

**Mr John Gilchrist**  
Freedom of Information Officer

25 February 2019

Ref: FOI/January 2019/ David Batty

By email to [david.batty@guardian.co.uk](mailto:david.batty@guardian.co.uk)

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Dear Mr Batty

Your request for information received on 23 January 2019 has been dealt with under the provisions of the Freedom of Information Act 2000 (FOIA).

You asked:

**Under the Freedom of Information Act 2000, or the Freedom of Information (Scotland) Act 2002, please provide me with the following information about international (non-EU) migrants – both staff and students – sponsored by the university. They are referred to in the questions below as non-EU staff or non-EU students.**

1. Please provide the following further information about how the attendance of non-EU staff is monitored:

1.a Please set out the university's system for recording this information, including whether and how it differs for Tier 2 and Tier 5 migrants. For example, is this information recorded on an online/intranet database, via swipe cards or in paper records?

1.b Please also state who at the university records this information – e.g. administrators or the non-EU staff themselves?

2. Please specify how often non-EU staff are required to submit a record of their attendance – e.g. daily, weekly, fortnightly, monthly – or how often another member of staff records this.

2.a Does this require a breakdown of the non-EU staff member's daily routine and whereabouts, e.g. the time they began a task, such as teaching or work in the lab, and how long it lasted?

2.b If you provide instructions/guidance to staff (non-EU or others) on how to do this monitoring please provide them.

3. If it is centrally recorded, how many non-EU staff – including, if recorded, those on short-term and temporary contracts – were in breach in the academic years 2014-15 and 2015-16? Please provide a year-by-year breakdown.

3.a What action was taken against any non-compliant non-EU staff? Did the university report any of them to the Home Office/UKVI?

4. Please provide further details on how the attendance of non-EU students is monitored. N.B.

Please set out the university's system for recording this, and whether and how it differs for Tier 4 and students on other visas. For example, is this information recorded on an online/intranet database, via swipe cards or in paper records?

4.a Please also disclose who at the university records this information – e.g. administrators, personal tutors, supervisors, or the non-EU students themselves?

5. Please specify how often non-EU students are required to submit a record of their attendance – e.g. daily, weekly, fortnightly, monthly – or how often a member of staff records this.

5.a Does this require a breakdown of the non-EU student's daily routine and whereabouts, e.g. the time they began a task, such as attending lectures or working in the lab, and how long it lasted?

5.b If you provide instructions/guidance to students or staff on how to record the attendance of non-EU students please provide them.

6. If this is recorded, how many non-EU students were non-compliant and/or in breach of their immigration and/or visa requirements in the academic years 2014-15 and 2015-16? Please provide a year-by-year breakdown.

6.a What action was taken against any non-compliant non-EU students? Did the university report any of them to the Home Office/UKVI?

### **University Response**

1a. The University does not have Tier 5 sponsorship. However the University uses an ORACLE Finance and HR database (PAFIS) via the employee self-service to record all absences for its staff including its Tier 2 staff. All absences are recorded and approved using PAFIS self-service including: annual leave; sickness absence, maternity/paternity/adoption leave, sabbatical, research leave.

The non-EU staff are also required to share their outlook calendar with their line manager and their HRBP to enable them access, if and when necessary.

1b. All staff (including our non-EU staff) are responsible for recording their own absences. However, absences such as sickness is recorded by the trained local administrator in each area.

2. The same as other employees, following necessary UK visa regulations.

2a. No.

2b. See attached on line guidance for how to request leave of absence using PAFIS.

In addition non-EU staff and their managers are reminded about the obligation on appointment and usually annually thereafter. The following paragraphs are included in the standard core contract, non EU staff and their line managers are also sent a letter usually each year reminding them about their obligations as a sponsored worker/manager.

*12.1 Maintain the Middlesex University electronic diary system (Outlook calendar) to include your activities and particularly any absences that may exceed 10 days, this must also be approved through using PAFIS.*

*Ensure that you share your calendar with your line manager and your Human Resources Business Partner (insert name) to allow them viewing access to your calendar at all times.*

*12.4 Request / advise of any periods of absence from employment in a timely fashion as per 12.1 and in line with the relevant procedure, following approval and using PAFIS if appropriate, i.e. annual leave, sickness absence management, sabbatical leave, etc.*

3. none

3a. N/A

4. Attendance data is captured in the same way by all students. A register is taken and the data from the register is inputted into our attendance monitoring system.

4a. It is inputted by the staff member who led the session, or in some cases the register is passed onto a Graduate Academic Administrator in the Faculty to submit the data from the register.

5. The record is taken as per the student timetable. When there are no scheduled academic events, the record is not taken.

5a. No.

5b. There are no specific instruction.

6. We do not have a separate list of student withdrawn for non-attendance in 14-15 and 15-16.

6a. If the student was withdrawn for non-attendance we would report to the UKVI.

I trust this satisfies your request sufficiently. Under the Freedom of Information Act 2000, you have the right to complain about the University's response to your request for information. If you have such a complaint, you may contact Mr David Maplas, Director of Student Affairs, Middlesex University, Hendon campus, London NW4 4BT, tel: 020 8411 5830, [d.malpas@mdx.ac.uk](mailto:d.malpas@mdx.ac.uk) within 40 days of the date of this letter for a review of the University's decision. If you remain unsatisfied with the outcome of that complaint, you may seek further recourse by lodging an appeal with the Information Commissioner.

Yours sincerely

**John Gilchrist**  
Freedom of Information Officer