

The
University
Of
Sheffield.

Human
Resources.

UNIVERSITY EXECUTIVE BOARD, 13 February 2018

Additional international staff support provision

UEB Sponsor: President and Vice Chancellor, Professor Sir Keith Burnett

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1. Purpose of paper/actions for UEB:

This paper alerts UEB to feedback regarding the levels of support the University provides for its non-EU international staff. It brings to UEB recommendations from the President & Vice-Chancellor regarding how the support we provide may be enhanced and outlines potential costings for providing additional support.

The paper also outlines the support the University currently provides its non-EU international staff and draws comparisons with the recently increased support for non-UK EU staff.

UEB is asked to discuss the proposals below and agree the recommendations regarding implementation, bearing in mind the financial implications for the University both in the interim and going forwards post-Brexit.

Note: For the purposes of this paper, non-EU international staff are referred to as "international staff" and non-UK EU staff are referred to as "EU staff".

2. Background/context

The University seeks to attract the best staff from around the world so that our research and teaching reflects and celebrates global diversity. Our Internationalisation Strategy states that the University will promote the attractiveness of Sheffield as a destination and enable the integration of international staff and their families. These principles are further underpinned by our #WeAreInternational campaign.

There have been a number of particular challenges impacting on the University's ability to fulfil this ambition which have grown in recent years. The UK immigration system has been strengthened reflecting a broader narrative of "UK first" and a political/populist view that immigration is a bad thing for the UK. This is despite evidence from this University and the sector which demonstrates the value of international scholars and students to the UK economy, industry and cultural life.

Visa requirements and costs have significantly increased in recent years and of course the EU

referendum in 2016 has brought immigration concerns to the fore.

This University has been at the forefront of campaigns to promote the value of internationalisation and continues to promote the #WeAreInternational campaign and to lobby for a more positive perspective.

Since the EU referendum additional focus has been placed on EU staff and students for whom the immigration landscape has shifted materially. Whilst this work has been well intended and broadly welcomed, in light of the increased focus on EU nationals by the University, the international staff community have raised concerns about a perceived inequality and expressed a view that the support we provide our international staff has not kept pace with changes they have faced in recent years and is falling behind that of other Russell Group universities.

There is a concern that the University's international credentials may be called into question in light of this feedback and as a consequence of other changes taking place regarding the UK immigration processes.

Discussions have taken place with trade union colleagues on this matter in recent months. UCU colleagues have undertaken a survey to gain additional feedback and have provided further research on visa fees since 2008 to highlight the increase in cost for individuals and the impact on their take home pay (**Appendix 1 and 2**).

As a continuation of these discussions, a meeting with the President & Vice-Chancellor and trade union colleagues took place on 9 January 2018 to discuss options available.

HR colleagues have explored a range of additional support which could be offered and the President & Vice-Chancellor asked that a joint paper be brought to UEB by HR and the trade unions. The President & Vice-Chancellor is aware that any additional financial resources directed at this support would need to be found from existing budgets and so wished UEB to consider the proposals in that light and come to a collective view as to how the University can better support its international staff community.

3. Current staffing and support

An overview of our current international staff profile and the different visas held by our is provided at **Appendix 3**. We currently employ **611 international staff** (excluding GTAs). Combined with a further 647 EU staff, this equates to 17% of all staff. The highest proportion of international staff are employed on a Tier 2 visa or have "indefinite leave to remain" in the UK.

The support offered to international and EU staff (post referendum) is shown in table 1 below.

Table 1: Current support offered

| Staff Group | Support | Implementation |
|-------------|--|----------------|
| EU staff | • Reimbursement of registration certificate and permanent residency application fee (£65). | April 2017 |
| | • Access to legal helpline hosted by Penningtons | April 2017 |

| | | |
|---------------------|---|--|
| | Manches LLP. | |
| International staff | <ul style="list-style-type: none"> • Reimbursement of Tier 2 application fee for visa applications made in-country (£677). This includes Tier 2 extensions, Tier 2 to Tier 2 applications (i.e. employment/employer changes) & Tier 4 to Tier 2 switches. This does not include out-of-country visa applications. • Pre and post appointment guidance on visa regulations and processing. | <p>November 2008 (date points-based system for immigration introduced).</p> <p>November 2008</p> |

In addition to this formal support there have been legal briefings and staff events for EU staff and much by way of articles and information on the University web pages and updates to staff.

The formal arrangements for international staff have remained unchanged since the current points-based immigration system was first introduced in 2008, though clearly that landscape has evolved over time, albeit in less obvious steps compared to that experienced by EU staff.

In light of recent discussions and feedback we have further developed our international staff support as outlined below;

- Dedicated international staff web pages were launched: www.sheffield.ac.uk/hr/internationalstaff in November 2017.
- 1-to-1 support discussions offered with a colleague in HR. Four members of staff have so far made an appointment since November 2017.
- Question submission facility added to the international staff web pages.
- An international staff event in December 2017 which was an opportunity for staff to ask questions, and to inform further development of the international staff support provision.

Currently support for international staff, internal visa expertise and co-ordination is centrally delivered within HR. Approx 0.5 FTE Grade 6 HR Adviser is at the heart of this provision, supported by colleagues aligned to individual faculties. At current levels of support this resource is stretched to capacity.

This demonstrates that the University clearly does provide information, support and to varying degrees financial assistance to our international staff community. However, given the ongoing challenges regarding the Government's position on immigration, our stance on #WeAreInternational and feedback received there is a case that the University could do more to support and celebrate our international staff community.

4. Potential future support

As a broad principle, the University could position support for our international staff in a way

which ensures, as far as is practical, that international staff should face no more significant barriers to working at the University of Sheffield than a UK national, recognising that each individual will have different personal circumstances and have made their own life choices before and during their time with the University.

The needs of the individual being employed by the University should be at the core of our offer and we should be mindful of the challenges faced regarding the financial impact of visa and immigration controls, the complex legal landscape through which they will need to navigate and practical, day to day support pre-employment and once in the UK.

Feedback indicates that there are three key areas in which international staff could be supported; financial, legal and practical assistance.

Following feedback from international staff and benchmarking of other institutions (**Appendix 4**), a number of options have been identified. Table 2 below illustrates the range of potential support provisions which are further explored with indicative costs in **Appendix 5** and forms one of the recommendations:

Table 2: Potential future support

| Provision | Proposed Support |
|----------------------|--|
| Financial assistance | <ul style="list-style-type: none"> • All employee visa-related costs reimbursed • Loan facility for visa application fees and NHS surcharge for dependents |
| Legal advice | <ul style="list-style-type: none"> • Legal helpline (EU staff legal helpline extended to all staff)* • One-hour legal consultations • Tier 2 and indefinite leave to remain legal factsheets provided and updated as appropriate • Visa application form review service |
| Practical advice | <ul style="list-style-type: none"> • International staff web page • Informal international staff networking opportunities • Case-studies and knowledge sharing within community • Tailored induction process • Policy updates • 1-to-1 meetings with HR offered on immigration matters throughout employment |

** Note: Trade Union colleagues have had feedback from UK nationals at the University with overseas partners who would like to access the legal helpline. It is difficult to calculate the anticipated cost of extending this provision as the number of staff with an overseas partner is unknown.*

5. Recommendations

UEB colleagues are asked to consider the following recommendations for all international staff (excluding GTAs) to enable the stated broad principle to be applied:

- **Implement an additional international staff support package** on an ongoing basis including financial assistance, legal advice and practical advice totalling up to an estimated maximum of £585,300 per year as highlighted in **Appendix 5**.
- **Offer visa/immigration cost reimbursement to staff members** to align with the parity principle with UK nationals. A **loan facility** could be offered to international staff to help with additional costs associated with their own personal circumstances (i.e. different no. of dependents).
- **Provide a central fund of up to £585,300** (as detailed in **Appendix 5**) to be administered by HR to fund these costs so as not to deter individual departments/faculties from making decisions to appoint international staff where they are the most suitable candidate for the role and meet the necessary immigration criteria.
- Support funding for additional **dedicated HR resource** to ensure this provision is effectively administered and international staff are able to access appropriate central support for their particular needs as outlined. The anticipated cost at 1.0 FTE G4 would be c£23,000 including on-costs.
- Total (maximum) costs per year of this provision = **£608,300**.
- Any funding through a loan facility would affect cash flows for the University, though costs would be mainly through processing and administration.

Further considerations/implications:

- Trade union colleagues have requested that the University considers backdating the reimbursement of visa-related costs from 2015 for Tier 2 sponsored staff, indefinite leave to remain applications and NHS surcharge. We have calculated this cost to be c£312,500 (**Appendix 6**). (*Note: 2015 is the date when visa costs began to increase significantly*). **UEB is asked to consider this request.**
- A key consideration for the University is that post-Brexit, the University's international staff population will be c1,200. It is important to note when discussing the recommendations below that costs may increase further following Brexit. If EU nationals are to be subject to the same immigration controls as other international staff we would expect to see costs rise by c£90,590 per year (based on 2016-17 figures) for Tier 2 visa reimbursement. The implications of this would need to be considered at the appropriate time.

6. Next steps

In the event of UEB's agreement of the recommendations outlined above, work will commence on implementing the additional support as soon as possible.

HR colleagues will work with Finance to identify the relevant funding as outlined/agreed and will establish appropriate mechanisms for managing any shared cost budget lines.

The visa reimbursement for staff and loan facility covering for individual circumstances will be implemented in readiness for the visa fee increases due in April 2018. The remaining recommendations will be implemented according to priority.

We will also continue to work with the international staff community on this additional provision, and we will keep UEB and the President and Vice-Chancellor informed of progress and developments.

Appendices

Appendix 1

#WeAreInternational - Or, are we? (Summary of findings)

In October and November 2017 Sheffield UCU asked for input from its international members, from within and outside of the EU. In this report we summarise the comments from a total of 72 staff members. Link to Google Site on this Sheffield UCU campaign and the full report: <https://sites.google.com/sheffield.ac.uk/weareinternational-sucu/>

Experience and expectations of support provision

Communications, legal support and financial assistance

More than 4/5th of our colleagues responding to Sheffield UCU's survey said that clear guidance on immigration requirements, regular updates on changes to immigration requirements and changes, and personalised legal support for them and their dependents would be important or very important to them.

There is a strong desire for a **proactive, clear, detailed and dedicated strand of provision** available to both non-UK EU and non-EU international colleagues in terms of visa regulations, support with applications, checking documents and providing personalised legal advice to staff and their dependents. Non-EU International colleagues expressed anger over what they perceive as **the complete lack of support** regarding information on their visas, visa extensions, and indefinite leave to remain applications. Non-UK EU colleagues commented on the difference in provision between the University's **legal scheme**, and that of UCU, commending the latter.

Colleagues expressed their frustration in strong terms over **the complete lack of financial assistance** of the University towards the initial visa costs, the NHS surcharge, and the indefinite leave to remain procedure. The University currently pays for Tier 2 visa extensions.

*"It is clear that the university values international staff for the status and prestige we bring the university but is **not willing to acknowledge the particular challenges** we face, or **help us financially** when it comes to visa costs or the extra costs involved in overseas research."*

Our wider community

More than 2/3rd of our colleagues responding to Sheffield UCU's survey said that they would like to see events highlighting the international nature of our University. There was a **strong criticism of the #WeAreInternational campaign** remaining a slogan only, with little meaningful outcomes to non-EU international staff.

*The university has increasingly focused its attention on EU staff, who need dedicated support. This is great. But it has done so through the **explicit exclusion of other international staff**, who are increasingly feeling at worst unwanted by the institution, or at best, of secondary importance to EU colleagues.*

The impact of the EU referendum on staff wellbeing

Sense of belonging and uncertainty due to the EU referendum outcomes

The discourses on immigration have taken a toll on how welcome international staff feel in the UK. Beyond the loss of belonging, staff are worried about several uncertain aspects that will be the result of ongoing negotiations between the UK and the European Union. Colleagues commented on their own work status, and the uncertainties that their insecure contract, or potential future job

applications hold.

“Brexit hurt me deeply, making me feel unwanted and threatened. I feel nobody will give me a job because it is not clear what the destiny of EU people in the UK will be. Now I'm a bad immigrant, taking away the jobs of good British people, regardless my skills.”

Emotional toll of the immigration debate and plans for the future

Several non-UK EU colleagues explained that the uncertainties have **taken a huge emotional toll, impacting on their professional and personal lives**. Further, the negotiations in which non-UK EU citizens have been described as bargaining chips and the main cards in getting a good deal from the European Union, have not provided any certainty as of yet. It is then rather unsurprising that a substantial ratio of our international colleagues, both non-UK EU and non-EU, **have thought about leaving the UK, or have made plans to leave** in the near future.

*“Most of the time I try not to think about [Brexit] and **play 'the good migrant'** - just getting on with my day job, waiting for something 'real' to happen. But underneath I am grieving, and anxious, and worried, and unsettled. **These feelings sometimes take over and paralyse me for days**, sapping self-confidence and trust in the future, making it hard to see my efforts in research as worth-while.”*

Appendix 2: Visa & settlement costs since 2008

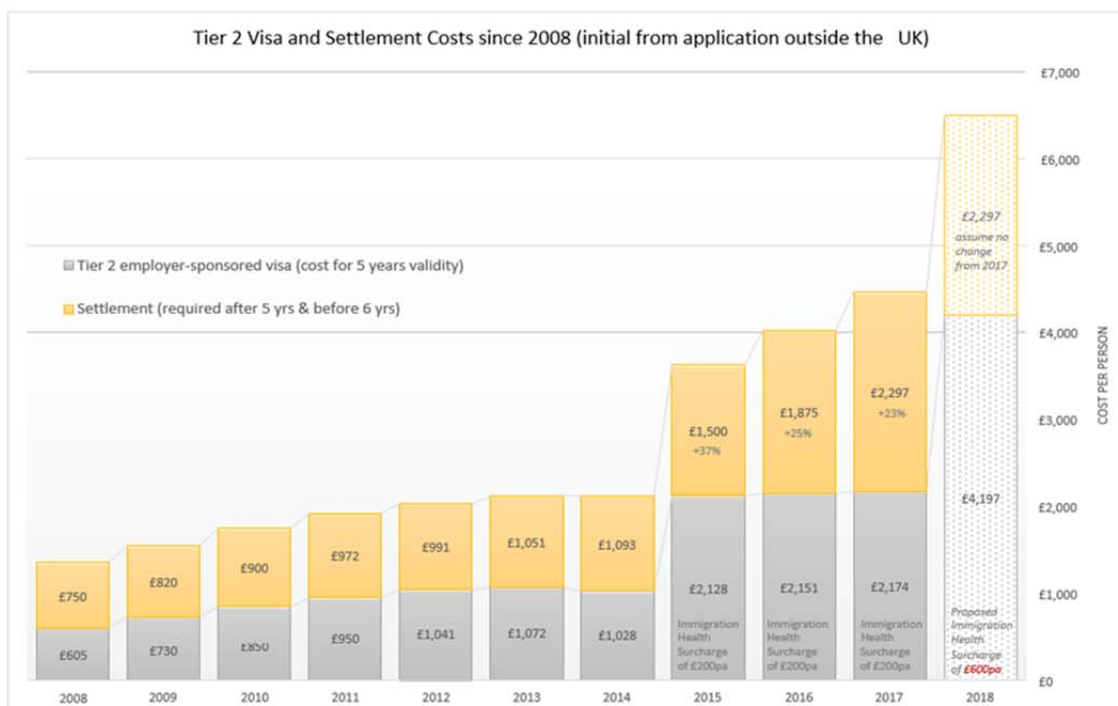


Table 1: Current fees (April 2017) for Tier 2 visas Indefinite Leave to Remain (permanent residency) fees. Fees are per person. IHS = Immigration Health Surcharge and is levied per year of visa validity.

| Tier 2 (General): employer-sponsored visa | Visa < 3 years | Visa > 3 years | IHS per year |
|---|-----------------------|----------------|--------------|
| Tier 2 (General): Apply from outside UK | £587 | £1,174 | £200 |
| Tier 2 (General): Extend or switch from within UK | £677 | £1,354 | £200 |
| Permanent Residency (Indefinite Leave to Remain) | £2,297 (one-time fee) | | |



* Based on £40,523 (SP38), the typical starting salary for a Lecturer, & assuming standard tax & NI contributions and 8% pension contribution.
 ^ Based on £46,924 (SP43), assuming normal progression along the salary spine, standard tax & NI and 8% pension contribution.
 NB: Tier 2 staff are also ineligible for Child Benefit and Child Tax credit

Figure 1: Tier 2 Visa costs and Indefinite Leave to Remain (permanent residency) fees, showing financial impact on take-home pay relative to reference salaries

Appendix 3: Visa types/immigration status held by UoS international staff

| Visa Type | No. Staff |
|-------------------------------|------------------|
| Asylum Seeker | 2 |
| Dependant | 41 |
| Discretionary Leave | 1 |
| Family EEA | 9 |
| Indefinite Leave | 260 |
| Naturalisation | 2 |
| Tier 1 (Exceptional Talent) | 2 |
| Tier 1 (Other) | 1 |
| Tier 2 (General) | 247 |
| Tier 4 (Student Doctoral Ext) | 7 |
| Tier 4 (Student) | 23 |
| Tier 5 (Youth Mobility) | 1 |
| UK Ancestry | 9 |
| Work Permit | 4 |
| Workers Registration Scheme | 2 |
| TOTAL | 611 |

Appendix 4: Benchmarking

The following (anonymised) benchmarking information was collected by the University of Leeds in June 2017:

Russell Group

| HEI | Tier 2 | NHS Surcharge | ILR | Permanent Residency | Citizenship | Loan Scheme |
|-----------|---|------------------------------------|-------------------|---------------------|-------------------|-------------------------------------|
| 1 | Initial visas & extensions | Reimburse | Reimburse | Reimburse | ? | No |
| 2 | Initial visas (in-country) & extensions | No | No | No | No | Developing policy |
| 3 | Initial visas | Initial payment for incoming staff | Drafting policy | Drafting policy | Drafting policy | Drafting scheme to cover extensions |
| Sheffield | Initial visas (in-country) & extensions | No | No | Yes | No | No |
| 5 | No (unless agreed) | No | No | No | No | ? |
| 6 | Discretionary | No | No | No | No | Looking into this |
| 7 | Initial visas & extensions | No | No | No | No | Yes for other costs |
| 8 | Initial visas & extensions | No | No | No | No | ? |
| 9 | No | No | No | No | No | Yes - all costs |
| 10 | No | No | No | No | No | Yes - all costs |
| 11 | No | No | No | No | No | Yes - all costs |
| 12 | Developing policy | Developing policy | Developing policy | Developing policy | Developing policy | Developing policy |

All universities (incl. 2 Russell Group)

The results of our own benchmarking exercise in July 2017 are summarised below:

| HEI | Tier 2 - main applicant | ILR - main applicant | Tier 2 & ILR - family | NHS Surcharge | Legal Advice | Loan | EU Staff |
|-------------|-------------------------|----------------------|---------------------------|---------------|--------------|----------------------|--|
| Lincoln | No | No | No | No | No | No | No |
| Heriot Watt | No | No | No | No | No | No | Helpline for <u>all</u> staff. Briefings & 1 to 1 sessions. |
| Roehampton | Loan | ? | ? | Loan | ? | Yes | Loan available for citizenship & PR (up to £2,000) |
| Kent | Yes | Yes | No | No | No | No | Legal sessions & loan scheme. |
| Chester | No | No | No | No | No | No | No |
| Portsmouth | Yes | No | No | No | No | No | No |
| Edinburgh | Yes | Loan | Tier 2 - only. ILR - loan | Tier 2 - only | Loan | Yes (incl. EU staff) | Briefings & 20 mins 1 to 1 appts. |
| Keele | No | No | No | No | No | No | Briefings & 1 to 1 appts. Also, reimburse cost of PR and loan scheme for 'Brexit' related costs (up to £1k). |

| | | | | | | | |
|---------------|----------------|-------------------|----|----|----------------------|-----------------|---|
| Derby | Loan | Loan | No | No | Yes | Yes | ? |
| Exeter | Yes - flat fee | £2,250 wef. 1 Aug | No | No | Once or twice a year | Yes - up to £5K | Reimburse PR & briefing sessions with 1 to 1 appts. |
| Leeds Beckett | No | No | No | No | No | No | No |
| UCLAN | No | No | No | No | No | No | No |

UCU benchmarking

| HEI | Financial Assistance |
|--------------------------|--|
| University of St Andrews | <ul style="list-style-type: none"> • Tier 2 visa reimbursed for staff and dependents • NHS surcharge reimbursed for staff and dependents • ILR reimbursed for staff and dependents |
| University of Manchester | <ul style="list-style-type: none"> • Tier 2 visa reimbursed • Loan facility provided to staff to pay for NHS surcharge and dependent visas |
| University of Bristol | <ul style="list-style-type: none"> • Tier 2 visa reimbursed • Visa renewals reimbursed |
| Newcastle University | <ul style="list-style-type: none"> • Tier 2 visa reimbursed for staff and dependents • Tier 2 visa extension reimbursed for staff |
| University of Leeds | <ul style="list-style-type: none"> • Tier 2 visa reimbursed • Interest-free loan facility for immigration charges |
| University of Edinburgh | <ul style="list-style-type: none"> • Tier 2 visa reimbursed for staff and dependents • Interest-free loan for ILR and associated visa costs |
| University of Glasgow | <ul style="list-style-type: none"> • Interest free loan to cover UK residency, Tier 2 and associated costs (NHS surcharge) for staff and dependents • Post application; standard fees (and NHS surcharge) for both staff and dependents reimbursed |
| Durham University | <ul style="list-style-type: none"> • Since May 2017, Tier 2 visas, visa switches to Tier 2, Tier 2 renewals and NHS surcharge reimbursed • Interest-free loan facility for dependents visa costs |

Appendix 5: Potential additional future international staff support

| Provision | Issue | Current support | Proposed support | Cost |
|----------------------|---|--|---|--|
| Financial assistance | Increased visa costs. | In-country Tier 2 visa costs reimbursed. | (1) All visa-related costs reimbursed. (2) Loan facility introduced as financial assistance for dependents' ILR, visa-related costs and NHS surcharge. | (1) Overall cost of providing Tier 2, indefinite leave to remain (ILR) and NHS surcharge reimbursement, £360,340. (2) Cash flow to offer this provision would need to be made available. The University of Durham since the launch of their loan scheme in May 2017, have received 15 applications. |
| Legal advice | Access to dedicated immigration lawyers. | Support provided via HR Services team. Complex queries escalated to one of the University's legal providers. | (1) EU staff legal helpline extended to all staff. (2) One-hour consultation slots with Penningtons Manches LLP. | (1) Cost would be the same if same timeslot used (i.e. every Wednesday 2 hours), £29,952*. (2) Consultation charges £350 plus VAT for an Associate and £500 plus VAT for a Partner (charges per slot), £43,860 (based on a third of Tier 2 staff accessing this provision). |
| | Lack of information on how to complete visa application forms. | Support provided via HR Services team. | (1) Fact sheets on applying for a Tier 2 visa extension and ILR. (2) Review service of visa applications provided by Pennington Manches LLP. | (1) Cost of two fact sheets, £1,000 to £1,500 plus VAT. (2) Review service £1,500 plus VAT per application, £149,400 (based on a third of Tier 2 staff accessing this provision). |
| Practical Advice | Lack of information on Estate Agents, opening a Bank Account and Tax. | Staff signposted to information on induction portal. | (1) Increase the profile of the information available on the newly launched international staff web page. | (1) No cost anticipated. Jobs web pages and induction portal have been updated with the link to the new international staff web page. |
| | Staff sharing experiences/information with other international staff. | Currently no provision in place to facilitate the sharing of information. | (1) International Staff Network. (2) Case-studies. (3) More tailored induction process for | (1) Nominal costs likely to be incurred if catering offered, & external speakers invited etc. (2) No cost anticipated. (3) No cost anticipated, unless we engage external service |

| | | | | |
|-------------------------|---|---|--|--|
| Practical Advice (cont) | | | international staff. | providers (e.g. Relocate2Sheffield) https://www.relocate2sheffield.co.uk/ . |
| | More proactive comms re. policy changes and news stories. | Updates on policy changes sent via R&S Network. | (1) More targeted emails to Tier 2 staff. (2) Introduce a news section on international staff web page. | (1) No cost anticipated. (2) No cost anticipated. |

If all the above additional support provision is implemented the total potential cost would be £585,300 (plus cash flow required for loan facility).

**Note: Trade union colleagues have had feedback from UK nationals at the University with overseas partners who would like to access the legal helpline. It is difficult to calculate the anticipated cost of extending this provision as the number of staff with an overseas partner is unknown.*

Appendix 6

Visa reimbursement (from April 2015)

A table outlining the potential cost of backdating the reimbursement of visa-related costs from April 2015. The reason for backdating from 2015 is this is the year visa costs increased substantially, and the NHS surcharge was introduced.

| Visa-related Fees | Potential Costs |
|-------------------|-----------------|
| ILR | £73,400 |
| Tier 2 | £63,100 |
| NHS surcharge | £176,000 |
| TOTAL | £312,500 |