

Institutional Policy on students who are subject to Immigration Control

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1. Background

In order to be able to recruit students from outside the EEA the University is required to comply with the terms of the Immigration, Asylum and Nationality Act, 2006.

The University holds a Tier 4 licence issued by the Home Office permitting it to issue Confirmation of Acceptance for Studies ('CAS') to potential non-EEA students from 22 February 2010. Since April 2010, the University has also held Tier 4 Sponsor status.

Alongside Tier 4 visas, students at the University may hold short-term study visas and a number of other types of time-limited leave to remain which allow them to register and study.

This policy applies to all students who are subject to immigration control.

This policy is specific to the University and does not necessarily set out the full requirements of the Immigration Rules. The University is entitled to revise its policies or procedures relating to compliance with its Tier 4 sponsor duties at any time and will usually do so where there have been any applicable changes to sponsorship requirements made by UK Visas & Immigration ('UKVI'). This policy should be read in conjunction with [the prevailing Tier 4 Policy Guidance](#), [Tier 4 Sponsor Guidance](#), and [the Immigration Rules](#). The Immigration Rules and associated UKVI guidance documents will remain the main source of the University's obligations, regardless of whether any requirements are dealt with in this policy.

2. Definitions of terms used

- *Registration*: The act of initial registration in person by the student during the prescribed period, dependent on the course start date. For Tier 4 students this is specified on the CAS.
- *Sponsored Students*: For the purpose of this guidance, the sponsoring institution is the University of Surrey and sponsored students refers to those students studying under a Tier 4 visa.
- *Student Engagement*: This term relates to a student's engagement with the programme of study on which they are registered, monitored by defined contact points. Successfully meeting these contact points demonstrates that the student is participating appropriately with their studies. Failure to engage will highlight concerns about the student's participation and will give rise to further investigation in line with the University's general regulations.

3. Sponsorship Duties for Tier 4 Sponsors

The University's duties as a Tier 4 Sponsor are as described in Document 2: Sponsorship Duties of Tier 4 of the Points Based System: Guidance for Sponsors¹.

This document can be accessed at

<https://www.gov.uk/government/publications/sponsor-a-tier-4-student-guidance-for-educators>

In summary, our duties are:

	Duty	Source
1	Support immigration control by taking steps to ensure that every student at the institution has permission to study in the UK throughout the whole period of their study	Document 2 'Sponsorship Duties'
2	To obtain and record all documentation relating to sponsored students as per Appendix D of the Immigration Rules	Appendix D
3	To meet educational oversight requirements as prescribed by the Sponsor Guidance	Section 3, Document 1 'Applying for a Tier 4 Licence' & Section 7, Document 2 'Sponsorship Duties'
4	To offer courses to sponsored students which comply with the Sponsor Guidance	Section 4, Document 2
5	To assign CAS only to those students we feel meet the requirements of Tier 4 and will comply with the conditions of their permission to stay in the UK	Section 5, Document 2
6	To make timely reports to the Home Office on all sponsored students as prescribed in the latest version of the Sponsor Guidance. This includes but is not limited to withdrawals, non-registration and lack of engagement with the programme.	Section 6, Document 2

¹ Title correct as at October 2016

7	To report details of any agents and other third parties used in recruiting international students	Section 6, Document 2
8	To ensure that all sites, exceptional arrangements and teaching partnerships are recorded as per the sponsor guidance.	Section 6, Document 1
9	To refer to the police any information we have about students engaged in terrorism or other criminal activity	

Students are advised that the University is obliged to inform the Home Office should they be made aware of any breaches to the terms and conditions of a student's visa. Our sponsorship duties require us to co-operate with the Home Office and report anything that suggests a student is "breaking the conditions of their permission to stay in the UK, such as working in breach of their conditions"²

4. Responsibilities of international students with time-limited leave to remain

Not all students from outside the EEA will hold a Tier 4 visa, however all international students are required to:

1. Produce valid passport and immigration documents (e.g. vignette, Biometric Residence Permit (BRP) or other) for scanning and recording at point of registration.
2. Provide the Visa Compliance team (part of Student Data, Records and Systems) with all correspondence that they receive from the Home Office in relation to their current immigration status.
3. Ensure that passports and immigration documents are always valid and in-date and that they do not contain any errors, and that any applications for further leave are applied for in good time, preferably in consultation with the International Student Support team (ISS).
4. Produce any updated, extended or replacement passports to the Student Services Centre for scanning and recording as soon as they are received.
5. Inform the Visa Compliance team immediately if their immigration status changes at any time (e.g. change of Tier, immigration category or becoming a citizen of an EEA country).

² Tier 4 of the Points Based System: Guidance for Sponsors. Document 2: Sponsorship Duties

6. Produce any corrected, updated, extended, or replacement immigration documents (e.g. vignette, BRP or other) to the Student Services Centre for scanning and recording as soon as they are received.
7. Keep up-to-date their personal and current contact details on the student record system (via [Surrey Self-Service](#)).
8. Maintain personal copies of their Passport pages and valid immigration documents, leave stamps, or letters.
9. Seek advice from ISS before making changes to their programme of study which could affect their ability to remain sponsored by the University.
10. Ensure that if registered on taught programmes, they attend compulsory lectures, course, tutorials, examinations and other activities which form part of their programme of studies as per University regulations. In addition, to submit by required deadlines coursework and other assignments required for the programme as per regulations.³
11. Ensure that if registered on research programmes, they attend supervisory sessions and submit progress reviews as per University regulations. In addition, to ensure they are continuing to make satisfactory academic progress and maintain continued contact with their supervisors and faculty as per regulations and the code of practice.⁴
12. Reach the level of academic attainment required for the programme.
13. Re-register online with the University at the beginning of each new academic year during the required period between August and mid-October.
14. Adhere/comply to the conditions of their visa at all times

5. Responsibilities of holders of Tier 1 (Graduate Entrepreneur) visas

The University of Surrey will support students, at its discretion, to endorse and apply for Tier 1 (Graduate Entrepreneur) visas. This visa is for graduates who wish to pursue a genuine and credible business idea. Once granted their award by the University, a holder of one of these visas is no longer a student, however the holder of this visa has the following responsibilities for the duration of their leave:

³ In accordance with 'University of Surrey A1 Regulations for taught programmes' p. 18 paragraphs 108-110, p. 19 paragraphs 117-119

⁴ In accordance with 'University of Surrey A2 Regulations for research degrees' p. 7 paragraphs 46-48, 56-58

1. Consent to the University providing personal details to the Home Office.
2. Agree to update contact details with the University if they change during the year.
3. Agree to spend the majority of their working time on developing their business venture, although they can take up additional employment.
4. Agree to send quarterly reports to the Entrepreneur-in-Residence during the year.
5. Agree to the University sharing information for publicity purposes.

6. Responsibilities of holders of Tier 4 Doctorate Extension Scheme visas

The University of Surrey will support students, at its discretion, to apply for Tier 4 Doctorate Extension Scheme (DES) visas. The DES visa allows graduates to stay in the UK for 12 months for the purposes of gaining “further experience in your chosen field, seek skilled work, or develop plans to set up as an entrepreneur”⁵. Once granted their award by the University, a holder of one of these visas is no longer a student. However the holder of the visa has the following responsibilities for the duration of their leave:

1. Present to the University their Tier 4 (DES) BRP once issued for verification and recording.
2. Consent to the University providing personal details to the Home Office.
3. Agree to update contact details with the University if they change during the year.
4. Respond to our 2 scheduled contact emails within 28 days.

Students wishing to apply for a visa under the Doctorate Extension Scheme should refer to section 13.1 *CAS Issuance for Visa Extensions (Current Students)* for further information on conditions when the University will and will not issue a CAS.

⁵ Tier 4 of the Points Based System – Policy Guidance

7. Selection and Admissions

7.1 CAS Processing For Applicants

In order to apply for a Tier 4 visa to study at the University of Surrey, applicants must have a Confirmation of Acceptance of Studies (CAS). This is a reference number unique to each applicant.

CAS will be assigned as per the University of Surrey's "CAS Issuing Policy for Applicants". The CAS Issuing Policy also details the conditions under which we will not issue a CAS.

Receipt of an academic offer does not guarantee that you will be assigned a CAS. Your Immigration history and status will need to be assessed in accordance with the Tier 4 requirements and Immigration Rules. The University reserves the right to refuse a CAS to an applicant if the immigration requirements of the Tier 4 Sponsor Guidance and Immigration Rules are not met.

It is the applicant's responsibility to familiarise themselves with the Immigration Rules and ensure that they show they have the required permission to be in the UK and study at the University of Surrey. The onus is on the applicant to ensure they qualify for a Tier 4 student visa.

For further information, please refer to the University of Surrey CAS Issuing Policy for Applicants.

7.2 Academic Progression

Applicants requiring a Tier 4 visa must apply for a programme of study which represents appropriate academic progression from their previous programme of study in the UK. This must comply with the current definition within the Tier 4 Sponsor Guidance and Immigration Rules.⁶ International applicants are required to declare on their application form any previous studies undertaken in the UK prior to their application being formally considered for entry. Failure to declare previous UK study may result in any academic offer being withdrawn.

The University will consider academic progression in all cases, irrelevant of where the Tier 4 visa application is being made and will detail this on the CAS.

⁶ Tier 4 Sponsor Guidance, Document 2

The University will not normally issue a CAS to an applicant who has failed to successfully complete a programme of study in the UK unless there are exceptional mitigating circumstances.

7.3 ATAS requirements for applicants

All non-EEA nationals studying in the UK who have or are applying for time-limited leave for a course as specified by Appendix 6 of the Immigration Rules will be required to obtain Academic Technology Approval Scheme (ATAS) certificate before they can register for their course.

Where ATAS clearance is required, the University will only issue a CAS once a copy of the ATAS clearance certificate has been sent to the University by the Foreign & Commonwealth Office.

For non-EEA nationals who do not wish to apply for a Tier 4 visa but have other time-limited leave to stay in the UK, the University will not permit them to register for their course without them first producing proof of this.

8. Registration

The University will only register Tier 4 students where the Tier 4 visa contains the University of Surrey sponsor licence number.

All new non-EEA students are required to present at registration their passport and valid immigration documents, which may include a vignette, visa, or Biometric Residence Permit (BRP). If the valid document is a temporary entry vignette the student must also present the decision letter. In these cases the Biometric Residence Permit should be collected as soon as possible from the nominated Post Office detailed on the decision letter and presented to the University within 10 days of the last date of registration as specified on the CAS. Students are also required to provide the University with a UK contact address, alternative e-mail address, and telephone number.

Students who have applied for but not yet been granted a new Tier 4 visa, but do currently hold a Tier 4 visa with the University of Surrey sponsor licence number (for example, from a pre-session course) may be eligible to register providing their previous Tier 4 visa is still valid, and we have evidence of the visa extension application. Students will register at their own risk in such occasion, and should note that if their visa is subsequently refused, the University will withdraw them from their new course of study.

Students who have applied for but not yet been granted a new Tier 4 visa, but hold a Tier 4 visa with a different Institution's sponsor licence number will not be eligible to register regardless of any time remaining on their visa.

Staff registering students will take reasonable steps to satisfy themselves of the authenticity of the documentation provided and will take copies (in a format which cannot be subsequently altered) of each student's current passport pages showing their personal identity details (including biometric details), leave stamps, and/or immigration status document including their period of leave to remain (permission to stay) in the UK. In the absence of an entry stamp, other evidence such as the travel ticket to the UK or boarding card will be copied.

If checks establish that the student is not the rightful holder of the documentation produced or is not entitled to study at the University of Surrey, the individual will be referred to the Visa Compliance team immediately.

The use of false or forged documents will be reported to the Home Office and the potential student will be removed from their programme of study and advised to return to their home country.

8.1 Non-Arrival

The University is required to report to the Home Office any sponsored student who fails to register within their specified registration period (as given on the CAS) within ten working days of this elapsing.

If a CAS has been used to apply for a Tier 4 visa then the University will report that the student has failed to register and will withdraw sponsorship. If the CAS has not yet been used, the CAS will be withdrawn so it is no longer valid for use in a visa application.

A report will be run from the student record system after every registration period has ended throughout the year to identify those sponsored students who were expected but failed to register. Reasons for the failure to register (if known) will be reported to the Home Office along with the contact details of each student failing to register.

Students who register on a programme with other time-limited leave (where valid for study) that expires before the end date on their programme, do so at their own risk. It is the student's responsibility to ensure that they will be able to meet all of

the requirements of a successful Tier 4 visa application and the Immigration Rules in order to complete the course in the UK.

9. Change of circumstances

9.1 Course Changes

It may not be possible for a student studying on a Tier 4 visa to change course or length of study except in exceptional circumstances. This may include adding a placement, adding an integrated Masters year (eg MEng, MBus), or restarting on a new course.

The University must ensure any course changes are properly assessed and meet Tier 4 regulations, which includes Academic Progression.

The University will apply the Academic Progression rules in all cases regardless of where the student intends to apply for a Tier 4 visa (whether in the UK or outside the UK). Transfers will not be approved unless the new course represents academic progression from the course for which the CAS was originally assigned.

Where a student requests to change course or study length, they will be required to submit a supporting statement to Visa Compliance which will be considered by a panel (see section 9.2 below). The panel is made up of representatives from Visa Compliance, Faculty Student Services, and Admissions.

Students should be advised that some course transfers may only be permitted once a new visa has been obtained. The new visa may need to be applied for from outside the UK. Students applying for a new visa may be subject to a credibility interview, and should be aware that if their new visa is refused, they are unlikely to be able to continue on their original course of study.

For these reasons, students on Tier 4 visas will need to very carefully consider any changes to their course. Students are encouraged to speak with International Student Support for guidance.

Course changes which are unlikely to be approved by the panel include, but are not restricted to, the following:

- Transfer to an unrelated course, particularly where the student will transfer back to year 1, and therefore will not be able to complete the course within their current period of leave.

- Transfer to a lower level course, for example from MEng to BEng, MBus to BSc.
- Transfer to any course without a strong supporting statement.

Students should be advised that panel approval does not guarantee a successful visa application.

9.2 Supporting Statements

As detailed above, students who wish to change course must provide a supporting statement. This can be sent as a Word document or email, and should be several paragraphs on why the student would like to change course, how this relates to any previous study they have done, and how it will help the student's future career aspirations.

This supporting statement will be kept on the student record as evidence that the transfer was assessed in line with Tier 4 regulations.

9.3 Reassessments

It is the responsibility of the relevant Board of Examiners to determine when a student is required to retake a module. If the Board requires the student to retake in the following year the student has the option to repeat with or without attendance.

9.3.1 Repeating with attendance

A student choosing to repeat with attendance will automatically be registered on the relevant module. A sponsored student must be registered on at least one relevant programme module (but not a Global Graduate Award module) per semester to enable their continued participation to be monitored and reported. A fee will be charged to the student if attending. Students who repeat with attendance are expected to engage fully with their programme of study

9.3.2 Repeating without attendance

Where a student chooses to repeat a module without attendance, they will be advised to return home as we are required to withdraw sponsorship for students not actively studying. They will need to apply for a further visa to return to the UK to take their resit assessments. Students making coursework submissions may submit them on line and do not need to return to the UK.

Detailed guidance will be available from International Student Support.

9.4 Absences

All absences are assessed and approved in accordance with University policy and regulation.

9.4.1 Up to 60 days

Temporary withdrawals from study where the University agrees to continue to sponsor a student will be granted for up to 60 days, as long as the programme of study can be completed in the time remaining on their visa. The student will be expected to return to their studies no later than the time agreed and will remain in contact with their faculty and agree regular points of contact during this period of 60 days which will be monitored as above.

9.4.2 Over 60 days

Students taking a temporary withdrawal of over 60 days (regardless of the reason for the absence) will be advised to leave the UK, reported to the Home Office, and sponsorship of their visa will be withdrawn. They will be required to re-apply for a new visa out of country (Entry Clearance) to return to the University when they are ready to resume. Students should ensure that they plan for their return by requesting a CAS at least three months in advance of resumption.

Students will usually have 60 days from the start of the absence to leave the UK or make another immigration application, however this is subject to Home Office decision. Once a student has left the UK, they should not return to the UK on the same visa, even if they are yet to receive curtailment notice from the Home Office.

If a student is unable to leave the UK for medical reasons, they should speak with International Student Support who can advise accordingly.

9.5 Permanent Withdrawals

Students should notify their faculty as soon as they decide to withdraw from their course. Students will usually have 60 days from withdrawal to leave the UK or make another immigration application, however this is subject to Home Office decision. Once students have left the UK, they should not return to the UK on the same visa, even if they are yet to receive a curtailment notice from the Home Office.

If students withdraw from their course earlier than expected, all work permissions stop with immediate effect.

Undergraduate and Postgraduate Taught students who withdraw from their course earlier than expected for whatever reason will be judged by the Home Office to have not successfully completed the course and this may affect future Tier 4 visa applications either with the University of Surrey or other UK institutions.

9.5.1 Enforced permanent withdrawals (exclusion)

Where a student has been forcibly withdrawn (excluded) from their studies for any reason (academic, financial, or regulatory) but has submitted an appeal to the University against this decision, the student will be reported to the Home Office as they are not actively studying at that time. The student will be advised to return home to await the outcome of the appeal. It is not sufficient to be sponsored by the University of Surrey or remain in the UK solely for an appeal.

Students will usually have 60 days from exclusion to leave the UK or make another immigration application, however this is subject to Home Office decision. Once students have left the UK, they should not return to the UK on the same visa, even if they are yet to receive curtailment notice from the Home Office.

Students who are reinstated after an exclusion should speak with Visa Compliance before making plans to continue on their programme, as it is likely that their current visa will no longer be valid. In nearly all cases, students will need to obtain a new visa before resuming study.

In certain exceptional circumstances, Visa Compliance may be able to contact the Home Office to cancel the withdrawal notification within two weeks of sending the notification. If this is the case, the student may be able to continue on their current visa. The student must contact Visa Compliance to see if this is possible before resuming study, and should not assume that a Home Office notification has been cancelled regardless of when they have been reinstated.

Undergraduate and Postgraduate Taught students who withdraw from their course earlier than expected for whatever reason will be judged by the Home Office to have not successfully completed the course and this may affect future Tier 4 visa applications either with the University of Surrey or other UK institution.

9.6 Reporting

All changes to a student's status will be recorded on the student record system in a timely fashion to enable timely reporting to the Home Office.

The Visa Compliance team runs weekly reports to pick up on changes to students' status which require subsequent reporting to the Home Office.

Notification of any change to a student status must be sent to the Home Office within 10 working days. In certain exceptional circumstances, Visa Compliance may be able to contact the Home Office to cancel a notification within two weeks of sending the notification – students in this situation will contact Visa Compliance to see if this is possible.

10. Student Monitoring

As per University regulations, we require that all students participate fully in the work of their programme and complete the required assessments as set out in their programme specification and/or handbook.

The University does not currently monitor students at every individual lecture and tutorial. Instead, expected academic engagement points are monitored. It is recognised that levels of contact between students and the University can differ according to the level of study and programme for which students are registered.

Sponsored students are monitored by the Visa Compliance team centrally in conjunction with the Faculty Student Services teams.

As a Tier 4 Sponsor, the University has defined expected contact points from examples given in Document 2 of the Tier 4 Sponsor Guidance in order to monitor the attendance of sponsored students. Expected contact points for taught students include completion of annual registration and personal tutor meetings. For research students, expected contact points include compulsory monthly supervisory sessions as prescribed by regulations, mid-year and annual progress reviews and viva voce. The University has also set two checkpoints to report to the Home Office where sponsorship has been withdrawn, following each semester and completion of exam boards, which take place in February/March and July.

The following sections outline the University's monitoring procedures.

10.1 Engagement Monitoring For Taught Students

1	Completion of initial registration / online re-registration.	Engagement point. Failure to register/re-register will result in termination as per University general regulations and sponsorship duties.
2	Meeting with Personal Tutor in semester 1. ⁷	Engagement point. If concerns are carried forward from previous academic year, termination and reporting can take place at this point.
3	Review participation in semester 1 assignments/assessments.	Reporting Checkpoint 1 Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance.
4	Meeting with Personal Tutor in semester 2. ⁸	Engagement point. If concerns are carried forward from previous academic year, termination and reporting can take place at this point.
5	Review participation in semester 2 assignments/assessments.	Reporting Checkpoint 2 Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance.

Students are expected to have engaged satisfactorily at each of the points; if a cause for concern is identified this can be escalated further for potential immediate withdrawal of sponsorship, or deferred with additional follow-up activity in between engagement points and checkpoints.

At reporting checkpoints, we will fully review sponsored student engagement in the preceding semester, with further consideration given to the past 12 months' engagement records if causes for concern had been previously identified.

⁷ In accordance with the 'University of Surrey Code of practice for personal tutoring', Academic year 2016/7, p. 2

⁸ In accordance with the 'University of Surrey Code of practice for personal tutoring', Academic year 2016/7, p. 2

In consultation with Faculty Student Services, any student failing to engage satisfactorily will be considered for reporting to the Home Office. The University may not wait until 10 expected contact points are missed, appropriate follow up action will be taken at each reporting checkpoint.

English language students are required to attend their programme on a daily basis where attendance is recorded. These registers are entered on a local database in the department on a weekly basis. The English department will notify the Visa Compliance team if a student fails to attend without explanation.

10.2 Engagement Monitoring For Research Students

1	Completion of initial registration / online re-registration	Engagement point. Failure to register/re-register will result in termination as per University general regulations and sponsorship duties.
2	(October) Review activity in July-September (for continuing students from previous academic year)	Engagement point. Monthly activity in the form of required monthly supervisory meetings, six monthly or annual review, submission of thesis, or viva voce. Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance.
3	(January) Review activity in October-December	Engagement point, as previous.
4	(April) Review activity in January-March	Engagement point, as previous.
5	(July) Review monthly activity in April-June	Engagement point, as previous.

Regular meetings are the primary mechanism of monitoring progress between supervisors and students. Where research is being conducted at distance an effective method(s) of regular contact shall be agreed between the student and principal supervisor (e.g. telephone, email, Skype etc.). As all sponsored students are full time, these meetings should take place at least monthly.⁹ Research students who are writing up their thesis (on 'continuing status') are also required to maintain contact with their supervisors in this manner.

⁹ In accordance with the 'University of Surrey Code of practice for research degrees, Academic year 2015/6, p. 11

The Visa Compliance team monitor monthly contact activity of research students on a quarterly basis, reporting those not engaging to the Research Degrees Office for appropriate follow-up action.

Research students who wish to switch immigration category to Tier 2 while taking on a fixed term contract should contact their supervisor in the first instance. All such transfers require approval by the Admission, Progression and Examination Sub-Committee (APESC). Once the switch to Tier 2 has been completed the student must present their new BRP card to the Student Services Centre for verification and recording, and a report to the Home Office will be made.

10.3 Professional Training Year and Study Abroad Students

Details of all Professional Training Year (PTY) placements are held on the student record system. At the start of each placement period these are notified to the Home Office via a change in student circumstances.

Placement providers are required, by virtue of their contract with the University, to alert the University to any unauthorised absences by students. The placement provider will advise the appropriate PTY administrator of any student failing to attend and/or engage with their placement and the administrator will refer this matter to the appropriate Programme Director to follow-up.

University Placement tutors visit students twice if the placement is of 30 weeks' duration and three times if the placement is of 45 weeks' duration (although the third visit may be virtual). At each reporting checkpoint for taught students, the Visa Compliance team will confirm with the PTY administrators that the required placement tutor meeting has taken place.

Details of Study Abroad placements are held by the International Relations Office, at the start of each study abroad period these are notified to the Home Office via a change in student circumstances. Engagement of these students is monitored by receipt of a satisfactory transcript from the overseas institution upon their return.

10.4 Former Students Sponsored Under Tier 4 Doctorate Extension Scheme (DES)

The Visa Compliance team will monitor that students issued with a CAS to apply for a Tier 4 DES visa complete their PhD to the standard required for an award and notify the Home Office. If they do not complete to this standard, this will also be notified to the Home Office and sponsorship of the DES visa withdrawn.

The two scheduled contact points are monitored by the International Student Support team. The Visa Compliance team will be notified if former students in the Tier 4 DES scheme miss a scheduled contact without reasonable explanation and they are subsequently unable to make contact with them, or it is established that the former student either is permanently leaving the UK, or breaching the conditions of their leave. In all these cases the Home Office will be notified and sponsorship of the Tier 4 DES visa withdrawn.

10.5 Former Students Endorsed Under Tier 1 (Graduate Entrepreneur)

The University's Entrepreneur-in-Residence will maintain contact with the former student and assess their progress through regular reports at intervals.

The Entrepreneur-in-Residence will notify the International Student Support team or the Visa Compliance team directly if the former student does not keep in contact or miss a scheduled report without authorisation, or it is established that the former student either is permanently leaving the UK, or breaching the conditions of their leave. In all these cases the Home Office will be notified via the specified route.

11. Expiring Visas and Overstayers

The University considers that responsibility for visa validity remains solely with the student. However the Visa Compliance team will communicate with any sponsored students who have not yet completed their programme of study starting from three months before the expiry date on their visa. The team will recommend contacting International Student Support for advice regarding visa extensions, if this is possible and appropriate for them. This communication will be followed up at monthly intervals until the date of visa expiry.

If a student's visa validity is about to elapse, the Visa Compliance team will endeavour to have established that:

- I. The student has left the UK and will either re-apply for fresh leave (if appropriate and possible) to return either under Tier 4 or other leave, and any new documentation will be presented at the Student Services Centre.
- II. The student has left the UK, but will not return to the University and will finish their studies overseas by remote submission.
- III. The student remains in the UK, but has submitted an in-time application for further leave to remain (Tier 4 or otherwise) and can continue their study under 'Section 3c leave' until this is granted. Any new documentation will be presented at the Student Services Centre.

If none of these apply and the student has not made an in time application, the student will be deemed an overstayer, even if they are yet to receive official notice from the Home Office. A student in this situation will be terminated or suspended, and the student advised to leave the UK at the earliest opportunity. The student's registration may only be re-instated once they have demonstrated they have valid leave to study in the UK.

The University will not issue CAS to current students who have overstayed on their visa and who do not hold valid leave to remain.

12. Tier 4 students and employment

Employment conditions are shown on the Tier 4 visa or Biometric Residence Permit. Sponsored students who are studying at degree level or above are permitted to work no more than 20 hours per week during semester time, while below degree level this is limited to 10 hours. Students are permitted to work full-time during vacation times. Students on Tier 4 visas are not permitted to work in certain jobs and should review the Home Office Tier 4 guidance for further information.

International students seeking work through Unitemps are required to notify Unitemps of any change to their circumstances which may impact their permission to work. Tier 4 students should be mindful of any external employment gained in addition to working for Unitemps and ensure that all work combined is limited to 20 hours per week during term time.

The University has a responsibility to ensure that every employee has the legal right to work in the UK, which is also applicable to Tier 4 students who seek employment at the University – please visit our website for more information on our [Eligibility to Work in the UK policy](#). You will not be able to work for the University until you demonstrate your eligibility to work.

Undergraduate and postgraduate taught students have defined vacations at Christmas and Easter. Undergraduate students also have a defined summer vacation. However, postgraduate taught students do not have summer vacations and are expected to continue to study on a full-time basis during the summer months until the specified dissertation submission date. Postgraduate research students have no defined vacation periods, other than University closure days and no more than 25 working days' holiday allowance.

Vacation dates can be found on the University website at <http://www.surrey.ac.uk/about/dates/>

13. Visa Support and Extensions

Any queries or requests for extensions to visas will be handled by the International Student Support (ISS) team, who have been trained to provide guidance regarding students' Leave to Remain in the UK and extensions of that Leave to Remain. The guidance offered must be viewed as guidance and not as legal advice. It is the responsibility of the student to ensure that they possess the correct visa and that it is valid and that its terms are adhered to at all times.

The ISS team submits student visa extension applications to the Home Office, having first checked them fully. Advisers will advise any student whose application has been unsuccessful or if there are any problems with the case.

Students are encouraged to seek advice from International Student Support before making any decision that affects their visa or immigration status in the UK.

13.1 CAS Issuance for Visa Extensions or Changes (Current Students)

It is generally understood that a student will complete their course of study within the period granted on their Tier 4 visa.

However, it is recognised that on occasion a student may need to extend this period of time, and request a new Confirmation of Acceptance for Studies (CAS) to complete their course. This may be required after a period of absence to account for a repeat period of study, or requested by the University prior to transferring to a new course of study.

International Student Support is responsible for issuing CAS to current students extending their visa to complete their studies with the University. The University will only assign CAS to a current student if they are:

- Currently Registered after completing re-registration,
- Not overstaying on their current visa,
- Holders of a valid ATAS Certificate (where appropriate).

The University is not legally obliged to issue a CAS statement and will always exercise caution when doing so, to ensure adherence to its obligations as a licensed sponsor under the Points Based Immigration system.

The University may make any additional checks to ensure it only assigns CAS to students who have a realistic prospect of obtaining a Tier 4 visa. These checks may include:

- Conducting a student eligibility check with UKVI.
- Requesting proof of return to the student's home country, where a student has overstayed their visa and is not subject to an entry clearance ban, or where they must apply to extend their visa from their home country.
- Reviewing financial documents and tuition fee liability to the University.
- Requesting previous CAS statements relating to previous periods of stay in the UK with a student visa.
- Where appropriate, requesting an up to date TB certificate for students applying in their home country after a period of TW of 6 months or more.
- Any other checks the University feels appropriate in the circumstances.

The University will not assign CAS in the following situations:

- I. Where the intended course of study is not acceptable in accordance with the Tier 4 requirements.
- II. If there is any reason to believe the student will not comply with the conditions of their visa if granted (for example, where the University is aware that student previously worked in breach of their visa conditions).
- III. If the student has submitted documents which are proven or there is a reasonable suspicion that they are fraudulent.
- IV. If the course length would mean that the student would exceed any relevant cap on study as outlined by UKVI in their published guidance.
- V. Where the University believes assigning a CAS will put its sponsor licence at risk including where there are concerns about the intention to study and overall genuineness.
- VI. If the student is unlikely to obtain a visa to re-commence their studies on time (for example, after a period of absence).
- VII. If the course does not represent academic progression (for example, changing from MEng to BEng).
- VIII. Where the student has a negative immigration history, including a history of visa refusals.
- IX. If the student is unable to demonstrate that they meet the Tier 4 financial requirements, particularly where the student has an existing tuition fee or accommodation debt at the University of Surrey.
- X. If the student has previous criminal convictions and/or has been involved with terrorist activities.
- XI. If the student is intending to apply for Leave to Remain and has overstayed by a period exceeding 14 days.

- XII. Where the student is applying for Leave to Remain (meaning a visa application made inside the UK) within 14 days of their current visa expiring, unless there are exceptional circumstances (for example severe illness meaning that an in-time visa application could not have been submitted, or instances where documents were not available due to unavoidable circumstances including any documents that were previously retained by the Home Office).

Before assigning a CAS, the University will carry out checks to review whether the student is eligible to extend their visa inside the UK. These checks may include student eligibility checks conducted via UKVI.

If a Leave to Remain application cannot be made, the University will not assign a CAS for an Entry Clearance application (meaning a visa application made outside the UK) until the student has provided evidence that they are overseas, and able to make a valid visa application in the relevant country (evidence can be in the form of boarding passes, stamps inside the student's passport or other reasonably verifiable documents).

Where Academic Technology Approval Scheme ('ATAS') clearance is required, the CAS will not be issued until the University has obtained a copy of the ATAS certificate.

13.2 Visa Refusals

The University will only consider assigning one additional CAS following a visa refusal and only if the student can provide evidence to show there is minimal or no chance of their visa being refused a subsequent time.

Further CAS will not normally be assigned where the student has had a refusal due to failing a credibility interview.

Any student with a visa refusal will be reported to UK Visas & Immigration.

Any student with a visa refusal who requests a new CAS must provide to the University all pages of their Home Office refusal notice.

Provided the conditions of CAS issuing for visa extensions are met, the University will issue one additional CAS to the student following a visa refusal. If a visa is refused a second time the University will not issue a further CAS.

The University reserves the right to not issue a CAS to any student who has had their visa refused.

14. Communication

Details of the obligations of Tier 4 students and those of the University to monitor and report their non-attendance to the Home Office will be communicated to international students at various times and in various ways:

- Visa Compliance web pages on Student Services Centre website.
- Information sessions during International Orientation and Welcome Week.
- Details in online registration guidance.
- Information handed out at registration and available on our website.
- Ad-hoc e-mail communication from the Visa Compliance team.

Details of the University's policy will be communicated to academic and administrative staff via signposts to the appropriate web pages and also disseminated via the quarterly Visa Practitioners group.

15. Recording and reporting of information

Information recorded about individual students is recorded on SITS (the University's student record system) in a timely fashion by Student Services and Administration staff and is reported, when required, to the Home Office Sponsor Management System on a weekly basis.

Reporting to the Home Office will be completed in line with obligations and deadlines set by the Home Office.

16. Managerial oversight and review

The Director of Student Services and Administration, as Authorising Officer for the University, is accountable for providing assurance that the University is compliant with sponsor guidance as noted in "Tier 4 of the Points Based System: Guidance for Sponsors" and the Immigration Rules.

The Director of Student Services and Administration chairs the University's Visa Compliance steering group comprising the Deputy Director of HR, Head of Student Data, Records and Systems, the Student Data & Records Manager, the Visa Compliance Manager, and a representative from Unitemps. This steering group convenes twice a year and reports annually to the Executive Board, its terms of

reference being to review the University's working practices and to ensure compliance with its obligations under its licences and Tier 4 Sponsor status.

The Head of Student Data Records and Systems convenes a fortnightly operations group which oversees activities and monitoring relating to non-EEA students. The other members of this group include the Head of Student Advice (Money, Housing, and International), the Deputy Head of Admissions, the Student Data & Records Manager and the Visa Compliance Manager.

This policy will be reviewed on a regular basis to ensure it remains compliant with the Tier 4 Sponsor Guidance and Immigration Rules as well as good sector practice.

Version	Amended By
June 2014	Katie Robertson, Assistant Registrar (Visa Compliance)
September 2014	Tom Holloway, Assistant Registrar (Visa Compliance)
October 2015	Wendy Ross, Student Data & Records Manager Tom Holloway, Visa Compliance Manager
January 2016	Melissa Cadby, Student Data & Records Manager Anes Kaczor, Visa Compliance Manager
December 2017	Melissa Cadby, Student Data & Records Manager <i>(corrected date stamp – previously noted as Jan 2016)</i>