

Tier 4 (General) Students: Brunel University London's Rights to Work Policy and Term Time Definition

All students working for Brunel University London are restricted to working 15 hours per week during term time, unless their visa conditions require a further restriction or prohibition of employment. Students studying with a Tier 4 (General) visa are restricted to the numbers of hours they can work (paid or unpaid) during term time. The number of hours students have the right to work is stated on their visa (passport vignette and/or Biometric Residence Permit) and is applicable for each week¹, not an average across a longer period of time. 'Term time' is defined as anytime there is an academic expectation on a student. This can include, but is not limited to: submission of course work, assessments, examinations, writing up periods and work placements.

Tier 4 students must be aware that any breach of their visa conditions, for example exceeding the maximum number of hours that can be worked in a week, is regarded as a criminal offence for illegal working. It is the student's responsibility to understand when they are considered 'in term' and abide to the restrictions as outlined on their visa. The University is obliged to inform UK Visas and Immigration (UKVI) of any students found to have worked illegally and may have to remove sponsorship of their Tier 4 visa. This would lead to de-registration from the University. Tier 4 students are also prohibited from undertaking certain types of work, which is covered below.

Application to students

PART ONE: TAUGHT PROGRAMMES

The precise timing of the scheduled University closures may vary from year-to-year. The exact timing of Term and Vacation periods for each academic year will be set out in a [calendar for the academic year, available at the Brunel Website](#).

Depending on the degree level of students, term-time is defined as follows:

Type of activity	'Term time' for the purposes of Tier 4 visa working restrictions
Undergraduate students	Terms One, Two and Three (until the conclusion of the exam period in May as specified in the academic year calendar)
Undergraduate students starting in January	Terms Two, Three, Four (first year only)

¹ For clarity, the UKVI definition of a 'week' is a period of 7 days starting on a Monday and ending on a Sunday.

Postgraduate Taught students (Masters level) undertaking a full-time masters programme (September starters)	Terms One, Two, Three, Four and until submission of dissertation ²
Postgraduate Taught students (Masters level) undertaking a full-time masters programme (January starters)	Terms Two, Three, Four, One and until submission of dissertation ³

Types of taught programme not covered by the general scheme:

Some types of student activity are not covered by the general scheme set out above and have special rules regarding working, which students must observe. These are:

1. Students undertaking a short course

Pre-sessional English students or students on short courses are considered to always be 'in term', as the course which they are studying typically consists of a single, intensive programme with no break in term.

2. London Brunel International College (LBIC) students

LBIC students are considered 'in term' based on the academic year structure of their specific course as outlined by the College.

3. Students on programmes which do not follow the term structure outlined above

Some programmes in the following areas do not follow the same pattern of the academic year as outlined in the general scheme:

- Physiotherapy
- Social Work
- Occupational Therapy
- Community Health Nursing

² PGT students requiring reassessment in any modules or who undertake a work placement after the submission of the dissertation would remain 'in term' until there is no longer an academic expectation for their programme of study.

³ As above

- Education (Postgraduate Certificate of Education)

For the purposes of Tier 4 visas, guidance on the periods of ‘term time’ for these programmes can be sought from the Student Centre or the student’s academic department.

Students undertaking a work placement as part of their programme

Tier 4 Students undertaking a University approved placement as an assessed and integral part of their course are considered ‘in term’ during their employment contract. Undergraduate students who have not yet secured a placement at the start of Term 1 are considered ‘in term’ until a placement is secured and the employment contract is finalised at which time the start and end of placement is defined. Tier 4 students are permitted to work full time on their approved and assessed placements.

PART TWO: RESEARCH DEGREE PROGRAMMES

Postgraduate Researchers on Tier 4 visas are considered ‘in term’ for the entire academic year and the terms set out in this document do not apply. This includes summer months, University vacation periods, writing up periods, the period after the submission of a thesis and during corrections or resubmission. Postgraduate Researchers are not eligible to work in excess of the hours stated on their visa until they have been formally awarded the doctoral qualification⁴.

Postgraduate Researchers, as per the Code of Practice, may request annual leave (to be agreed by their supervisor). Postgraduate Researcher’s annual leave are still subject to their Tier 4 working restrictions.

PART THREE: WORKING AFTER THE COMPLETION/WITHDRAWAL FROM PROGRAMME – TAUGHT AND RESEARCH STUDENTS

Completion of programme

Tier 4 students who have successfully completed their course are able to work full-time during the period that they are permitted to be in the UK after their course ends.

⁴ For clarity, this is where the Postgraduate Researcher has been recommended for an award following the viva without any requirement to undertake corrections and the thesis has been submitted to the library. This also includes non-PhD doctoral programmes such as MPhil and EdD.

Doctorate Extension Scheme

Postgraduate Researchers may be eligible to extend their stay in the UK at the end of their PhD programme under the Tier 4 Doctorate Extension Scheme (DES)⁵. This is a 12 month visa which allows students who have completed a PhD programme in the UK to look for and undertake full-time employment with more limited restrictions. Postgraduate Researchers on a Tier 4 DES visa are still considered “in term” until the formal award of their PhD as outlined in Part Two above. At this point, the Postgraduate Researcher would be permitted to undertake some work usually prohibited for Tier 4 students, such as professional entertainment and self-employment (see Part Four below). However, working as a professional sportsperson/coach or as a doctor/dentist in training would still be prohibited.

Students who withdraw

Tier 4 students who are withdrawn or temporarily withdrawn (abeyance) from studying at the University need to be aware that once this has been processed on their student record, they are **not** entitled to work, regardless of when their permission to be in the UK ends.

PART FOUR: WORK THAT IS PROHIBITED FOR TIER 4 STUDENTS

Under current UK immigration rules, Tier 4 students are not allowed to undertake certain types of work. These are:

- Employment as a doctor or dentist in training
- Employment as a professional sportsperson, including sports coaching (further guidance on the definition of these can be found in the [Tier 4 Policy Guidance](#))
- Employment as an entertainer
- Any form of self-employment or business activity (further guidance on the definition of these can be found in the [Tier 4 Policy Guidance](#))
- To fill a full-time, permanent vacancy (excluding Student Union Sabbatical Officer)

Tier 4 students must be aware that undertaking these prohibited types of work would be regarded as a breach of visa conditions. If the University was made aware of this, we would be obliged to inform UKVI and may have to remove the student’s Tier 4 sponsorship. This would lead to de-registration from the University.

⁵ Students undertaking Masters by Research programmes such as MPhil and MRES are not eligible for the DES.

PART FIVE: VOLUNTARY WORK AND VOLUNTEERING

Voluntary (unpaid) work would be included in the hourly restrictions within the term time definitions outlined in this policy. Voluntary work would be classified as an activity where:

- there is typically a contractual obligation on the individual to perform the work and in return an obligation on the organisation to provide it
- the individual is rewarded for that work, through experience or benefits in kind

Volunteering is different from voluntary work. There would typically be no form of contract or any form of payment in kind (aside from reasonable travel/subsistence expenses). Although any activity clearly defined as volunteering would not be subject to hourly restrictions in line with term-time, students must be very careful to ensure the activity they are undertaking would not breach their visa restrictions and should seek advice from Brunel Volunteers if necessary. It is not recommended that students undertake any more than 15 hours per week of volunteering during term-time so that appropriate time can be devoted to study, as with Brunel's student employment policy.

PART SIX: PROVING ELIGIBILITY TO WORK IN THE UK.

All UK employers have to check that any potential employee is legally allowed to work in the UK. This is known as a 'Right to Work Check' and information about this is available at the [Home Office website](#). It is likely that the employer would request evidence of a Tier 4 student's term time structure of their course, especially if they intend to employ the student on a full-time basis. This policy can be used to act as the evidence of this, in conjunction with the University's [academic year calendar](#). The University will not issue students with letters specifically confirming when they can and cannot work – this policy forms the basis of this.