



UNIVERSITY OF
WINCHESTER

TIER 4 COMPLIANCE POLICY AND PROCEDURES



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Document Author:	Dee Povey, Academic Registrar
Responsible Person and Department:	Dee Povey. Academic Registrar, Registry
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<p>Policy Summary:</p> <p>This document defines the policy and procedures for compliance with the Home Office regulations relating to Tier 4 students sponsored by the University.</p> <p>Senate first approved the Policy on 17 April 2014. This version is edition 4.</p> <p>The Policy is specific to the University of Winchester and does not cover all immigration and Tier 4 sponsor requirements. It is next due for review in summer 2020 in advance of the 2020-21 academic year but will be amended for re-approval sooner if appropriate, for example in response to UKVI Policy change.</p>	

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1. Policy Introduction

The UK Visa & Immigration Directorate of the Home Office (UKVI) requires Higher Education Institutions to undertake a range of duties and responsibilities as Sponsors of Tier 4 Overseas students. These focus on issuing of Confirmation of Acceptance for Studies (CAS); Record Keeping and Reporting Duties.

The Academic Registrar is Authorising Officer & Key Contact for UKVI and has overall responsibility for the University's relationship with UKVI.

The Assistant Academic Registrar (International) is the University's Tier 4 Compliance Officer and is responsible for ensuring that the University complies with UKVI requirements as outlined in their Policy Guidance.

2. Key Requirements of UKVI Policy Guidance

The University's Tier 4 Policy reflects requirements set out in UKVI's Policy Guidance as follows:

- 2.1 The University shall allow access to UKVI staff; apply their guidance; supply ad hoc data; use the UKVI on-line Student Management System (SMS) and strive to ensure that the University's sponsored students arrive, enrol and complete their studies.
- 2.2 The University shall issue a CAS for any Tier 4 student that it wishes to sponsor. The CAS contains essential information on the student's programme, background, fees and English language (where required). The CAS is a key instrument used by the student to obtain their visa.
- 2.3 The University will keep copies for all Tier 4 students it sponsors of up-to-date passport (specific pages); visa (or BRP); contact details; attendance data and key documents supporting their application.
- 2.4 The University will report students who do not enrol; cease contact; have their sponsorship terminated or have significant programme changes. The University will also report details of recruitment 'intermediaries' and students believed to be breaching or attempting to breach visa conditions or involved in terrorism or other criminal activity.

Failure to comply with UKVI requirements may result in the loss or suspension of the University's 'licence' to sponsor Overseas Tier 4 students.

Furthermore, the UKVI sets certain performance indicators (PI) to measure CAS issuing, enrolment and completion. Underachievement against these PIs can lead to penalties against the University.

Tier 4 students can only enrol on programmes that meet certain requirements; these are that the programme must be at NQF 3 or above (except English language courses); the programme must be full-time and must lead to an approved qualification. There are additional conditions about the place of study and any work placements.

Full details of current UKVI Tier 4 requirements are available on the UKVI website and the Tier 4 pages of the intranet. The Assistant Academic Registrar (International) can provide clarification.

Non-Tier 4 International students who are subject to an immigration status are also monitored in keeping with UKVI's Immigration Policy.

3. Specific Responsibilities at the University of Winchester

3.1 CAS Issuing

UKVI Requirement	Responsibility
Issue CAS to new students	Student Recruitment & Admissions (SRA) – Admissions Office
Issue CAS to continuing students	Student Services (International Student Officer) & Registry (Assistant Academic Registrar (International))

3.2 Record Keeping

UKVI Requirement	Responsibility
Copies of relevant passport pages, visas, BRP cards	(International Student Officer and Assistant Academic Registrar (International – using VALIDATE & SITS software
Contact details	(International Student Officer and Assistant Academic Registrar (International – on SITS
Absence / Attendance records	Faculties – accessible by Assistant Academic Registrar (International)
Evidence used for CAS issuing	Student Recruitment & Admissions (SRA) and Registry – in student files

3.3 Reporting Duties

UKVI Requirement	Responsibility
Student visa refused	Student Recruitment & Admissions (SRA) – new students; Assistant Academic Registrar (International) – returning students
Student fails to enrol	Student Recruitment & Admissions (SRA) – new students; Assistant Academic Registrar (International) – returning students
Student withdraws/ defers	Student Recruitment & Admissions (SRA) – new students; Assistant Academic Registrar (International) – returning students
Student contact stops	Faculties / International Student Officer/ Assistant Academic Registrar (International)

Stop sponsorship -other reason: eg change of immigration category/programme/work placement. Complete programme early.	Assistant Academic Registrar (International)
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4 Recruitment and Admissions Procedures

- 4.1 Tier 4 students will apply to the University in the same manner as other students, either via UCAS or using a University of Winchester Application Form.
- 4.2 Any Agent or other intermediary will be appointed and managed in line with the University's Agent Policy.
- 4.3 Prior to an offer being made, applications will be checked by the Admissions Office staff to ensure that UKVI immigration academic requirements can be met. This requirement is in addition to the University's published entry requirements.
- 4.4 Offers to Overseas Nationals will be made in the usual way, but will include additional information alerting applicants to UKVI immigration requirements.
- 4.5 Once a Tier 4 student has accepted an unconditional offer, a CAS Request Form will be sent to the student to enable the University to collect further information required before a CAS can be issued, in particular in relation to UK Immigration history. This form is available from staff in Student Recruitment & Admissions.
- 4.6 Self-sponsored Tier 4 students are normally required to pay a deposit of £2K before a CAS is issued.
- 4.7 A CAS Checklist must be completed and kept on the student file, to ensure that all necessary requirements have been met. See example in Appendix iii.
- 4.8 The CAS will be assigned in line with UKVI guidance, by an appointed Level 1 or Level 2 user on the UKVI Sponsor Management System (SMS). The CAS request will be raised on SITS.
- 4.9 Applications for Tier 4 visas from Overseas Nationals already in the UK will only be accepted after consultation with the University's International Student Officer. In-country Tier 4 applications must be made using the Batch Scheme at the University of Winchester.
- 4.10 A CAS will only be issued where the probability of success is 'extremely high'. The CAS will only be passed to the student after this has been determined.
- 4.11 If a Tier 4 visa is refused, Admissions Office staff will request a copy of the 'Refusal of Entry Clearance'. Admissions Office staff will report on the SMS that the student was refused, together with the reason(s) why. Once this has occurred, Admissions Office staff will review the application to decide whether to issue the applicant with a new CAS. This decision takes into account the reasons for refusal, the current date, latest arrival dates and whether the applicant still wishes to come to the UK / Winchester. If a decision is taken not to issue another CAS the student may then apply for a tuition fee deposit refund.

5 Enrolment Procedures

- 5.1 Records for new overseas nationals will be transferred from the Admissions Office to the Assistant Academic Registrar (International)/International Student Officer prior to enrolment.
- 5.2 Students with places in University halls enter their accommodation.
- 5.3 Students will complete pre-enrolment processes with both the International Student Officer and Assistant Academic Registrar (International) using an Enrolment Checklist:
 - 5.3.1 As the University is now officially an Alternative Collection Location (ACL), students will be able to collect their BRP's during the pre-enrolment process if they provided our ACL number when they applied for their visa.
 - 5.3.2 Passport & Visa scan – Passport & visa / BRP will be checked and scanned into TSSI Validate software. Students without correct documentation will be temporarily enrolled 'CP' and appropriate assistance provided to facilitate collection. Details will be entered onto Enrolment Checklist. See example in Appendix iii.
 - 5.3.3 Qualifications check – Originals used for admissions decision will be checked, then signed and dated as true copies and held on file to go to Registry. Enrolment Checklist will be endorsed. If originals have not been seen at this stage, then student may be provisionally enrolled, pending their production.
 - 5.3.4 Tier 4 Declaration – will be signed (electronically) by student and held on file.
 - 5.3.5 Students are required to attend an 'Orientation' session, which will include a component on Tier 4 compliance obligations.
 - 5.3.6 Bank letter will be issued. Enrolment Checklist will be endorsed.
 - 5.3.7 Ensure tuition & accommodation fees paid. Finance to endorse Enrolment Checklist.
 - 5.3.8 Register with Doctor. Enrolment Checklist will be endorsed.
 - 5.3.9 Police Registration for relevant nationals (usually on campus) – Confirmation to be obtained from Hampshire Constabulary and entered onto Enrolment Checklist.
 - 5.3.10 Student enrolls with Registry - (ID required again / enrolment confirmed on SITS).
 - 5.3.11 Student collects ID card, if not previously supplied.
- 5.4 Student collects timetable and starts attending their programme.
- 5.5 Student files and records updated in Registry with:
 - 5.5.1 Any new contact details (SITS)
 - 5.5.2 Signed copies of 'evidence' documents (Registry file)
 - 5.5.3 Visa number & expiry date (SITS), if not previously collected.
- 5.6 The Tier 4 Immigration Log will be completed by Assistant Academic Registrar (International).
- 5.7 Students who fail to produce all necessary documentation by the end of teaching week 4 will be contacted by Registry and will normally be withdrawn if documents have not been produced after a further 10 working days.

6. Attendance Monitoring Procedures

6.1 Absence Guidance for Tier 4 Students

Student attendance is monitored by logging student contacts.

Examples of student contact include:

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

If a student has not made contact for two weeks, or has missed 10 consecutive contacts (whichever is the earlier), then the Faculty will e-mail the student immediately to re-establish student engagement. If after a further week, the Faculty decides to give the student Authorised Absence, then the Authorised Absence should be recorded by the Faculty on the SAB screen on SITS and the International Student Officer and Assistant Academic Registrar (International) notified. The Tier 4 Absence process map can be used to assist with this process.

If the Faculty has been unable to re-establish student contact, or provide Authorised Absence after the third week of absence, they will advise the International Student Officer that there is 'Cause for Concern'.

The International Student Officer will contact the student and after one week from referral will determine whether there is some other acceptable (support/ welfare) reason to give Authorised Absence. If the International Student Officer recommends Authorised Absence, the Administrator with Tier 4 Monitoring responsibilities will enter the details on the SAB screen.

If not, the International Student Officer will inform the Assistant Academic Registrar (International), so that consideration can be given to UKVI reporting.

If reported to UKVI, the Assistant Academic Registrar (International) will advise the student, their Home Faculty, Student Services and Housing Office, as appropriate, and record the details on SITS (SPR Notes and the Tier 4 Event Log).

6.2 Postgraduate 'Writing Up' students

The Home Office regulations allow the University to sponsor postgraduate students who are writing up a dissertation or thesis. There must be regular contact with the student and the contact details of the student (including telephone numbers) must be kept up-to-date.

If the student's participation is not required for 60 days or more, then the Faculty needs to alert the Assistant Academic Registrar (International) to report the student to UKVI.

If contact with a 'writing up' student ceases, then the 'Absence Guidance' in 6.1 above applies.

6.3 Resit and Repeating Students.

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

- 6.3.1 If the student needs to attend both semesters then the University will continue to sponsor the student. The student should be referred to the International Student Officer, as they will need to extend their visa before the revised end of the programme.
- 6.3.2 If the student only needs to attend one semester, then the Assistant Academic Registrar (International) will email the student to advise them that, under the Tier 4 policy, the University is required to report that they are no longer studying. They should look to leave the UK as soon as possible (ideally within 60 days of suspending/interrupting studies) and they should consider their visa as curtailed, and cancelled from the day they leave the UK. A copy of the notification is sent to the International Student Officer and attached to the student file. Three months before they are due to start back, or as soon as practically possible, they should contact the International Student Officer to request a new CAS and obtain a new visa to return in time for the restart date.

6.4 Interrupting Students

If a student requests to interrupt studies and this is agreed, then the procedure in 6.3.2 above will apply.

6.5 Students undertaking 'fieldwork' away from the University.

If a student is undertaking a major project away from the University then contact details and a record of 'contact' will need to be kept. The Administrator with Tier 4 monitoring responsibilities in the student's home faculty should complete this task.

6.6 Students on Placement.

- 6.6.1 Tier 4 students may undertake a work placement if it is an integral and assessed part of the programme, but it must not normally be more than 50% of the total length of a programme.
- 6.6.2 The University remains responsible for the student during their work placement and shall continue to comply with all sponsor duties, including those relating to attendance monitoring and the maintenance of current contact details. The Administrator with Tier 4 monitoring responsibilities should enter details on the SAB screen.
- 6.6.3 The Administrator with Tier 4 monitoring responsibilities is responsible for ensuring that the work placement provider is aware of the requirements relating to Tier 4 students in their work place.

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

- 6.7.1 If a current Tier 4 student is outside the UK and fails to get a visa extension, then the University has two options:
 - i. If attendance is required, then the University should suspend the student and advise them that they may re-join at an appropriate later date, with a new visa.
 - ii. If attendance is not required, then the University will keep them current and allow them to write-up/ complete from abroad

- 6.7.2 If a current Tier 4 student is in the UK and fails to get a visa extension, then the University must tell them to return home, suspend their studies and:
- i. If attendance is required, advise them that they may re-join at an appropriate later date, with a new visa.
 - ii. If attendance is not required, re-enrol them, once the University is certain that they have returned home.

7. Re-registration Procedures

- 7.1 Assistant Academic Registrar (International) runs Overseas Nationals Report and prepares Tier 4 list.
- 7.2 Tier 4 students invited to re-registration events in November and March, organised by International Student Officer/Assistant Academic Registrar (International).
- 7.3 Tier 4 list used as register at three checkpoint events:
- 7.3.1 Checkpoint held on Main Campus.
 - 7.3.2 Students to bring Passport, Visa/BRP, Student ID Card and latest contact information
 - 7.3.3 Passport and Visas checked against data on SITS and re-scanned if required.
 - 7.3.4 SITS contact details checked and updated if required
- 7.4 Non-attenders chased by Assistant Academic Registrar (International) and called for individual visits to carry out functions in 7.3.
- 7.5 Where students are unable to attend individual visits in 7.4, Faculties may be asked to confirm attendance.
- 7.6 Files and SITS records updated with new visa numbers, visa expiry dates and any other new or amended data.
- 7.7 Tier 4 Event Log updated by Assistant Academic Registrar (International).
- 7.8 Students who cannot be shown to be 'present' will be reported to UKVI (via SMS) within 10 working days of checkpoint end.

8. Tier 4 Compliance Monitoring.

- 8.1 The Assistant Academic Registrar (International) will undertake a number of scheduled activities throughout the year to monitor the University's compliance. The key activities to be monitored include:
- 8.1.1 Completeness of Passport and Visa records relating to Overseas Nationals
 - 8.1.2 Completeness of Tier 4 student contact details on SITS
 - 8.1.3 Attendance records in Faculties
 - 8.1.4 Completeness of Registry files
 - 8.1.5 Changes to UKVI policies and regulations
 - 8.1.6 Adherence to 'Procedures' in sections 4-7 of this Guidance.
- 8.2 A record of key Tier 4 monitoring activities for each student will be maintained on the Tier 4 Event Log in SITS, visible on the Personal Data screen (SPD).

Appendix

Glossary of Abbreviations

BRP	Biometric Residence Permit
CAS	Certificate of Acceptance for Studies
PI	Performance Indicator
SITS	Student Records System used by the University
SMS	The on-line Student Management System of the UKVI
UKVI	The UK Visa & Immigration Directorate of the Home Office