

Overseas Academic Visitors Policy

This policy applies to academic visitors who come to the University from outside the UK.

1. Introduction

- 1 Academic visitors from outside the UK will be required to show that they have the requisite visa, and must abide by the restrictions placed upon them by this while they are at the OU as an academic visitor. Therefore, they will be required to e-mail a scanned copy of their passport and supporting visa before they commence their first day on campus/at venue where their visit is taking place.
- 2 There is a sub-category of the UK Standard Visitor visa that covers academic visitors to the UK. In order to qualify as an academic visitor, the applicant must show that they are highly qualified in their field of expertise, and are currently working in that field at an academic or higher education institution outside the UK. This visa will therefore not be available to individuals such as recent graduates or those on sabbatical leave from private research companies. N.B. This is not an exhaustive list and if you have any doubts about the eligibility of the proposed academic visitor, you must seek clarification from the People Services Immigration Team (immigration-queries@open.ac.uk).
- 3 The Faculty department is to assess the ATAS requirements. If ATAS is required, the Department is to complete the [Summary Statement of Research](#) as per ATAS guidance and send the statement to the visitor and the People Services Immigration Team. If ATAS is required, the visitor is to send a copy of the granted ATAS certificate to the People Services Resourcing Team/Immigration Team. No research is to begin in the UK until the ATAS certificate has been received.
- 4 The People Services Immigration Team will provide guidance on immigration aspects for overseas academic visitors as appropriate. Where an academic visitor enters the UK under a Visitor visa, the People Services Resourcing Team must check the visa and send a copy of the visa to the People Services Immigration Team. The People Services Immigration Team will notify the Faculty department and visitor of an upcoming visa end date. The Faculty department will report any concerns or changes in circumstances immediately to the People Services Immigration Team (immigration-queries@open.ac.uk).
- 5 This policy applies only to academic visitors who will be entering the UK. Overseas academics who collaborate with the OU remotely from outside the UK are not bound by any of the following restrictions, nor do immigration checks need to be carried out in respect of them.

- 6 Academic visitors will be provided with a copy of a supporting letter by the People Services Resourcing Team to assist them with the application process. A copy of the letter is available in Appendix A.

2. Eligibility

- 7 Visitors that fall into the following categories will most likely be eligible to enter the UK under the Academic Visitor sub-category of the Standard Visitor visa:
 - a. Senior academics on sabbaticals from an academic or higher education institution outside the UK, coming to the OU to carry out their own private research;
 - b. Senior academics who come to the OU as part of an exchange of personnel between their institution and the OU, when both institutions are collaborating on a research project, providing the academic visitor spends their time in the UK on said project, and their salary continues to be paid by their own institution;
 - c. Senior academics who are coming to the UK to share knowledge or experience with UK academics, or simply to hold informal discussions, providing that they are not conducting research on OU hosted projects;
 - d. Senior academics who are taking part in a conference or seminar, provided that such an event is a commercial or non-profit venture;
 - e. Senior doctors or dentists, considered to be at the top of their field, taking part in research, teaching or clinical practice in the UK.
- 8 Visitors that fall into the following categories will most likely not be eligible to enter the UK under the Academic Visitor sub-category of the Standard Visitor visa:
 - a. Recent graduates, or those who are not highly qualified in their field;
 - b. Those who work at private companies rather than at academic or higher education institutions;
 - c. Academic visitors coming to the UK to undertake a series of paid lectures or other teaching, or to act as a paid external examiner;
 - d. Academic visitors coming to the UK to collaborate on research projects hosted by the OU;
 - e. Academics who are retired – to qualify for this visa an academic must be employed by an overseas institution.
- 9 There may be alternative immigration routes that allow the above visitors to enter the UK. These individuals should refer to the [UKVI website](#). Managers can contact the People Services Immigration Team (immigration-queries@open.ac.uk) for guidance.

- 10 It is the responsibility of the sponsor to ensure that the academic visitor satisfies these criteria and is eligible for the Visitor visa before the application for academic visitor status is submitted. If the sponsor is unsure, they should seek guidance from the People Services Immigration Team (immigration-queries@open.ac.uk).

3. Length of stay

- 11 Academic visitors may apply for a visa to stay in the UK for up to 12 months. This is in contrast to the Standard Visitor visa which only allows for stays of up to six months. Therefore, the length of the attachment can be no longer than 12 months, and not three years as stated in the Visiting Academics Policy, which only applies to non-overseas visiting academics.

4. Remuneration and expenses

- 12 Academic visitors from outside the UK on a Visitor visa are not allowed to be paid by a UK source during their time in the UK. Any overseas academic visitor, will therefore not be paid by the OU for the duration of their visit.
- 13 The OU will be able to reimburse visiting academics for reasonable expenses to cover the cost of their travel and subsistence, in accordance with paragraph 17 in the Visiting Academic Policy.

5. Other permitted activities

- 14 Academic visitors under this visa will also be entitled to engage in the following other activities, permitted by the Standard Visitor visa:
- a. Tourism, and visiting friends and family while in the UK;
 - b. Undertaking volunteering, provided that such volunteering is for a charity registered in the UK, is not the main purpose of their visit, and lasts no longer than 30 days in total;
 - c. Undertaking preaching or pastoral work as a religious worker, provided that it is made clear if this is the main purpose of their visit;
 - d. Taking part in performances (musical, comedic, dramatic, etc.), on the condition that this is not the main purpose of their visit;
 - e. Taking part in sports tournaments or events, provided that this is not the main purpose of their visit;
 - f. Taking course(s) of “incidental study”, provided that this is not the main purpose of their visit, and any study does not exceed 30 days in total, and does not provide any qualification, unless the study is provided by an institution that is licensed to sponsor Student visa holders, or is an accredited body.

6. Other restrictions

- 15 In addition to the above restrictions, those visiting the UK under this sub-category of the Visitor visa, must satisfy UK Visas and Immigration that they:
- g. Are genuinely seeking entry to the UK to undertake the activities they have stated are the main purpose of their visit;
 - h. Only intend to visit the UK for up to 12 months, and intend to leave the UK at the end of the period of their visit;
 - i. Are able to maintain and accommodate themselves without having to make use of public funds;
 - j. Are able to meet the cost of any onward or return journey at the end of their visit;
 - k. Do not intend to live in the UK for extended periods by making frequent or successive visits;
 - l. Do not intend to marry or form a civil partnership, or give notice of the same;
 - m. Do not intend to produce goods or provide services within the UK;
 - n. Do not intend to receive private medical treatment; and
 - o. Are not in transit to a country outside the common travel area.
- 16 Overseas academic visitors must not be considered for, or appointed to, part-time or ad hoc duties (e.g. Research Degree Supervisor or Consultant), as this will be in breach of the terms of their permission to enter and remain in the UK.

7. Additional guidance for overseas academic visitors

- 17 This guidance applies to academic visitors planning to visit UK universities from outside the UK who are financing themselves and are not employees of the University which they are visiting.
- a. UK Visas and Immigration, part of the Home Office, manages applications for individuals who want to visit, work, study or settle in the United Kingdom. UK Visas and Immigration is responsible for decisions about who can come to the UK and who can stay here.
 - b. If individuals are coming to the United Kingdom as visitors from outside the UK, they must satisfy the eligibility requirements in the [Immigration Rules for Visitors \(Appendix V\)](#). Their visit to the University may be declined or terminated if they do not follow these rules.
 - c. The most likely visa individuals will need to apply for is the Standard Visitor visa, if they meet the eligibility requirements. Individuals can apply online on the [Home Office website](#), but the earliest they can apply for a visa is three months before they travel.

- d. The University cannot provide immigration advice to individuals. Immigration advice can only be provided in the UK by people whose organisations are regulated by the Office of Immigration Services Commissioner (OISC) or by members of certain professions, such as The Law Society of England and Wales. The [OISC](#) website provides links to registered and approved UK immigration advisers. [UK Visas and Immigration](#) provides general immigration information on their website.
- e. The Academic Technology Approval Scheme (ATAS) applies to international researchers who intend to undertake research at postgraduate level in certain sensitive subjects, where an individual's knowledge could be used to develop military technology, weapons of mass destruction or the means of delivering weapons. An application is made to the Foreign, Commonwealth and Development Office (FCDO) for an ATAS certificate. The ATAS requirement should be considered for all visiting academics. The ATAS clearance certificate must be provided to the People Services Resourcing Team as part of the visa check. N.B. ATAS does not apply to EU/EEA nationals and certain non-EU/EEA nationals (Australia, Canada, Iceland, Japan, Liechtenstein, New Zealand, Norway, Singapore, South Korea, Switzerland, USA).

8. Equality, diversity and inclusion

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

9. Useful references

[Visiting Academic Policy](#)

[Immigration Document Checks for Visiting Academics](#)

[Visiting Academic Nomination Form](#)

[Visiting Student Nomination Form](#) (Graduate School Network)

[Immigration Routes for Academic Visitors](#)

[Right to Work Procedures](#)

[ATAS Summary Statement of Research Template](#)

[Academic Technology Approval Scheme \(ATAS\) - \(www.gov.uk\)](#)

[UK Visas and Immigration - \(www.gov.uk\)](#)

[Immigration Rules - Guidance - \(www.gov.uk\)](#)

[Office of the Immigration Services Commissioner - \(www.gov.uk\)](#)

Appendix A - Supporting letter to assist with the application process (see point 6)

To be printed on Unit headed paper by the People Services Resourcing Team: [DATE]

Dear Sirs

Application for clearance under Standard Visitor (Academic Visitor) visa

The Open University ("OU") writes this letter in support of the application from [FULL NAME OF VISITOR] ("the Visitor") to be admitted to the United Kingdom under a Standard Visitor (Academic Visitor) visa. The visit will last from [DATE] to [DATE]. The visitor is employed by [INSTITUTION] and has [X] years' experience in their chosen field.

The purpose of their visit is [to carry out research while on sabbatical leave from their home institution / to share knowledge and experience and to hold informal discussions with counterparts at the OU / to take part in an exchange of personnel between their institution and the OU / to take part in a single conference/seminar that is not a commercial or non-profit venture] (Delete as appropriate)

The OU confirms that it has alerted the Visitor to the following conditions of their visit which must be complied with:

1. They will only visit the UK for up to 12 months and intend to leave the UK at the end of the period of the visit;
2. They will not be filling a research post and will not undertake any paid or unpaid work other than the academic activity outlined above;
3. The OU is not hosting a formal research project for the person;
4. They will not be working under the control of the University during any part of the visit;
5. They can maintain and accommodate themselves (and any dependants) without using public funds;
6. They can meet the cost of an onward or return journey;
7. They will not receive pay from a UK source (except in respect of payment of reasonable expenses to cover the cost of travel and subsistence (if applicable));
8. They do not intend to live in the UK for extended periods through frequent or successive visits;
9. They do not intend to undertake a course of study as the main purpose of their visit and any incidental study will not exceed 30 days in total;
10. They are not a child under the age of 18;
11. They do not intend to marry or form a civil partnership, or give notice of the same;
12. They do not intend to receive private medical treatment;
13. They are not in transit to a country outside the common travel area.

[SIGNATURE]

[PRINT NAME]

[ROLE AT OU]