

## Working during your studies

30 March 2010

### Can I work while I study in the UK?

#### Students

This information is relevant to you if you have immigration permission as a:

- student, including as a Tier 4 student
- student nurse and you made your immigration application on or after 31 March 2009.

If you have immigration permission as a student nurse and you applied before 31 March 2009, see [below](#).

Check what your passport sticker (entry clearance or residence permit) or identity card says. You can work in the UK if your passport sticker or identity card says one of the following:

- Work (and any changes) must be authorised
- Able to work as authorised by the Secretary of State
- Work as in Tier 4 Rules
- Restricted Work. P/T term time. F/T vacations
- Restricted work term time.

Your passport sticker or identity card might say something a bit different from these examples, but you can work if it does not say:

- No work, or
- Work prohibited.

You must not work if your passport sticker or identity card says "No work" or "Work prohibited" because this would be a breach of your immigration conditions and a criminal offence.

You can see examples of passport stamps that allow and prohibit work at:

[www.ukcisa.org.uk/files/pdf/working/work\\_during\\_stamps.pdf](http://www.ukcisa.org.uk/files/pdf/working/work_during_stamps.pdf).

You are not allowed to work if you are in the UK as a student visitor. You cannot change your student visitor immigration conditions to allow you to work. If you want to be able to work, you must check that you meet all the requirements of the Tier 4 student Immigration Rules. If you do meet these requirements and you want to apply as a student, you must return to the country where you usually live and make an entry clearance application there.

For information about applying to come to the UK, as a student, see our Information Sheet

[Making a student immigration application in your home country.](#)

#### Student nurses

This information is relevant to you if:

- you are in the UK as a student nurse, and

- you made your most recent immigration application before 31 March 2009.

If you are in the UK as a student nurse and you made your immigration application on or after 31 March 2009, see [above](#).

Check that your passport sticker or identity card allows you to work. Check that it does not say "No work" or "Work prohibited". If you are allowed to work, your work must be in connection with your training course. The Immigration Directorates' Instructions are guidance for UK Border Agency caseworkers. They say, at Chapter 3 Section 5 paragraph 5.6, that "persons admitted to the United Kingdom as student nurses and midwives are permitted to take employment for a maximum of 8 weeks prior to the commencement of their courses, at the hospitals where they are to be trained. Once their course has commenced, student nurses may take employment in excess of the 20 hours per week normally permitted during term time if such employment is a necessary part of the course and has the agreement of the education institution concerned. In these circumstances no further approval is required".

### [Immigration Directorates' Instructions](#)

#### **My immigration permission is not as a student or as a student nurse**

If you are in the UK with some other immigration status, check what your passport sticker or any other documents issued by the UK Border Agency say about employment. You can usually work without restriction if the only condition in your passport is "No recourse to public funds".

#### **What kind of work can I do during my studies?**

You can do most kinds of work, but you must not:

- engage in business
- be self-employed
- provide services as a professional sportsperson or entertainer
- pursue a career by filling a permanent full-time vacancy.

If your immigration permission does not allow you to work, you must not:

- take paid employment
- take unpaid employment
- do a work placement, even if it is part of your course.

#### **How many hours a week can I work as a student?**

The hours of work you can do during [term-time](#) depend on:

- when you made your most recent immigration application, and
- the level of course you are studying, and
- whether your Tier 4 sponsor has Highly Trusted Sponsor status.

The date on which you make an immigration application is:

- the date on which you pay the immigration fee if you made an entry clearance application outside the UK
- the date on which you posted your application if you sent it in the UK
- the date on which you attended a public enquiry office if you applied in person in the UK.

If you can do your whole course with the immigration permission you have now, check under the heading below which fits your circumstances. If you will need to make a Tier 4 student immigration application in order to complete your course, your course must meet the requirements explained in [I made my Tier 4 immigration application on or after 6 April 2010](#).

## **I made my Tier 4 immigration application on or after 6 April 2010**

During **term-time** you can work for

- up to 20 hours a week if you are studying at degree level or above
- up to 20 hours a week if you are studying a **foundation degree** course
- up to 10 hours a week if you are studying any other type of course
- up to 10 hours a week if you have immigration permission as a Tier 4 (Child) Student.

The UK Border Agency's definition of "foundation degree" is a course which

- leads to a qualification at level 5 or above of the **National Qualifications Framework**, or level 8 or above of the **Scottish Credit and Qualifications Framework** or equivalent in Wales and Northern Ireland and
- is awarded by a UK higher education institution which has **degree awarding powers**.

Some courses called foundation degrees will not meet this definition, but other courses which are not called foundation degrees, for example some HNDs, do meet this definition. Always check what the sticker in your passport or your identity card says and make sure that you do not work more hours a week than it allows.

You can work full-time during your holidays.

You can do full-time work placements only if

- your Tier 4 sponsor has Highly Trusted Sponsor status, or
- your course is at degree level or above, or
- you are studying a **foundation course**, or
- you have immigration permission as a Tier 4 (Child) Student.

If you can do work placements, they must:

- take up 50% or less of your course, unless the law says that you must spend more than half of your course doing work placements, for example, you are studying a Postgraduate Certificate in Education (PGCE) or, in Scotland, a PGDE course, and
- be an assessed part of your course

Check with your Tier 4 sponsor if it has Highly Trusted Sponsor status. If you do not know whether your course is at the right level for doing work placements, ask your Tier 4 sponsor.

### **UK Border Agency information about Highly Trusted Sponsors**

## **I made my Tier 4 immigration application on or after 3 March 2010 and before 6 April 2010**

During **term-time** you can work for

- up to 20 hours a week if you are studying at degree level or above
- up to 20 hours a week if you are studying a **foundation degree** course
- up to 10 hours a week if you are studying any other type of course
- up to 10 hours a week if you have immigration permission as a Tier 4 (Child) Student.

The UK Border Agency's definition of "foundation degree" is a course which

- leads to a qualification at level 5 or above of the **National Qualifications Framework**, or level 8 or above of the **Scottish Credit and Qualifications Framework** or equivalent in Wales and Northern

Ireland and

- is awarded by a UK higher education institution which has **degree awarding powers**.

Some courses called foundation degrees will not meet this definition, but other courses which are not called foundation degrees, for example some HNDs, do meet this definition. Always check what the sticker in your passport or your identity card says and make sure that you do not work more hours a week than it allows.

You can work full-time during your holidays.

You can work full-time on work placements which

- take up 50% or less of your course, unless the law says that you must spend more than half of your course doing work placements, for example, you are studying a Postgraduate Certificate in Education (PGCE) or, in Scotland, a PGDE course, and
- are an assessed part of your course

### **I made my Tier 4 immigration application on or after 31 March 2009 and before 3 March 2010**

You can work up to 20 hours a week during **term-time**.

You can work full-time in your holidays.

You can work full-time on work placements which

- take up 50% or less of your course, unless the law says that you must spend more than half of your course doing work placements, for example, you are studying a Postgraduate Certificate in Education (PGCE) or, in Scotland, a PGDE course, and
- are an assessed part of your course

### **I made my student immigration application before 31 March 2009**

You can work up to 20 hours a week during **term-time**.

You can work full-time during your holidays.

You can work full-time on a work placement which is part of a sandwich course.

You can work full-time on an internship.

### **Sandwich courses and work placements**

You can work full-time on work placements if your course leads to a degree or another qualification at any level which is awarded by a nationally recognised examining body.

In addition, the work placement part of the course must meet all the following requirements:

- it must be clearly defined
- it must be approved by the university or college providing your course
- it must not extend beyond the end of your course, which means that you must be undertaking more study, for example, attending lectures or writing up a dissertation, after you finish your work placement.

### **Internships**

You can work full-time on an internship if the internship meets all the following requirements:

- you must have immigration permission to be in the UK as a student
- you must be studying on a first (undergraduate) or higher (postgraduate) degree course in the UK
- your employer must regard you as a potential employee, whether your future employment would be in

or outside the UK

- internships must be an established part of your employer's recruitment procedure
- you must not have previously undertaken an internship with the same employer
- the internship will last three months at most
- you must be paid for doing the internship, and the pay and conditions must be comparable to those for a resident worker doing the same kind of work
- you must complete the internship within the period of your current student immigration permission.

### **What is term-time?**

For most students, term-time and holiday or vacation time are defined by their institution's calendar. They are usually based around the academic year with holidays at Christmas, Easter and in the summer. Where courses do not follow the usual August/September to June pattern, term-time means any period when you are supposed to be doing academic work. For example, when you be

- attending classes and lectures
- preparing for exams
- doing coursework
- writing essays, a dissertation or thesis.

Your holidays, when you can work full-time, are the period when you do not have to be doing academic work. This will be different depending on the type of course you are doing. For example, if you are supposed to research and write a dissertation or thesis while other students are on holiday, this is term-time for you and you should restrict your work to 20 (or 10) hours a week during this time. However, if your tutor or supervisor agrees that you can take a break for some of that period and is happy to confirm in writing that this time is a holiday for you, you can work full-time during that agreed break.

You should not work more than the maximum number of hours (20 or 10) in any one week in term-time, even if you sometimes work under the maximum number of hours a week in other weeks.

### **Working with student immigration permission when studies have ended**

If you have immigration permission that extends for up to four months beyond the end of your studies, you can work full-time for that extra period once you have completed all your studies.

If you have immigration permission that is more than four months longer than your course, you should:

- make a new immigration application if you are eligible for the category under which you are applying to stay, or
- leave the UK when you reach the four-month point.

If at the end of your course you apply to stay in the UK as a Tier 1 (Post-Study Work) migrant, you can work full-time until your Tier 1 (Post-Study Work) application is decided.

Be careful about leaving the UK during this period if you want to come back with your student immigration permission. An immigration officer can decide that you no longer meet the requirements of the student Immigration Rules and cancel your permission. This is particularly important for you if you want to stay in the UK as a student or if you want to make an application in a work category of the Immigration Rules. It is safer if you either:

- make your next immigration application in the UK before you leave, or
- make your next immigration application while you are outside the UK, in the country where you usually live if you need to make a work application.

### **How do I find a job?**

You can find advertisements for jobs in your local newspapers, in shops, on notice boards around your

university or college, in the careers service or your Students' Union. There are many job search websites and job agencies. Find out more from your institution.

## **My employer says I have to pay income tax and National Insurance contributions. What are they?**

You will have to pay income tax if you earn more than a specified personal allowance in any tax year. You can find out more about personal allowances and income tax rates from Her Majesty's Revenue and Customs at:

[www.hmrc.gov.uk/rates/it.htm](http://www.hmrc.gov.uk/rates/it.htm).

Employees and employers both pay National Insurance contributions, which help to fund contributory benefits, for example, the state pension and jobseeker's allowance.

You can find out more about income tax and National Insurance and how it applies to you from:

Low Incomes Tax Reform Group at: [www.litr.org.uk/help/students/comingtostudyinuk.cfm](http://www.litr.org.uk/help/students/comingtostudyinuk.cfm)

HM Revenue and Customs at: [www.hmrc.gov.uk/students](http://www.hmrc.gov.uk/students).

## **What is a National Insurance number and how do I get one?**

Your National Insurance number (NINo) is a unique personal number which is used to record your National Insurance contributions. You do not need to have a NINo before starting work, but you must obtain one when you get a job.

The government website Directgov at: [www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/DG\\_4015904](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/DG_4015904) confirms that you will need to apply for a NINo as soon as you start work.

You apply for a NINo by calling 0845 600 0643 to make an appointment. Ask what documents you will need to bring to the appointment. You usually need to take your passport, payslips or a letter from your employer confirming that you will be working for them. Your appointment will take place at your nearest Jobcentre Plus office, or Social Security office in Northern Ireland.

You can find more information about National Insurance numbers and how to obtain one from HM Revenue & Customs at: [www.hmrc.gov.uk/faqs/ynino.htm](http://www.hmrc.gov.uk/faqs/ynino.htm) and from its National Insurance registration helpline on 0845 915 7006.

## **My employer says I must prove I can work during my studies**

If you have a passport sticker or identity card that does not prohibit work, you are allowed to take employment as described above without getting any further approval or permission.

Your employer can check with the UK Border Agency that you are allowed to work. The Agency has an employers' helpline on 0845 010 6677.

Employers have a legal obligation to check that you are allowed to work in the UK, so you must be able to provide evidence of this, usually by showing them your passport. You might not have your passport if, for example, it is with the UK Border Agency because you have applied to extend your immigration permission in the UK. If you made your immigration application before your previous student immigration permission ended, you still have the right to work under the usual student conditions. However, a new employer must see evidence that you are currently in the UK with student immigration permission before allowing you to start work. The same sometimes applies to your existing employer, who might have noted when your immigration permission ended and now wants to be sure that you still have the right to work. Since 29 February 2008, employers have been obliged to check your entitlement to work at least once a year.

In these cases, you will usually have to provide a letter from the UK Border Agency which confirms that you have made an application to extend your immigration permission before your previous permission expired. If you do not have such a letter, the UK Border Agency's employer checking service might be able to confirm this to your employer. Contact details are at: [www.ukba.homeoffice.gov.uk/employers/employersupport/ecs](http://www.ukba.homeoffice.gov.uk/employers/employersupport/ecs).

Alternatively, you might be able to provide a combination of other documents which prove you are allowed to work, or to continue working, in the UK. You will find a list of documents that employers can accept as evidence of your right to work at: [www.ukba.homeoffice.gov.uk/employers/preventingillegalworking/](http://www.ukba.homeoffice.gov.uk/employers/preventingillegalworking/).

## Can I apply for tax credits and welfare benefits?

If the entry clearance or residence permit in your passport or your identity card states that you are subject to the condition "No recourse to public funds" or "No public funds", you must not apply for tax credits, or other welfare benefits that are included in the definition of "public funds". This would be a breach of your immigration conditions.

For details of which benefits are "public funds", see our Information Sheet

[Welfare benefits.](#)

## Can my family members work while I study in the UK?

This depends on when you applied for your immigration permission as a student in the UK, and the length and level of your course of study.

For more information, see our Information Sheet

[Your family's immigration](#)

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