

International Students: Work Permits

This leaflet introduces you to the basics of working legally in the UK as an international student after you have graduated. Working during your studies and National Insurance Numbers are covered by a separate leaflet, *International Students: How Can the Careers Service Help You?*

Your careers service will do everything it can to help you decide on and apply for work but, unfortunately, legal restrictions mean we are not allowed to advise you individually on immigration or work permits. We can only provide general information such as on this sheet.

Please also remember that the rules and regulations surrounding work permits and work schemes can change with short notice. The information in this leaflet is correct at the time of writing but do check that it is still current by consulting the contacts and websites at the end of the leaflet. If you need further advice you should consult a specialist service, such as your college welfare advisers, UKCISA, Citizens Advice Bureau (CAB), or ask your careers service for details of other recognised consultants.

EEA NATIONALS

The European Economic Area (EEA) countries are: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden and the UK. If you are a citizen from the EEA, or the spouse or child of an EEA citizen living in the UK, you can work here without restrictions.

Those holding passports from the accession states, ie Bulgaria, Romania, Poland, Lithuania, Estonia, Latvia, Slovenia, Slovakia, Hungary and the Czech Republic may be required to register with the Home Office before commencing work in the UK. See www.ukba.homeoffice.gov.uk under 'Working in the UK' then 'European Economic Area and Swiss Nationals' then 'Worker Registration Scheme' for more details.

NON-EEA NATIONALS

In the past, many non-EEA international students hoped to work in the UK but very few were able to do so immediately after graduation. With the introduction of new schemes this is now changing and the most common schemes are introduced below. Please do bear in mind though, that if you want to work in the UK long term, you may have to return to your home country initially; perhaps to gain experience that may enable you to come back to the UK later.

Tier 1 (Post-Study Work) Scheme

This replaces what used to be called the International Graduates Scheme (IGS) and all students at UK universities are eligible to apply once they have obtained their final results. There are no restrictions on what

kind of work you can do and you do not need to have a job offer in order to apply. It is a points-based scheme with points awarded for educational qualifications, UK experience, past earnings, English language and age. It is worth noting that if your student immigration permission expires before you get your degree, masters or PhD results, you will have to leave the UK and apply from your home country. This means that you will have to meet the higher maintenance (funds) requirement.

If your application is successful you are then able to switch into another tier of the points-based system at a later date if you earn enough points. If you are already in the UK as an IGS participant, you will be able to apply for the post-study worker scheme under special transitional arrangements. These arrangements will allow you to get a total of up to two years' leave under a combination of your previous scheme and post-study worker. See the Border and Immigration Agency website for full details and any updates.

Tier 1 (General) Scheme

This scheme replaces the Highly Skilled Migrant Programme (HSMP) allowing graduates with a very high level of skills and work experience to come to, or remain in, the UK to look for and perform work. Unlike a work permit, you do not need a job offer in order to apply and you can apply either within or outside the UK. Again, it is a points-based scheme with points awarded for educational qualifications, UK experience, past earnings, English language and age. Applicants need to provide original documentary evidence confirming these. It is unlikely you would qualify for this scheme with only an undergraduate degree.

Successful applicants are granted permission to remain in the UK for up to three years. This can be extended and people on the scheme for five years can apply for permanent settlement in the UK. You can find further information on the scheme and how to apply on the Border and Immigration Agency website. There is also a self assessment to find out if you are eligible before you apply.

Training and Work Experience Scheme (TWES)

The TWES is a special arrangement within the work permit scheme that allows people to do work-based training for a professional or specialist qualification or to undertake work experience. It is applied for by the employer and the post that they offer you must be above their normal staffing levels; it can not be a position that would normally be filled by a UK citizen.

For a training permit the training should be for at least 30 hours per week (excluding study) and lead to a recognised qualification. To secure a work experience

permit the work should normally be related to your previous employment or study and not be available in your home country. TWES permits are usually for one year and you then have to leave the UK at the end of that time.

Work permits

These are issued for a specific full-time permanent job with a specific employer; they are not transferable between different employers. An employer has to apply for a work permit on your behalf and you are allowed to remain in the UK during the application process. Obtaining a work permit is easier if the job is listed as a shortage occupation:

- **Shortage occupations** are areas of employment where the Government has decided that there is a shortage of skilled UK or EEA workers able to fill vacant positions. The list of shortage occupations is changed frequently but in May 2007 it consisted of: transportation and highway engineers, several ground engineering occupations, aircraft engineer, overhead electricity linesworker, doctors, dentists, consultant doctors in most specialist areas, nurses, several general healthcare occupations, teachers and veterinary surgeons.
- **Non-shortage occupations** are harder to obtain work permits for. The employer must be able to prove that they have advertised the job nationally and that no-one in the UK or EEA is available to do the job even with training.

Working holidays

Citizens of any of the 53 Commonwealth countries aged 17-30 may enter the UK as working holidaymakers. You may remain for up to two years during which you can work for a maximum of 12 months. You can also study part-time, or for a short period on a full-time course. Applications must be made from your home country as it is not possible to switch status from student to working holidaymaker inside the UK.

Japanese Youth Exchange Programme

Japanese nationals aged between 18 and 25 can come to the UK for a working holiday of up to 12 months. You have to apply from Japan and you must only work for part of the 12 months.

SPECIAL NOTE APPLYING TO ALL SCHEMES

If you receive official sponsorship for your course from a government or international agency, you may be prohibited from remaining in the UK to work after your studies. If this applies to you, you must obtain written consent from your sponsor stating that they are happy for you to accept work when your studies end.

OTHER CATEGORIES

Marriage

If you are a non-UK/EEA citizen and you marry a UK citizen, or someone else who has settled status in the UK, you are given a probationary two-year period during which you may work. If the marriage is still clearly in place at the end of this period, you may apply for permanent residence.

Unmarried partner

If you are a non-UK/EEA citizen and you have lived for at least two years with a UK citizen, or someone else who has "settled"

status in the UK, you can apply for permission to stay in the UK as an unmarried partner for a further two years. After these two years you can apply for permanent residence provided you are still in the relationship.

10/14 year concession

International students who have stayed legally in the UK for 10 years (or illegally for 14 years) can apply to the Home Office for indefinite leave to remain.

FURTHER INFORMATION

- *Careers and Further Study for International Students*, AGCAS, 2007
- *Guidance Notes*, UKCISA, 2008. Particularly *Working in the UK during your studies; Working in the UK after your studies; Want more time in the UK, as a student; and What do I do about immigration?* Available online at www.ukcosa.org.uk click on 'Advice for International Students'
- www.ukba.homeoffice.gov.uk has full details of the schemes mentioned in this leaflet, and others. Also contains application forms and guidance notes.
- www.ukvisas.gov.uk has information on forms and guidance notes if you are applying from outside the UK.
- www.thecommonwealth.org has a list of Commonwealth member countries, go to 'About us' then 'The Commonwealth' and finally 'Members'.

USEFUL CONTACT POINTS

- Work Permits (UK) Contact Centre
PO Box 3468
Sheffield S3 8WA
Tel: 0114 259 4074 (general enquiries)
wpcustomers@bia.homeoffice.gsi.gov.uk
www.ukba.homeoffice.gov.uk
To request copies of written information or application forms tel: 08705 210224
- UKCISA
9-17 St Albans Place
London N1 0NX
Tel: 020 7107 9922 (student advice line, open 1-4pm Monday - Friday)
www.ukcosa.org.uk
- Immigration Advisory Service
County House
190 Great Dover Street
London SE1 4YB
Tel: 020 7967 1200
www.iasuk.org
- Many Citizens Advice Bureaux have immigration advisers. To find your local branch see www.nacab.org.uk

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