

## Working during your studies

22 March 2012

### Working during studies in the UK

Most students in the UK have immigration permission which allows them to work during their studies. You do not need to apply for special permission in order to work. The hours and type of work you can do are restricted and depend on when you made your most recent application for immigration permission and, in some cases, the type of course you are studying.

You must make sure that you comply with any restrictions which apply to you. This is because the UK Border Agency (the UK Government department which is responsible for immigration) treats working in breach of your conditions very seriously. It can refuse your immigration application or remove you from the UK if you work too many hours or if you do work which you are not allowed to do.

### What's new?

**The rules about work placements change on 6 April 2012.** This affects you if you make a Tier 4 (General) immigration application on or after 6 April 2012.

### 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 information for Student nurses below.

Check what your passport sticker (entry clearance or residence permit) or biometric residence permit (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
- Work limited to max 20 hrs per week during term-time
- Work limited to max 10 hrs per week during 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).

## **– Student visitors**

If you are in the UK as a student visitor, your passport sticker or the stamp in your passport will say "No work" or "Work prohibited". This means that you are not allowed to:

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

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 Tier 4 \(General\) application.](#)

## **– 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 information for Students 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](#)

## **– Other types of immigration permission**

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". If it says "No employment as a doctor in training", you can do any kind of work except employment as a doctor in training, which would usually be on the Foundation Programme.

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

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

- be self-employed
- be employed as a professional sports person or sports coach

- be employed as an entertainer
- take a permanent full-time job.

If, however, you are studying music at degree-level, you are allowed to undertake a work placement that involves professional performance. The work placement must be arranged by your college or university and it must be an assessed part of your course. This has been possible since 5 September 2011 because of a change to the policy guidance for Tier 4 sponsors which you can find at:

[www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance)

You might want to do unpaid voluntary work. There is a difference between unpaid employment and voluntary work, and you should always check with the organisation which offers you voluntary work whether it might constitute unpaid employment. This is because time you spend doing unpaid employment counts towards the maximum number of hours of work you can do in a week. The UK Border Agency has guidance for employers which deals with this question. You and your employer can find it in question 51 of Appendix A of the Comprehensive Guidance for Employers on Preventing Illegal Working at:

[www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking)

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

The hours of work you can do during **term-time** depend mainly on when you made your most recent immigration application.

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 most recent Tier 4 immigration application on or after 4 July 2011**.

You might need to make an immigration application so that you can study a course at a higher level or at a different type of institution. In this case, you must comply with the work conditions you have from your original immigration permission until you receive a decision on your immigration application.

### **I made my most recent Tier 4 immigration application on or after 4 July 2011**

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

- up to 20 hours a week if you are studying at degree level or above at a **higher education institution**
- up to 20 hours a week if you are on a study abroad programme at an "overseas higher education institution" in the UK
- up to 10 hours a week if you are studying a course that is below degree level at a "higher education institution"
- up to 10 hours a week if you are studying a course at any level at publicly-funded further education college
- up to 10 hours a week if you have immigration permission as a Tier 4 (Child) Student.

The UK Border Agency defines a **higher education institution** as a Recognised Body or as an organisation that receives public funding for specific funding bodies. You should check with your college

or university if it meets this definition, or the UK Border Agency's definition of an "overseas higher education institution" if you are on a study abroad programme.

If you are not covered by any of these provisions, you will not be able to work in the UK unless you are doing a work placement, you have been elected as a Sabbatical Officer or you are on the Foundation Programme for postgraduate doctors and dentists. This is likely to affect you if you are studying at a college in the private sector.

Department for Business, Innovation and Skills' list of recognised bodies

[www.bis.gov.uk/policies/higher-education/recognised-uk-degrees/recognised-bodies](http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees/recognised-bodies)

UK Border Agency's list of education providers in receipt of public funding as a higher education institution (scroll down to the bottom of the page and select **What is a higher education institution?**)

[www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/can-you-apply/english-language](http://www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/can-you-apply/english-language)

Association of Colleges' list of publicly-funded further education colleges

[www.aoc.co.uk/en/about\\_colleges/index.cfm](http://www.aoc.co.uk/en/about_colleges/index.cfm)

Always check what the sticker in your passport or your biometric residence permit (identity card) says and make sure that you do not work more hours a week than it allows. It should specify whether you are allowed to work 10 hours or 20 hours a week in term-time. It will say if you are not allowed to work.

If you have permission to work, 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.

If you have permission to work, you can work full-time during your holidays.

## Work placements

Even if you are not allowed to work, you might still be able to do a work placement as part of your course. Work placements can be full-time, but you can do them 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 degree course**, or
- you have immigration permission as a Tier 4 (Child) Student and you are at least 16 years old.

If you can do work placements and you have Tier 4 (Child) immigration permission, or you applied for Tier 4 (General) immigration permission before 6 April 2012, the work placements 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

If you apply or applied for Tier 4 (General) immigration permission on or after 6 April 2012, the time you spend doing work placements depends on the level of your course and your education provider. You will be able to spend up to half of your course doing work placements, or longer if there is a legal requirement for this, only if:

- your course is at degree level and
- your education provider meets the UK Border Agency's definition of a **higher education institution**.

If you do not meet both these requirements, your work placements can take up a maximum of 33% of your total course.

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 (see [www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained](http://www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained) for details), and
- is awarded by an English higher education institution which has degree awarding powers (see [www.bis.gov.uk/policies/higher-education/recognised-uk-degrees](http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees) for details), or
- the devolved equivalent, if you are studying in Scotland, Wales or Northern Ireland.

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. It covers all Scottish HND courses.

Check with your Tier 4 sponsor if it has Highly Trusted Sponsor status or if it meets the definition of a **higher education institution**. If you do not know whether your course is at the right level for doing work placements, ask your Tier 4 sponsor.

Now go to [What is term-time?](#)

### **– I made my most recent Tier 4 immigration application on or after 6 April 2010 and before 4 July 2011**

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 (see [www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained](http://www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained) for details), and
- is awarded by an English higher education institution which has degree awarding powers (see [www.bis.gov.uk/policies/higher-education/recognised-uk-degrees](http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees) for details), or
- the devolved equivalent, if you are studying in Scotland, Wales or Northern Ireland.

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. It covers all Scottish HND courses.

Always check what the sticker in your passport or your biometric residence permit (identity card) says and make sure that you do not work more hours a week than it allows. It should specify whether you are allowed to work 10 hours or 20 hours a week in term-time.

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.

You can work full-time during your holidays.

### **Work placements**

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 degree** course, or
- you have immigration permission as a Tier 4 (Child) Student and you are at least 16 years old.

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:

[www.ukba.homeoffice.gov.uk/business-sponsors/points/sponsoringmigrants/highly-trusted](http://www.ukba.homeoffice.gov.uk/business-sponsors/points/sponsoringmigrants/highly-trusted)

Now go to [What is term-time?](#)

### **■ I made my most recent 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 (see [www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained](http://www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained) for details), and
- is awarded by an English higher education institution which has degree awarding powers (see [www.bis.gov.uk/policies/higher-education/recognised-uk-degrees](http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees) for details), or
- the devolved equivalent, if you are studying in Scotland, Wales or Northern Ireland.

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. It covers all Scottish HND courses.

Always check what the sticker in your passport or your biometric residence permit (identity card) says and make sure that you do not work more hours a week than it allows. It should specify whether you are allowed to work 10 hours or 20 hours a week in term-time.

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.

You can work full-time during your holidays.

### **Work placements**

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

Now go to [What is term-time?](#)



## **– I made my most recent 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.

### **Work placements**

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

The sticker in your passport or your biometric residence permit (identity card) will not specify the number of hours you can work in term-time. This is because all Tier 4 students who have immigration permission which they applied for during this period are allowed to work up to 20 hours a week in term-time.

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

Now go to **What is term-time?**

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

You can work up to 20 hours a week during **term-time**. The sticker in your passport or your biometric residence permit (identity card) will not specify the number of hours you can work in term-time. This is because all students who have immigration permission which they applied for during this period, and which does not prohibit work, are allowed to work up to 20 hours a week in term-time. You should not work more than 20 hours in any one week in term-time, even if you sometimes work under the maximum number of hours a week in other weeks.

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 should 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.

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

If you have immigration permission that extends beyond the end of your studies, you can work full-time for that extra period once you have completed all your studies as this is regarded as your holiday.

Be careful about leaving the UK during this period if you want to come back with your student immigration permission. A border force 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.

If at the end of your course you apply to stay in the UK under a work route, for example Tier 2, you can work full-time until your work application is decided. However, you must not take work that is in breach of your student conditions. For example, you must not do a job that is a permanent vacancy or take work as a professional sportsperson or entertainer. If you have Tier 4 leave, the Immigration Rules allow you to start your Tier 2 job after you have applied for Tier 2 leave and before the UK Border Agency makes a decision on that application, even if the job is a permanent vacancy.

### **Can I pay for my studies through work?**

You should be able to pay your tuition fees and living costs without having to work in the UK. However, if you need to make an immigration application in the UK, and you are working lawfully within the restrictions described above, you can use your UK earnings to show that you can meet the maintenance requirements. You should not rely on money from work in the UK because:

- it can be difficult to find work



- it is unlikely that you will earn enough to cover all your costs
- you might lose your job
- you might have problems with your studies if you spend too much time working.

## Can I take a gap year and work in the UK?

No. If you want to defer your studies for any period, you should leave the UK and come back when your studies start again. You are allowed to work full-time only in your holidays, or when you have finished your studies, or if you are doing a work placement or an internship.

## 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.

## What are income tax and National Insurance contributions?

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.litrg.org.uk/Migrant/coming-to-uk-to-study](http://www.litrg.org.uk/Migrant/coming-to-uk-to-study)

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/ni/intro/number.htm](http://www.hmrc.gov.uk/ni/intro/number.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 biometric residence permit (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 0300 123 4699.

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 sponsorship and employers' helpline might be able to confirm this to your employer. Contact details are at:

[www.ukba.homeoffice.gov.uk/sitecontent/contacts/employershelpline](http://www.ukba.homeoffice.gov.uk/sitecontent/contacts/employershelpline).

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/sitecontent/documents/employersandsponsors/preventingillegalworking](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking).

## What obligations does my employer have towards me?

UK employers have a number of legal duties towards their employees. These include:

- anti-discrimination measures
- health and safety requirements
- the obligation to pay the minimum wage
- the obligation to comply with laws relating to maximum working hours and breaks
- the duty to pay National Insurance contributions and to provide wage slips.

[www.direct.gov.uk/en/Employment/Employees](http://www.direct.gov.uk/en/Employment/Employees) – UK Government information for employees.

## 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 when your family members make or made their immigration applications.

### **■ My family applied on or after 4 July 2011**

Your family members will be able to work if you are either:

- a government-sponsored student taking a course that is over six months long, or
- taking a postgraduate course that is at least 12 months long and you are studying at an institution that meets the UK Border Agency's definition of a higher education institution.

The UK Border Agency defines a **higher education institution** as a Recognised Body or as an organisation that receives public funding for specific funding bodies. You should check with your college or university if it meets this definition, or the UK Border Agency's definition of an "overseas higher education institution" if you are on a study abroad programme.

If your family members are able to join you or stay with in the UK even though you do not fall into one of the categories described above, they will be able to work only if you are applying for leave for 12 months or more and your course is at degree level.

Family members who are allowed to work can take any type of employment, except as a doctor or dentist in training if their passport or biometric residence permit states that they are subject to this prohibition, and they can be self-employed.

For more information, see our Information Sheet

### Your family's immigration

#### **My family applied on or after 3 March 2010 and before 4 July 2011**

Your family members will have permission to work if:

- you have permission to be in the UK for 12 months or more, and
- your course is at degree level or meets the UK Border Agency's definition of a **foundation degree**.

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 (see [www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained](http://www.direct.gov.uk/en/EducationAndLearning/QualificationsExplained) for details), and
- is awarded by an English higher education institution which has degree awarding powers (see [www.bis.gov.uk/policies/higher-education/recognised-uk-degrees](http://www.bis.gov.uk/policies/higher-education/recognised-uk-degrees) for details), or
- the devolved equivalent, if you are studying in Scotland, Wales or Northern Ireland.

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. All Scottish HNDs meet this definition. You will have to check with the college or university where you are studying whether your course meets this description and, if it does, ask that the words "foundation degree" appear on your confirmation of acceptance for studies (CAS) if you are applying at the same time as your family members, or any documents your family members submit with their applications if they are applying separately from you.

#### **My family applied before 3 March 2010**

Your family members should be allowed to work if you had permission to be in the UK for 12 months or more. The sticker in their passport or their biometric residence permit (identity card) should say nothing about work or just "No employment as a doctor in training".

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