

Visitor visa briefing

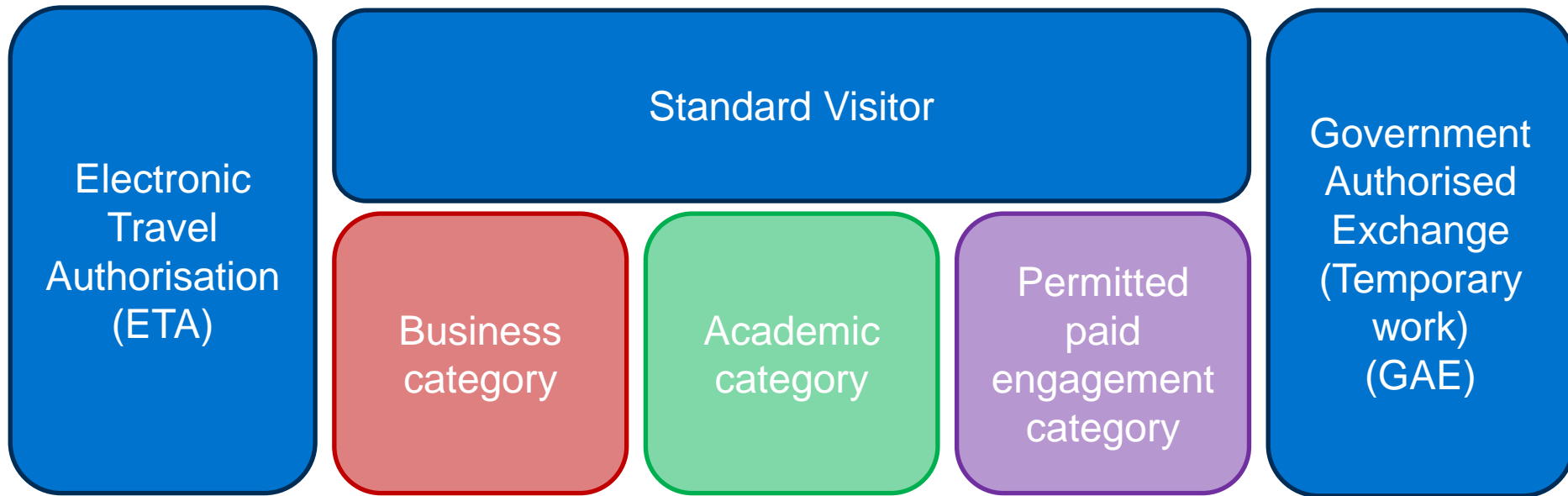


Graeme Ross – Immigration and Compliance Manager
27th February 2024

... but first

- **Skilled Worker visa salary changes**
 - Details published by Home Office: 14th March
 - Implemented: 4th April
 - Will only affect first time Skilled Worker visa applicants applying on or after 4th April; current Skilled Worker visa holders unaffected.
 - Lower salary threshold for academic and research roles. TBC
 - Briefing to be held via Teams on 21st March

Visiting the UK – visa types



Overview of visitor visa route

- A visitor visa, or visitor status which is granted at the border, is required for all non-UK/Irish nationals wishing to visit the UK:
 - Non-visa nationals (e-gate nationals in red):
 - **Australia**, Bahamas, Bahrain, Barbados, Belize, BN(O) passport holders (formerly Hong Kong), Botswana, Brazil, **Canada**, Chile, Colombia, Costa Rica, **all EU/EEA countries**, Guyana, **Japan**, **Iceland**, **South Korea**, Mauritius, Mexico, **New Zealand**, Philippines, **Singapore**, **Switzerland**, Uruguay, **United States of America**
 - Don't need to apply for a visa in advance if visiting for up to 6 months
 - If coming as an Academic visitor more than 6 months, up to 12 months, must have been granted a visa before travel
 - Visa nationals:
 - Nationals of countries not listed above always need to have been granted a visitor visa before coming to the UK
- 6 months maximum visit; 12 months for 'academic visitors'
- New rules from 31 January! Simpler approach for research and academic visitors

ETA's – something new!

- The UK electronic travel authorisation (ETA) system was introduced in late 2023. Pre-arrival 'screening' by Home Office; must be obtained before travel.
- Currently, visitors from Bahrain, Jordan, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates can visit UK using an ETA without needing to apply for a visit visa in advance of travel.
- Phased roll out in 2024/25 for '**non-visa nationals**' who are **visiting** the UK.
- Who **does not** (and will not) need an ETA:
 - Those with any other form of visa (e.g. Skilled Worker, Global Talent, GAE)
 - Those applying for a visitor visa in advance of travel
- An ETA costs £10 and is valid for 2 years; no limit on uses. Online application.
- No action for departments/institutions – responsibility of applicant alone. Not part of right to work.

Visitor visa/entry conditions

- Cannot 'work' (paid or unpaid employment, self-employment, work placement or internship)
- Cannot receive funds from a UK source; travel and subsistence payments allowed. PPE engagements have no restriction on remuneration.
- Visitors can do multiple activities where eligible
- Must intend to leave UK at end of visit; cannot switch to any other visa route
- Must not live in the UK for extended periods through frequent or successive visits; no hard & fast rules, but as 'rule of thumb' avoid more than 6 months visiting in a 12 month period

What can a visitor do in the UK

'Business category' - for up to 6 months

- attend meetings, conferences, seminars, interviews;
- giving a one-off or short series of talks and speeches which are non profit;
- receiving training from the University, as an employee of an overseas company or organisation, in work practices and techniques which are required for their employment overseas and not available in their home country;
- undertaking activities relating to their employment overseas remotely from within the UK, though this is not the primary purpose of their visit;
- *collaborating, gathering information and facts, or conducting research, either for a specific project which directly relates to their employment overseas, or independently;*

Full details: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk/standard-visitor-visa-business-category>

Cont.

'Academic category' - for up to 12 months

- taking part in formal exchange arrangements with UK counterparts (including doctors)
- carrying out research for their own purposes, if they are on sabbatical leave from their home institution
- taking part in research, teaching or clinical practice as an eminent senior doctor or dentist, and this does not amount to filling a permanent teaching post
- Must be “highly qualified in their field of expertise”, and “currently be working in that field at an academic institution or institution of higher education overseas”
- Not for students!

Full details: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk/standard-visitor-academic-category>

Cont.

'Permitted paid engagement' category

- examining students, or participating in/chairing selection panels as an academic who is highly qualified within their field of expertise
- giving lectures as an expert in their subject area, having been invited by the University, and this does not amount to filling a teaching position for the University
- speaking at a conference or other event (one-off or short series of talks and speeches)

Conditions:

- can be paid any amount without restriction;
- activity must be undertaken within first 30 days of entry to UK;
- arranged before the applicant travels to the UK; and
- declared as part of the application for entry clearance or permission to enter the UK; and
- evidenced by a formal invitation

Full details: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk/uk-visitor-visa/standard-visitor-permitted-paid-engagement>

Research visitors



GAE visa overview

- In all cases, visa must be obtained in advance of travel to the UK.
- Supports following activities:
 - A formal research project or collaboration;
 - A period of work-based training/work experience/internship/placement;
 - Skill development/knowledge transfer;
 - A series of lectures, which doesn't amount to a formal teaching post
- Visa for up to 2 years; length usually tied to funding
- Must be funded to national minimum wage levels; no self-funding
- Cannot fill a genuine vacancy
- ATAS liable route
- Full details: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/working-uk/government-authorised-exchange-temporary-work-visa>

Visiting students

Question	Answer	Action
1. Will the student remain registered as a student at their home institution throughout their visit to Cambridge?	Yes	Go to question 2
	No	Go to question 3
2. Is the activity in Cambridge a period of research which forms part of their overseas degree?	Yes	Refer to International Student Office
	No	Go to question 3
3. Do you consider the visit to be an internship, work experience/ placement, work shadowing or training?	Yes	GAE visa required
	No	Contact Compliance Team to discuss

NOTE

If the student's visit is funded by Erasmus:

- and lasts up to 6 months: Standard Visitor visa (Business category) required
- and lasts more than 6 months, up to 2 years: GAE visa required

Study as a visitor

- Study is permitted as a visitor if it meets one of the following eligibility requirements:

The student is:	Example
Studying a course which does not last more than 6 months	Attending a summer school
Studying via 'distance learning' arrangements where the majority of study is undertaken overseas and they are coming to the UK for short teaching sessions	Cambridge MSt student
Undertaking a period of research for up to 6 months and their home institution has confirmed the research is part of, or relevant to, their overseas course	PhD visiting student registered overseas
A research student returning to the UK for the purpose of their viva (oral examination)	Cambridge PhD student who moved overseas after submission

Requirements for study as a visitor

- A visiting student is defined as a student who is registered for a degree at another institution and who attends Cambridge for a short period of study, supervised research or placement as part of their course.
- Need a letter from the home institution verifying they are a current student registered for a degree and that the study or period of research in Cambridge forms part of, or is relevant to, their study overseas.
- ISO has a template letter where study as a visitor is appropriate to support the visitor visa application or to show on entry to the UK.
- The University must check that all students have immigration permission to study so this must be checked on arrival before the student starts their activity at Cambridge. Further information on procedures from ISO.
- International Student Office is providing a PPD training session on student immigration for visiting students, covering both using the visitor route and a student visa, on **Tuesday 7 May**. Sign up on the PPD website.

New resources

- Visitor visa guidance form: <https://forms.office.com/e/eYh2LBntCM>
- Example 1:
Overseas student who will remain registered at their home institution and whose activities in the UK will contribute to their qualification overseas.

Visas for visitors


The University of Cambridge welcomes visitors from across the world to undertake a variety of academic activities, including conducting research, giving lectures and acting as examiners.


To determine the appropriate visa for the required visit, please use this form. If the activity or reason for the visit is **not** covered within the form, please:

1. check our webpages (<https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk>); then
2. contact ComplianceTeam@admin.cam.ac.uk for further advice.

Please include full details of the proposed visit.

* Required

Visitor status 

1. Is the visitor a student overseas? * 

Yes


No

Cont.

* Required


Visitor status



1. Is the visitor a student overseas? * 

Yes

No

2. Will the activity in Cambridge form part of their degree? * 

Yes

No

Next

Cont.


Visas for visitors

Please refer to the International Student team in the first instance

internal.visitingstudents@admin.cam.ac.uk

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- **Example 2:**
Researcher coming to the UK for 3 months to collaborate with UoC researchers. They will remain paid by their overseas employer.

Visas for visitors

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To determine the appropriate visa for the required visit, please use this form. If the activity or reason for the visit is **not** covered within the form, please:

1. check our webpages (<https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk>); then
2. contact ComplianceTeam@admin.cam.ac.uk for further advice.

Please include full details of the proposed visit.

* Required

Visitor status 


1. Is the visitor a student overseas? * 

Yes

No

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Permitted activities


2. What is the main purpose of the visit? * 

- Attending meetings, conferences, seminars, interviews
- Carrying out research for own purposes while on sabbatical leave from home institution
- Carrying out research, teaching or clinical practice as an eminent senior doctor or dentist (not a permanent teaching post)
- Collaborating, gathering information/facts or conducting research for a specific project which directly relates to employment overseas
- Collaborating, gathering information/facts or conducting research independently
- Examining students as an academic who is highly qualified within their field of expertise
- Gathering information for overseas employment
- Giving a one-off or series of lectures as an expert in the subject area (not a formal teaching post)
- Giving a one-off or short series of talks and speeches (not organised as commercial events and will not make a profit for the organiser)
- Knowledge transfer (ideas, expertise and data sharing between academic and non-academic partners)

* Required

Visit duration



3. The maximum visit duration for this activity is **6 months**. * 

Please select the appropriate option below.

- The visit will last **6 months or less**
- The visit will last longer than 6 months

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Payment/funding



4. Reasonable expenses from a UK source to cover the cost of travel and subsistence are a permitted payment for this activity. However, **any other payment/funding cannot be provided by a UK source.**

Please select the appropriate option below.  

- The visitor will **not** be paid from any UK source except as stated above.
- The visitor will be paid from a UK source.

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A Standard Visitor visa ('business' category) will be required



Main terms:

- Visit of **up to 6 months**, cannot be extended.
- No payments from a UK source permitted, except travel/subsistence (see below).
- All visa nationals (ie those countries listed at <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-visitor-visa-national-list>) must apply in advance for permission to come to the UK; nationals of other countries will be granted entry clearance and permission to stay for up to 6 months at the UK border.
- Activities which are not permitted:
 - Undertaking any form of employment in the UK (except for the permissible activities listed within this form);
 - Filling a normal post or a genuine vacancy, even on a temporary basis;
 - Staying in the UK for more than 6 months;
 - Switching to any other immigration category whilst inside the UK;
 - Having recourse to public funds.
- Acceptable payments
 - The individual must not receive payment from a UK source for any activities undertaken in the UK, except for reasonable expenses to cover the cost of their travel and subsistence.
 - A visitor's travel, maintenance and accommodation may be provided by a third party (which can be the University) provided the third party:
 - has a genuine professional or personal relationship with the visitor; and
 - is legally present in the UK, or will be at the time of the visitor's entry to the UK; and
 - can and will provide support to the visitor for the intended duration of their stay.
- Academic Technology Approval Scheme (ATAS)
 - ATAS clearance may be required before the visit can begin.
 - Please check at <https://www.hr.admin.cam.ac.uk/academic-technology-approval-scheme-atas>.
- Dependants
 - Dependants should apply for a Standard Visitor visa (tourism) category. They will not be permitted to work in the UK during the visit.
 - Children are not permitted to attend state school in the UK. However, they may be enrolled at a fee-paying school if the school permits it.

Please see our webpage for full details: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/visiting-uk/standard-visitor-visa-business-category>.

Visitor visa application/arrival tips

- Visitor visa applicants can't apply more than 3 months before date of travel to the UK. Applications take approx. 3-4 weeks.
- **In all cases**, provide a letter of invitation for Home Office purposes. Template: <https://www.hr.admin.cam.ac.uk/hr-services/visas-immigration/forms-templates-and-webinars>
- Visitor agreements (do not provide to Home Office) – via above link.
- Right to work checks:
 - Take and retain copy of passport, and Home Office invitation letter, for duration of visit.
 - Online checks do not work for visitors; BRPs being phased out from end of 2024.

Cont.

- Children of visitors – can accompany for up to 6 months on a visitor visa; 12 months for Academic visitors.
 - Under the Immigration Rules, only the children of Academic visitors can enrol in state schools; children of visitors in UK for up to 6 months cannot.
- Spouses/Partners of visitors – can accompany for up to 6 months on a visitor visa; 12 months for Academic visitors.
 - Cannot work or study whilst in UK. Can work remotely for their overseas employer as desired.
 - If working is desirable, they may wish to consider a GAE visa instead, if eligible.

ATAS for visitor visas/entry

- For visitor visas/entry at the border, ATAS liability comes into scope where the activity could be defined by any of the following:
 - collaborating, gathering information and facts, or conducting research, either for a specific project which directly relates to their employment overseas, or independently; or
 - carrying out research for their own purposes, if they are on sabbatical leave from their home institution
- Not part of visa application process. Consider not issuing visitor invitation letter until ATAS completed. ATAS certificate must be presented to department before visit commences.
- No ATAS liability for those attending conferences, meetings, interviews, workshops, weekend chats with a Professor, etc.
- <https://www.hr.admin.cam.ac.uk/academic-technology-approval-scheme-atas>

Questions



NOTE TO SELF:
Book onto the Skilled Worker visa salary
changes briefing on 21st March!



<https://www.training.cam.ac.uk/cppd/event/5153094>