

Tier 4 Compliance Policy

Purpose

Tier 4 of the points based immigration system is the primary route of entry to the UK for non-EEA students who wish to study full time in the UK. These students must be sponsored by an education provider who holds a Tier 4 licence issued by the UK Visa and Immigration Directorate of the Home Office (UKVI).

As a holder of a UKVI Tier 4 Sponsorship Licence, Bishop Grosseteste University has a responsibility to act in accordance with the immigration rules and all parts of the Tier 4 Sponsor Guidance. These rules focus upon:

- The Issuing of Confirmation of Acceptance for Studies (CAS)
- Record Keeping
- Reporting duties

Scope

This document defines the policy and procedures for compliance with the Home Office regulations relating to Tier 4 students sponsored by the University. The policy relates to all undergraduate and post graduate applicants who are required to gain a Tier 4 visa to study within the UK. The policies and processes defined in this policy relate to the responsibilities held by the University for each Tier 4 student from the moment they assign a CAS until:

- they withdraw sponsorship from the student;
- the student leaves the UK; or
- The student is given permission to stay in the UK with a different sponsor or in another immigration category.

1. Key Requirements of UKVI Policy Guidance

The University must appoint an authorising officer. This person must be the most senior person responsible for the recruitment of students and ensuring all of the University's sponsor duties are met.

The Deputy Vice Chancellor is the nominated authorising officer for BGU.

The University must appoint a Key contact. The Key contact is the main point of contact with UKVI.

The Registrar and Secretary is the nominated Key contact for BGU.

The University shall allow access to UKVI staff; apply their guidance; supply ad hoc data; use the UKVI on-line Sponsor Management System (SMS) and strive to ensure the University's sponsored students arrive, enrol and complete their studies.

The University shall issue a CAS for any Tier 4 student it wishes to sponsor. The CAS contains essential information on the student's programme, background, fees and English language (where required). The CAS is a key instrument used by the student to obtain their visa.

The University must keep copies of up to date passport (specific pages); visa (or BRP); contact details; attendance data and key documents supporting their application.

The University must report students who: do not enrol; cease contact; have their sponsorship terminated or have significant programme changes. The University must also report details of recruitment 'intermediaries' and students believed to be breaching or attempting to breach visa conditions or involved in terrorism or other criminal activity.

Failure to comply with UKVI requirements may result in the loss or suspension of the University's licence to sponsor non-EEA students. Furthermore, the UKVI sets certain performance indicators to measure performance, including: CAS issuing, enrolment and completion. Underachievement against these indicators can lead to penalties against the University.

Full details of current UKVI Tier 4 requirements are available on the UKVI website and the International pages of the University's 'Sharepoint' system. Clarification can be sought from the University's International Office.

2. Specific Responsibilities at Bishop Grosseteste University

CAS Issuing

UKVI Requirement	Responsibility
Issue CAS to new students	Registrar and Secretary
Issue CAS to continuing students	Registrar and Secretary

Record Keeping

UKVI Requirement	Responsibility
Copies of relevant passport pages, visas and BRP.	Admissions team
Contact details at enrolment	Admissions team
Updating contact details	Student office staff
Absence/Attendance	School office staff
Evidence used for issuing CAS	Admissions team

Reporting Duties

UKVI Requirement	Responsibility
Student visa refused	Registrar and Secretary
Students fail to enrol	Registrar and Secretary
Student withdraws / defers	Student Administration Manager
Student contact stops	Student Administration Manager
Stop sponsorship – other reason: E.g. change in immigration category/programme/work placement. Completion of programme early.	QASA

3. Recruitment and Admission procedures

Tier 4 students will apply to the University in the same manner as other students, either via UCAS or directly using a University application form.

Any agent or other intermediary will be appointed by the International Office in line with the University Policy on Working with International Agents.

Prior to an offer being made, applications will be checked by the Admissions team to ensure that UKVI immigration requirements can be met. These requirements are in addition to the University's published entry requirements and are articulated in the CAS checklist in appendix A.

Offers to overseas nationals will be made in the usual way. All offers will be conditional based on students meeting UKVI immigration requirements. A pre-CAS form will be sent to applicants to collect further information before a CAS can be issued (see appendix b).

Tier 4 students are required to pay a non-refundable deposit before a CAS can be issued. Deposit levels are set annually by the Senior Leadership Team.

A CAS checklist will be completed and kept on the student file, to ensure all necessary requirements have been kept (see appendix A).

The CAS will be assigned in line with UKVI guidance, by an appointed Level 1 or Level 2 user on the UKVI Sponsor Management System (SMS). The CAS request will be raised on the Student Record System.

A CAS will only be issued if the University is confident of a successful outcome for the visa application. The CAS will only be passed to the student after this has been determined.

If a Tier 4 visa is refused the Admissions team will request a copy of the 'Refusal for Entry Clearance'. The Admissions team will report on the SMS that the student was refused together with the reason(s) why. Once this has occurred, the Registrar and Secretary, along with the International Manager will review the application to decide whether to issue the applicant with a new CAS. The decision will take into account the reason(s) for refusal, the current date, latest arrival dates, if the applicant still wants to study in the UK at BGU and any new information the applicant would like to

provide. If a decision is taken not to issue another CAS the applicant may then apply for a tuition fee deposit refund.

4. Enrolment Procedures

4.1 Students with places in University halls enter their accommodation a maximum of 2 days prior to enrolment.

4.2 Students complete pre-enrolment processes with the Admissions team using an enrolment checklist (see appendix C).

4.3 Passport and Visa / Biometric Residence Permit (BRP) Scan – These will be copied signed and dated as true copies and held on file in student records. Details will be saved on student records and the enrolment checklist.

4.4 Qualifications check – Original qualifications which have been used as evidence for the CAS and admissions purposes will be checked to ensure they match the evidence in the application. Translated documents must be verified – copied, then signed and dated as true copies and held on file in the Admissions office. Enrolment checklist endorsed. If originals have not been seen students may be provisionally enrolled pending their production.

4.5 Tier 4 declaration to be signed by student and held on file. Enrolment checklist endorsed.

4.6 Ensure tuition fees and accommodation fees have been paid. Finance will need to endorse enrolment checklist via signature or email.

4.7 Student enrolls.

4.8 Student collects ID card.

4.9 Student gets timetable and starts attending their programme.

4.10 Student files to be updated in Admissions office with:

- Contact details
- Signed copies of relevant documents
- Copy of Visa/ BRP and passport

Student files to be sent to the appropriate School Administrators.

4.11 Tier 4 Event log initiated by Admissions Assistant. The Tier 4 log is a record of all activity involving the student which is related to Tier 4 compliance.

4.12 Students who fail to produce all necessary documentation will be given 3 weeks to produce all relevant documentation for undergraduate study and one week for postgraduate study. Students will be given regular reminders by the Admissions team. Failure to produce these by the final date will normally result in withdrawal from the programme.

4.13 Students who are currently in the UK on a Tier 4 visa will need to make an in country application for a visa extension. The student will be allowed to provisionally enrol and start their

studies as normal until a decision is made by the UKVI. The student will be informed of the consequences to their visa and programme of study if their application fails. If a Tier 4 student has exhausted all in-country applications and fails to get a visa extension the University must tell the student to return home. Tuition fees will not be refundable in this instance.

Post-Enrolment support

4.13 Bank letter to be issued. Student records updated.

4.14 Students to register with doctor. Student records updated.

4.15 Police registration for relevant nationals – Confirmation to be obtained from Lincolnshire Police and entered onto student record system

Mid-Year census event

5.1 The International Office Administrator will run an Overseas National Report and prepare a Tier 4 list.

5.2 Tier 4 students are required to re-register at the end of the first semester and before the start of the second semester to ensure students are accurately maintained. This is organised by the student record team. The following documents are checked:

- Student passport
- Visa/ BRP
- Student ID Card
- Latest contact information
- Police registration document

5.3 Non- attendees will be contacted by the School Office team and called for individual visits to complete the process outlined in 5.2.

5.4 Student records are updated by the student record team with new and updated information.

5.5 Tier 4 event log updated by the Student Records team.

5.6 Students who do not re-register will receive written notification of the University's intention to report their absence to UKVI and the consequences this may have on their visa. The students will be given a further 5 working days to re-register.

5.7 Students who cannot be shown to be 'present' will be reported to UKVI via the SMS within 10 working days of the end of the re-registration period. This decision will be made by the Executive Dean for Learning, Teaching and International and a Level 1 SMS user will process the decision.

Attendance Monitoring

6.1 Absence guidance for Tier 4 students

The attendance of Tier 4 students will be monitored in line with the University's Attendance Monitoring Policy which incorporates the following principles.

Student attendance is monitored via logging student contacts. Examples of student contacts include:

- Attending any lesson, lecture, tutorial or seminar (relevant to the course)
- Attending an examination, viva or practical assessment
- Submitting coursework, report or drafts of one or more sections of a dissertation or thesis.
- Attending a meeting with a supervisor, module or programme leader, personal tutor, or welfare advisor.
- Attending a registration / enrolment event
- Attending an assessed work placement

If a student has not made contact for two weeks, or has missed 10 consecutive contacts (whichever is earlier), then the School administrator will e-mail the student immediately to re-establish contact.

If the School decides to give an authorised absence, then an authorised absence form should be completed and forwarded to QASA. Details will be entered on the student record system. Detailed articulation of the circumstances under which authorised absence is given can be found in the University's Attendance Monitoring policy.

If the School Office has been unable to contact the student or provide an authorised absence, they will advise the International office there is a 'Cause for Concern'.

The International office will contact the student and will determine if whether there is some other acceptable reason to give authorised absence. If the International office gives an authorised absence this will be entered onto the student record system and the school advised.

If not, consideration will be given to UKVI reporting, by the Executive Dean for Learning, Teaching and International.

If reported to UKVI, the International office will advise the student, their School, Student Records and Accommodation officer as appropriate. The student record will be updated and a Tier 4 Event logged.

6.2 Postgraduate 'Writing up Students'

The Home Office regulations allow the University to sponsor postgraduate students who are writing up a dissertation or thesis. If a student resides in the UK whilst writing up there must be regular contact with their tutor and their contact details (including telephone numbers) must be kept up-to-date.

If a student decides to write up their thesis/ dissertation in their home country, the University will inform the student that their sponsorship will be withdrawn and notification will be made to UKVI.

If contact with a 'writing up' student ceases, then the Absence Guidance in 6.1 above applies. Contact for a writing up student is defined as meetings with their supervisor which are held at least once a month.

6.3 Resit and repeating students

These students may continue to be sponsored, provided their continued participation is required. If the student's participation is not required in one full semester, then sponsorship will be withdrawn for that semester. Consultation with the International office will be required to determine an individual's situation.

6.3.1 If the student needs to attend both semesters then the University will continue to sponsor the student. The student should be referred to the International Office as they will need to extend their visa before the revised end of the programme.

6.3.2 If the student only needs to attend one semester then the School Administration in liaison with QASD will email the student to advise them that, under Tier4 policy the University is required to report they are no longer studying to UKVI. They should consider their visa curtailed to a 60-day period from the day the University rescinds sponsorship. They should look to leave the UK as soon as possible (ideally within 60 days of withdrawing) and they should consider their visa as cancelled from the day they leave the UK. The University will require the student to present evidence of travel details e.g. a plane ticket that falls within the 60-day period. A copy of the notification is attached to the student record. Three months before they are due to start back, or as soon as practically possible, they should contact the Registrar and Secretary to request a new CAS and obtain a new visa in time for the restart date. The University will only issue a new CAS once it is confident that the student did not overstay on their curtailed visa.

6.4 Interrupting Students

If a student requests to interrupt studies and this is agreed, the procedures on 6.3.2 will apply.

6.5 Students undertaking 'fieldwork' away from the University

If a student is undertaking a major project away from the University, then contact details and a record of 'contact' will need to be kept.

6.6 Students whose visa expires before completing their studies and who fail to get new visa.

6.6.1 If a current Tier 4 student is outside the UK and fails to get a visa extension, then the University has two options:

- a) If attendance is required, the University should intercalate the student and advise them they may re-join at an appropriate later date, with a new visa.
- b) If attendance is not required, the University will keep them enrolled and allow them to write-up / complete from abroad.

6.6.2 If a current Tier4 student is in the UK and fails to get a visa extension, the University must advise the student to seek immigration advice. If the student is able to make a second in-country application and the University believes it will be successful, then a new CAS will be issued. The student will be allowed to continue their studies as normal until the second decision is made. The student will be informed of the consequences to their visa and programme of study if their second application fails.

6.6.3 If a Tier 4 student has exhausted all in-country applications and fails to get a visa extension the University must tell the student to return home. Tuition fees will not be refundable in this instance.

a) If attendance is required, then they may re-join at an appropriate later date, with a new visa.

b) If attendance is not required, re-enrol them, once the University is certain they have returned home.

6.7 Students on placement

6.7.1 Tier 4 students may have to undertake a work placement if it is an integral and assessed part of the programme. This placement must not normally be more than 50% of the total length of a degree unless it is a legislative requirement.

6.7.2 The University remains responsible for the student during their work placement and shall continue to comply with all sponsor duties, including those relating to attendance monitoring and the maintenance of current contact details.

6.7.3 The University is responsible for ensuring the work placement provider is aware of the requirements relating to Tier 4 students in their work place.

6.8 Students in work

6.8.1 During term time Tier 4 students are entitled to work for a maximum of 20 hours per week if they are studying at degree level or above at a UK higher education Institution. Tier 4 students are allowed to work full time during vacations, before their course starts and after their course ends until their sponsorship has expired.

6.8.2 Tier 4 students are not permitted to engage in business activity. Therefore, the BA (Hons) Business (Team Entrepreneurship) programme cannot accept Tier 4 students. The Home Office Tier 4 of the Points Based System –Policy Guidance” states a Tier 4 student:

- cannot be self-employed or engage in business activity.
- will be considered to be engaging in business activity where you are working for a business in a capacity other than an employee in which you have a financial or other significant beneficial interest.

This would include the following:

- working for a company where you also hold a statutory role, such as a director.

6.8.3 If a member of staff suspects a Tier 4 student of exceeding the entitled number of working hours or that they are engaging in business activity, they will report the student to the International Office.

6.8.4 The International Office will ask the University's Governance and Compliance Manager and relevant Head of School to convene an investigation meeting with the student to establish the facts.

6.8.5 After the investigation meeting the Governance and Compliance manager will report the findings of the meeting to the Head of School, the Executive Dean for Learning, Teaching and International and the Registrar and Secretary who will give consideration to reporting the student to UKVI.

6.8.6 If reported to UKVI, the International office will advise the student, their School, Student Records and Accommodation officer as appropriate. The student record will be updated and a Tier 4 Event logged.

7. Tier 4 Compliance Monitoring

The University's Regulatory and Compliance Manager will be responsible for organising a number of scheduled activities throughout the year to monitor the University's Tier 4 compliance. The key activities to be monitored include:

- a) Completeness of Passport and Visa / BRP records relating to Overseas Nationals
- b) Completeness of Tier 4 student contact details
- c) Attendance records
- d) Completeness of registry files
- e) Changes to UKVI policies and regulations
- f) Adherence to procedures set out in this policy guidance.

7.1 A record of key Tier monitoring activities for each student will be maintained on the Tier 4 Event log.

Appendices

Appendix

Confirmation of Acceptance of Studies checklist

A

Confirmation of Acceptance of Studies Request Form

B

Enrolment checklist for International Students

C

Glossary of Terms

D

Issuing of Confirmation of Acceptance for Study Checklist

Student Number:

Action	Please tick/note
DEPOSIT PAID <ul style="list-style-type: none"> • Email confirmation received from Finance • Student record amended 	
CAS REQUEST FORM RETURNED <ul style="list-style-type: none"> • If previous UK study, overstayed or refused visa discuss with the Registrar and Secretary 	
QUALIFICATIONS RECEIVED AND CHECKED <ul style="list-style-type: none"> • Recorded in student file 	
COPY OF PASSPORT RECEIVED	
ENGLISH LANGUAGE QUALIFICATION CHECKED <ul style="list-style-type: none"> • Verify if appropriate (IELTS, TOEFL, Pearson, TOEIC, CAE) • Check validity against UKVI Approved English Tests (e.g within 2 years) 	
PROGRAMME OFFERED MATCHES PROGRAMME APPLIED FOR <ul style="list-style-type: none"> • Check that the programme given on the offer letter matches the programme given on the original application form 	
CONDITIONS OF OFFER MET	
HOME ADDRESS PROVIDED	
PREVIOUS STUDY IN THE UK? (If so complete progression details on CAS)	
Issue of CAS confirmed by two SRA staff: <ol style="list-style-type: none"> 1. Pay for CAS using credit card Recorded on Student Record System 	

CAS Request Form

Before a CAS can be issued, Bishop Grosseteste University is required by the Home Office to collect information about your immigration history. Please answer the following questions and return this form to the University (international@bishopp.ac.uk) as soon as possible. Failure to provide accurate information may result in your CAS application being delayed. If you haven't already done so, please provide a copy of your passport with this form.

1. PERSONAL DETAILS

Full Name	
Student I.D Number	
Date of Birth	
Programme	
Personal Email Address (to send CAS)	
If you would like a copy of your CAS sent to your agent please tick here	<input type="checkbox"/>

2. IMMIGRATION HISTORY

Have you been to the UK to study before? Yes No (if yes, please provide further information below and on an additional sheet/email if necessary)

From (mm/yyyy)	To (mm/yyyy)	Type of Visa	Programme	Institution

3. VISA HISTORY

Have you ever overstayed your visa? Yes No (if yes, please provide details)

Date of Refusal	Reason for Refusal

4. VISA APPLICATION

Are you planning to make your visa application form: Within the UK In Home Country

If within the UK, a member of Student Services will contact you to arrange an appointment at the University.

If all information is correct, you hold an unconditional offer and you have paid your £3,000 deposit, we aim to send your CAS within 5 working days. If you have answered yes to any of the questions we may contact you to discuss the information provided in accordance with Home Office guidelines.

Once a CAS has been issued, our International Team will be able to assist you with your visa application. If you have any questions please contact international@bishopp.ac.uk or telephone +44 1522 583691.

BISHOP GROSSETESTE UNIVERSITY**International Student Enrolment Checklist 2015/16**

Student Name:

Student ID Number:

University Staff Use only	Tier 4 Overseas Nationals	Non-Tier 4 Overseas Nationals	American Exchange/Visiting	Erasmus EU/Non EU	Non EU Visiting (e.g Japan)
Passport & Visa Check	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Qualification Check (Please bring originals)	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Tier 4 Compliance	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Finance Visit	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Enrolment	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Student ID	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Doctor Registration	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments
Bank Letter	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments	Y/N : Comments

Glossary of Terms

Authorising Officer	This person is the most senior within the University responsible for the recruitment of students and ensuring all of the University's sponsor duties are met.
Biometric Residence Permit	A BRP is proof of the holder's right to stay, work or study in the UK. It can also be used as a form of identification (for example, if the holder wishes to open a bank account in the UK).
Confirmation of Acceptance for Studies (CAS)	This is not an actual certificate or paper document but is a virtual document similar to a database record. This record will be generated by the University, the Tier 4 Sponsor, for each student it is sponsoring. Each CAS has a unique reference number and contains information about the course of study for which it has been issued and the student's personal details.
EEA student	A student who is a national of a European Economic Area (EEA) State. For the purposes of Tier 4 sponsorship EEA State means any member of the European Union other than the UK, Iceland, Norway, Liechtenstein or Switzerland.
Key Contact	The Key contact is the main point of contact with UKVI.
Level 1 User	The Level 1 user of the SMS must carry out the day-day sponsorship activities and can administer users of the SMS system.
Level 2 User	The Level 2 users have fewer permissions on the SMS than a Level 1 user.
Sponsor Management System (SMS)	The SMS is an online tool which lets the University carry out day-to-day sponsorship activities and report any changes. The University can also use it to assign Confirmation of Acceptance for Studies (CAS) to students who wish to come to, or stay in, the UK to study, and to fulfil its reporting duties for sponsored students.
Tier 4 sponsor/licensed sponsor	A Tier 4 sponsor that is approved by the Home Office and has been given a licence to bring students to the UK under Tier 4 of the Points Based System. A Tier 4 sponsor can be a Tier 4 (General) student sponsor, a Tier 4 (Child) student sponsor, or both.
UK Visa and Immigration Directorate	Is the operational department of the Home Office responsible for Visa and Immigration rules and control.