**Roles and Responsibilities when appointing a Tier 4 Visa holder**

This document provides information on the roles and responsibilities of line managers, Human Resources and Tier 4 visa holders when appointing a Tier 4 visa holder.

Please note that should the University fail to comply with the below requirements, there is a risk that this could impact on the University’s category A ranking to employ sponsored workers. The HR Services Team will be able to answer any queries you may have regarding this process on 0131 455 3344 or [humanresources@napier.ac.uk](mailto:humanresources@napier.ac.uk).

**Line Manager’s Responsibility**

* Line managers must ensure that the individual they wish to appoint has had a right to work check undertaken to ensure they have the right to work in the UK. This check must take place **before** the individual starts work. Human Resources undertake all right to work checking. Please contact x3344 or [humanresources@napier.ac.uk](mailto:humanresources@napier.ac.uk) to arrange this. Should you be unsure whether a right to work check completed please contact Human Resources to confirm.
* Line Managers must ensure that the hours of work offered to the Tier 4 visa holder complies with the conditions of their stay. This should be shown clearly on their visa. This is normally either 20 hours per week or 10 hours week depending on the course of study.
* Line managers should be aware that Tier 4 visa holder hours are eligible to work more hours than their visa restriction during vacation periods. We require confirmation of holiday periods via the official term dates for undergraduate and postgraduate students.
* Line managers should be aware that PhD students do not have set term dates and if they do wish to work full time during holiday periods they are required to complete the RD7 form with approval from their Director of Studies in advance of the completing any full time work. Further information is available [here](https://staff.napier.ac.uk/services/international/visa-international-support/Pages/Absence-and-suspension-of-studies.aspx).
* If a line manager wishes to engage a Tier 4 visa holder on a full time basis following the completion of their studies the line manager must obtain official confirmation of course completion and send this to Human Resources, in advance of the Tier 4 visa holder completing any full time work.

**Human Resources Responsibility**

* Human Resources are required to run monthly reports to ensure that those who are on a Tier 4 visa do not exceed the hours of work in line with their visa restrictions.
* Human Resource will securely maintain Tier 4 visa holder’s right to work documentation, vacation dates, course conformation letters and declaration forms.
* Human Resources will contact the Tier 4 visa holder’s line manager when a visa is due to expire.
* Human Resources will meet with all Tier 4 visa holders on an annual basis to ensure that they continue to understand their responsibilities and to check that their contact details are up to date.

**Tier 4 Visa Holder’s Responsibility**

* Tier 4 visa holders must ensure that they familiarise themselves with conditions of their stay in line with [Home Office Guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753268/tier-4-guidance-v45.0.pdf).
* Tier 4 visa holders must meet with a member of Human Resources to discuss their responsibilities while working on a Tier 4 visa, and sign a declaration form to confirm they understand these responsibilities.
* Tier 4 visa holders must ensure that that they do not exceed the maximum working hours as outlined on their visa.
* If a Tier 4 visa holder has more than one role, they must keep track of their weekly working hours across all roles, and must not accept additional hours which would result in them exceeding their weekly working hours limit.
* Tier 4 visa holders should inform Human Resources if their circumstances change, e.g. if they take up another role, stop working, or if there are any changes to their visa. If their contact details (address, telephone, email) change, they should also inform Human Resources as soon as possible on [humanresources@napier.ac.uk](mailto:humanresources@napier.ac.uk) or 0131 455 3344.