Modern Language Assistants programme

Immigration reporting requirements

This information is applicable to institutions hosting a Language Assistant on a Tier 5 Government Authorised Exchange visa.

Record keeping duties

All host institutions must keep the following records or documents:

- copies of immigration documents that evidence the language assistant’s right to work including their period of leave to remain in the UK (BRP card and passport)
- the language assistant’s contact details (UK address, phone number, email address). These details must be kept up-to-date and the British Council should be advised if they change.

Reporting duties

All host schools must report the following information or events to the British Council, to comply with UK Visas and Immigration regulations for those persons sponsored under the Tier 5 Government Authorised Exchange Scheme, within the time given below:

1. If a sponsored participant fails to turn up on the first day of work. This must be reported to the British Council within 10 working days and must include any known reasons given for non-attendance (e.g. missed flight).

2. If a sponsored participant is absent from work for more than 10 consecutive working days without permission. This must be reported to the British Council within 10 working days of the 10th day of absence.

3. If a sponsored participant travels in and out of the UK for business or holidays during their placement, we appreciate your help in reminding the assistant to fill in the British Council travel survey (circulated directly to all assistants) so that we can keep up-to-date records of the participant’s entry to and from the UK, in case UK Visas and Immigration require this information.
4. If a sponsored participant’s contract of employment is terminated earlier than was indicated on their offer letter, for example where the participant resigns or is dismissed. This must be reported to the British Council within 10 working days of the event in question and, if known, must include the name and address of any new employer that the participant has moved to.

5. If you are aware of our need to stop sponsoring the participant for any other reason, this must be reported within 10 working days. For example, if;
   a. the participant moves into an immigration route that does not require a sponsor; or
   b. the participant takes a period of unpaid leave.

6. If there are any significant changes in the sponsored participant’s circumstances, these must be reported within 10 working days of the change. For example, a significant change includes:
   a. a promotion or change in job title/core duties, other than those which require change of employment application.
   b. a change of salary from the level stated on the participant’s offer letter, other than changes due to annual increments, bonuses or a change of employment application being made.
   c. a change of salary from the level stated on the participant’s offer letter due to a period of maternity, paternity or adoption leave, or a period of long-term sick leave that lasted for one month or longer.

7. If the participant’s employment location changes, or if the duration of their contract of employment is shortened. This must be reported to the British Council within 10 working days.

You must report any significant change within 10 working days. Significant changes include:

- any information which suggests that a sponsored participant is breaching the conditions of his or her leave.
- details of any third party or intermediary, whether in the UK or abroad, that has assisted you in the recruitment of migrant employees or students.

You must also give the police any information you may have that suggests that the participant may be engaging in terrorism or other criminal activity. Finally, if there are any significant changes in your circumstances, for example, if you sell all or part of your business, cease trading, become insolvent, substantially change the nature of your business, are involved in a merger or are taken over. You must report this within 28 calendar days.