorized Exchange

A HEI perspective

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Session overview

- 12.30 – 13.15: Tier 5 GAE managing sponsorship and compliance- A HEI perspective
- 13.15 – 13.30: Break
- 13.30 – 14.15 : Tier 5 schemes and future of Tier 5 (based on the new proposals under the white paper) presented by Carter Thomas
- 14.15 – 14.30:Q&A

Tier 5 GAE as we currently know it....

- Tier 5 Government Authorised Exchange (“**T5GAE**”) is common at Goldsmiths (sub-category Tier 5 GAE Sponsor Researchers set out in Appendix N). No Resident Labour Market Test needed nor any minimum standards of English for visa purposes

- 3 areas to consider if you are using this route:
 1. Sponsorship requirements;
 2. Immigration advice provision/ visa eligibility; and
 3. Record keeping and Appendix D compliance during sponsorship.

General requirements

37.1- specific programme, e.g research programme for HEIs

37.2- not filling job vacancies. Must be supernumerary (meaning over and above & usually funding linked to an individual but not always)

37.3- must be above RQF level 3 in terms of skills (refer to Appendix J SOC codes to help determine this)

37.4- HEI's only ones able to use sponsored researcher route under GAE. Specifies the individual either is a sponsored researcher or an academic giving lectures/ examining or working on supernumerary research collaboration

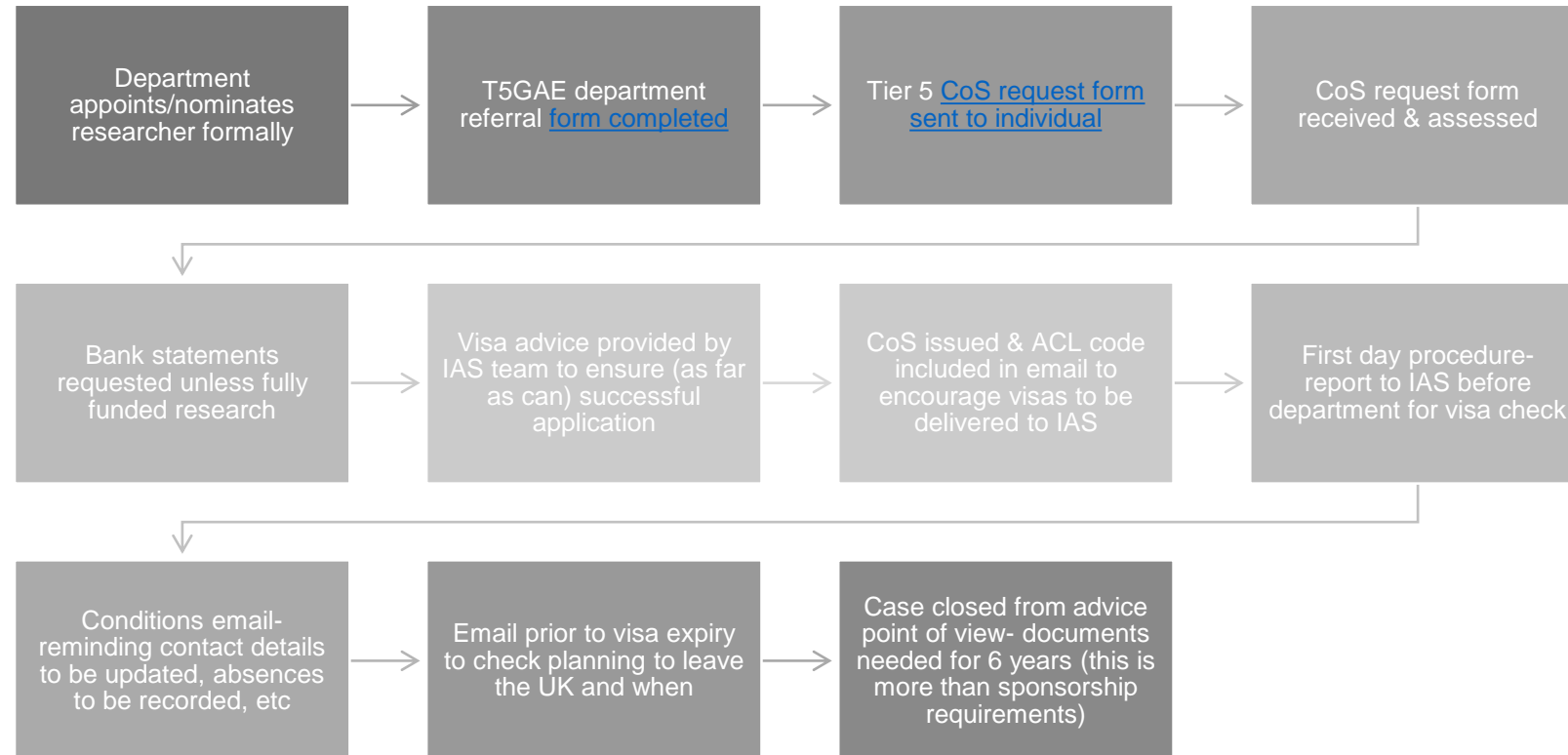
37.8- by assigning a COS you are guaranteeing that the individual won't establish a business, or undertake activities outside of the scheme and they will leave the UK at the end of their visa , having complied with all visa conditions during their stay

- Tiers 2 & 5: guidance for sponsors paragraph 15.12 'catch all' only assign CoS if you believe they are eligible for the route and will comply with conditions

- Tiers 2 & 5: guidance for sponsors paragraph 37+ deals with Tier 5 GAE

Meeting the sponsorship obligations

- Process, process, process- designed to help you comply and help administer the scheme smoothly at your institution. For example, at Goldsmiths we use the following process:



Assigning COS for T5GAE

- All details needed are gathered on the CoS request forms including address, passport details, etc
- We list working hours in line with our standard working week (35 hours) as we only take sponsored researchers on a full time basis. We list the salary as £1 as you cannot assign it otherwise.
- We list the job title as sponsored researcher and then use [SOC code 2426 or 2429](#) (*either Business and Related Research Professionals or Business, Research Professionals and Administrative Professionals not elsewhere classified*)
- Standardised wording on CoS as follows:

This applicant will come to the UK to participate in collaborative research with the Department of xxx at Goldsmiths, University of London. They will join Goldsmiths temporarily under the Sponsored Researcher (Research and Training Programmes) route to take part in research relating to: xxxxxx. The work is supernumerary and it is anticipated that it's above NQF level 3. We confirm that this post is not filling a vacancy and that any work carried out will fully comply with all relevant UK and EU legislation.

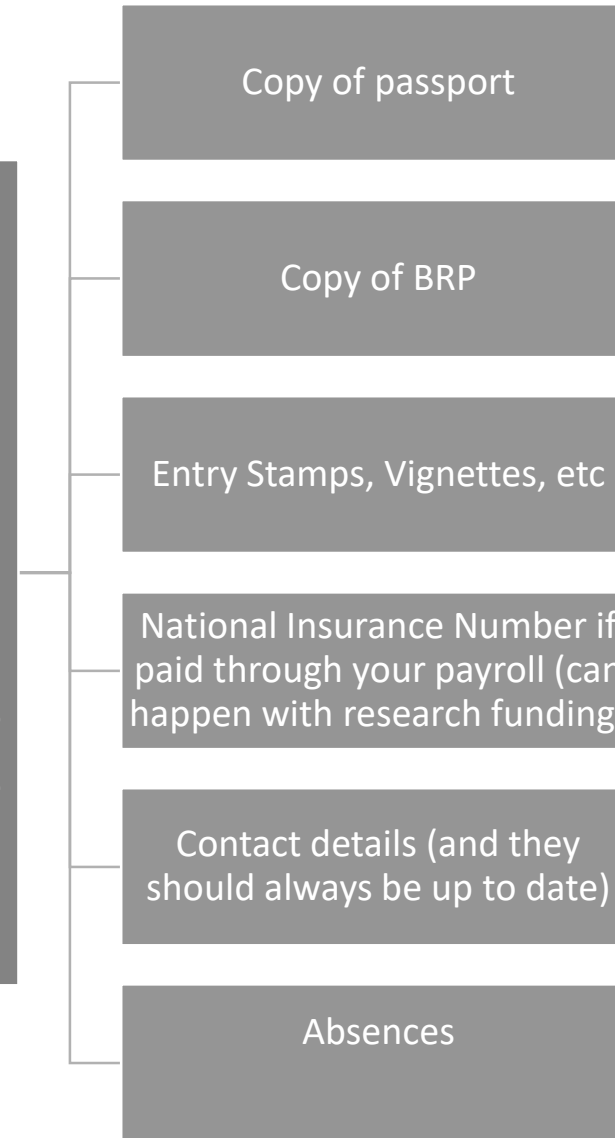
- We only certify maintenance if they are receiving payment e.g full funding either through Goldsmiths or external agencies.

Record keeping

- Sponsored researchers should not be filling job vacancy, so not employees so unlikely to fall into any HR right to work checks
- However sponsor required to hold copies of documents – how can you meet this requirement?
- Day 1 process should include a trip to the IAS or equivalent (whoever issued the COS) and this should be built into terms and conditions and comms of the scheme
- If possible add individual to staff system (if it manages visa expiry dates, or any records system to help manage expiry dates
- Consider a 'conditions email'
- Email on the run up to the visa expiry to check leave date

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Appendix D



Reporting requirements (paragraph 15.6)

What	When
If the individual does not turn up	Always within 10 working days of the act/situation/change. If you miss this deadline, still report as soon as you are able to. Better late than never...
If the contract/research ends sooner than stated on CoS	
If you stop sponsoring them	
If they are absent for more than 10 consecutive days	

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