Academic Technology Approval Scheme (ATAS) Guide

Introduction / Background information

The Academic Technology Approval Scheme (ATAS) is a UK government scheme which provides a vetting service for students and researchers from certain countries. This scheme originally applied to students with an offer to study certain military-sensitive subjects at a UK higher education institution. These students needed to have obtained an ATAS Certificate before applying for permission to enter the UK.

From May 2021, the scheme was extended and now applies to researchers. The purpose is to prevent technology research, knowledge and skills being used to support military programmes "of significant concern" overseas.

Full details of the ATAS scheme can be found here.

Individuals sponsored by the University under Skilled Worker and Temporary Work – Government Authorised Exchange will need to provide their ATAS certificate when they apply for their visa, if ATAS is applicable. If they need a certificate, but do not provide one, their visa application will be refused.

If the University allows someone to start without a valid ATAS certificate, when one is required, the University risks losing its licence to sponsor or employ staff or register students from overseas. To ensure we are compliant we must not issue a Certificate of Sponsorship (CoS) until we have a copy of the ATAS certificate, when ATAS is applicable. ATAS certificates are free of charge and are valid for 6 months. Relevant prospective students and staff must apply themselves. The processing time should be 10-15 days from the date the application is submitted although this can be considerably longer in busy periods.

Who should apply for an ATAS certificate?

Visa applicants must provide a valid ATAS certificate if all the following apply:

• They are not one of the exempt nationals. The list of exempt countries as of January 2022 is:

Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, United States of America.

The up to date listing can be found in section 1.2(a) of the Immigration Rules link: <u>Immigration Rules</u> <u>Appendix ATAS: Academic Technology Approval Scheme (ATAS) - Immigration Rules - Guidance - GOV.UK</u> (www.gov.uk)

- The job falls within one of the occupation codes listed in the Immigration Rules, listed below (section 1.2 Immigration Rules Appendix ATAS: Academic Technology Approval Scheme (ATAS) - Immigration Rules -Guidance - GOV.UK (www.gov.uk))
- 2111 Chemical scientists
- 2112 Biological scientists and biochemists
- 2113 Physical scientists
- 2114 Social and humanities scientists
- 2119 Natural and social science professionals not elsewhere classified
- 2150 Research and development managers
- 2122 Mechanical engineers
- 2123 Electrical engineers
- 2124 Electronics engineers

- 2127 Production and process engineers
- 2129 Engineering professionals not elsewhere classified
- 2311 Higher education teaching professionals;
- 3111 Laboratory technicians
- 3112 Electrical and electronics technicians
- 3113 Engineering technicians
- 3114 Building and civil engineering technicians
- 5235 Aircraft maintenance and related trades

• The job includes an element of PhD-level research in a relevant subject, listed below (section 4.1 Error! Hyperlink reference not valid.)

(a) research, or doctorates or master's by research in:

Subjects allied to Medicine: CAH02-02-01 - Pharmacology CAH02-02-02 - Toxicology CAH02-02-03 - Pharmacy CAH10-01-06 - Bioengineering, Medical and Biomedical Engineering CAH02-05-03 - Others in subjects allied to Medicine

Biological Sciences:

CAH03-01-02 - Biology (non-specific) CAH03-01-03 - Ecology and Environmental Biology CAH03-01-06 - Zoology CAH03-01-04 - Microbiology and Cell Science CAH03-01-05 - Plant Sciences CAH10-03-05 - Biotechnology CAH03-01-07 - Genetics CAH02-05-03 - Biomedical Sciences (non-specific) CAH03-01-08 - Molecular Biology, Biophysics and Biochemistry CAH03-01-01 - Biosciences (non-specific) CAH03-01-10 - Others in Biological Sciences

Veterinary Sciences, Agriculture and related subjects:

CAH05-01-02 - Others in Veterinary Sciences CAH06-01-02 - Agricultural sciences

Physical Sciences:

CAH07-02-01 - Chemistry CAH10-03-07 - Materials Science CAH07-01-01 - Physics CAH07-01-02 - Astronomy CAH26-01-05 - Others in Geographical Studies CAH07-04-01 - Physical Sciences (non-specific) CAH07-04-03 - Sciences (non-specific) CAH07-04-04 - Natural Sciences (non-specific)

Mathematical and Computer Sciences:

CAH09-01-01 - Mathematics CAH09-01-02 - Operational Research CAH11-01-01 - Computer Science CAH11-01-02 - Information Technology CAH11-01-03 - Information Systems CAH11-01-04 - Software Engineering

CAH11-01-05 - Artificial Intelligence

Engineering: CAH10-01-01 - Engineering (non-specific) CAH10-01-07 - Civil Engineering CAH10-01-02 - Mechanical Engineering CAH10-01-04 - Aeronautical and Aerospace Engineering CAH10-01-05 - Naval Architecture CAH10-01-08 - Electrical and Electronic Engineering CAH10-01-09 - Chemical, Process and Energy Engineering

Technologies:

CAH10-03-03 - Polymers and Textiles CAH10-03-01 - Minerals Technology CAH10-03-02 - Materials Technology CAH10-03-04 - Maritime Technology

(b) taught master's in:

CAH10-03-07 - Materials Science CAH07-01-01 - Physics (including Nuclear Physics) CAH10-01-02 - Mechanical Engineering CAH10-01-04 - Aeronautical and Aerospace Engineering CAH10-01-09 - Chemical, Process and Energy Engineering CAH10-03-01 - Minerals Technology CAH10-03-02 - Materials Technology

Researchers coming to the UK as a visitor will also need to obtain an ATAS certificate before beginning any relevant research activity but will not need to do so before making a visa application (if this is required). It is strongly recommended that they obtain the ATAS certificate before travelling to the UK. The University of Bristol is required to check the ATAS certificate before allowing the research to commence, and if this is not provided the visitor cannot be permitted to carry out the research.

If it is identified as relevant, researchers already conducting research in the UK prior to 21st May 2021 will need to apply for ATAS if:

- they apply for a new visa or apply to extend their current visa.
- they were a visitor conducting research in the UK before the requirement for ATAS certificates was introduced and are returning to the UK to do research.
- they hold an ATAS certificate for a UK course they have undertaken and are making a new application for a Skilled Worker, Intra-company transfer, Intra-company graduate trainee, Temporary Work - International Agreement, or Temporary Work - Government Authorised Exchange visa.
- they change their field of research or change where they conduct their research.

Process and responsibilities

- 1) Skilled workers and sponsored Temporary workers
- When the Staff Immigration Team receive a notification on the sponsorship tracker for a new skilled or temporary worker visa, or an action from the visa expiry audit to issue a Certificate of Sponsorship (CoS) for a skilled worker extension, they will do an initial review of whether ATAS will apply using the knowledge they have of the role and applicant's nationality.

- If the Staff Immigration team believes there is a possibility ATAS will apply, they will contact the recruiting manager and provide the relevant information and tools to determine if an ATAS is required. See tools section below.
- If an ATAS certificate is not required, the Staff Immigration Team will proceed with issuing the CoS on the sponsor management system (SMS) and tick 'No' in the 'Migrant's employment' section of the CoS where it asks if an ATAS is required.

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	Summary of client contract (1000 character limit)	
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	Help: Jopens in a new window) Does the worker require an Academic Technology Approval Scheme (ATAS) certificate for this role?	
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	If No selected, please provide reason (1000 character limit)	
	Migrant's employment - PhD	

- If an ATAS certificate is required, the Staff Immigration Team will request the CAH code and the Research Statement from the recruiting manager. Useful tools to assist with determining the CAH code are in the Tools section of this document. Help with Research Statement can be found in the Appendix.
- The Staff Immigration Team will inform the applicant that they need to apply for an ATAS certificate before they can be issued with a CoS and provide them with the CAH code and Research Statement.
- The Staff Immigration Team will update the Visa Comments on ERP to say, 'ATAS required.'

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• If the ATAS application is successful, the individual must send their ATAS certificate to the Staff Immigration Team when they receive it.

- Once the Staff Immigration Team have received the ATAS certificate, they will issue the CoS ticking the box on the CoS to say ATAS is required (as per screen shot above).
- The Staff Immigration Team must also upload the ATAS certificate to the staff file on filestore as part of the Right to work evidence documentation that we are required to store for audit purposes.

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- If an ATAS certificate is delayed beyond the 15 day processing time the Staff Immigration Team can email atas-heis@fcdo.gov.uk to get an update on the progress of the application. They must provide the 6-digit reference number and any relevant detail of the case.
- 2) Visa Extensions
- When a colleague is 6 & 4 months from their visa end date they receive an automated email from ERP explaining the potential ATAS requirement.

Dear

Our records show that your current right to work in the UK (visa) is due to expire within the next four months as detailed below.

Visa Type: Visa Start Date: Visa End Date:

If your employment with the University is to continue beyond this expiry date, you are required to obtain further permission to work in the UK. You should therefore ensure that you take steps to obtain a new visa as soon as possible before the expiry date of your current visa so you can continue to work while your application is being considered.

You should also note that we can only apply for a new Certificate of Sponsorship (CoS) for you 3 months before the expiry of your current visa and if your role is subject to ATAS, we will need to have evidence of a successful application before we are able to proceed with issue of the CoS. Due to the timescales involved in applying for an ATAS certificate, we would advise that you begin the ATAS application process as soon as possible.

If you have not already done so, please contact your Faculty/Professional Services HR Team to confirm and agree next steps.

On receipt of your new visa, please present it to your Faculty/Professional Services HR office, at the earliest opportunity as evidence of your continuing right to work in the UK.

If you have any queries regarding this, or require any further assistance, please contact your Faculty/Professional Services HR Team directly.

Regards

Staff Immigration Team

- The Staff Immigration Team will work with the line manager to identify if an ATAS certificate is required prior to issuing the CoS for the visa extension and advise the employee to apply for their ATAS at the earliest possible opportunity, taking into consideration the 6-month validity of an ATAS certificate.
- 3) Honorary Visitors
- Faculties/Departments/Schools must ensure they have established if a visiting academic will require an ATAS certificate. The same tools can be used to do this as for a Skilled or Temporary worker contained in the tools section of this document.
- If ATAS is required, they should tick the appropriate box on the 'HONORARY/VISITING ACADEMIC STATUS REQUEST FORM'. Form found here - <u>Honorary Visiting Academic Status | Human Resources | University of</u> <u>Bristol</u>
- The Faculty/Department/School should ensure they have seen and taken a copy of both the ATAS and visitor visa prior to any engagement commencing.

ATAS Refusals

If an ATAS is refused, then the Staff Immigration Adviser will advise on next steps and where appropriate will escalate to the University Secretary's Office for legal advice.

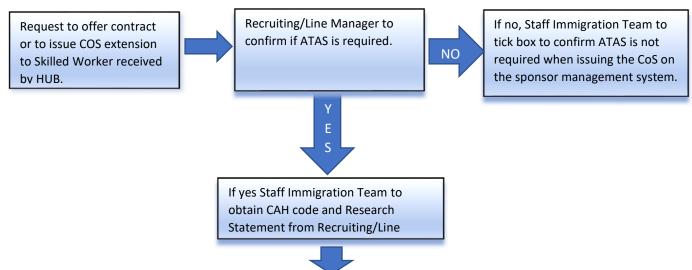
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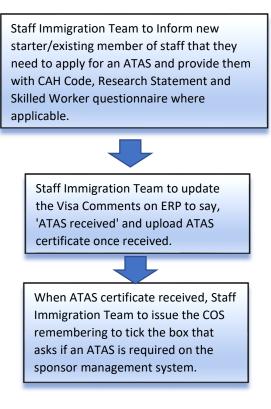
<u>HECoS vocabulary</u> – HESA support document to help define HECoS codes <u>HECoS codes</u> – HECoS to CAH code matrix

The following link can be used to establish if there is a requirement for ATAS:

- Government ATAS eligibility checker

ATAS Process flow





FAQs

Q: When should an applicant be notified of the ATAS requirement?

A: They should be made aware of this at the earliest possible opportunity and wherever possible at verbal offer of employment stage.

Q: How long is an ATAS certificate valid for?

A: An ATAS certificate is valid for six months from the date it was issued. This means that a visa application must be submitted no later than six months after the date of the ATAS certificate.

Q: Does a new ATAS application have to be made for extension of a visa?

A: When a visa holder needs to extend their visa, they will need to apply for a new ATAS certificate regardless of whether they have a current ATAS certificate.

Q: If an applicant has been refused an ATAS certificate, can they apply for a Global Talent Visa (GTV)?

A: ATAS is not yet a requirement of the Global Talent visa route, however most routes to endorsement for the GTV require a letter of guarantee from the university which we will not provide if we are aware an ATAS has been refused. This is the recommended course of action from UKVI and the FCDO who are responsible for the ATAS process.

Q: Can an ATAS decision be appealed?

A: If an ATAS is refused there is a review process. The FCDO have confirmed that additional evidence from the employer won't help to change the decision, it will be based on the original application.

Q: If a person on a Tier 4 / Student visa is employed as a Researcher, should they apply as a Taught/research student or Researcher?

A: They should apply as a Researcher. However, for ATAS purposes, students still enrolled on a course are automatically treated as visiting students. Therefore, to avoid being told they have made the wrong type of application, the applicant will need to clearly include their employment status in their statement of purpose.

Appendix

ATAS certificate requirement – Provides details of relevant SOC codes and CAH codes for ATAS

Guidance on Research Statements

General rules:

- The Foreign, Commonwealth & Development Office (FCDO) understand complex detail so do not dilute the actual detail of the role.
- Provide a brief but solid outline 6-7 lines in length summarising the research activities.
- Provide a solid level of information on the scope, application, and use of the research.
- If testing is involved provide a detailed level of information on what that testing comprises of.

Composite tubes are used in many engineering applications including pneumatics, robotics, aeronautics and manufacturing engineering. This research aims to investigate the failure characteristics of glass-epoxy composite tubes subjected to compression loading under changing thermal gradients. Experimental tests will be conducted to better understand how biaxial compressive strength varies with temperature and material characteristics. Testing will include strain measurements, indentation testing and crack analysis. Results from experimental measurements will be used to develop an improved analytical model for the mechanical performance of composite tubes.

Sonic booms from supersonic aircraft create numerous difficulties, including environmental disruption and aero-elastic stressing of an aircraft superstructure. This research will explore the use of automatic differentiation using the reverse mode, together with adjoint-based optimal design, as a means to minimise the sonic boom around an aircraft. The project will involve mathematical analysis and computer programming using the NAG library, together with experimental verification using a Mach 3 capable supersonic wind tunnel. Experimental instrumentation will include Laser Doppler Anemometry for flow field measurement and Schlieren photography for shock wave visualisation.

SAMPLE ATAS RESEARCH STATEMENTS

This research project will investigate the regulation of expression and function of the inducible L-argininenitric oxide pathway in cultured vascular cells. The aim is to define the signalling mechanism(s) that regulate the induction of both nitric oxide synthase and the cationic amino acid transport proteins associated with uptake of L-arginine into cells. The project will involve cells in culture and basic molecular techniques including qPCR analysis, protein biochemistry, western blotting, qPCR analysis, mRNA isolation quantification and analysis.

Acronyms

UKVI UK Visas and Immigration ATAS Academic Technology Approval Scheme Satellite imagery offers a number of potential benefits for the analysis of environmental phenomena. This project proposes to use SPOT2 multi-spectral data to analyse sediment concentrations in the Mississippi River delta. Reflectance measurements will be calibrated against in-situ field measurements of sediment load. These sediment data will then be integrated into a three dimensional hydrodynamic model of the Mississippi River delta with the aim of developing improved sediment transport models for complex stratified estuarine flows. CoS Certificate of Sponsorship CAH code Common Aggregation Hierarchy SOC code Standard Occupational Classification code HECoS codes Higher Education Classification of Subjects FCDO Foreign Commonwealth and Development Office