**Coronavirus (COVID-19): immigration guidance**

**Right to Work Checks**

On 30 March 2020, the Government introduced temporary changes to the way in which employers could carry out right to work checks due to Covid-19 restrictions. In June2021 Government announced that these arrangements can continue until 5 April 2022 (inclusive). They also announced their intention to introduce a new digital solution to enable right to work checks to continue to be conducted remotely but with enhanced security from 6 April 2022. Once details are confirmed these will be communicated.

Under the temporary measures BU are permitted to:

* accept scanned or photographed right to work documents (e.g. a passport or visa) sent via email or a mobile app rather than inspecting the original documents
* carry out right to work checks over video calls

BU must always complete and hold a certified copy of an employee’s right to work check **in advance of work commencing.**

**Skilled Worker / Tier 2 visa holders.**

You will be aware under the [Sponsor guidelines](https://www.gov.uk/government/collections/sponsorship-information-for-employers-and-educators), BU is responsible for reporting any unauthorised absence or absence from work without pay for more than 4 weeks (which is not covered by an exception) to the Home Office. In accordance with Home Office advice, BU **does not** need to report employee absences related to coronavirus which are paid and authorised. In addition there is no requirement for BU to notify the UK Visa and Immigration (UKVI) where we are sponsoring employees who are working from home due to coronavirus.

The Home Office has also confirmed that there is no longer a limit on the number of hours any BU employee holding a Tier 2/Skilled worker visa can work or volunteer each week for the NHS as a doctor, nurse or paramedic.

Please note that in order to qualify for Indefinite Leave to Remain, the current rules advise that a Tier 2 / Skilled Worker visa holder must not be absent from the UK for more than 180 days during any 12-month period over the five year qualifying period. According to the Immigration Rules on continuous residence, any period spent outside the UK will not count towards the 180-day limit if the absence was because of travel disruption due to a pandemic. If you are outside the UK for an extended period because of the coronavirus pandemic you should keep evidence of the reason, for example Government travel restrictions or a positive coronavirus result (this guidance also applies to EU citizens granted pre-settled status who will require evidence of 5 years continuous residency to apply for settled status).

**Visa Expiries or Extensions**

Due to travel restrictions because of coronavirus some individuals may be facing uncertainty in relation to the expiry date of their current visa or leave to remain in the United Kingdom.

If your visa has expired, you are expected to take all reasonable steps to leave the UK, however the Home Office understands that in some cases because of circumstances outside of your control, such as travel restrictions or self-isolation, this may not be possible and therefore advised that in these circumstance anyone whose leave expires before 30 November 2021, may request additional time to stay, known as ‘exceptional assurance’. Further details of how to apply for ‘exceptional assurance’ are available on the [government website.](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)

If you decide to stay in the UK, you should apply for the necessary permission to stay to regularise your stay. You’ll be able to submit an application form from within the UK in circumstances where you would usually need to apply for a visa from your home country. You will need to meet the requirements of the route you’re applying for and pay the UK application fee.

If your visa or leave expired between 24 January 2020 and 31 August 2020 there will be no future adverse immigration consequences if you didn’t make an application to regularise your stay during this period. However, if you have not applied to regularise your stay or submitted a request for an exceptional assurance you must make arrangements to leave the UK.

HR will contact any individual whose visa is due to expire and provide appropriate support and guidance. In addition to the BU intranet pages please continue to review the [Government website](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents) for the latest information.

**New members of staff with a Skilled or Temporary Worker visa**

For new members of staff, who are currently resident abroad and who have been issued a 90 day visa (vignette) to travel to the United Kingdom and where it has expired or is about to expire, the Home Office have confirmed that they can request a replacement visa by completing an [online form](https://www.gov.uk/transfer-visa). The cost of replacing an expired 90 day vignette is £154 and the applicant will be required to resubmit their biometric information. HR will support any new members of staff in this situation and further details are available on the [government website.](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents)

**Applying for a Visa from inside the UK**

Individuals currently based in the UK who are wishing to switch, extend or apply for a new visa, can submit a new visa application online. In certain circumstances employment can commence or continue whilst a visa application is in progress, for further information please seek advice from [BU’s Compliance Manager](mailto:BUVI@bournemouth.ac.uk).

UK Visa and Citizenship Application Centres (UKVCAS) have now resumed normal service, with all UKVCAS customers (with the exception of T4 students/student visa holders) now able to book an appointment at a UKVCAS Service Point as soon as they have registered.

The UKVI have also confirmed that the IDV app, which was a temporary response to UKVCAS closures, will now to be used exclusively for Student visa applications. This means that moving forward, all **new UKVCAS customers (except students) must book an appointment with UKVCAS** and will not be able to use the IDV app (however existing applicants already invited to use the IDV app, can continue to do so). The UKVI are reviewing how they use the IDV app moving forward and we will keep you updated with any further news.

Please note that the priority and super priority visa services have resumed, where a faster decision can be made on a visa application (within 5 or 2 business days respectively) for an associated fee (£500 or £800). Please note that the University will reimburse the cost of a standard visa application, with any additional fees met by the staff member.

Additional Covid-19 concessions relating to visa applications are available (for applications submitted both within and outside the UK), for further information please review the [latest Home Office guidance.](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents?utm_source=ad66825b-647b-48a6-9bca-c7af393a9f85&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

**Applying for a Visa from outside the UK**

If you are considering appointing or have recently appointed someone based overseas who will require a visa please note there may be delays as some local UK Visa Application Centres (VACs) and English language test centres remain closed.

Most UK Visa Application Centres (VACs) have resumed services where local restrictions allow. Priority and Super Priority services are only available in some locations. If available, an applicant will be able to purchase these services when booking their appointment.

For more information regarding the status of VACs, including opening times, applicants can contact:

* [TLS contact](https://uk.tlscontact.com/) if you’re in Europe, Africa and parts of the Middle East
* [VFS global](https://www.vfsglobal.co.uk/) for all other countries

If an applicant’s local VAC is closed due to coronavirus restrictions they may be redirected to [a VAC in another country](https://visas-immigration.service.gov.uk/apply-uk-visa) to submit their application and biometrics. They must select the country where they would like to submit their biometrics at the start of their application and ensure they are permitted to travel to that country beforehand.

English language tests are available in most countries but may be temporarily suspended in some countries due to coronavirus restrictions. Applicants can [find a list of all approved test centres outside the UK](https://www.gov.uk/guidance/prove-your-english-language-abilities-with-a-secure-english-language-test-selt#find-an-approved-test).

Applicants should consider [guidance on entering the UK](https://www.gov.uk/uk-border-control) and review the current rules regarding [travel to England from another country during coronavirus (COVID-19](https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19))before they apply for a visa. They should also check the travel advice issued by their carrier and [check what they need to do before they leave for the UK](https://www.gov.uk/uk-border-control/before-you-leave-for-the-uk).

Applications for transit visas and visas for work, study or residence in the UK continue to be processed from all locations.

Please seek advice from [BU’s Compliance Manager](mailto:BUVI@bournemouth.ac.uk) about progressing the appointment and visa application at the earliest possible opportunity.

**Arrival in the UK**

What an individual must do when they arrive in England from abroad is dependent upon where they have been in the 10 days immediately prior to travel, in addition to their vaccination status. Currently the [guidance](https://www.gov.uk/guidance/red-amber-and-green-list-rules-for-entering-england) is in the form of [rules for countries on the red list](https://www.gov.uk/guidance/red-list-of-countries-and-territories), which requires quarantine in a managed hotel (even if fully vaccinated), and [rules for all other countries](https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19), dependent upon an individual’s vaccination status. Please refer to the latest [Government guidance](https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19) that provides further details, including information on [proving vaccination status](https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19) and the [Test to Release scheme](https://www.gov.uk/guidance/coronavirus-covid-19-test-to-release-for-international-travel) for individuals from red list countries.

Please note that applicants should also ensure they also remain up-to-date with any local restrictions which may affect the submission of their visa application and comply with any local requirements relating to travel restrictions; including the potential requirement to obtain permission to travel overseas..

**Indefinite Leave to Remain**

Individuals granted Indefinite Leave to Remain (ILR) should take their Biometric Residence Permit or ILR Passport Endorsement with them when travelling outside the UK, otherwise they may be refused re-entry to the UK.

Please note that if individuals with ILR stay outside the UK, Ireland or the Crown Dependencies (Isle of Man, Guernsey and Jersey), for 2 or more years at a time their ILR will automatically end.

If an individual’s ILR lapsed after 24 January 2020, and they are unable to return to the UK due to coronavirus related travel restrictions, they may be able to apply under the [Returning Resident visa route](https://www.gov.uk/returning-resident-visa) in order to return to the UK and regain indefinite leave.

HR will contact any individual in this situation to provide appropriate support and guidance. In addition to the BU intranet pages please continue to review the [Government website](https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-uk-visa-applicants-and-temporary-uk-residents) for the latest information.

to work from home where possible.

**Staff Immigration queries**

For immigration queries related to coronavirus, you can [contact the coronavirus immigration helpline](https://www.gov.uk/guidance/coronavirus-immigration-guidance-if-youre-unable-to-return-to-china-from-the-uk#helpline)or BU’s Compliance Manager via [BUVI@bournemouth.ac.uk](mailto:BUVI@bournemouth.ac.uk)

**Further updates**

The Home Office will keep their guidance under regular review. You can keep up to date by reading [the latest Public Health England advice](https://www.gov.uk/government/organisations/public-health-england) which includes the latest advice for travellers.

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