



University of  
St Andrews

## Immigration reimbursement policy

<b>Document type</b>	<b>Policy</b>
<b>Scope (applies to)</b>	All staff
<b>Applicability date</b>	31/03/2015
<b>Review / Expiry date</b>	29/04/2021
<b>Approved date</b>	22/11/2019
<b>Approver</b>	Deputy Director
<b>Document owner</b>	Human Resources Officer
<b>School / unit</b>	Human Resources
<b>Document status</b>	Published
<b>Information classification</b>	Public
<b>Equality impact assessment</b>	None
<b>Key terms</b>	Staff/Rights to work/Immigration
<b>Purpose</b>	This policy sets out the University's approach to the reimbursement of immigration costs.

<b>Version number</b>	<b>Purpose / changes</b>	<b>Document status</b>	<b>Author of changes, role and school / unit</b>	<b>Date</b>
1.1	Classification change from internal to public.	Published	Lisa Stewart HR	21/11/2019

## **Table of contents**

1.	Introduction	3
2.	Tier 1	3
3.	Tier 2	3
4.	Tier 5	3
5.	NHS Surcharge	4
6.	Settlement/ Indefinite Leave to Remain	4
7.	Other Immigration categories	4
8.	General provisions	4
9.	Support	5

## 1. Introduction

- 1.1 The University of St Andrews recognises the advantages that migrant workers bring to the organisation and is committed to assisting, wherever possible, with the relocation and immigration processes.
- 1.2 This policy sets out the University's approach to the reimbursement of immigration costs and applies to both current and potential employees regardless of contractual status or grade.
- 1.3 Reimbursement of visa costs is managed by Human Resources and will be reimbursed to the employee upon production of their visa, valid proof of payment and completion of the staff expenses claim form. Please note that reimbursement of immigration fees is regarded as a taxable earning and therefore subject to tax and NI deductions by the University

## 2. Tier 1

- 2.1 Human Resources **will not** reimburse any cost associated with obtaining a Tier 1 visa unless it is expressly agreed with the Office of the Principal or Director of Human Resources during the recruitment process and/or prior to submitting the application. If an agreement is reached that the costs are to be reimbursed, then the following repayment clause will apply:
  - If the employee leaves within 6 months of the visa being issued, then they will repay 80% of the cost to the University;
  - If the employee leaves between 6 months and 12 months of the visa being issued, then they will repay 60% of the cost to the University;
  - If the employee leaves between 1 year and 18 months of the visa being issued, then they will repay 40% of the cost to the University;
  - If the employee leaves between 18 months and 2 years of the visa being issued, then they will repay 20% of the cost to the University;
  - After 2 years no repayment to the University is required.
- 2.2 This provision includes all sub-categories of Tier 1.

## 3. Tier 2

- 3.1 Human Resources will pay the cost of the Tier 2 Certificate of Sponsorship directly to UK Visa and Immigration.
- 3.2 Human Resources will **only reimburse the postal visa application fee** for the employee and their dependant(s) under Tier 2 (General).
- 3.3 Human Resources will not reimburse any additional costs incurred by the employee and their dependant(s) in obtaining their visa including but not limited to postage fees, biometric processing fees, Police Registration Fees, test fees, or any travel costs to obtain the visa or have biometrics taken. Any exceptions to this must be expressly agreed with the Office of the Principal or Director of Human Resources prior to submitting a visa application.

## 4. Tier 5

- 4.1 Human Resources will pay the cost of the Tier 5 Certificate of Sponsorship directly UK Visa and Immigration. However Human Resources **will not** reimburse any cost incurred by the employee and their dependants in obtaining their visa application or their dependant(s) visa under Tier 5.

## 5. NHS Surcharge

5.1 The UK government has introduced the requirement that all migrants applying or extending their visa pay an NHS Surcharge as part of their application. This is in addition to the visa application fee. The NHS Surcharge fee is payable in advance by the migrant before the visa will be granted. The surcharge also applies to the main migrant as well as each dependant.

**5.2 Human Resources will only reimburse the NHS Surcharge for the employee and their dependant(s) under Tier 2 (General).**

5.3 Please note the NHS surcharge does not apply to those applying for Indefinite Leave to Remain.

## 6. Settlement/ Indefinite Leave to Remain

6.1 Human Resources will only reimburse the cost of settlement (also known as Indefinite Leave to Remain) for employees that are, at the time of their settlement application, employed on a Tier 2 visa sponsored by the University. Any exemptions to this rule must be expressly agreed with the Office of the Principal or Director of Human Resources prior to submitting the settlement application.

6.2 The settlement postal application fee for the employee and their dependant(s) is reimbursed by Human Resources, on the basis that if the employee leaves the University, voluntarily, within 2 years of their visa being issued then the following repayment clause will apply:

- If the employee leaves within 6 months of the visa being issued, then they will repay 80% of the cost to the University;
- If the employee leaves between 6 months and 12 months of the visa being issued, then they will repay 60% of the cost to the University;
- If the employee leaves between 1 year and 18 months of the visa being issued, then they will repay 40% of the cost to the University;
- If the employee leaves between 18 months and 2 years of the visa being issued, then they will repay 20% of the cost to the University;
- After 2 years no repayment to the University is required.

6.3 Human Resources will not reimburse any additional costs incurred by the employee and their dependant(s) in obtaining their visa including but not limited to postage fees, biometric processing fees, Police Registration Fees, Life in UK test fee, or any travel costs to obtain the visa or have biometrics taken.

## 7. Other Immigration categories

7.1 Human Resources will not reimburse any costs associated with any other immigration category such as, but not limited to, UK Ancestry Visa, UK Citizenship, Naturalisation, Right of Abode, or EEA Family Permit unless expressly agreed, in advance of submitting the visa application, with the Office of the Principal and/or Director of Human Resources.

## 8. General provisions

8.1 Employees can use the UK Visa and Immigration priority or premium service for which there are higher application fees. **If an employee decides to use this application method, Human Resources will only reimburse the equivalent postal cost regardless of relevant visa category.** The employee must pay the difference between application fees. Any

exemptions to this rule must be expressly agreed with the Office of the Principal or Director of Human Resources prior to submitting the visa application.

- 8.2 If the UKVI fees present any financial difficulty for an employee then they should discuss this with Human Resources prior to submitting the visa application.
- 8.3 Human Resources will not reimburse any costs incurred by the employee who wishes to use the services of a third party, including but not limited to an immigration lawyer, a registered immigration advisor or any UK immigration advisory service.
- 8.4 There is nothing to prevent Schools/Units from reimbursing any visa costs not reimbursed by Human Resources subject to agreement of the Head of School/Unit. In connection with externally funded posts, Human Resources will liaise with Finance to ascertain if any visa costs can be paid by the research grant. This will be subject to the terms of the research funding however the provisions of this policy will still apply to externally funded posts.
- 8.5 In cases of redundancy Human Resources will not claim back any reimbursement of visa expenses already paid to the employee.
- 8.6 The UKVI fees can be on the website at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>.

## 9. Support

- 9.1 If you have any queries regarding this process, please contact Cameron Little in Human Resources on 01334 462497 or e-mail [himmigration@st-andrews.ac.uk](mailto:himmigration@st-andrews.ac.uk).

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone.	Published	Cameron Little Human Resources	27/06/2019
1.1	Classification change from internal to public.	Published	Lisa Stewart HR	21/11/2019