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 Sponsors. This document can be accessed at [https://www.gov.uk/government/publications/sponsor-a-tier-4-student-guidance-for-educators](https://www.gov.uk/government/publications/sponsor-a-tier-4-student-guidance-for-educators)

In summary, our duties are:

<table>
<thead>
<tr>
<th>Duty</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>Document 2 ‘Sponsorship Duties’</td>
</tr>
<tr>
<td>2. To obtain and record all documentation relating to sponsored students as per Appendix D of the Immigration Rules</td>
<td>Appendix D ‘Keeping documents guidance for sponsors’</td>
</tr>
<tr>
<td>3. To meet educational oversight requirements as prescribed by the Sponsor Guidance</td>
<td>Document 1 ‘Applying for a Tier 4 Licence’ &amp; Document 2 ‘Sponsorship Duties’</td>
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<tr>
<td>4. To offer courses to sponsored students which comply with the Sponsor Guidance</td>
<td>Document 2 ‘Sponsorship Duties’</td>
</tr>
<tr>
<td>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</td>
<td>Document 2 ‘Sponsorship Duties’</td>
</tr>
<tr>
<td>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.</td>
<td>Document 2 ‘Sponsorship Duties’</td>
</tr>
<tr>
<td>7. To report details of any agents and other third parties used in recruiting international students</td>
<td>Document 2 ‘Sponsorship Duties’</td>
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1 Title correct as at August 2019
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.”

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 Records and Data) 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 MySurrey Hive 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).
6. Produce any corrected, updated, extended, or replacement immigration documents (e.g. vignette, BRP or other) to the MySurrey Hive for scanning and recording as soon as they are received.

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2 Tier 4 of the Points Based System: Guidance for Sponsors. Document 2: Sponsorship Duties
7. Keep their personal and current contact details up-to-date 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 Start-up visas

At its discretion, the University of Surrey will endorse individuals under the Start-up Visa. This visa is for current final year students coming to the end of their studies and external applicants who have an innovative, viable and scalable business. Holders of this visa have the following responsibilities during their leave:

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 and follow the checkpoint dates and requirements around monitoring.

³ In accordance with ‘University of Surrey A1 Regulations for taught programmes’
⁴ In accordance with ‘University of Surrey A2 Regulations for research degrees’
5. Agree to the University sharing information for publicity purposes.

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

Following the closure of the Tier 1 (Graduate Entrepreneur) route in April 2019 the University will no longer issue new endorsements of this type. Existing holders of this visa have the following responsibilities for the duration of their leave:

1. Provide 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 your working time on developing your business venture, although you 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.

7. 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.

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5 Tier 4 of the Points Based System – Policy Guidance
Students wishing to apply for a visa under the Doctorate Extension Scheme should refer to the University of Surrey’s Confirmation of Acceptance of Study (‘CAS’) issuing policy for applicants and students for further information on conditions when the University will and will not issue a CAS.

8. Selection and Admissions

8.1 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 Confirmation of Acceptance of Study (‘CAS’) issuing policy for applicants and students. 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 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 the avoidance of doubt, the issue of a CAS by the University does not necessarily mean that an applicant’s or student’s application for a Tier 4 visa will be successful. The University shall not be liable if any Tier 4 visa applications are refused by the UKVI.

For further information, please refer to the University of Surrey Confirmation of Acceptance of Study (‘CAS’) issuing policy for applicants and students.

8.2 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. 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.

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.

8.3 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 an ATAS clearance certificate.

9. Registration

All new non-EEA students are required to present at registration their passport and valid immigration documents, which may include a vignette, visa, entry stamp and/or Biometric Residence Permit (BRP).

Students are also required to provide the University with a UK contact address, alternative e-mail address, and telephone number.

Staff registering students will take reasonable steps to satisfy themselves of the authenticity of the documentation provided and will take scanned copies (in a format which cannot be subsequently altered) of each student’s current passport

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6 Tier 4 Sponsor Guidance, Document 2
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 may also be scanned.

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. The potential student will be removed from their programme of study and advised to return to their home country.

9.1 Tier 4 Registration

Tier 4 students will be expected to present their BRP card or full-duration vignette (Pre-Sessional visas only) at Registration. Tier 4 students will only be permitted to register using a temporary entry vignette and Home Office decision letter in exceptional circumstances, and only then if approved by a member of the Visa Compliance Team.

If the BRP is not ready for collection from the Post Office, students will be required to show confirmation from the Post Office – this is normally a form detailing the reason for the delay. In these cases, the BRP 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.

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

Students who have applied for but not yet been granted a new Tier 4 visa, and currently hold a Tier 4 visa with the University of Surrey sponsor licence number (for example, from a pre-sessional 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, and 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.
9.1.1 Tier 4 Supplementary Study

Students may be permitted to register for a Pre-Sessional English programme while holding valid Tier 4 Leave from a different sponsor provided they meet the Supplementary Study regulations within the Tier 4 Sponsor guidance.  

Students wishing to register under this regulation will be required to provide the following documents at Registration:

- The current Tier 4 BRP from the students’ existing sponsor.
- A formal letter from the existing sponsor confirming that by the point of registration for our Pre-Sessional programme, the student will have completed all studies of their original programme and that there are no further attendance requirements.

9.2 Non-Tier 4 Registration

Non-EEA students holding visas in categories other than Tier 4 may have to fulfil additional requirements to register, for example students holding Tier 2 leave intending to register for Full-Time programmes will only be permitted to do so following receipt of a letter from their employer confirming that undertaking their proposed programme of study will not interfere with their ongoing employment.

The University may be required to check with the Home Office whether a non-Tier 4 visa holder is eligible to study. In those cases, University staff will seek consent to share data from the visa holder. It may not be possible to register on a course until Home Office confirmation is provided.

For further information on eligibility to study, please contact visa-compliance@surrey.ac.uk.

9.3 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.

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7 Tier 4 of the Points Based System – Policy Guidance
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.

After each Registration period, students who have not completed the Registration or Re-Registration process, and are therefore not formally registered on their course, will be reported to the Home Office along with the reasons for the failure to register (if known) and contact details of each student.

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.

10. Change of circumstances

The University is expected to monitor and review Tier 4 students’ changes of circumstance in order to submit timely reports to the Home Office. This includes but is not limited to withdrawals, non-registration, and lack of engagement with the programme. The Visa Compliance team does this by reviewing the student record system and through correspondence with Faculty Student Services.

10.1 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 the specific circumstances listed below.

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 10.2 below).
10.1.1 Adding or dropping a Professional Training Year

Tier 4 students will be permitted to add a Professional Training Year (PTY) to their existing course subject to the following:

- Submission of a satisfactory supporting statement detailing how adding the placement will benefit the student’s future career and personal aspirations;
- A new Tier 4 visa covering the new course length must be obtained prior to the start of the PTY. In exceptional circumstances, the new visa can be obtained after the PTY has been completed. This will be assessed on a case by case basis and will only be approved in instances where the delay in obtaining a new visa was caused by external factors beyond the student’s control.

Tier 4 students requesting to drop the PTY will be permitted subject to the following:

- Submission of a satisfactory supporting statement detailing how dropping the PTY will benefit the student’s future career and personal aspirations;
- The request to drop the PTY must be made prior to the end of the year preceding the PTY (usually the second year of the course).

If the request to drop the PTY is approved, the student will not be required to obtain a new visa. When the student record is updated with the new course and end date, the Visa Compliance Team will report the change of circumstances to the Home Office. The University is required to submit a further notification to inform the Home Office of the early completion at the end of the course. At this point, the time remaining up until the original end date of the visa will be curtailed.

10.1.2 Transferring from a Bachelor’s degree to an integrated Master’s degree

Tier 4 students registered on a Bachelor’s degree which forms part of an integrated Master’s degree will be permitted to transfer to the integrated Master’s course (eg BEng to MEng) subject to the required academic results and the following:

- Submission of a satisfactory supporting statement detailing how moving to the integrated Master’s course will benefit the student’s future career and personal aspirations;
• A new Tier 4 visa covering the new course length must be obtained before the student can be transferred to the integrated Master’s course. In some cases, an ATAS certificate may be required.

Tier 4 students required to transfer from the integrated Master’s course to the equivalent Bachelor’s degree due to failure to meet the academic thresholds will usually be required to remain registered on the integrated Master’s pathway and will be awarded the Bachelor’s degree as an exit award. Following the award, the Visa Compliance Team are required to report the early finish and award of a lower level qualification to the Home Office and any time remaining up until the original end date of the visa will be curtailed.

In exceptional circumstances, it may not be possible to be awarded a Bachelor’s degree on an integrated Master’s course, for example due to the specification of the integrated Master’s course. Students in this situation may be issued a CAS to obtain a new visa for the Bachelor’s pathway. Due to academic progression rules, students will be required to make this visa application outside the UK, and must obtain their new visa before the course transfer can be approved.

10.1.3 Other Course Changes

Tier 4 students wishing to change to a new course not detailed above will only be permitted to do so if all the following criteria are met:

• Submission of a satisfactory supporting statement detailing how changing course will benefit the student’s future career and personal aspirations, and how the two courses are related to each other; and
• The Course Transfer Panel approves the course changes; and
• The new course can be completed within the time remaining on the original visa.

Course changes which are not normally approved include, but are not restricted to:

• A 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.
• A transfer to a lower level course, for example from MEng to BEng, MBus to BSc without exceptional circumstances.
• A transfer to any course without a strong supporting statement.
In exceptional circumstances the panel may agree to a course change where it is not possible to complete the new course within the remaining duration of the existing visa. This will normally only be agreed in situations where the course change is required due to factors beyond the student’s control. A non-exhaustive list of examples is:

- Significant and long term illness/medical issues.
- Withdrawal of the original course by the University.

Approval of a course change request and issuing of a new CAS does not guarantee that the visa application will be successful. 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 may not be able to continue on their original course.

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.

10.2 Course Transfer Panel

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.

The supporting statement will be considered by the Course Transfer Panel and must be approved in order for the transfer to be permitted on Visa Compliance grounds.

The panel is made up of representatives from Visa Compliance, Faculty Student Services, and Admissions.

Approval from the Course Transfer panel does not guarantee that the transfer request will be agreed by the other stakeholders in the course transfer process.

This supporting statement will be kept on the student record as evidence that the transfer was assessed in line with Tier 4 regulations.
10.3 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.

10.3.1 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.

10.3.2 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 is available from International Student Support.

10.4 Absences

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

10.4.1 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.
If the student does not resume their studies by the date intended, or if the temporary withdrawal is subsequently extended beyond 60 days, then the University will withdraw sponsorship of the visa at that point.

In the case of a further request for temporary withdrawal being approved less than 60 days after the end of a previous period, the new request will be taken as a continuation of the previous absence, and may result in sponsorship being withdrawn if the new total is more than 60 days.

10.4.2 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.

10.5 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 deemed 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.
10.5.1 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 deemed 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.

10.6 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 identify 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.

11. 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.

11.1 Taught Students

|   | 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. |

20 | University of Surrey Institutional Policy on students who are subject to Immigration Control August 2019
<table>
<thead>
<tr>
<th></th>
<th>Meeting with Personal Tutor in semester 1.(^8)</th>
<th>Engagement point. If concerns are carried forward from previous academic year, termination and reporting can take place at this point.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Review participation in semester 1 assignments/assessments.</td>
<td>Reporting Checkpoint 1 Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance.</td>
</tr>
<tr>
<td>3</td>
<td>Meeting with Personal Tutor in semester 2.(^9)</td>
<td>Engagement point. If concerns are carried forward from previous academic year, termination and reporting can take place at this point.</td>
</tr>
<tr>
<td>4</td>
<td>Review participation in semester 2 assignments/assessments.</td>
<td>Reporting Checkpoint 2 Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance.</td>
</tr>
</tbody>
</table>

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 can 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.

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.

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\(^8\) In accordance with the ‘University of Surrey Code of practice for personal tutoring’,  
\(^9\) In accordance with the ‘University of Surrey Code of practice for personal tutoring’,
11.2 Research Students

<table>
<thead>
<tr>
<th></th>
<th>Completion of initial registration / online re-registration</th>
<th>Engagement point. Failure to register/re-register will result in termination as per University general regulations and sponsorship duties.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>(October) Review activity in July-September (for continuing students from previous academic year)</td>
<td>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.</td>
</tr>
<tr>
<td>3</td>
<td>(January) Review activity in October-December</td>
<td>Engagement point, as previous.</td>
</tr>
<tr>
<td>4</td>
<td>(April) Review activity in January-March</td>
<td>Engagement point, as previous.</td>
</tr>
<tr>
<td>5</td>
<td>(July) Review monthly activity in April-June</td>
<td>Engagement point, as previous.</td>
</tr>
</tbody>
</table>

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.\(^{10}\) Research students who are writing up their thesis (on ‘completing status’) are also required to maintain contact with their supervisors in this manner.

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.

11.3 Professional Training Year & 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.

\(^{10}\) In accordance with the ‘University of Surrey Code of practice for research degrees’
Placement providers are required, by virtue of their contract with the University, to alert the University to any unauthorized 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 Global Engagement 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.

11.4 Former Students Sponsored Under Doctorate Extension Scheme

The Visa Compliance team will monitor that students issued with a CAS to apply for a Tier 4 Doctorate Extension Scheme (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.

11.5 Tier 1 (Graduate Entrepreneur) Endorsees

Student Enterprise will maintain contact with the endorsee and assess their progress through regular reports at intervals.

Student Enterprise will notify the International Student Support team or the Visa Compliance team directly if the endorsee does not keep in contact or miss a scheduled report without authorisation, or it is established that the endorsee 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.

11.6 Start-Up Visa Endorsees

Endorsees’ progress will be monitored by Student Enterprise via ‘checkpoints’ in the following months:
- Month 6
- Month 12
- Month 24

Student Enterprise will notify the International Student Support team or the Visa Compliance team directly if the endorsee does not keep in contact or misses a scheduled report without authorisation, or it is established that the endorsee 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.

12. 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, it the Visa Compliance team will endeavour to have established if:

- The student has left the UK and will either re-apply for new leave to enter (if appropriate and possible) to return either under Tier 4 or other leave, and any new documentation will be presented at the MySurrey Hive.
- The student has left the UK, but will not return to the University and will finish their studies overseas by remote submission.
- 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 MySurrey Hive.
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.

13. Tier 4 students and employment

Employment conditions are shown on the Tier 4 visa or Biometric Residence Permit. Sponsored students who are studying full-time 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 on Tier 4 visas are not permitted to work in certain jobs and should familiarise themselves with the Home Office Tier 4 guidance for further information. Self-employment or engaging in business activity is strictly prohibited – this can encompass a number of different activities. Students should speak with International Student Support or seek independent legal advice, and should review the “Working for yourself” guidance on the gov.uk website.

The Home Office takes illegal working very seriously, so students should ensure they do not breach the work conditions related to their Tier 4 visa. Students found to be breaching their work conditions risk the curtailment of their visa, a long term ban from the UK, fines, or a prison sentence. The University of Surrey is obliged to report breaches to the Home Office.

13.1 Working for the University of Surrey on a Tier 4 visa

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.

The Visa Compliance Team will inform Unitemps when a Tier 4 student visa is withdrawn earlier than the students original end date.

13.2 Undergraduate Tier 4 Students and Work

Undergraduate students have defined vacations at Christmas and Easter, and during the summer. Undergraduate students are eligible to work full time during the defined vacation period. Vacation dates can be found on the [University website](https://www.surrey.ac.uk).

13.3 Postgraduate Taught Tier 4 Students and Work

Postgraduate Taught students have defined vacations at Christmas and Easter however 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 or project submission date.

The only exception to this rule are postgraduate taught students undertaking full-time two year programmes; for these programmes the summer vacation at the end of the first year of study does not contain the dissertation/project submission and so is counted as a defined summer vacation.

Students studying on Part-Time Tier 4 visa are not permitted to work during their period of leave.

13.4 Postgraduate Research Tier 4 Students and Work

Postgraduate research students have no defined vacation periods, other than University closure days, and no more than 25 working days’ holiday allowance. A Postgraduate Research Tier 4 student may only work part time until awarded their degree.

Postgraduate Research students may be permitted to undertake a placement providing it is an “integral and assessed” part of their research. Please contact [visa-compliance@surrey.ac.uk](mailto:visa-compliance@surrey.ac.uk) for further information.
14. 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 information, advice, and guidance regarding students’ Leave to Remain in the UK and extensions of that Leave to Remain.

It is the responsibility of the student to ensure that they possess the correct visa, 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 after reviewing each student’s situation. Advice given is based on the information provided by the student at the time. 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. If students do not wish to seek advice from the University, it is recommended that independent legal advice is sought.

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

Information on CAS issuing for current students can be found in the Confirmation of Acceptance of Study ('CAS') issuing policy for applicants and students which includes:
• Criteria to be met before a CAS is issued
• When a CAS will not be issued
• Visa refusals

15. 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 and Immigration web pages on MySurrey – visas.surrey.ac.uk.
• Information sessions during International Orientation and Welcome Week.
• Details in online registration guidance.
• Information handed out at Registration.
• 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.

16. 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 Academic Registry 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.

17. Managerial oversight and review

The Chief Student Officer, 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 Chief Student Officer chairs the University’s Visa Compliance steering group comprising representatives from Human Resources, Visa Compliance, Admissions, and 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 Student Records and Data Manager convenes a fortnightly operations group which oversees activities and monitoring relating to non-EEA students. The other members of this group include representatives from International Student Support, Visa Compliance, and Visa Compliance.

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.

<table>
<thead>
<tr>
<th>Version</th>
<th>Amended By</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2014</td>
<td>Katie Robertson, Assistant Registrar (Visa Compliance)</td>
</tr>
<tr>
<td>September 2014</td>
<td>Tom Holloway, Assistant Registrar (Visa Compliance)</td>
</tr>
<tr>
<td>October 2015</td>
<td>Wendy Ross, Student Data &amp; Records Manager</td>
</tr>
<tr>
<td></td>
<td>Tom Holloway, Visa Compliance Manager</td>
</tr>
<tr>
<td>January 2016</td>
<td>Melissa Cadby, Student Data &amp; Records Manager</td>
</tr>
<tr>
<td></td>
<td>Anes Kaczor, Visa Compliance Manager</td>
</tr>
<tr>
<td>December 2017</td>
<td>Melissa Cadby, Student Data &amp; Records Manager</td>
</tr>
<tr>
<td></td>
<td>(corrected date stamp – previously noted as Jan 2016)</td>
</tr>
<tr>
<td>August 2019</td>
<td>Stefano Allodi, Visa Compliance Manager</td>
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