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Reference: TRO/0005918/20

**15 April 2020**

Dear Dr Grady,

Thank you for your letter of 08 April 2020 about mitigating the effects of the Covid-19 pandemic on the students and staff of the education sector. This has been passed to me for a response.

Covid-19 represents a significant challenge to the nation. It is important that we mitigate the risks posed by the virus as much as possible, to enable the UK to manage the impacts of the virus. We are working to ensure no international students and staff are unfairly penalised by current events.

Alongside the announcement that migrants, who are unable to leave the UK due to Covid-19 can have their leave extended, other mitigations have also been introduced to support the education sector. Students and staff who would have otherwise had to leave the UK to apply for further leave to remain, are exceptionally permitted to apply for further leave in country, provided that they meet the requirements of the route they are switching into. These applicants will be able to commence their new course of study or period of employment from the date that an application is submitted, rather than being required to wait until a decision has been made on their applications.

The 20 hour per week, working restrictions for Tier 4 students has also been relaxed for students who are assisting in the NHS. The temporary lifting of the working restriction imposed on Tier 4 students, is in place to allow students who wish to assist in the NHS to do so without restriction.

Educational institutions and employers aren't required to report a migrant studying via distance learning or working remotely as a change of circumstances, if as a result of this pandemic. Sponsors are also not required to report deferrals where the period of deferral exceeds 60 days due to the Covid-19 outbreak. Tier 4 sponsors would usually be required to report against a migrant, if the migrant missed multiple contact points under the

attendance monitoring policy; however, at present sponsors do not need to report against students for missing expected contact points. Under the current exceptional circumstances, the only report that would need to be submitted against a migrant, would be where a student was withdrawn from the course due to academic failure or where an employee was no longer employed by a business.

Migrants will not be disadvantaged for circumstances outside of their control. Where a worker, who is applying for Indefinite Leave to Remain (ILTR) would exceed the 180 days of allowed absence, purely based on time spent outside the UK due to Covid-19, this will be exceptionally discounted when calculating the total absences. Migrants applying for ILTR should keep records of the duration of time spent outside the UK due to Covid-19 and provide this evidence in their ILTR application.

Guidance for sponsor regarding the Covid-19 outbreak can be located at the below address, the guidance is regularly being updated to reflect the latest position on Covid-19 and the mitigations that have been enacted.

<https://www.gov.uk/guidance/coronavirus-covid-19-advice-for-tier-2-4-and-5-sponsors>.

I hope you find this response useful.

Yours Sincerely,

**L Brammer**

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