

Tier 4 and International Student Admissions Policy and Procedure

POLICY

1. This policy sets out the College's aims for the recruitment and admission of international students. It describes the principles and processes which are used to select and admit international students to undergraduate courses, while adhering to Home Office rules and regulations.
2. This policy is consistent with good admissions practice for international students in higher education, as defined by the Home Office Tier 4 Sponsorship policy guidance documents:

[Applying for a Tier 4 license](#)

[Sponsorship duties](#)

[Tier 4 compliance](#)

[Creating CAS](#)

[Immigration Rules](#)

[User manuals: Sponsorship Management System \(SMS\)](#)

SCOPE OF THE POLICY

3. This policy is intended to give guidance to applicants and staff on the College's policies for admitting international students to its programmes, linking to processes and procedures that ensure that we are compliant.

RESPONSIBILITY

4. The responsibility of this policy lies with the College's Tier 4 Compliance Coordinator and the Academic Registrar.

COLLEGE (SPONSOR) DUTIES

General Duties

5. The College must comply with a number of duties in order to be granted and retain its Tier 4 Sponsor licence.
6. The College must apply for a Basic Compliance Assessment through SMS after holding the licence to sponsor for 12 months.
7. General duties include, but are not limited to, complying with the law, record-keeping, monitoring and reporting in relation to any sponsored migrants.

8. Home Office guidance states that *"...as a Tier 4 sponsor, you are expected to contribute to supporting Immigration control. In particular, you must take reasonable steps to ensure that every student at your institution has permission to be in the UK."* Failure to do so may lead to the revocation of the College's licence.

Record Keeping Duties

9. As a sponsor, the College is required to keep copies of specific documents that demonstrate that its Tier 4 students have permission to be in the UK and to undertake studies with that sponsor.

Translations of Document

10. Where any required documents are not in English, the applicant must provide the original document and a full translation that can be independently verified by the Entry Clearance Officer (ECO), Immigration Officer or the Secretary of State.

Failure to Enrol

11. The College, as a Tier 4 Sponsor, is required to report any Tier 4 student who does not enrol. A report must be made within 10 working days of the date on which the enrolment period ends. If the student has already been granted leave, this will be curtailed with immediate effect if the student is in the UK, or cancelled if the student has not yet travelled to the UK.

Failure to Engage with Study (Maintain Contact)

12. Official contact with international students is required to take place 10 times a year due to Home Office regulations.
13. If Tier 4 students miss 10 consecutive contacts they must be reported to the UKVI, and the College will inform the student and the UKVI that they are withdrawing their sponsorship using the UKVI reporting procedure (Please see NCH Tier 4 Sponsor Procedure document for more information).

Significant Changes in Sponsor's Circumstances

14. The College must report within 20 working days any significant changes in its own circumstances, including mergers, takeovers, insolvency, new principals or owners, and ownership of new property to be used for Tier 4 students study.

SPONSOR MANAGEMENT SYSTEM (SMS)

Staff Responsibilities

15. **Authorising Officer - Chief Operating Officer:**
Most senior person responsible for the recruitment of students and ensuring that NCH's duties are met.
16. **Key Contact - HR & Operations Manager:**
To act as the main point of contact between the sponsor and the Home Office.
17. **Level 1 User - Tier 4 Compliance Coordinator:**

To undertake the sponsor management system activities

Staff Changes

18. The policy guidance for Tier 4 sponsors states that any changes of these personnel must be reported to the Home Office promptly.

CONFIRMATION OF ACCEPTANCE FOR STUDIES

General CAS Information

19. The CAS costs the College a fee which is non-refundable.
20. The CAS is the College's confirmation to the Home Office that it has assessed the students intention and ability to study a course that meets the Tier 4 requirements, that the student has an unconditional offer to study that course, and that the student will comply with all relevant requirements and conditions of leave.

20.1 "The CAS number is a unique reference number electronically issued by a Sponsor via the Sponsor Management System (SMS) to an applicant for entry clearance, leave to enter or remain as a Tier 4 Migrant in accordance with these Rules."

21. The CAS is worth 30 points in a visa application (maintenance is worth 10). It must contain the information specified in the Immigration Rules, the Tier 4 policy guidance for migrants and the Tier 4 policy guidance for sponsors.

Providing A CAS Statement for Applicants

22. The College will provide an electronic letter in .pdf format for the students containing their CAS record or 'statement' comprising of the information which the College as the students sponsor, have used for the CAS. The student can then use this as a part of their visa application, to ensure that the information matches the information that we have provided to the Home Office.
23. If the fees are updated or a sponsor note with new information is added on SMS, the Home Office recommends that the College sends a revised CAS statement to the applicant.
24. The College will recommend to the student that they carry their CAS statement with them through immigration control in case they are asked questions about their course, Tier 4 sponsor or funds.

Course Start and End Dates

25. The course start date is the date of enrolment in person, or induction on the course, whichever is earlier. The latest start date is the latest possible date for enrolment, which will be the Friday before Reading Week. This is an allowance given to international student in case they have any problems travelling or obtaining their visa in time. The UK Immigration Officers at all the UK airports will refuse the student entry into the UK if they arrive after the latest start date of your course (as detailed on your CAS email). The course end date is the date by which the student is expected to have completed all academic elements of the course.

ASSESSING A STUDENT'S ABILITY AND INTENTION TO STUDY

Responsibility

26. The College must be able to demonstrate to the Home Office it is as confident as is reasonably possible that all of its students are able and intend to undertake and complete the course of study for which they have an unconditional offer.

Intention to Study - Academic Ability

27. Before the College sponsors an international applicant and assigns a CAS, it is required by the Home Office to assess the student's ability to follow the chosen course of study. The College must state on the CAS what evidence it has used to make this assessment, for example, academic certificates.

Intention to Study - Funds

28. The CAS must state the course fees for the first year of the course (if the course is longer than one year). If the student has already paid some or all of the fees, this will be stated on the CAS or in a paper receipt (the College will provide both of these).
29. If the College is offering a scholarship to the applicant then this must be stated on the CAS or in a letter (the College will provide both).
30. The Home Office has not stated that it is a requirement for Tier 4 sponsors to check that students hold funds for the visa application and study, however the high court has held that *"It is not unreasonable to expect a sponsor to satisfy itself that an applicant will be able to meet the maintenance criteria before issuing a CAS."*

Intention to Study – Credibility Interviews

31. Since August 2014 the Home Office have changed the format of the credibility interviews to give the Entry Clearance Officer (ECO) undertaking the interview the power to refuse a visa application *"if they have reasonable grounds that for doubting that the applicant is a genuine student. This includes where the applicant has been interviewed but the doubt remains."*
32. Applicants should be able to hold a basic conversation in English without needing an interpreter or their visa will be refused.
33. The factors that are taken into consideration when assessing credibility can be found in the Tier 4 Guidance based on [Immigration Rules](#).

FUNDING

Source of Funds

34. Funds can be provided from any lawful source, including employment in the UK, savings, income, loans, employers inside or outside the UK, family members and friends, education providers, governments, or international scholarship agencies.

Unacceptable Fund Sources

35. The Immigration Rules make it clear that neither overdraft facilities nor credit cards are acceptable.

36. Although the funds can have a wide variety of sources, the ways in which those funds must be held and the ways in which they must be evidenced are very limited.

OTHER TIER 4 (GENERAL) REQUIREMENTS

Academic Progression

37. If a student is applying to study a new programme in the UK and has previously studied in the UK using a Student or Tier 4 (General) Student visa, the new programme must represent academic progress from the previous study. The *Tier 4 Policy Guidance* states:
 38. That for a course to represent academic progress from previous study, the course must:
 - 38.1 Be above the level of the course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student; or
 - 38.2 Involve further study at the same level, which the Tier 4 Sponsor confirms as complimenting the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student.
39. Therefore, the College has a duty to report any previous UK study on a Tier 4 (General) visa on the CAS statement.

Assessment of English Language

40. The College must state in the 'evidence used to obtain offer section' of the CAS that the applicant has attained the minimum level of English, and how the assessment has been made. If the assessment is via the use of an English test with the four standard components (writing, reading, speaking and listening) these scores must also be stated on the CAS. The test must still be valid (SELTs expire after 2 years, from the date taken), on the date in which the CAS is assigned, even if it expires before the student applies for leave or starts the course.

Exemptions to The English Language Requirement

41. Exceptions to the English Language requirement can be found in the [Policy Guidance](#).
42. The College must then state that they are using this exemption in the 'evidence used to obtain offer section' of the CAS.

Time Limit – Caps on Periods of Student Leave at Degree Level

43. The cap the Home Office has put on degree-level students is five years, however there are some exceptions (these are not relevant to the College as they mainly include science degrees and PhDs).
44. The College will calculate this period of time by looking at the period of time the student has studied as a Tier 4 (General) Student visa holder and as a pre-Tier 4 Student visa holder. This also includes periods of leave (immigration permission) before and after study (students on courses of 12 months or more are allowed to enter the UK one month before the course start date and remain for four months after the programme has ended).

Police Registration

45. Students may need to register with the police as they will be coming to the UK for longer than 6 months. They will be told if they need to register with the police on one of the following documents:
 - 45.1 Their entry visa vignette;
 - 45.2 Their biometric residence permit (BRP);
 - 45.3 The Home Office letter that approved their application for leave.

Tuberculosis Tests for Visa Applicants

46. Students will need to have a tuberculosis (TB) test if they are coming to the UK for more than 6 months and are a resident of a **country listed by the UKVI**.

PROCEDURES

DOCUMENTS TO BE INDEXED:

- Passport;
 - Visa;
 - Academic Qualifications;
 - English Language Documents;
 - Under 18 consent form (if applicable);
 - Bank statements;
 - Deposit receipt;
 - Student contact details;
 - Records of student attendance.
- 47 These will be stored manually and electronically. The College will keep in regular contact with all international students throughout their course to ensure that we have up to date information regarding any changes in circumstances, including but not limited to contact details, changes in name, or immigration status.

TRANSLATIONS OF DOCUMENTS

- 48 The translation must be dated, and must include:
 - 48.1 Confirmation that it is an accurate translation of the original document
 - 48.2 The full name and original signature of the translator or an authorised official of the translation company;
 - 48.3 The translator or translation company's contact details;*

* If these details are not provided on the translated document, these will need to be provided separately.

AMENDING A CAS AFTER IT HAS BEEN ASSIGNED

- 49 Acceptable amendments for the College to make to the CAS after it has been assigned are corrections to a mistyped name, date of birth, or updating any additional payments to fees.

WHEN TO WITHDRAW OR ASSIGN A NEW CAS

- 50 The student changes their mind and wants to change to a different course. Or, the College has given incorrect details on one or more of the following:
- 50.1 the student's nationality;
 - 50.2 the student's date of birth;
 - 50.3 the student's surname;
- 51 If a student is refused their visa they will not be issued with a second CAS to prevent further visa refusals which will affect the BCA numbers.

ACCEPTABLE WAYS OF HOLDING FUNDS

- 52 The only acceptable ways of holding and providing evidence of funds for purposes of Tier 4 students are as stated in the [Tier 4 Policy Guidance](#).

REGISTERING WITH THE POLICE

- 53 Students may be told to register with the police if they meet the criteria [stated by the UKVI](#).

FAILURE TO ENGAGE WITH STUDY (MAINTAIN CONTACT)

- 54 International students are required by their visa to attend all compulsory aspects of their course, including, but not limited to; lectures, tutorials, seminars, enrolment and exams. However, it is only classed as a missed event if they miss an entire day. For example, if a student attends a lecture in the morning, but misses one in the afternoon, this does not count as a missed event as they have been in College that day and have attended. Neither does any authorised absence that has been reported to the Student and Academic Services team in accordance with the [Student Attendance Policy](#).

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