



## Visitors from overseas: a guide for Schools

### Introduction

Non-EEA visitors coming to the University are required, by the UKVI, to enter the UK under an immigration category appropriate for their intended activities. Visitors are not permitted to undertake employment and can only conduct work activities which fall into the permitted activities of the category of visitor visa they hold - <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-v-visitor-rules>.

**Please note that there has been no change to the rights and status of EEA nationals coming to the UK due to the EU referendum in June 2016. EEA Nationals are free to come to the UK without restriction to visit the University until 31 December 2020. After this date EU Free November rules will end and any visitors will be subject to the new UK immigration system for EEA Nationals.**

### Why is this important?

The University sponsors over 150 Tier 2 and Tier 5 migrants and to retain our UKVI Sponsorship licence we must comply with all UKVI rules – including those applicable for visitors.

In addition, the University wants to ensure that all visitors are able to visit the University without being stopped at the UK border to be excessively questioned by immigration officials, or worse, refused entry the UK.

### What do I need to do?

During the process of arranging a visit the host should advise the non- EEA migrant to explore and check UK immigration requirements. If the migrant requires a visa then the following websites may help:

- <http://www.st-andrews.ac.uk/staff/policy/immigration/>
- <https://www.gov.uk/browse/visas-immigration/tourist-short-stay-visas>

If the information online or in this guide does not to determine the most appropriate immigration category then either the host or visitor can contact Cameron Little in HR for advice on the most appropriate immigration category.

### Types of visitor visas

There are four main visitor immigration categories –

- Business Visitor
- Academic Visitor
- Permitted Paid Engagement (PPE) Visitor
- Tier 5 (Government Authorised Exchange)

The UKVI rules define permitted activities under each category and there are specific restrictions about any payments and the length of visit (see Appendix 1).

If contacting HR please ensure as much information as possible is provided, this will ensure the correct immigration category can be identified. The following information is generally required:

- Visitors nationality
- Visitors occupation or status overseas
- Activities to be undertaken at St Andrews
- Length of stay at St Andrews
- Any payment arrangements between St Andrews and the visitor

## Visa process

To obtain a visa, a letter of invitation from the host School must be issued to the visitor as soon as possible, template letters are included in Appendix 2. Depending on their nationality and the nature of the visit, visitors will either be 'non-visa nationals' or 'visa nationals'. Please see <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-v-visitor-rules>.

'non-visa nationals' do not require a Visitor visa in advance of travel to the UK if they are coming for less than six months. They must, however, confirm and provide evidence the purpose of their visit, by providing their letter of invitation from the University and any other required documents, to UKVI officials at immigration control in the UK. **Please note** that if a 'non-visa national' is coming to the UK for longer than six months they **must** apply for a visa in advance of travelling to the UK using the same process as 'visa nationals'.

'visa nationals' always require a visa in advance of travel to the UK regardless of length of stay. Information on how to apply for a visitors visa can be found on the UKVI website – <https://www.gov.uk/standard-visitor-visa>.

To obtain a Tier 5 (Government Authorised Exchange) visa regardless so length of stay, Human Resources is required to assign a Tier 5 Certificate of Sponsorship to the migrant provided the work activities qualify under the Tier 5 rules. The migrant must make an application for a Tier 5 visa which allows them to enter and work in the UK.

## Determining the correct visa

The flowchart in Appendix 3 defines some common activities undertaken by visitors to the University of St Andrews to help determine the most appropriate immigration routes.

## When is a Visitor visa not the correct visa route?

A visitor visa would not be appropriate in the following scenarios:

- A non-EAA migrant employed directly by the University. A Tier 1 (Exceptional Talent) or Tier 2 (General) visa would be required; please contact Human Resources for information about employing overseas staff.
- A student coming to participate in classes or activities which forms part of their course of study. Please contact Student Services for visa requirements.

Please note that the University cannot guarantee any visa will be issued by the UKVI.

## Further information

Further information for both the host and the non-EEA visitor can be found at <https://www.gov.uk/check-uk-visa> or <http://www.st-andrews.ac.uk/staff/policy/immigration/>

If you have any questions, or require further information, please contact Cameron Little in Human Resources on 01334 462497 or [himmigration@st-andrews.ac.uk](mailto:himmigration@st-andrews.ac.uk) or alternatively visit the UKVI website at <https://www.gov.uk/visas-immigration>.

**Human Resources**  
**October 2018**

## Appendix 1

### What can overseas visitors do at the University?

Table 1.1 shows a summary of the permitted activities under the four main visiting immigration routes and Table 1.2 illustrates some common activities undertaken by visitors at the University of St Andrews and the most appropriate immigration route.

**Table 1.1 - Visitor Visa type**

Immigration category	Permitted activities
<b>Business Visitor</b>	<ul style="list-style-type: none"> <li>• Attending meetings, conferences or interviews</li> <li>• Giving a one-off or short series of talks (provided these are not commercial events and the organiser is not making a profit)</li> <li>• Gathering information for their employment overseas including planning future research collaborations (but not conducting research).</li> <li>• <a href="https://www.gov.uk/standard-visitor-visa">https://www.gov.uk/standard-visitor-visa</a></li> </ul>
<b>Academic Visitor</b>	<ul style="list-style-type: none"> <li>• Conduct private independent research whilst on sabbatical leave</li> <li>• Gather information or advise on an international project led from the UK (i.e. through meetings)</li> <li>• Give a one-off or short series of talks (provided these are not commercial events and the organiser is not making a profit)</li> <li>• Sharing knowledge or experience or to hold informal discussions with UK counterparts (but not conducting research on University hosted projects);</li> <li>• Participate in a formal exchange programme e.g. where the University is collaborating with an overseas university on research and exchanges personnel for some or all of the duration of the project. Any salary should continue to be paid by the academic's own overseas institution</li> <li>• <a href="https://www.gov.uk/standard-visitor-visa">https://www.gov.uk/standard-visitor-visa</a></li> </ul> <p><b>Visitors under this route must be employed by an academic institution overseas; retired persons and overseas students are not eligible.</b></p>
<b>Permitted Paid Engagement (PPE) Visitor</b>	<ul style="list-style-type: none"> <li>• Give one or a short series of paid lectures in their field of expertise (but must not be fulfilling a teaching role)</li> <li>• Examine students or participate in and/or chair a selection panel as part of the institution's quality assurance processes</li> <li>• All PPE visitors must be paid a fee (there is no minimum amount)</li> <li>• <a href="https://www.gov.uk/permitted-paid-engagement-visa">https://www.gov.uk/permitted-paid-engagement-visa</a></li> </ul>
<b>Tier 5 (Government Authorised Exchange)</b>	<ul style="list-style-type: none"> <li>• The UKVI permits academic institutions to bring migrants to the UK, on a temporary basis, under the Tier 5 (Government Authorised Exchange) route, as Sponsored Researcher to undertake research where they are not filling an advertised position and the work is additional to the School's normal requirements.</li> <li>• <a href="https://www.gov.uk/tier-5-government-authorised-exchange/overview">https://www.gov.uk/tier-5-government-authorised-exchange/overview</a></li> </ul>

Please note visitors with Tourist visa may only take part in typical tourist activities such as visiting the University's museums and are not permitted to undertake employment or business activities (including research).

**Table 1.2**

**Activity examples**

<b>Activity</b>	<b>Possible immigration route (1)</b>	<b>Payments</b>	<b>Maximum length of visit</b>	<b>Documentation required from University</b>
Giving a single or series of lectures/talks or Speaking at a conference	Business visitor	Reasonable Expenses only	6 months	A formal invitation letter from University
	Academic visitor	Reasonable Expenses only	12 months	
	PPE visitor	Payment of fee	1 month	
Attending a conference	Business visitor	None or Expenses only	6 months	A formal invitation letter from University
	Academic visitor	None or Expenses only	12 months	
Attending meetings (i.e. to discuss future research collaborations)	Business visitor	None or Expenses only	6 months	A formal invitation letter from University
External Examiner (2)	PPE visitor	Payment of fee	1 month	A formal invitation letter from University
Conducting independent research whilst on sabbatical leave	Academic visitor	None or Expenses only	12 months	A formal invitation letter from University
Academic undertaking collaborative research on University projects for more than 12 months	Tier 5	Migrant should have own funding from external body which will be paid directly to them. or Overseas salary should continue to be paid	2 years	Tier 5 Certificate of Sponsorship assigned by HR
Overseas student undertaking research to support overseas PhD studies	Tier 5	Migrant should have funding from external body which will be paid directly to them.	2 years	Tier 5 Certificate of Sponsorship assigned by HR
Attending a job interview	Business visitor	None or Expenses only	6 months	Confirmation of interview sent by HR

**(1) Please note that the University cannot guarantee any visa will be issued by the UKVI and the migrant is responsible for obtain the necessary visa.**

**(2) Please note that External Examiners no longer require a right to work check at the University, but to ensure they can enter the UK they should advise UKVI officials that they are coming to the UK to examine students under the Permitted Paid Engagement route or apply for the relevant visa in advance of their travel to the UK.**

## Appendix 2

### Visitor template letters to support their entry to the UK

These letters can be edited to suit the visitor's purpose of visit to the UK.

#### Research visitor letter

Telephone: 01334 46XXXX

Email: XXXXX@st-andrews.ac.uk

[date]

#### **Private and Confidential**

To whom it may concern

Dear Sir or Madam

**Name – [name]**

**Date of Birth – [DOB]**

**Nationality – [Country of Nationality]**

I write to confirm that [Name] will be visiting the School of [school] at the University of St Andrews during the period [date] to [date]. The purpose of [Name] visit is to carryout research and collaborate on current research relating to [research topics].

The School and the University will benefit from [name] input during their visit in the following areas:

- Discussion of research ideas on [research areas]
- Participation in discussions and seminars within the School of [school]
- Contribution to research ideas on [research areas].
- Collaboration with researchers within the School of [school]
- To establish potential long term research collaborations with the University of St Andrews and [name of university].

[Name] has been invited to St Andrews in recognition of their expertise and major contribution to this area of research as [Job title] at the [name of university].

**[Name] will not be employed by the University or enrolled as a Student at the University of St Andrews. [S/He] will not be filling a vacancy or working under the control of the University during their visit. [name] will not be receiving any salary from the University during their visit but will receive reasonable travel & subsistence expenses. [name] will return to [country] after their visit to the University of St Andrews.**

If you have any queries in connection with the above, please do not hesitate to contact me.

Yours sincerely

XXXXXXXXXX

Head of School

School of XXXXXXXX

**Visitor coming to present at conference**

Telephone: 01334 46XXXX

Email: XXXXX@st-andrews.ac.uk

[date]

**Private and Confidential**

To whom it may concern

Dear Sir or Madam

**Name – [Name]**

**Date of Birth – [DOB]**

**Nationality – [Country of Nationality]**

I write to confirm that [Name] has been invited to the School of [School] at the University of St Andrews during the period [Date] to [Date].

The purpose of [Name] visit is to [remit of visit – edit to suit. Example - to participate in research workshops/Conference/present papers on particular research topic] within the School of [School]. This is being arranged so that our staff and students will benefit from [Name] expertise in the field of [describe main area(s) of expertise].

[Name] has been invited to St Andrews in recognition of their expertise and major contribution to this area of research as [Job title] at the [name of university].

**[Name] will not be employed by the University or enrolled as a Student at the University of St Andrews. [Name] will not be filling a vacancy or working under the control of the University during their visit.**

I confirm that the University will be responsible for payment of travel and subsistence costs to [Name]. **[Remove if not applicable].**

We understand [Name] will return to their current employment as [Job title] at the [name of university] after the conference at the University of St Andrews.

If you have any queries in connection with the above, please do not hesitate to contact me.

Yours sincerely

XXXXXXXXXX

Head of School

School of XXXXXXXX

**Permitted Paid Engagement visitor**

Telephone: 01334 46XXXX

Email: XXXXX@st-andrews.ac.uk

[date]

**Private and Confidential**

To whom it may concern

Dear Sir or Madam

**Name – [Name]**

**Date of Birth – [DOB]**

**Nationality – [Country of Nationality]**

I write to confirm that [Name] has been invited to the School of [School] at the University of St Andrews during the period [Date] to [Date].

The purpose of [Name] visit is to [remit of visit – edit to suit. Example – deliver a short series of lectures and to participate in research workshops or examine students or participate in and/or chair a selection panel as part of the institution's quality assurance processes] within the School of [School]. This is being arranged so that our staff and students will benefit from [Name] expertise in the field of [describe main area(s) of expertise].

[Name] has been invited to St Andrews in recognition of their expertise and major contribution to this area of research as [Job title] at the [name of university].

**[Name] will not be employed by the University or enrolled as a Student at the University of St Andrews. [Name] will not be filling a vacancy or working under the control of the University during their visit.**

I confirm that the University will be responsible for payment of travel and subsistence costs to [Name].

We understand [Name] will continue in their current employment as [Job title] at the [name of university/employer] after their visit to the University of St Andrews.

If you have any queries in connection with the above, please do not hesitate to contact me.

Yours sincerely

XXXXXXXXXX

Head of School

School of XXXXXXXX

### Appendix 3

#### Non-EEA migrants: Visiting Academics and Researchers Visa Routes

