Guidance on arranging a Visitor to the Mathematical Institute

1. Introduction

Recent changes to the UK Border Agency (UKBA) rules and practices mean that universities are under far greater scrutiny. These guidelines set out the steps needed to ensure that all our visitors comply with UKBA requirements.

For the purposes of handling visitor applications, a visitor is considered to be an individual visiting the department who will be carrying out some form of activity (whether that be in a paid or unpaid capacity) related to the work of the department. Visitor status is automatically triggered by any request to use department facilities, but may follow from participation in any departmental activities.

For the purposes of handling visitor applications, a University-hosted research project is considered to be a programme of research for which the University receives specific funding. A visitor is said to be working on such a project if he/she has been invited to carry out (whether paid or unpaid) an identified sub-programme of research within the project.

Visitors to the UK who are not UK or EU nationals who wish to participate in any activities in the University must hold an appropriate visa (or visa waiver). Visitors holding a general ‘tourist’ visa are not allowed to participate in any activities in the University whatsoever. Depending on the nature of the activities involved, visitors to the University may be required to hold a Business Visitor visa, or an Academic Visitor visa. The activities permitted under a Business Visitor visa are more restricted than those under an Academic Visitor visa. However, note that neither of these categories allows migrants to work on University-hosted research projects. Such migrants should consider applying for a temporary worker visa under Tier 5.

It is the department’s responsibility to ensure that all visitors participating in University activities are properly entitled to do so. It is recognised that it could be considered potentially embarrassing to have to ask, for example, an eminent visiting professor to confirm their immigration status. However, it would be significantly more embarrassing to the individual, to the department, and to the University if such a person was identified as an illegal migrant during a UK Border Agency compliance visit, taken to a detention centre and subsequently deported.

In order to avoid potential misunderstanding, in all correspondence and documentation please avoid referring to academic visitors as ‘visiting researchers’ (which may carry an implication of working), and refer to seminars as ‘scientific presentations’ not lectures (which may carry an implication of teaching students).

Detailed below is guidance on the department’s Visitor process and steps which need to be followed when inviting any visitor to the Mathematical Institute.
2. The Process

Sponsorship of Visitors

The Sponsorship of Visitors form should be completed in advance for all prospective visitors to the Mathematical Institute who will be carrying out some form of activity (whether in a paid or unpaid capacity) and who requires access to services during their visit, including access to departmental IT facilities, University Card, desk space and Whitehead Library, irrespective of their planned length of stay. It is important that this form is completed before the visitor arrives. The form should be completed by the “academic sponsor”. In some cases this will be a funded research project or centre in which case the form can be completed by the local administrative support. In other cases the sponsor may be an individual member of the faculty, in which case the form should be completed by that faculty member with the help of the Visitors Co-Ordinator, Sally Mullins.

If the visit will exceed six months and is not sponsored by a funded research project held within the department, prior approval for the visit must be obtained from the Department’s Executive Committee via the Visitors Co-Ordinator.

Completion of the Sponsorship of Visitors Form – Part A (All Applicants)
The sponsor (either individual or research centre/project) should complete Section A of the application form. The questions within this section ask for important information relating to the prospective visitor’s nationality, country of residence and the possibility of requiring a visa to enter the UK. In addition information from this section will in the future be entered on to the department’s personnel system for record purposes.

Completion of the Sponsorship of Visitors Form – Part B (Visitor Applications Under 6 Months)
The sponsor (either individual or research centre/project) should only complete Part B of the form for visitor applications for less than 6 months. Applications for less than 6 months require the approval of the Chairman and should include full information on the visitor’s intentions whilst visiting the department (including collaboration agendas) and information on funding. Specific guidance on each of the questions asked in this section can be found below.

Completion of the Sponsorship of Visitors Form – Part C (Visitor Applications Exceeding 6 Months)
The sponsor (either individual or research centre/project) should only complete Part C of the form for visitor applications exceeding 6 months. Applications for over 6 months require the approval of the department’s Executive Committee and should be accompanied by a supporting statement from the academic sponsor, a supporting statement from the Research Group Head, full information on the visitor’s intentions whilst visiting the department (including collaboration agendas), information on funding and a supporting CV. Specific guidance on some of the questions asked in this section can be found below.

Completion of the Sponsorship of Visitors Form – Part D (All Applicants)
The sponsor or Local Administrator if belonging to a Research Centre/Project should complete Part D of the form for all visitor applications. In cases where the sponsor is an individual member of the faculty Part D of the form should be completed by that faculty member with the help of the Visitors Co-Ordinator, Sally Mullins. Information supplied within this section allows for the allocation of specific resources requested.
Bench Fees
There are costs associated with hosting visitors such as the provision of space and IT facilities. For this reason sponsors are asked to explore with the prospective longer-term visitor whether there is funding available from, for example, grants to cover these costs. Guidance relating to an individual and what fees are applicable should be discussed in advance of the application being submitted with the Research Facilitator, Christopher Voyce. Separate payment will be expected from all visitors for large volumes of photocopying or large items of postage.

IT Facilities
For visitors who are going to be in the department for a brief time, such as seminar speakers and those attending meetings, the use of Eduroam is recommended. Visitors who wish to use the full range of departmental IT facilities should request an IT account when completing the Sponsorship of Visitors Form.

Other Facilities
Due to limited space with the department’s buildings visitors can only be offered the use of common room facilities and the Whitehead library as standard. Should an applicant specifically require the use of a shared office space this should be requested in advance (once their application has been approved) and is the responsibility of each of the department’s buildings Administrators to allocate space.

Approval
Once the application has been completed all forms should be returned to the Visitors Co-ordinator, currently Sally Mullins (Room SGF1, email: sally.mullins@maths.ox.ac.uk, tel: (2)73530).

Applications for less than 6 months are then approved by the Chairman of the Department. Applications exceeding 6 months will be considered individually by the department’s Executive Committee. Please note that 2-3 working days are required for approval of applications for less than 6 months and for applications exceeding 6 months a full working week. Once approved all applicants will then be issued with an invitation letter from the department. The sponsor will be informed once the visit has been approved and the invitation letter has been issued. Some research centres and projects (for example OxPDE and OCCAM) may have local arrangements regarding bespoke invitation letters which they send; however it is important that they seek approval for their visitors in advance and continue to use standard departmental invitation templates which include important information concerning passports and visas.

On arrival
On arrival all visitors who require access to departmental facilities will be asked to complete a visitor registration form and confirm that they have the appropriate visa or right to visit the department. If the visitor is a visa national a check should be made of their visa and a copy of their passport and visa (if applicable) kept along with the visitor registration form. This check may be made locally (i.e. by research centre administrative staff) but the paperwork should be forwarded to the Visitors Co-ordinator, Sally Mullins within a day of arrival. Please note that information relating to an individual’s immigration status is required for the department’s Personnel system, and in addition
the department is required to show that it is complying with UKBA regulations. Failure to comply can result in individual fines. Further information on visas can be found below.

3. Visas

It is important that, regardless of the length of the visit, consideration is given to whether or not the visitor needs to have a visa to enter the UK. A general tourist visa does not allow the holder to participate in University activities. One possible consequence of non-compliance is that the visitor may be refused entry to the UK, and another is sanctions against the University. It is therefore essential that anyone coming to the Mathematical Institute to be involved in our activities has the appropriate visa. The following gives some initial guidance on what type of visa is required.

**WHO NEEDS A VISA?**

Visitors to the UK from outside the EU who wish to participate in any activities in the University must hold an appropriate visa or visa waiver. Visitors holding a general 'tourist' visa are not allowed to participate in any activities in the University whatsoever.

**BUSINESS VISITORS**

The UKBA defines a Business Visitor as someone who is employed overseas but intends to come to the UK temporarily to do business on their own or their employer’s behalf. Business Visitors may come to the UK for a maximum of six months.

**Permissible activities**

Business Visitors may only come to the University to undertake one or more of the following unpaid activities:
- attending meetings, including interviews that have been arranged before coming to the United Kingdom, or conferences;
- arranging deals or negotiating or signing trade agreements or contracts and carrying out fact finding missions;
- conducting site visits;
- speaking at a one-off conference where this is not run as a commercial concern and is not making profit for the organiser;

**Restrictions**

Business Visitors are not allowed to carry out research, either on their own or in collaboration with others.

As well as satisfying immigration officers that they are taking part in one or more of the above permissible activities, those intending to enter the UK as Business Visitors must also satisfy immigration officers that they:
- only want to visit the United Kingdom for up to six months;
- intend to leave the UK at the end of the period of the visit;
- can maintain and accommodate themselves (and any dependants) without using public funds;
• can meet the cost of an onward or return journey;
• will not receive pay from a UK source (although payment of reasonable expenses to cover the cost of travel and subsistence from a UK source is permitted);
• do not intend to take employment;
• are not in transit to a country outside the common travel area¹.

Further information on applying for a Business Visitor visa can be found at: http://www.admin.ox.ac.uk/personnel/permits/acvisitors/business/

ACADEMIC VISITORS

To qualify for an Academic Visitor visa, the applicant must be able to produce evidence that they have been working in a Higher Education Institution overseas, or in the field of their academic expertise immediately before seeking entry to the UK as an Academic Visitor.

Recent graduates, people on sabbatical leave from private research companies, named researchers on grants (because this is a university-hosted research project), those giving a teaching lecture/lectures (except for those giving one unpaid lecture, who may also be able to enter as a Business Visitor) and sponsored researchers do not qualify as Academic Visitors and should find an alternative immigration route.

Academic Visitors may come to the UK for a maximum of 12 months.

Qualifications and permissible activities

To qualify as an Academic Visitor, migrants must be at least one of the following:
• a person on leave from an overseas academic institution who has come to the UK to make use of their leave to carry out their own private research (e.g. to carry out research for a book, for example);
• an academic (including doctors) taking part in arranged exchanges e.g. where a university here is collaborating with an overseas university on research and exchanges personnel for some or all of the duration of the project. Any salary should continue to be paid by the academic's own overseas institution;
• an academic coming to share knowledge or experience or to hold informal discussions with UK counterparts (but not conducting research on University hosted research projects);
• an academic who is taking part in a single conference or seminar that is not a commercial or non-profit venture

Academics coming to the University to collaborate with University staff on University-hosted formal research projects are likely to be classed as sponsored researchers and would require a Tier 5 Certificate of Sponsorship.

Restrictions

As well as satisfying immigration officers that they are taking part in one or more of the above permissible activities, those intending to enter the UK as Academic Visitors must also satisfy immigration officers that they:
• only want to visit the United Kingdom for up to twelve months;
• intend to leave the UK at the end of the period of the visit;

¹ This is essentially the union of the UK and Ireland: see http://en.wikipedia.org/wiki/Common_Travel_Area
• can maintain and accommodate themselves (and any dependants) without using public funds;
• can meet the cost of an onward or return journey;
• will not receive pay from a UK source (although payment of reasonable expenses to cover the cost of travel and subsistence from a UK source is permitted);
• do not intend to take employment.

Further information on applying for an Academic Visitor visa can be found at:
http://www.admin.ox.ac.uk/personnel/permits/acvisitors/academic/

TIER 5 VISAS
Neither Business Visitor nor Academic Visitor visas allow a migrant to work on University-hosted research projects. Such migrants should consider applying for a Sponsored Researcher visa under Tier 5.

VISA WAIVER SCHEMES (NON-VISA NATIONALS)
There are some countries whose nationals do not require a visa for visits of 6 months or less. However the definitions of what these visitors are allowed to do while in the department are the same for both Business and Academic visitors. These visitors must announce the purpose of their visit (i.e. as an Academic Visitor) to immigration officers at the UK port of entry and satisfy the immigration officers that they meet the Academic Visitor requirements. It is essential that the visitor undertakes only those activities outlined in the letter of invitation. For example if a visitor has been invited to pursue their research and give a seminar they would not be allowed, for example, to undertake teaching during their visit. A list of countries that do not qualify under the visa waiver scheme is available at
http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/appendix1/

The above information is given to show the importance of getting the visa status right. The UKBA rules are subject to change so it is advisable to check their website www.ukba.homeoffice.gov.uk or seek advice from Brenda Willoughby or Dawn Bevan brenda@maths.ox.ac.uk; dawn.bevan@maths.ox.ac.uk about individual cases.