

# Guidance Note

## Working Hours Permitted for Student/Tier 4 Visa Holders

Under the UK immigration rules, students holding Tier 4 visas are legally permitted to work with the following general restrictions:

Course of Study	Restrictions
<b>Taught UG Degree Students</b>	<ul style="list-style-type: none"> <li>• a maximum of 20 hours paid or unpaid work per week during term time (see Student Status Letter on file, and/or standard terms dates at <a href="http://www.aston.ac.uk/new-student/moving/term-dates/?Term-dates%20term%20dates">http://www.aston.ac.uk/new-student/moving/term-dates/?Term-dates%20term%20dates</a>)</li> <li>• no full-time work other than during vacations or as part of a formal work placement</li> <li>• no self-employment (including freelance or consultancy work)</li> <li>• no work as a professional sports person (including sports coach) or entertainer</li> </ul>
<b>Taught PG Degree Students</b>	<ul style="list-style-type: none"> <li>• a maximum of 20 hours paid or unpaid work per week during the taught element of the course</li> <li>• no full-time work other than during official vacation periods and after course end date <b>NB: these will differ from course to course</b></li> <li>• Students are required to provide a Student Status Letter confirming official vacation periods for their course as part of their Right to Work check. no self-employment (including freelance or consultancy work)</li> <li>• no work as a professional sports person (including sports coach) or entertainer</li> </ul>
<b>Research Students (includes MPhil and MSc by Research)</b>	<ul style="list-style-type: none"> <li>• a maximum of 20 hours paid or unpaid work per week during term time until the degree has been passed (bound thesis submitted).</li> <li>• no self-employment (including freelance or consultancy work)</li> <li>• no work as a professional sports person (including sports coach) or entertainer</li> </ul>

Anyone wanting details of working hours' restrictions for sub-degree level students should request details from [hr\\_helpdesk@aston.ac.uk](mailto:hr_helpdesk@aston.ac.uk)

### Vacation periods for Taught Undergraduate Students

All taught undergraduate students can work more than 20 hours per week during the Christmas, Easter and Summer breaks as these are outside term time.

The term dates for Aston undergraduate programmes can be found at <http://www.aston.ac.uk/new-student/moving/term-dates/?Term-dates%20term%20dates>. **If more than 20 hours is to be worked in any given week, a copy of this webpage must be submitted to HR along with the Personal Weekly Timesheet for the week in question.**

**If the student is not an Aston undergraduate, and more than 20 hours work is to be undertaken in any given week, documentary evidence of their term dates must be submitted to HR along with the Personal Weekly Timesheet for the week in question.**

A Certificate of Registration or a copy of a letter or email addressed to the student by a member of staff from their University or a printout from a website confirming the term dates of the course is acceptable for this purpose.

## **Vacation periods for Taught Postgraduate Students**

All taught undergraduate students can work more than 20 hours per week during the Christmas and Easter breaks which fall within the taught element of their course but term dates should be checked as they differ for different taught postgraduate programmes.

**If more than 20 hours is to be worked in any given week, a Student Status Letter confirming the term dates which apply to the programme being undertaken must be submitted to HR along with the Personal Weekly Timesheet for the week in question.**

The dissertation period of taught postgraduate courses normally run from the end of the taught element of the course until the official programme end date. Even if this runs over the summer months, it is not classed as vacation as students will be academically engaged during this period and students should not exceed the 20 hour working week restriction.

**If more than 20 hours is to be worked in any given week, a copy of the formal record showing the approved holiday dates must be submitted to HR along with the Personal Weekly Timesheet for the week in question.** During the dissertation period, any weeks where more than 20 hours are worked unless this is officially approved holiday is a breach of Student/Tier 4 visa conditions.

## **Vacation periods for Research Students**

Research students continue their studies across the full calendar year and, therefore, all weeks are term dates. During the MPhil/PhD period, any weeks where more than 20 hours is worked is a breach of Student/Tier 4 visa conditions.

The restrictions on working hours for research students applies until such time as the bound final thesis of their PhD is submitted. The 20 working hours per week restriction continues to apply after submitting the thesis but prior to the viva, and whilst corrections are being made to the thesis after the viva.

## **Multiple Jobs**

Students can have multiple jobs, provided the total amount worked does not exceed the permitted hours outlined above. If the jobs are with more than one employer, the total hours worked for all employers combined must not exceed the permitted hours.

Students and managers have a responsibility to ensure that working hours and other restrictions are complied with. There must be no risk of working beyond the permitted hours, and infringements cannot be dealt with retrospectively. Students found to be working in excess of their permitted hours will be reported to UKVI

## **Volunteering**

Volunteering is considered in the same way as paid work and the total hours of paid work and voluntary work must not exceed the permitted working hours per week.

## **Working While Applying for a Student/Tier 4 Extension**

Where a Student has applied to extend their visa in the UK before their previous visa expired, the conditions of their previous visa will continue until they receive a decision on their application.

Acceptable evidence that a Student/Tier 4 visa application is in progress is:

- an application coversheet confirming they have applied;
- the email confirmation that the visa has been granted and that the Biometric Residence Permit (BRP) is being prepared.

The new BRP should be submitted to HR as soon as it is received.

## **Working after Withdrawing from a Course**

Where a student has stopped studying before they complete their course (whether they have withdrawn themselves or been withdrawn by the University) they are no longer following the course of study and should no longer be employed by Aston University. The only exception to this will be if they are in the process of changing their sponsor, in which case they must be referred to HR before any engagement takes place.

## **Working After Completing a Course**

Student/Tier 4 visa holders are given a short period of time to stay in the UK after their course ends. The student may work full-time during this additional period.

**Students cannot work full-time until after their official course end date, as confirmed on their Student Status Letter.**

**Students may only begin full-time work earlier than this date if they provide an official letter confirming early course completion. If more than 20 hours is worked in any given week, this letter must be submitted to HR along with the Personal Weekly Timesheet for the week in question.**

Where a Student/Tier 4 visa holder completes their course early, this is reported to UKVI who will curtail the visa, while still permitting the student to remain in the UK for a short period of time. The revised end date must be notified to HR as soon as it is known. During this revised end period, the student may work more than 20 hours per week, but they must not work after the revised end date of the visa.

## **What Happens if the Rules are Broken?**

*Aston is required to report any instances of illegal working (including working more than permitted hours) to the Home Office, which can carry severe penalties for both the worker and University:*

- *Student:*
  - *Risk of jail sentence*
  - *Deportation*
  - *Ban on re-entry to the UK*
- *University:*
  - *A civil penalty of up to £20,000 for each instance of illegal working*

- *Reputational damage*
- *Risk to Aston's Student sponsor licence and ability to sponsor international students*

## **Questions**

Please refer any questions about the above to the HR Department,  
[hr\\_helpdesk@aston.ac.uk](mailto:hr_helpdesk@aston.ac.uk) .

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Human Resources