

Immigration: Review and monitoring

The role of the University as a Sponsor for staff/ Compliance

Human Resources must report the following information or events about sponsored migrants to the UK Border Agency within the time limit given:

- if they do not turn up for their first day at work this must be reported to the UK Border Agency within 10 working days.
- if they are absent from work for more than 10 working days, without reasonable granted permission, this must be reported to the UK Border Agency within 10 working days of the tenth day of absence – so we need to be clear about agreement on holidays, attendance at conferences, field work etc. Prolonged sick leave will, in practice, need to be monitored.
- if their contract of employment ends (including when they resign or are dismissed), this must be reported within 10 working days – departments are the first to know.
- if the University ceases to sponsor them for any other reason, for example, if they move into another immigration category
- if there are any significant changes in their circumstances, for example, change of job or salary – again, a new feature which affects us – promotions, major new roles in the department
- if the University suspects that they are breaching the conditions of their leave
- if the University suspects they are engaging in terrorism or any other criminal activity this must be reported immediately to the Police and UK Border Agency – a difficult issue

Certificates of sponsorship will only be issued to those who, to the best of the University's knowledge, meet the requirements of the tier or category they are applying under, and who are likely to meet the conditions of their permission to enter or stay in the United Kingdom.

The UK Border Agency may visit at anytime either prearranged or unannounced to ensure the University is complying with the above. So they could call on a department as well as HR!

Penalties

UKBIA has introduced some new Civil and Criminal Penalties:

£10,000 for negligently employing an illegal migrant worker.

Unlimited fine and/or maximum two year prison sentence for knowingly employing an illegal migrant worker.