



University of
Salford
MANCHESTER

Tier 1 (Graduate Entrepreneur) Policy

Version Number 2.0

Effective from 01 March 2018

Author: Head of Home Office Compliance

Student Administration

Document Control Information			
Revision History incl. Authorisation: (most recent first)			
Author	Summary of changes	Version	Authorised & Date
Richard Melia	<i>Clarification of how the Tier 1 (Graduate Entrepreneur) scheme is operated at the University of Salford</i>	V1.0	Home Office Compliance Assurance Group – 24 November 2016
Richard Melia	<i>Clarification of how the University can make immigration background checks before endorsing a Tier 1 (Graduate Entrepreneur)</i>	V2.0	Enterprise Team – 14 March 2018
Policy Management and Responsibilities:			
Owner: Head of Home Office Compliance	This Policy is issued by the Head of Home Office Compliance, who has the authority to issue and communicate policy on Tier 1 (Graduate Entrepreneur) and has delegated day to day management and communication of the policy to the University's Enterprise Team in Careers and Employability.		
Others with responsibilities (please specify): Careers and Employability	All subjects of the Policy will be responsible for engaging with and adhering to this policy.		
Author to complete formal assessment with the following advisory teams:			
Equality Analysis (E&D, HR) Equality Assessment form	1. <i>This is mandatory. 13 June 2017 – no impact. Email the completed EA to Equality@salford.ac.uk</i>		
Legal implications (LPG)	2. <i>N/A</i>		
Information Governance (LPG)	3. <i>N/A</i>		
Student facing procedures (QEO)	4. <i>N/A</i>		
UKVI Compliance (Student Admin)	5. <i>01/02/2017</i>		
Consultation:			
Staff Trades Unions via HR Students via USSU Relevant external bodies (specify)	1. <i>N/A</i>		
Review:			
Review due:	February 2019		
Document location:	University Policy & Procedure Pages		
University of Salford Policy pages http://www.salford.ac.uk/policies			
The owner and author are responsible for publicising this policy document.			

Purpose

The Tier 1 (Graduate Entrepreneur) scheme came into effect on 6 April 2012 and is covered by the [Immigration Rules at paragraphs 245F-245FC](#). It is aimed at recent international graduates who have "genuine and credible business ideas and entrepreneurial skills" and whose institution is prepared to endorse them under this scheme to help them develop these ideas. **Applicants must not have previously been granted entry clearance, leave to enter or leave to remain as a Tier 1 (Post-study Work) migrant, or as a participant in the Fresh Talent: Working in Scotland Scheme, or as a participant in the International Graduates Scheme (IGS), or as a participant in the Science and Engineering Graduate Scheme (SEGS).**

Scope

Every year the Tier 1 (Graduate Entrepreneur) is limited by UK Visas and Immigration (UKVI) to 2000 places (beginning on 6 April and ending on 5 April the following year). The University of Salford (UoS) is a participating institution in this scheme and has been categorised, by the Home Office, as an endorsing body. As such, UoS can sponsor a maximum of 10 of its graduates per year having studied any Bachelor's degree, Master's degree or PhD in the last 12 months.¹ Foundation degrees, honorary degrees, qualifications awarded in the UK by overseas awarding bodies, professional and vocational qualifications and postgraduate certificates and diplomas are **not** acceptable for a Tier 1 (Graduate Entrepreneur) application.

1. Responsibilities and duties

- 1.1 To administer the Tier 1 (Graduate Entrepreneur) Scheme, the University of Salford must confirm that:
- it has an established process for identifying and developing entrepreneurs amongst its undergraduate and postgraduate population;
 - it has details of the qualification that has been awarded to the individual, and ensure it meets Home Office criteria;
 - the individual has a genuine, credible and innovative business idea; and
 - the individual will spend the majority of their working time on developing business ventures.
- 1.2 After endorsing a graduate entrepreneur, the University must:
- keep evidence of the selection process that resulted in the UoS giving the above endorsement, and provide this to the Home Office if requested;
 - maintain contact with the individual and assess their progress at regular intervals (this must occur **at least quarterly**);
 - inform the Home Office if the individual does not keep contact, or misses one of their progress reviews without authorisation;
 - tell the Home Office if UoS has evidence to suggest that a migrant is breaching the conditions of their leave; and

¹ Under current guidelines, UoS can request to endorse up to 20 migrants. However, due to staffing resource and numbers of past participants, UoS has decided to maintain 10 new endorsements per year.

- let the Home Office know if migrants are no longer participating in the scheme.

2. Advertisement of the Tier 1 (Graduate Entrepreneur) Scheme and the application process and assessment

- 2.1** The scheme is advertised on the [Enterprise webpages](#). The Enterprise Team also advertises the Tier 1 (Graduate Entrepreneur) scheme through training events, such as the Business Bootcamps and Enterprise Masterclasses.
- 2.2** Applications for an endorsement letter for the Tier 1 (Graduate Entrepreneur) scheme are initially made electronically, through Advantage. As part of this application, the applicant is asked to upload a copy of their current visa (if they are in the UK) and to complete the form at Appendix 1. This is a form that gives the University permission to contact the Home Office and request a background immigration check.
- 2.3** Once the applicant has signed this form, this should be forwarded to the Home Office Compliance Team along with the copy of the applicant's current visa, who will check whether there are any immigration issues that will prevent the University endorsing the graduate.
- 2.4** The Home Office Compliance Team will inform the Enterprise Team whether there are any immigration issues preventing the University from endorsing the graduate as a Tier 1 (Graduate Entrepreneur). If there are, the graduate will be informed that their application has been unsuccessful.
- 2.5** If the graduate passes the background immigration check then they can proceed with their application to be endorsed by the University of Salford as a Tier 1 (Graduate Entrepreneur). The next stage will be a one-to-one meeting with the Enterprise Team where the applicant will be tasked with compiling a number of documents.
- 2.6** Applicants will receive support for compiling these documents and in constructing a business plan via the Enterprise Team before it is sent to the assessment panel for a decision on the Tier 1 (Graduate Entrepreneur) endorsement.
- 2.7** The assessment panel is made up of the Head of Business and Enterprise; the Head of Commercial Services; and the Enterprise Champion. These panellists are sufficiently qualified and are familiar with reviewing business plans.
- 2.8** All feedback is sent to the applicant by the Enterprise Team.
- 2.9** Applicants unsuccessful in obtaining an endorsement from the panel for a Tier 1 (Graduate Entrepreneur) visa do have the opportunity to appeal the decision. The grounds for an appeal are:
- There has been a significant procedural error on the part of the University;
 - The University has acted in a way which is manifestly unreasonable;
 - Refusal of endorsement for the Tier 1 (Graduate Entrepreneur) as a result of the decision of the Business and Enterprise Team is incompatible with the applicant's

rights under the Equality Act 2010 (EHRC) and their rights under the European Convention on Human Rights (ECHR)

3 Successful endorsement

- 3.1 UoS must then contact the Home Office by e-mail with details of the individual concerned.
- 3.2 The Enterprise Team will provide the successful applicant with a letter on UoS-headed paper confirming their endorsement and secure reference number (please see Appendix 2).²
- 3.3 An endorsement is valid for three months from the date of issue, so an applicant must make their immigration application before its validity expires. This expiry date must be noted on the endorsement letter.
- 3.4 Successful applicants will be granted leave for 12 months initially, which may be extended for a further 12 months (see 5 below). Time spent with Tier 1 (Graduate Entrepreneur) leave cannot count towards the period required in the UK for eligibility for settlement under Tier 2.
- 3.5 Applicants who are granted leave to remain as a Graduate Entrepreneur will not be permitted to work as a doctor or dentist in training, or as a professional sportsperson or sports coach. Tier 1 (Graduate Entrepreneur) applicants **must not** intend to run a business in property development or property management if the aim is to generate income from rent or the increased value of property.
- 3.6 When the migrant is granted a Tier 1 (Graduate Entrepreneur) visa, the visa must be presented to the Enterprise Team, who will take a copy of the visa and file this alongside a copy of the migrant's passport, application form to the scheme, business plan and panel notes. This file will be retained by the Enterprise Team for UKVI audit purposes.
- 3.7 Tier 1 (Graduate Entrepreneur)'s are required to meet with the Enterprise Team on a quarterly basis to remain compliant with UKVI regulations (please see section 5 below). Evidence of these contact points are maintained on Advantage and are accessible in case of UKVI audit.
- 3.8 The Home Office Compliance Team (HOCT) will undertake an annual audit of successful Tier 1 (Graduate Entrepreneur) files. This will normally occur prior to the renewal of the Tier 1 (Graduate Entrepreneur) endorsement allocation each March.

² The name and contact details (telephone number, email and workplace address) of the authorising official of the endorsing body, and an administrative contact (e.g. secretary) at the endorsing body is required in the endorsement letter.

4. Post-endorsement support

- 4.1** Once the applicant has secured the Tier 1 (Graduate Entrepreneur) visa, the Enterprise Team will meet with them at least quarterly and provide them with one-to-one business mentoring, whilst monitoring their progress.
- 4.2** The successful Tier 1 (Graduate Entrepreneur) migrant will have access to these appointments at any time and with a frequency that is dependent on their needs (as long as the frequency meets the minimum described in 4.1 above).
- 4.3** During appointments, the Enterprise Team will guide the endorsed Tier 1 (Graduate Entrepreneur) with their start-up process by providing up-to-date information and referring them, when needed, to a network of advisers for further help and support.
- 4.4** The Tier 1 (Graduate Entrepreneur) also has access to [Enterprise training events](#) and all the Enterprise training materials online as well as being able to set up an office in the University Origin incubation space at a reduced rate.

5. Extension applications

- 5.1** The University can also endorse an extension application from a Tier 1 (Graduate Entrepreneur) at the end of their first year on the scheme. Endorsements for extension applications will not count towards the University's allocation under the limit referred to in the Scope above.
- 5.2** These extensions will be granted for a further 12 months and the migrant should apply one month before their current permission to stay expires. At this point, the migrant will be required to complete the form at Appendix 1 before the extension can be confirmed.
- 5.3** The Enterprise Team will forward the completed form from Appendix 1 to the Home Office Compliance Team who will conduct an immigration background check with the Home Office.
- 5.4** The Home Office Compliance Team will inform the Enterprise Team whether there are any immigration issues preventing the University from endorsing the graduate as a Tier 1 (Graduate Entrepreneur) for a further 12 months. If there are, the graduate will be informed that their extension application has been unsuccessful.
- 5.5** If there are no immigration issues preventing the University endorsing the migrant for a further 12 months, then the migrant can be endorsed. The endorsement for extension must confirm that UoS is satisfied with the progress the migrant has made in establishing a business.
- 5.6** If the Tier 1 (Graduate Entrepreneur) migrant decides to apply for an extension they need to submit a short bound report about their business activities, including a table of contents and an appendix, as well as detailed evidence. Full details are available in the process document. This evidence will be kept for UKVI audit purposes.

6. Work conditions

- 6.1** If a migrant applies for the Tier 1 (Graduate Entrepreneur) visa in the UK, they can work under the terms of their Tier 4 leave while their application is with the Home Office. If they are no longer studying, this period will be regarded as their holiday so they can work full-time, but they must **not** be self-employed, work as a doctor or dentist in training, take a permanent job or work as a professional sportsperson (including a sports coach) or entertainer. When the graduate's application is granted, they can then start to set up their business.
- 6.2** The Tier 4 work conditions were changed on 13 December 2012. This change means that a migrant can start their business and work on a self-employed basis before the Home Office decides their Tier 1 (Graduate Entrepreneur) application. Strictly speaking, this change benefits migrants only if they applied for their Tier 4 leave on or after 13 December 2012, but this restriction is not mentioned in the Tier 4 policy guidance. The UK Council for International Student Affairs (UKCISA) advise that if a migrant is not sure whether they should start working on their business, they should wait until the Home Office has granted them permission to stay under Tier 1 (Graduate Entrepreneur).

Appendix 1: Immigration background check template

**Home Office Compliance Team
University of Salford**

E-mail: HomeOfficeCompliance@salford.ac.uk

Tel: 0161 295 0023

Immigration Status Check

Graduate's name:	
Graduate DOB:	
Nationality:	
Passport number:	
Member of Staff:	

I, the person named above, give permission for a member of staff from the University of Salford to request an immigration background check from UK Visas and Immigration.

Note to graduate: PLEASE DETAIL ANY FURTHER NOTES REQUIRED HERE.

Graduate's Signature:

Date:

Appendix 2: Endorsement letter template

AskUS
Careers & Employability
University House
Salford
M5 4WT

0161 295 5088
enterprise@salford.ac.uk

Date

Name of Applicant
Address of Applicant

Dear **Name of Applicant**

I am pleased to inform you that you have been successful in your application to be endorsed by the University of Salford for a Tier 1 Graduate Entrepreneur Visa application. You will need to enclose this letter with your Visa application in order that you get the relevant agreement from the Home Office.

As discussed, you will need to meet with us, at least every three months, to discuss progress and to assure ourselves that you are developing your business along the intended lines. We have all your contact details however it is your responsibility to keep us updated and a failure to do this will result in the communication of those facts to the Home Office.

Please find the endorsement below:

Date*: ***This document is valid for three months from the above date**

Date of issue:**

Secure endorsement reference number:

**** This document is valid for three months from the above date**

.....
APPLICANT PERSONAL DETAILS

Name of applicant:

Applicant date of birth:

Applicant passport no:

Applicant nationality:

Does the applicant have or intend to bring in, any dependants, if so how many?

ENDORISING BODY DETAILS

Name of endorsing body: University of Salford

Name and contact details (including telephone number) of the authorised official of the endorsing body: Ian Boardman, Head of Career Development & Employment / Nicole Holt, Associate Director of Student Experience & Support, University of Salford, Salford, M5 4WT, email address: i.boardman@salford.ac.uk, telephone 0161 295 4421 / n.c.holt@salford.ac.uk, telephone: 0161 2952042

Name and contact details (including telephone number) of an administrative contact at the endorsing body: Justyna Taylor, Enterprise Champion, University of Salford, Salford, M5 4WT, email address: J.Turner4@salford.ac.uk, telephone: 0161 295 6618

DETAILS OF THE ENDORSEMENT

Qualification Title:

Qualification Level:

Date Qualification Awarded:

Intended business sector / business intention of the applicant:

What led you to make the decision to endorse this individual?

Previous achievement

Further details:

Accepted onto University's
Incubation scheme

Further details:

Other

Further details:

The candidate has submitted a satisfactory business plan that has been assessed by three competent commercial and entrepreneurial staff at the university

Confirmation that the applicant has a genuine and credible business idea:

Confirmation that the applicant will spend the majority of working time developing business ventures:

Please note that information you provide to the Home Office will be treated in confidence but it may be disclosed to other law enforcement agencies, government departments, agencies, local authorities, foreign governments and other bodies for immigration or research purposes or to enable them to perform their functions. The information contained within this letter will be disclosed to the Home Office prior to receiving your signed application.

If you need any further assistance at any point during the 12 months of the visa in terms of business support please contact us via email at: enterprise@salford.ac.uk or at our website: www.salford.ac.uk/be-enterprising

Kind regards,

Ian Boardman/ Nicole Holt

Appendix 3: Tier 1 (Graduate Entrepreneur) process map

