

## Confirmation of Acceptance of Study ('CAS') issuing policy for applicants and students

- 1. Purpose**
  - 1.1. This document sets out the University of Surrey's ('the University') policy regarding the issuance of CAS statements to applicants and students. 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 Tier 4 Policy Guidance](#), [Tier 4 Sponsor Guidance](#) and [the Immigration Rules](#); where these change the current version applies irrelevant of when the CAS is issued. 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. 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 ('PBI') system.
- 2. Key Responsibilities**
  - 2.1. The Director of Student Services and Administration is responsible for the management and implementation of this policy and any accompanying procedures. The Visa Compliance Team, Admissions, and International Student Support will also assist in the implementation and management of this policy.
  - 2.2. All University staff working with applicants from outside the European Economic Area ('EEA'), requiring a Tier 4 (General) Visa must ensure that this policy is adhered to.
- 3. Tier 4 Sponsorship and CAS Assignment**
  - 3.1. Applicants requiring a Tier 4 visa may not defer their admission to the University; they will be required to re-apply to the University for the relevant academic session.
  - 3.2. All applicants are required to complete a CAS Request Form and provide all supporting documents requested by the University. Continuing students may be asked for additional documents, including bank statements. Students deemed "low risk" by the Home Office will still be required to provide the relevant documents to International Student Support before a CAS will be issued.
  - 3.3. The Admissions team is responsible for assigning CAS to applicants starting a new course at the University ('applicants').
  - 3.4. International Student Support is responsible for assigning CAS to existing students extending visas to complete their studies with the University ('students').
  - 3.5. The University will make all reasonable efforts to ensure that offer of admission are only made to applicants who are likely to be eligible for a CAS statement.
  - 3.6. However, an offer on a course of study is not a guarantee that the University will issue a CAS. The CAS will only be issued after a full assessment of an applicant's previous UK study, including assessment of progression and assessment of genuine intention to study. The Admissions team may request immigration history check from the Home Office in some case.
4. The University will only assign a CAS to eligible applicants.

- 4.1. CAS can be issued to applicants if they have:
- An unconditional offer to study; and
  - Firmly accepted that offer; and
  - Have paid any tuition fee deposits where applicable; and
  - Completed the CAS request form satisfactorily; and
  - Provided all requested academic and visa-related documentation.
- 4.2. The above must be fulfilled early enough for the applicant to start their course. The University will use its discretion when issuing CAS close to the start of course, but generally will not issue CAS less than two weeks before the latest start date of each semester. Some courses require an earlier start date which applicants will be advised of. Research students are required to start their course within one month which will be considered when issuing CAS.
- 4.3. Students will not be issued CAS if it is too late to return to studies – the academic department may be consulted to establish an appropriate timeframe.
- 4.4. CAS will not be assigned more than 3 months before the official course start date. For example, for courses commencing in September of any given year, CAS statements will not be issued any earlier than June of that same year. Continuing students will not be issued CAS more than three months before their return date.
- 4.5. The University may make any additional checks to ensure it only assigns CAS to applicants who have a realistic prospect of obtaining a Tier 4 visa. These checks may include:
- Conducting a Student Eligibility Check with UKVI;
  - Reviewing financial documents;
  - Requesting previous CAS statements relating to previous periods of stay in the UK with a student visa;
  - Requesting current Police Registration Certificates in the case of continuing students;
  - Any other checks the University feels appropriate in the circumstances.
- 4.6. The University will not assign CAS in the following:
- 4.6.1. Where the intended course of study is not acceptable in accordance with the Tier 4 requirements;
- 4.6.2. If there is any reason to believe an applicant or student will not comply with the conditions of their visa if granted (for example, this would include instances where the University is aware that an applicant or student previously worked in breach of their visa conditions, or there is evidence of historic overstaying);
- 4.6.3. If an applicant has submitted documents which are proven, or there is a reasonable suspicion that they are, fraudulent. The University will report such cases to UKVI;
- 4.6.4. If the course length would mean that the applicant or student would exceed any relevant cap on study as outlined by UKVI in their published guidance;
- 4.6.5. 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;
- 4.6.6. If an applicant or student is unlikely to obtain a visa to commence their studies on time;

- 4.6.7. If the course does not represent academic progression (defined in the Tier 4 guidance) in accordance with part 8 of this policy;
- 4.6.8. Where an applicant or student has a negative immigration history, including a history of visa refusals;
- 4.6.9. If an applicant or student has a history of non-engagement with their studies at the University of Surrey, particularly if the student has been terminated for lack of engagement;
- 4.6.10. If an applicant or student is unable to demonstrate that they meet the Tier 4 financial requirements. This may include whether the student is currently in debt to the University;
- 4.6.11. If an applicant or student has previous criminal convictions. Criminal convictions declared on application will be reviewed in accordance with Admissions policy. If an applicant with criminal convictions is made an offer, it may be appropriate to further review with Visa Compliance to assess risk in line with Home Office advice. If criminal convictions are not declared on application but subsequently come to light, the University reserves the right to withdraw a CAS;
- 4.6.12. If an applicant or student has been involved with terrorist activities;
- 4.6.13. If an applicant or student is intending to apply for Leave to Remain and has overstayed. Consideration will be given to applicants and students who are overstaying due to 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;
- 4.6.14. If a student is applying for an extension of their original Tier 4 visa, but is no longer expected to be actively engaged with their studies (for example attending classes, lectures, lab sessions etc);
- 4.6.15. If a student is applying for an extension of their original Tier 4 visa in order to attend a Viva Voce examination which is beyond their registration period. A student who is taking their Viva Voce examination will be advised to apply for a short-term student visa in accordance with Home Office guidance;
- 4.6.16. If the applicant does not satisfy the relevant English language requirements, either for visa purposes or academically;
- 4.6.17. Where Academic Technology Approval Scheme ('ATAS') clearance is required, unless the University has obtained a copy of the ATAS certificate.
- 4.7. Before assigning a CAS in accordance with this policy, the University will carry out checks to ensure that an applicant or student applying for Leave to Remain (meaning a visa application made inside the UK) is eligible to extend their visa inside the UK. These checks may include Student Eligibility Checks conducted via UKVI.
- 4.8. 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 applicant or 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 Passport or other reasonably verifiable documents).

## **5. Withdrawal of CAS**

5.1. The University reserves the right to withdraw a CAS for an applicant or student if subsequent information comes to light which shows that a CAS should not have been issued for any of the reasons above, or if there are concerns that the applicant or student is no longer able to meet Tier 4 requirements. This may include:

- Issues around genuineness and credibility;
- Financial reasons;
- Lack of ATAS, or evidence of incorrect information submitted to the FCO when obtaining ATAS clearance;
- Other incorrect or invalid information on the CAS that cannot be corrected and requires a new CAS being issued;
- Where the University believes its sponsor licence would be at risk.

## **6. Academic Progression**

6.1. The University will apply the Tier 4 academic progression rules in all cases regardless of where the applicant intends to apply for a Tier 4 visa.

6.2. Details about how academic progression has been satisfied will always be included on the CAS statement.

6.3. The University will not normally issue a CAS to an applicant who has failed to successfully complete (meaning achievement of the qualification for which they were studying) a programme of study in the UK unless there are exceptional mitigating circumstances.

6.4. Academic progression cases will be considered by a panel. If the panel does not consider that academic progression can be justified, then the University will not issue a CAS. Further information in the form of a progression statement may be requested from the applicant.

6.5. Panel membership: Deputy Head of Admissions, Visa Compliance Manager, Student Data & Records Manager, Faculty Student Services Managers, Admissions Managers.

## **7. Programme Transfers**

7.1. Tier 4 students are generally prohibited from changing courses once a CAS has been used to support a visa application (this may include adding or dropping a placement year or integrated Master's year).

7.2. Where an applicant or student requests to change course, they will be required to submit a supporting statement and this will be considered by a panel as noted in 6.5. This statement will be kept on file as evidence that the transfer was assessed in line with Tier 4 regulations.

7.3. Transfers will only be approved if they are permissible within the current version of the Immigration Rules and/or Tier 4 Policy and Sponsor Guidance.

7.4. Transfers will not normally be approved unless the new course represents academic progression from the course for which the CAS was originally assigned.

## **8. Visa Refusals**

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

8.2. Further CAS will not normally be assigned where an applicant or student has received a

refusal due to failing a credibility interview for any current or future studies at the University of Surrey unless under exceptional circumstances.

- 8.3. The University is required to report all refusals to the Home Office in line with Home Office procedures.
- 8.4. Any applicant or student with a visa refusal must provide all pages of their Home Office refusal notice to the University regardless of whether they wish to be issued with a subsequent CAS.
- 8.5. Providing the applicant or student meets the conditions required to be issued with a CAS, the University will issue one additional CAS following a visa refusal. If a visa is refused a second time the University will not issue a further CAS for any current or future studies at the University of Surrey. The University will only consider issuing a third CAS in exceptional circumstances and providing further assurance is obtained.
- 8.6. The University reserves the right to not issue a CAS to any applicant or student who has had their visa refused.

## **9. Pre-sessional English Language Courses**

9.1. In line with Tier 4 of the Points Based System: Guidance for Sponsors, the University will issue a single CAS for the Pre-sessional 12 week English Language programme (PS12) and the main course of study where an applicant:

- Holds an unconditional offer for PS12;
- Has a valid Secure English Language Test at minimum B1 level in each of the 4 components of the test that is accepted by the University of Surrey;
- Holds an offer for a degree programme at the University of Surrey starting in September;
- Has met all other conditions of offer for the degree programme, by the given deadline, except for English language;
- Has paid their deposit for PS12;
- Has paid their deposit or provided satisfactory evidence of sponsorship for their main degree programme (where this is at PG level), or chosen the University of Surrey as their 'Firm' choice through UCAS (where this is at UG level)
- Meets the conditions of this policy;
- Has satisfactorily completed the CAS Request Form relating to the main programme of study.

9.2. Should an applicant fail to successfully complete PS12, they will be rejected for the degree programme and Tier 4 sponsorship will be withdrawn.

9.3. In line with Tier 4 of the Points Based System: Guidance for Sponsors, the University will issue a single CAS for the Pre-sessional 8 week English Language programme (PS8) and the main course of study where an applicant:

- Holds an unconditional offer for PS8;
- Has a valid Secure English Language Test at minimum B1 level in each of the 4 components of the test that is accepted by the University of Surrey;
- Holds an offer for a degree programme at Surrey starting in September;
- Has met all other conditions of offer for the degree programme, by the given deadline, except for English language;
- Has paid their deposit for PS8, and
- Has paid their deposit or provided satisfactory evidence of sponsorship for their main degree programme (where this is at PG level), or chosen the University of Surrey as their 'Firm' choice through UCAS (where this is at UG level);
- Meets the conditions of this policy;
- Has satisfactorily completed the CAS Request Form relating to the main course of

study.

9.4. Should an applicant fail to successfully complete PS8, they will be rejected for the degree programme and Tier 4 sponsorship will be withdrawn.

9.5. In line with Tier 4 of the Points Based System: Guidance for Sponsors, the University will issue a single CAS to cover the Pre-sessional 5 week English Language programme (PS5) and the main course of study where the applicant;

- Holds an unconditional offer for PS5;
- Has a valid IELTS, TOEFL or Pearson Test of English at a minimum of B2 level in each of the 4 components of the test;
- Holds an offer for a degree programme at Surrey starting in September;
- Has met all other conditions of offer for the degree programme, by the given deadline, except for English language;
- Has paid their deposit for PS5;
- Has paid their deposit or provided satisfactory evidence of sponsorship for their main degree programme (where this is at PG level), or chosen the University of Surrey as their 'Firm' choice through UCAS (where this is at UG level)
- Meets the conditions of this policy;
- Has satisfactorily completed the CAS Request Form relating to the main programme of study.

9.6. Where a PS5 applicant meets the above criteria as stated in 9.5, the offer for the degree programme will be updated to unconditional. Students are expected to successfully complete the Pre-sessional programme in order to progress to the degree course

9.7. In all other cases, providing the criteria stated in paragraph 4.1 have been met, a separate CAS will be issued for the pre-sessional course and a new CAS will be assigned for the main course when the student successfully completes the pre-sessional course, meets all conditions of their offer on the main course of study as well as meets the conditions of this policy.

## 10. Terms and Conditions of Tier 4 Sponsorship

10.1. All students sponsored by the University are expected to abide by the University's Tier 4 Institutional Policy. The University reserves the right to withdraw sponsorship at its discretion.

## 11. Policy Review

11.1. 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
November 2016	Katie Salt, Deputy Head of Admissions
April 2018	Melissa Cadby, Student Records and Data – in consultation with Admissions and International Student Support