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LEICESTER
STUDENTS'
UNION



ACADEMIC ADVICE

Student Employment Rights

Guide to Employment Rights

The Advice Service is offering signposting, advice and support regarding employment rights for students. *Here is some information, which you may find useful.

What is National Insurance? (NI)

You pay National Insurance contributions to qualify for certain benefits and the State Pension. It is similar to Tax as it is deducted from your pay by your employer and paid direct to HMRC. You will need to have a NI number when you start your employment.

How much NI do I have to pay?

There are different classes of NI contributions, the type you pay depends on your employment status and how much you earn. You should only pay for the weeks that you earn above the threshold, this means you should not overpay NI.

I don't have a National Insurance number

If you live in the UK you should receive your NI number automatically on your 16th birthday. If not from the UK, you can apply for a NI number by telephoning Jobcentre Plus. All the information you need to make an application is available on the government website. You must have the right to work in the UK in order to be given a NI number.

How many hours can I work?

Important Information: Due to recent changes to Senate Regulation 4 the process of Certificate of Employability is being updated so it reflects your ability to **work up to 20 hours a week as a Sponsored student**. This work is being prioritised and we thank you for your patience.

Working on a Student/Tier 4 visa whilst studying

The main purpose of the Student/Tier 4 visa is for you to come to the UK to study as a full-time campus-based student. Where you are permitted to work this should only be to supplement your income whilst studying. The UKVI expect work in most cases to be a part-time role or as part of a work placement which is an integral and assessed part of your course.

Depending on your level of study different work restrictions will apply to you. The restrictions are a condition of your visa and maintaining your Student sponsorship, so it is important that you understand them and adhere to them.

The working restrictions outlined below apply to all students on a Student/Tier 4 visa including EU nationals. EU nationals who are in the UK having secured Pre-Settled or Settled status retain their previous work rights and there are no restrictions.

Working restrictions

Students on Student/Tier 4 visas are limited to the number of hours they can spend working. If you are working for more than one employer you must ensure your hours do not add up to more than your visa allows in any given week which are:

- no more than 10 hours if you are studying below degree level, e.g. studying on a pre-sessional English course
- no more than 20 hours during term-time if your course is at degree level, e.g. Bachelors or Masters
- usually no more than 8 hours if you are a PhD student and only with the permission of your Head of Department*
- full time before your course starts and during your wrap-up
- full time during vacations and which vary depending on your level of study

These restrictions apply to all students holding a Tier 4 or Student visa regardless of nationality.

Types of Work you can undertake

Voluntary work and volunteering

There is a distinction between voluntary work and volunteering. The main difference is 'Voluntary workers' will usually have a contract which states hours of work and duties assigned. Students who are volunteering will not have a contract. You can undertake voluntary work and it will count towards your total working hours limit.

The University of Leicester offers many volunteering opportunities. If you wish to participate but are still unsure, please contact volunteering@le.ac.uk

Work you **cannot undertake whilst on a Student/Tier 4 visa**

- be employed as a doctor in training (except on a recognised foundation programme)
- be employed as a professional sportsperson (including a sports coach);
- be employed as an entertainer;
- be self-employed or engage in business activity; or
- fill a full-time, permanent vacancy (except on a recognised foundation programme or as a students' union sabbatical officer).

It is important to note that some 'casual' jobs or those in the 'gig economy' may be classed as 'self-employed' and therefore in breach of your visa and not allowed, e.g. couriers, translation services, running an online business, being a director of a company or registering with Companies House, etc.

Occasional selling on Ebay is within the rules and permitted. If you are in doubt, you should make checks before starting the work and contact UKCISA for further guidance.

Work restrictions by level of Study

The paragraphs below outline your work restrictions according to your level of study.

Undergraduate students

Undergraduate Students on a Student/Tier 4 visa at the University of Leicester are restricted to working no more than 20 hours per week during the published University term dates and are permitted to work full time during published vacations. These are published on our website for your employer to check.

Postgraduate students

For most postgraduate masters' students, the published University term-dates do not apply and you must not work more than 20 hours a week for the entire duration of your course. This applies whilst you are writing up your dissertation or working on your project.

School of Business Master's Students

Students on a master's course in the School of Business are not entitled to the published holidays and are considered to be in term-time for the duration of the course. Students are entitled to the usual University closure days.

Work placements

Additional work undertaken during a work placement must be within term-time regulations and not more than 20 hours a week.

Students on 16 month courses starting in January

Some PGT students studying who began their course in January are entitled to the summer holiday in their first year of study and are permitted to work full-time during this period. These courses are longer overall than those of other postgraduate students to allow for this holiday starting in the January and ending in May the following year. It is only the summer vacation in the first year these students are entitled to, as in other academic years they will be working on projects or out on work placements.

If you are January starter who is entitled to the summer holiday in your first year your Certificate of Employability will confirm this. It only applies to the students in the Schools below. No work should be undertaken without this confirmation.

It does not apply to any students in the School of Business including those on Management courses.

Only some students in the Law School, Computing Maths and Science and Communication, Media and Sociology are permitted to work in this summer period and this permission will be reflected in their Certificates of Employability.

Postgraduate Research Students

As Postgraduate Research Student you need the approval of your Head of Department to undertake paid employment which should not normally **be in excess of 8 hours**.

Your hours remain restricted whilst you are preparing for your viva and whilst you are completing your corrections until the Doctoral College Office confirms you have completed.

The standard course term dates and holidays dates do not apply to you. You are entitled to university closure days, and you can request a further 24 days holiday a year during which you can work full time. Your holidays must be approved by your department and cannot be agreed retrospectively. Evidence of your holidays must be provided before you undertake employment. **You should not work more than 20 hours a week** if you are not on holiday.

How many hours can a PhD student work?

A PhD course is considered to be the equivalent of full-time work and Senate Regulations state PhD students should not 'usually' work more than 8 hours. Some students depending on their mode of funding (some grants) will not be permitted to work additional hours which is why permission must be granted by the department. The slightly different wording of the Senate Regulations does permit work of up to 20 hours, but students are expected to prioritise their studies and carefully consider the impact work will have on them.

Working full-time with Student/Tier 4 permission

When you can work full time

Most students on a Student/Tier visa have immigration permission that starts up to one month before the course start date and extends for up to four months beyond the end of their studies. If you are allowed to work, you can work before your course starts and after it ends according to the dates on your Certificate of Acceptance of Studies (CAS). If you are required to resit any exams or work, you will revert to the usual term-time restrictions and the University does not consider you to have officially completed until you have been awarded.

You can also work full time during your vacations. If you want to work more than your usual restricted hours, your employer is required by law to check that your education provider agrees that you are on holiday. Your holiday entitlement is determined by your level of study.

Fulltime working hours in the UK

Employees in the UK are protected by a usual working week of a maximum of 48 hours in accordance with the '[working time directive](#)'. Some jobs make it difficult to conform to these hours and it is possible to 'opt out' however you, and your employer, should always be mindful of the negative effect excessive working hours could have on your health before agreeing additional hours.

Proving your working hours entitlement

All sponsored students on Student/Tier 4 visas can obtain a Certificate of Employability which can be downloaded from the My Uni Documents section of [MyStudentRecord](#). You are able to email the certificate directly to an employer from an official university email address.

The certificate will detail your holidays and include term dates for this academic year and the start date of the next.

Proving you have completed your studies

Your studies will be considered completed only when your final result has been confirmed by an exam board and you have been officially notified of the results by us, the University. The University will not officially confirm completion of your studies until your results have been confirmed by an exam board and your employer may choose to continue to restrict your working hours.

When you complete your studies you can request an award letter from [Student Services](#) which will confirm completion of your studies.

I dropped an industry placement and have completed all academic requirements, but the UKVI portal is still restricting my study - why?

You are only considered to have fully completed your studies once you have been awarded. If you have finished your studies early because you dropped an industry placement, we will notify the UKVI of your new end date when you are awarded and the UKVI will then cancel your visa and write to you telling you they have done this.

Until your visa is cancelled any employer checks made through the portal will show the original date of your permission to be in the UK (visa expiry) which is the expiry date of your BRP and employers may continue to restrict your working hours. Once you have been awarded you can provide an award letter to the UKVI which will evidence that you have completed your studies.

Changes to your studies which affect your permission to work

Stop studying

If you stop studying for any reason the term-time restrictions will still apply. In line with our duties as a Student sponsor we will withdraw your sponsorship and notify the Home Office. The Home Office will curtail (cancel) your leave. The UKVI will write to you and inform you of any new date that your permission (UK visa) will expire. Any permission to work that you have will expire/cease on the new date that your permission will expire following curtailment. Curtailment can be with immediate effect or take effect 60 days from the date you were notified that your leave was curtailed.

This applies whether:

- we withdraw you from your programme of study OR
- you withdraw yourself from your programme of study OR
- you suspend your studies.

Undertaking Re-sit Exams/Resubmission of course or project work

After completing your studies, you may be thinking of working full time. However, you may wish to consider any potential risks, for example if you are required to undertake re-

sit exams or resubmit any academic course/project work, (with attendance) this will affect your working entitlement, as you will be considered a full-time student and the working restrictions as above will remain in place.

If you are working full time after completing your studies and you are subsequently notified of further academic commitments (such as resit exams), then you risk working illegally which has serious consequences for you and the employer. The University will not officially confirm completion of your studies until your results have been confirmed by an exam board. Once you have been awarded you can download an Award Letter from the My Uni Documents section of [MyStudentRecord](#) which will evidence to an employer that you have completed your studies.

If you are a PGT student before working with UNITEMPS your School will have to confirm that you have completed all academic requirements and have not deferred your studies. You will not be permitted to work more than 20 hours until this has been confirmed.

Further useful information is available from [UKCISA](#)

Defer studies

If you defer part of your studies to later in the year perhaps because of the impact of covid or for other personal or academic reasons the end date of your programme of study will change and so will your working entitlement. As you may be completing a project or exams during the published summer vacation period you are likely to be classed as remaining in 'term-time' and your working restrictions as above will remain in place.

You should immediately inform your employer of any change in your circumstances, and if they are unsure whether you still have the right to work, they should contact the [Employer Checking Service](#). You should obtain a new Certificate of Employability and provide this to any employer after checking it confirms the changes to your course. You can download a new Certificate of Employability from the My Uni Documents section of [MyStudentRecord](#). You are able to email the certificate directly to an employer from an official university email address.

Government Website Information links

[holiday-entitlement-rights](#) - Calculator to find out entitled leave

[national-minimum-wage-rates](#) - Signposting to gov website for checking national minimum wage & living rates

[International Students - Visa Implications](#)

Information and Resources for International Students

[International Students - Visa Implications](#)

[International Students - UK Council for International Student Affairs - Student Work](#)

Information and Resources for Equality and Diversity

[Equality and Human Rights Commission](#) – Includes the Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission. Offers advice, information and legal definitions.

Information and Resources for LGBT+ Students

[Starting Out Guide](#) - Tips and advice on job hunting and best practice once you've got the job, alongside insights into different employment sectors and details of the most LGBT-friendly employers in Britain

Information and Resources for Students with a Criminal Record

[APEX Trust](#) - information and advice around employment opportunities, training and education. Includes advice on disclosure.

Information and Resources for Students facing Religion and Race issues

[TargetJobs](#) - this comprehensive section has a number of articles offering specific advice around religion, race and ethnicity. Includes information on how to find and identify positive employers and knowing your rights

Information and Resources for Students who are Care Leavers

In 2024 Carers Leave was written into law. A summary can be found on the ACAS website [ACAS - Carers Leave](#)

What can the Advice Service do to help?

[Advice Service](#)– Here in the Advice Service we provide confidential academic and housing advice. We also offer guidance and signposting to Employment Rights, Legal, Wellbeing Services and anything else that enriches your University experience. We are an independent organisation and separate from the University. Therefore, we have no involvement in the decision-making processes of the University and we do not have access to any of the data on academic and/or personal records.

If you have any questions or would like to discuss your situation with one of us, our Advisers are on hand to give you advice on any of these.

Feel free to get in touch with us via our [contact form](#), and we will then get back to you as soon as we can to offer you an appointment, or provide further advice, depending on what is needed.

Opening hours are 11am-3pm, Monday to Friday.

If your query is urgent you can contact us on advice@le.ac.uk or +44 (0)116 223 1132.

Other University Support

[Student Counselling & Wellbeing Service](#) – If you feel that you need mental health support, the University offers a counselling service for students. You can book an appointment by filling in their [online form](#). You can also contact them on +44 (0)116 223 1780 or wellbeing@le.ac.uk.

[Student Welfare Service](#) – If you need advice on any financial issues, you can book an appointment with the Welfare Service. They're located in the Percy Gee Building, and their contact details are + 44 (0)116 223 1185 or welfare@le.ac.uk.

[Careers and Employability Service](#) – The University's Career Development Service can discuss your options with you, and help you think about career and study options. To book an appointment please log onto MyCareers or email careerhelp@leicester.ac.uk

[University \(Free\) Legal Aid Clinic](#)

In regards to any legal advice regarding employment, I would advise that you speak to the university (free) **legal aid clinic**, which can be found [here](#). They offer a free service.

Email: lawadviceclinic@leicester.ac.uk

Website: <https://le.ac.uk/law/about/legal-advice-clinic>

Useful links/Contacts

[Unite the Union](#) - For any specific employment-related problems you would need to be member first

[UKCISA](#)

[Employer Checking Service](#)

['working time directive'](#)

[ACAS - Advice for employees and employers](#)

[International Students - UK Council for International Student Affairs - Student Work](#)

[Leicester Students' Union - Part Time Jobs](#)

[Unitemps](#)

[HMRC](#)

[Job Centre Plus](#)

[Health and Safety Executive](#)

[DBS Service](#)

[Department for Work and Pensions](#)

[Citizens Advice](#)

[Gov.UK - Employment Tribunals](#)

Free Legal Advice/Citizens Advice/Shelter

In regards to any potential legal action or legal advice I would advise that you speak to the university (free) **legal aid clinic**, which can be found [here](#). They offer a free service.

Email: lawadviceclinic@leicester.ac.uk

Website: <https://le.ac.uk/law/about/legal-advice-clinic>

Facebook: www.facebook.com/groups/leicesterpb/

Community Legal Advice – can provide free independent legal advice if you are eligible for legal aid. Their helpline number is: 0845 345 4345. Their website is at: www.legalservices.gov.uk ‘Assured and Assured Shorthold Tenancies – A guide for tenants’ - this booklet is available on our website at: www.communities.gov.uk/publications/housing/assuredassuredtenants

Citizen’s Advice Bureau - provides free, independent advice on housing and other issues through local advice centres and online. You can find your nearest centre online at: www.citizensadvice.org.uk/ or by telephone on: 08444 111 444 .

(*Please ensure that you check the information is current and up-to-date as information/Law updates change). We endeavour to ensure that the information we signpost to is up-to-date but if you find that the links do not work or are out of date please do not hesitate to let us know by emailing advice@le.ac.uk)

leicesterunion.com/advice

Advice Service

advice.le.ac.uk

0116 223 1132



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