

SPONSORED RESEARCHERS

This category of Business and Commercial applications is for Sponsored Researchers who have been selected for sponsorship to carry out research at a UK university or similar institution capable of providing conditions of work where research can be carried out, (such as a charitable organisation, non-commercial research organisation or a national research council such as the Medical Research Council). Caseworkers do not need to see evidence of advertising as this is classed as a Tier 1 application (see Tier 1 guidance). Ordinary researchers who are filling a post, in receipt of salary not of sponsorship, should be treated as Tier 2 applications, and the post should be advertised.

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Form SR1 should be used

The Host Institution should apply for Sponsored Researchers on form SR1. The same form is also used for an application for extensions, with one section of the form specifically for extension information. The SR1 application form has some major differences from the WP1 application form as follows:

Employer: The term 'employer' is not applicable to many Sponsored Researcher applications because there will probably not be a contract of employment with an UK employer. Instead the person will have a Host Institution based in the UK where they will work.

Salary: The term salary implies a contract of employment, and many academic institutions are wary of implying that Sponsored Researchers will have tenure. Instead of 'salary' or 'wage' other terms are acceptable such as grant, stipend, award or funding.

Sponsor: The sponsor will provide the funding for the research. The sponsoring body may be the host, or may be another institution altogether. The sponsor need not be in the UK.

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Host Institution (Employer)

There is no employer - instead the researcher has a host Institution based in the UK, usually a research institution (for example a University), but if it is clear that the host is capable of providing an environment where research can take place, this can be accepted. There will not be a contract of employment between the host institution and the person. The host will have day-to-day control over the person's terms and conditions, and therefore is in a position to stand for an employer for Border and Immigration Agency purposes. Caseworkers should establish the host institution in the same way as we [establish an employer](#).

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Funding and Stipend (salary)

The funding should be provided by the sponsor/s, an institution not necessarily based in the UK or from the host. Evidence of sponsorship for the full period of the permit should be provided with the application. This can be in the form of a letter to the person confirming the details of the sponsorship from the sponsoring body. Evidence should include:

- The name of the person for whom the permit is sought;
- The name of the sponsor;
- The name of the host institution where the person will be based;
- The title of the post;
- Details of the funding provided; and
- The period of the sponsorship required.

The sponsored researchers overseas post may continue, if so the person will be on Sabbatical (also known as vacation, break or holiday) but in receipt of funds to do work in the UK. If the person is not employed overseas the person must be receiving funding in order to do research in the UK. All funding should be equivalent to the [National Minimum Wage \(NMW\)](#) and applications offering funding below the NMW should normally be refused, as this does not comply with UK legislation and cannot reflect the going rate. The person may continue to be paid a salary overseas, which can be taken into account. Caseworkers should note that Working Time Regulations may not apply to Sponsored Researchers because they are classed as self-directed and their hours will vary.

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Job Description

Caseworkers must look at the job description as well as the job title to establish if the post is for a sponsored researcher. The level of the post should meet the usual

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Business and Commercial criteria and will often be at degree level or above. Work types can include:

- Develop one-off courses
- Improve research skills on a particular project.
- Exchange ideas, including seminars and lectures on a specific project.
- Use equipment or access something not available in their country for a specific reason.
- Discuss joint submissions to journals, or complementary data or results for a specific piece of work.

Job descriptions indicative of posts that are long-term and essential to the day-to-day running of the organisation, such as administration of courses or technical expertise required over a long period, do not meet the criteria, and should be refused.

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Skill of the worker

The host or sponsor will select the individual for the research. Caseworkers should check from the application form that the person is qualified to do the research quoted in the job description. Selection may be because of previous experience; for example, the person may have published in a similar field.

- The application form should explain how the sponsor verified the [person's skills](#).
- The reason for selecting the specific individual should be given on the form.
- The host institution should give reasons why the person is uniquely qualified to do the research; for example, the person may have pioneered new methods and wish to apply this in another department.

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gIOBE

Caseworkers should input details onto globe as follows:

- Applications should be input under the 'researcher, sponsored' category;
- Funding received should be noted in the salary section;
- Host Institution details should be input in the employer tab;
- The sponsors details should be input in the comments section;
- Details of the sponsorship should be input in the comments section;
- Details of the person's qualifications, skills and how they were verified should be input in the comments section.

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What to do if?

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The person is self-funded – If the person is self-funded they do not meet the criteria and the application should be refused. Caseworkers should use paragraph P81G in the refusal letter. Caseworkers should note that all refusal reasons should be included in the refusal letter and all letters should be tailored to the individual application.

The person is not in receipt of sponsorship – If the person is not in receipt of sponsorship the application should be refused and the applicant should be directed to Immigration and Nationality Enquiry Bureau (0870 606 1739) for advice on other immigration routes. Caseworkers should use paragraph P81G in the refusal letter. Caseworkers should note that all refusal reasons should be included in the refusal letter and all letters should be tailored to the individual application.

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The funding does not cover the full period of the permit - Caseworkers should go back to the host institution/rep and request further evidence of funding to cover the full period of the permit. Caseworkers should send letter L600 and the case should be BF'd for no more than 3 weeks or until the information is received, whichever is sooner. If no response is forthcoming, the application should be refused and paragraph P81G included in the refusal letter. Caseworkers should note that all refusal reasons should be included in a refusal letter and all letters should be tailored to the individual application.

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The funding is below the National Minimum Wage - Where the person is not going to receive funding in accordance with NMW legislation, the application should be refused on grounds of not meeting NMW and the employment not being in accordance with the UK legislation. The refusal letter should include paragraph P85J. Caseworkers should note that all refusal reasons should be included in a refusal letter and all letters should be tailored to the individual application.

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The host institution cannot be established – Caseworkers should establish the host institution in the same way they would establish an employer (see [establishing the employer](#)). If the host institution cannot be established then caseworkers should use paragraph P81J in the refusal letter. Caseworkers should note that all refusal reasons should be included in a refusal letter and all letters should be tailored to the individual application.

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The job description shows the job is not for a Sponsored Researcher - Where the job description does not match the normal requirements for a Sponsored Researcher the application should be refused. Caseworkers should use paragraph P81H in the refusal letter. Caseworkers should note that all refusal reasons should be included in a refusal letter and all letters should be tailored to the individual application.

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