Home Office Compliance Policy

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Home Office Compliance Team

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Richard Melia	Terminology updates and removal of the Doctorate Extension Scheme	V7.0	
Richard Melia	Terminology updates and addition of the Graduate Route	V6.0	
Richard Melia	Grammatical updates	V5.0	
Richard Melia	Update of Tier 4 to Student Route	V4.0	
Richard Melia	Update of various immigration terms, including reference to Start-Up visa route. Update to retention schedule for Tier 4 Appendix D documents.	V3.0	
Richard Melia	Update of ESP to PSE; update of academic progression processes in relation to students going on placement; update to UoS terminology in relation to IRD	V2.0	
Richard Melia	*Overarching policy for the University of Salford to manage Home Office compliance.*	V0.1	Home Office Compliance Assurance Group

Policy Management and Responsibilities:

Owner:	This Policy is issued by the Head of Home Office Compliance, who has the authority to issue and communicate the University of Salford's policy on Home Office Compliance. UK Visas and Immigration (UKVI) policy will be the responsibility of the Home Office Compliance Assurance Group (HOCAG) as chaired by the Director of Legal and Governance. Governance will be provided by the HOCAG with the provision of final decision-maker by referral of major issues to VCET. Academic representation on HOCAG is served through the attendance of a Head of School. HOCAG will consult with VCET on significant matters.

Others with responsibilities (please specify):	All subjects of the Policy will be responsible for engaging with and adhering to this policy: Authorising Officer Key Contact (Head of Home Office Compliance, Home Office Compliance Team) Marketing and Student Recruitment Student Administration Home Office Compliance Assurance Group Academic and Professional Service staff across the University of Salford
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Purpose and scope

This document is to instruct and inform all staff members of the University of Salford (UoS) who work with international and EU students (whether on a Student / Tier 4 visa or not) and/ or govern processes relating to the recruitment and service provision of these students. As the UK Council for International Student Affairs (UKCISA) have confirmed, for 'institutions that wish to remain a viable option for international students, it is essential that … compliance is recognised as being of crucial importance.'[1]

Before a student can come to, or stay in the UK, to study they must have appropriate permission to enter / stay as granted by the Home Office (via their visa). UoS is a Student Route sponsor that offers appropriate courses of study within the UK and can sponsor migrants.

Sponsorship is based on the University meeting the following objectives:

1. Preventing abuse of the assessment procedures;
2. Early capture of any patterns of migrant behaviour that may cause concern;
3. Addressing possible weaknesses in processes that can cause such patterns; and
4. Monitoring compliance with the UK Visas and Immigration (UKVI) department's Immigration Rules.

The Immigration Rules have continuously changed since the implementation of the original Points-Based System (PBS) for the student route in 2009 and the requirements on HEIs and other institutions to play their part in ensuring that the immigration system is not abused have increased substantially. **It is important to note that the UoS sponsorship duties do not end until the Student Route or Tier 4 visa holder has left the UK or their leave to remain (based on the Confirmation of Acceptance for Studies [CAS] issued by UoS) has lapsed.**

[1] *Tier 4 Compliance: a practical guide* (UKCISA, 2016), p. 47.

The University will lose its sponsor licence entirely if its sponsor status cannot be maintained during its annual basic compliance assessment (BCA) or its Sponsor Licence renewal (every four years) – please see sections 1 and 2 below. To ensure that the UoS maintains a powerful global reach as an institution, it is essential that the UoS retains and continues to renew its Sponsor Licence. The Home Office Compliance Team (HOCT), part of Student Administration (SA), recognises a potentially high level of risk should the University not fully comply with its duties as a sponsor, which in short, would prevent it from recruiting international and EU students, have a damaging impact on the University's reputation and brand, and be financially devastating.[2] Student Route sponsorship duties are detailed in full on the GOV.UK website.

This Home Office Compliance Policy document has been designed to outline UoS's responsibilities as a Student sponsor, along with all associated procedures that fully support the organisation in meeting its duties under the sponsor licence, developing a cross-University culture of best practice and help ensure that the University is in the best possible position when it comes to renewing its sponsor licence or is audited by UKVI. Having clear, documented policies also lays the foundation for processes that University staff can follow to enable the provision of distinctive, diverse and sympathetic services (that will improve the staff and student experience) but will also continue to foster a strong embedded culture of internationalism (with a powerful, recognised UoS brand) and a continued growth in UoS international student recruitment.

The UoS offers awareness training to all its staff in matters of immigration compliance.[3] HOCT staff are actively involved in national training and conferences to allow them to enhance their knowledge in Student visa compliance and to ensure they are fully informed of the obligations that the UoS holds as a Student Route sponsor. The University operates a quarterly assurance group - the Home Office Compliance Assurance Group (HOCAG) - which focuses on strategic matters;

[2] In 2021/22, international student tuition fees contributed approximately £51million pounds to the University of Salford's income

[3] This is part of the University's desire to build a 'culture of compliance' across the institution. An awareness video - 'Think TWICE' - along with various policies and information around Home Office Compliance is available on the staff Sharepoint site.

setting policy for the institution as a whole and ensuring that policy is translated into action at the operational level.

To ensure the University's full compliance with all of the conditions expected of it as a Student Route sponsor, the University regularly works with immigration specialists to ensure maximum compliance. The University is well informed on all matters pertaining to immigration and study rights in the UK via training offered by UKCISA, the Association of International Student Advisers (AISA) and the Immigration Compliance Network (ICN).

If UoS does not remain compliant with its sponsor duties, the Home Office could take further punitive action. This could be in the form of:

1. An audit of the UoS sponsorship duties by the Home Office;
2. Suspension of the UoS's sponsor licence;
3. Revocation of the UoS's sponsor licence

As outlined above, both outcomes 2 and 3 would result in severe reputational damage for UoS and would, consequently, have a major effect on its' ability to attract and recruit international students.

1. Student Route Sponsor Licence

1.1. The University's Student Route (formerly Tier 4) Sponsor Licence commenced on 15 November 2008 and is renewed every four years. It is held jointly with the University's Skilled Worker and Government Authorised Exchange (formerly Tier 2 and Tier 5) licences managed on a day-to-day basis by the Certificate of Sponsorship (CoS) Information Officer based in the Home Office Compliance Team.

1.2. The Authorising Officer, with the support of HOCT, will apply to renew the UoS Sponsor Licence no later than one month before the expiry of the current licence and no sooner than three months before the end of the current licence.

1.3. The UoS Sponsor Licence Number is 9DFMKXFW4

2. Basic Compliance Assessment (BCA) and CAS reallocation

2.1. In order to retain its status as a Student Route Sponsor, the University must apply for a BCA every 12 months.

2.2. The Key Contact, after consultation with HOCAG, will apply to complete the BCA each year when appropriate. Applications can be made up to one month in advance of the renewal date. The BCA has to be completed for the UoS to maintain its Student Route sponsor status.

2.3. A BCA considers the following requirements, all of which must be met:

- the refusal rate of Student visa applications made using a CAS issued by UoS must not exceed 10 per cent of all CAS used during the 12-month period immediately preceding the application for the BCA. Pending and successful administrative reviews and appeals will not be counted.
- at least 90 per cent of students who were granted Student leave using the University's CAS during the 12-month period before the BCA application registered within their designated registration period.
- using the end date of courses that were due to finish in the 12-month period preceding the BCA application, at least 85 per cent of students who were sponsored by, and registered with, UoS completed their course in line with the end date on their CAS; this does not include students who have deferred their studies and have temporarily left the UK, switched institution, switched to another immigration category, or left the course and left the UK permanently. However, a student who is not granted leave to switch immigration category or institution or who does not leave the UK will be counted.

2.4. An application that does not meet the requirements outlined in 2.3. above will be refused and the Student Route licence would be revoked (or the allocation of CAS at the University's disposal would be reduced to zero).

2.5. In order to continue issuing CAS to Student Route applicants and students, the University must apply for CAS reallocation every 12 months.

2.6. To ascertain how many CAS should be applied for, the Key Contact will liaise with International and Regional Development (IRD), Admissions and Strategy to gauge planned numbers prior to the application being lodged. Further applications for CAS during the BCA year should be avoided as this could result in the UoS moving up the UKVI's risk register.

3. Programme approval and amendment

3.1. It is important that compliance to the Immigration Rules and adherence to Student Route regulations is embedded during the programme design and approval stage if that programme is to be offered to international and non-UK, non-Irish students.

3.2. The UoS Programme Design, Approval, Amendment, Review and Withdrawal Policy is explicit in ensuring that the Home Office's visa and immigration rules are considered when a University programme is designed, approved, amended, reviewed and withdrawn.

4. Marketing of programmes

4.1. The marketing of the University's programmes is managed by IRD. IRD ensure that course webpages are reviewed and updated as and when new courses come on-line or if there is a change in course details notified by the Quality Management Office (QMO).

4.2. As the Home Office review information available through the University's website it is essential that this information is accurate and up-to-date. It is critical that programme delivery information, Academic Technology Approval Scheme (ATAS) requirements, English language requirements and placement information are described appropriately and regularly reviewed to ensure compliance.

5. International Officers

5.1. International Officers are required to be aware of Home Office Compliance regulations and issues as part of their role.

5.2. International Officers liaise regularly with the Home Office Compliance Team and briefing sessions are arranged when the Immigration Rules and Student Route regulations are revised or updated.

5.3. Such sessions allow international officers to successfully manage their agents and potential applicants, ensuring compliance to Home Office regulations, as well as helping them to identify regional trends that could affect applications to UoS.

6. Recruitment and use of agents

6.1. The recruitment, management and assessment of agents is carried out by the International Recruitment team (IRT). The Agent Management Overview Document governs this.

6.2. As per the Student Sponsor Guidance, a list of current agents utilised by the University to recruit students is shared with the Home Office on a quarterly basis.

6.3. Analysis of the University's Student visa refusal rate helps to inform agent strategy and address developmental needs. For example, an agent with a particularly high visa refusal rate would be required to have a discussion with the Senior International Officer or Regional Office and may be offered a development plan and enhanced support from the University for a 12- month period. If the high level of visa refusals continued, the University would consider whether it wished to continue working with the agent and notice of termination of contract could be served.

6.4. The Home Office require assurance that the University's agents are reputable and are recruiting only genuine and credible students. Document 2 of the Student Sponsor Guidance makes it clear that any of the University's agents that may have been involved in immigration abuse may affect the annual CAS

renewal process. This makes it imperative that the University monitors its agents closely.

6.5. Agents are required to check education documents such as degree transcripts and English language certificates and, in some cases, financial documents and TB certificates. The University expects an agent to be able to identify any fraudulent documentation and would expect only to receive genuine documentation from its agent network. It should be noted, however, that transcripts and certificates are also verified by the UoS Admissions team and extra checks are carried out where necessary.

6.6. Agents can also be asked to provide additional support, such as offering visa advice and helping a student prepare for a visa interview.

7. Collaborative Provisions

7.1. The UoS's collaborative provision principles and processes are defined in the University's Collaborative Provision Procedure.

7.2. Any students coming to UoS as part of a collaborative provision for more than 6 months must meet the requirements of sponsorship under the Student Route. Primarily this is defined as:

• a full-time course of degree-level study that leads to an approved qualification;

• an overseas course of degree-level study equivalent to a UK higher education course;

• a full-time course of study involving a minimum of 15 hours per week of organised daytime study that, except in the case of a pre-sessional course, leads to an approved qualification below bachelor degree level.

7.3. If the UK delivery element of the collaborative provision is for a period of less than 6 months, the student must meet the requirements of the visitor route. Primarily study under this category is permitted as long as:

- The applicant is studying up to 6 months at an accredited institution;

- The applicant has enough money to support themselves whilst in the UK. They will need to prove that they have enough money to cover all reasonable costs of their visit without working or accessing public funds, including the cost of the return or onward journey. Applicants will be able to use someone else's money to prove this if they have a personal or professional relationship with them, and they will provide support to the applicant for the duration of their visit;
- They cannot do any kind of work, work experience or work placement (even if it is part of their course or is unpaid). They will not be allowed to do any business or professional activities whilst in the UK.

8. Course Enquiries (Pre-Admission)

8.1. Enquiry management is handled in house and international enquiries follow the same process as any enquiry received by the University. UoS has a dedicated enquiry team that responds and directs enquiries to the website or relevant departments if necessary.

8.2. The enquiry team and IRD have fortnightly catch ups to discuss any issues or trends that come through the enquiry channel.

8.3. The information on the website is kept up to date and regularly reviewed by both teams.

8.4. The enquiry team does not give any visa and immigration information and/ or advice over the telephone or email.

8.5. The IRT and HOCT work together to assist with conversion, targeting offer holders and pro-actively triaging them to receive a response in relation to Home Office Compliance issues.

9. Admission Policy for international students

9.1. The UoS's Admissions Policy and Guidance (including Applicant Complaints Procedure) covers the principles and processes to be considered when admitting an international student. This policy is compliant with the UKVI's expectations of Student Route sponsors.

9.2. For students who are under the age of 18, the University's Admission of students under 18 years of age Policy should be considered. Again, this is compliant with the UKVI's expectations of Student Route sponsors.

10. Academic Technology Approval Scheme (ATAS)

10.1. Full and part-time international students (whether holding a Student visa or not) wanting to study a course leading to certain postgraduate qualifications in the UK may need to apply for an ATAS certificate. International students may also need an ATAS certificate if they wish to carry out research here in the UK, whether they are registered at the UoS or not.

10.2. The UoS's policy for ATAS is detailed in the Confirmation of Acceptance for Studies (CAS) issuance and Academic Technology Assurance Scheme (ATAS) Policy and the non-UK Visitor's Policy.

10.3. If a particular UoS programme of study or research visit requires ATAS clearance, international students need to have applied and been given their ATAS certificate by the Foreign, Commonwealth & Development Office (FCDO) before their offer can become unconditional and, if they are a Student Route applicant, a CAS is issued to them.

11. Confirmation of Acceptance for Studies (CAS)

11.1. The University's Student Route sponsorship responsibilities for its international students starts on the date that a CAS is assigned to the student and ends in any of the following instances:

- When the UoS reports on the Sponsor Management System (SMS) that a student's course has prematurely ended (this includes those

students who fail to register and are classed as “no shows”) ***and*** we provide details of their plans to leave the UK; **or**

- When a student leaves the UK and their Student visa lapses; **or**
- When a student changes Student Route sponsor or moves into a different immigration category; **or**
- When the student’s course ends on the date stated on the CAS

11.2. Once a CAS has been assigned, the UoS has committed to undertake sponsorship duties for that student, including any reporting via the SMS that needs to occur.

11.3. The University’s policy in relation to the assigning of a CAS is detailed in the Confirmation of Acceptance for Studies (CAS) issuance and Academic Technology Assurance Scheme (ATAS) Policy. The issuing of CAS is seen as a key sponsor duty. The UoS must ensure that it is not assigning an excessive number of CAS which may ultimately be withdrawn or expire.

11.4. During its lifetime, a CAS can have various Home Office statuses. These include:

CAS Status on the SMS	Definition
ASSIGNED	CAS has been requested by UoS and issued by the Home Office
USED	The student has submitted their Student visa application to the Home Office and a decision has been processed (either approved or refused)
OBSOLETE	The student has made a Student visa application with a CAS from another institution. This immediately makes the CAS issued by UoS void.

EXPIRED	The CAS is older than six months and has not been USED by the student. It is therefore no longer valid.
WITHDRAWN	UoS has withdrawn the CAS that it has issued prior to the student making a visa application with that CAS.

11.5. In addition to detailing these Home Office CAS statuses on the student record, Banner records two unique statuses in relation to Student Route applicants that are not visible on the SMS. These are:

CAS Status on Banner (screen SKAICAS)	Definition
CLOSED	The CAS has been USED and a new CAS is to be created (to extend current leave or for a new course of study)
REFUSED	The visa application for this CAS was unsuccessful and the University has had sight of the refusal notice

12. Registration

12.1. In line with the University's terms and conditions for students, all students must register before the start of each year of study. Only students who are registered will have access to UoS facilities and services. A student's contract will be automatically cancelled if they do not register for the first year of study within the registration period.[4]

[4] Pre-sessional English programmes do not accept registrations later than one week after the programme start date.

12.2. In addition to its own Academic Regulations for Taught Students and the Academic Regulations for Research Programmes, UoS must ensure that all international and EU students have the right to study in the UK at the point of registration in line with the Home Office's Immigration Rules. This requirement relates to students who have a need to be in the UK to study at some point in their programme and need to be registered with UoS to do this.

12.3. International students could potentially arrive and attempt to register at UoS with a variety of different visa types. Although the list below is not intended to be exhaustive, the visa types listed are the most common ones that students may present with. If a particular visa is presented which is not included in the list below, further advice should be sought from HOCT (also see section 13 below).

Visa Type	Definition	Mode of Study
Student visa (formerly Tier 4) [under UoS sponsorship, SLN: 9DFMKXFW4]	Main purpose is to come to the UK to study on a full-time basis. Course of study must lead to a recognised qualification unless study is for the purpose of learning English. These students will all be sponsored by UoS under the University's sponsor licence number	Undergraduate (UG) Postgraduate Taught (PGT) Postgraduate Research (PGR) Pre-sessional English (PSE) International Foundation Year (IFY)

Start-Up Visa	Main purpose is to set up or run a business in the UK. The scheme is open to students who have graduated with a Bachelor's, Master's or PhD qualification. Graduates will receive a letter of endorsement from UoS with a unique endorsement number to apply for their visa.	Permissible to study although graduates should be working on business concepts and strategy. If they fail to make progress endorsement can be revoked.
Skilled Worker (formerly Tier 2)	Main purpose is to work.	Study is permissible if it doesn't interfere with the job they are sponsored for.
Short-term student visa (STSV)	Main purpose for studying short courses between 6 and 11 months for a specific English language programme.	Students undertaking English language courses between 6 and 11 months **only**
Visitors	Main purpose for studying short	Split-site students; Distance Learners who need to come to the UK for less than 6 months;

	courses up to 6 months in duration. Students of at least 16 years old studying a course equivalent to a UK degree in another country who visit UoS to develop research skills as part of their course at their home institution.	courses of 6 months or less (whether full-time or part-time); PSE students; IFY students repeating study Students registered at overseas institutions visiting UoS to conduct research for 6 months or less (please see non-UK Visitor's Policy).
PBS Dependent visa (in UK as part of a family member's visa)	Will be the partner or child of the main visa holder under any of the Points-Based (PBS) immigration categories.	UG PGT PGR PSE IFY Can study on a full-time or part-time basis. Ensure leave to remain covers full duration of the course or a T&Cs document is signed stating that it is their responsibility to obtain permission to stay for the duration of their programme.

Indefinite Permission to Enter or Stay / Permanent Residence, including Settled Status under the EU Settlement Scheme	Ability to stay in the UK indefinitely	UG PGT PGR PSE IFY Can study on a full-time or part-time basis.
Permission to stay (formally Leave to remain), including Pre-Settled Status under the EU Settlement Scheme	Ability to stay in the UK for a fixed period	UG PGT PGR PSE IFY Can study on a full-time or part-time basis. Ensure leave to remain covers full duration of the course or a T&Cs document is signed stating that it is their responsibility to obtain permission to stay for the duration of their programme.
Graduate Route visa	Ability to stay in the UK for either 2 or 3 years to seek graduate work following study of a degree-level qualification	**A person is not permitted to study at the UoS on this type of visa.**

12.4. The University has a sponsor duty to check the documents listed on each CAS and ensure that copies of these documents are stored for Home Office audit purposes (please see section 14 below).

12.5. Late registration requests – from students who wish to register later than the last date of acceptance – must be submitted to the Registration team in Student Administration. Consultation then occurs between the student, their School, Admissions and HOCT to ensure that there is no detrimental effect on the student's ability to progress and attain their qualification.

12.6. The University has 10 working days after the last date of acceptance to report students back to the Home Office as a NO SHOW (failure to register) if the student does not obtain late registration authorisation. This reporting is done via the SMS by the CAS Assessment Team in HOCT.

13. Non-Student route and right to study

13.1. When registering a non-Student route visa holder it is important that the visa expiry date is noted to see whether a) the student has a right to study; and b) the student will be able to complete their course in the time that their permission to enter/ stay allows. If the student will not realistically be able to complete their course in this time, then a conversation should occur between HOCT and the student explaining the risks and whether the student will be able to apply for a subsequent visa or switch into another immigration category.

13.2. If there is any doubt as to whether the student can study on their visa, cases should be referred to HOCT who will investigate this with UKCISA and the Premium Customer Service Team (PCST) at UKVI. As UKCISA's *Tier 4 Compliance: a practical guide* confirms, 'the UKVI regards the enrolment of students who do not have valid immigration permission to study in the UK as a serious breach of … sponsor duties and it could lead to the loss of … sponsor status.'[5]

[5] *Tier 4 Compliance: a practical guide* (UKCISA, 2016), 4.1, p. 25.

14. Record-keeping duties

14.1. For each Student Route visa holder sponsored by the UoS, copies of certain documents must be kept in line with the Home Office's Workers, Temporary Workers and Students: guidance for sponsors, Appendix D: keeping documents – guidance for sponsors.

14.2. The responsibility for holding (and maintaining where appropriate) these documents falls to different teams within the University:

i) Prior to making offers to students the following information is required by **Admissions**:

- Copies of all qualifications relating to the student's offer;
- Any other evidence required for entry to the UK (e.g. ATAS certificate, etc.)

A full system of checks has been put in place by Admissions to show due diligence in ensuring the authenticity of all qualifications assessed. UoS currently check any Secure English Language Tests (SELT) using online verification systems. In terms of academic qualifications, UoS checks the validity of a qualification by cross-checking names of institutions via UK NARIC (UK National Recognition Information Centre) and through the buy-into Accredibase which checks for fake institutions and degree mills. Staff have also attended NARIC's fraudulent document training.

This evidence will be stored in the student's Electronic Student File (ESF).

ii) Before registration is completed, Student Administration/ HOCT will require sight of the following documentation which will be copied and placed in the student's Validate+ record:

- Passport or Travel Document including personal details page(s);
- Entry Clearance Visa (ECV), with entry stamps(s), for which the UoS has sponsored the non-EEA student;

- Biometric Residence Permit (BRP) for which the UoS has sponsored the non-EEA student;
- Digital immigration status of any student with a share code

14.3. All documents pertaining to Appendix D of the Immigration Rules are checked to ensure up-to-date information is stored before an extension to study and/ or a CAS extension is approved.

14.4. All documents must be kept for 6 years following the end of the student's Tier 4/ Student sponsorship in line with the University's retention schedule. This also meets the requirements of Appendix D of the Immigration Rules that states:

If the migrant is sponsored for less than one year, the documents must be kept:

- *For the duration the migrant is sponsored;*

  OR

- *Until a Home Office compliance officer has examined and approved them, whichever is the longer period*

If the migrant is sponsored for one year or more, the documents must be kept:

- *For one year;*

  OR

- *Until a Home Office compliance officer has examined and approved them, whichever is the longer period*

14.5. UoS operates a self-service policy whereby students are expected to maintain their own contact details and update them as appropriate on a regular basis. The need for students to do this is highlighted in the Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford. This is confirmed as one of the terms and conditions of holding a Student visa.

14.6. HOCT operates an address and telephone number chase for those students not holding a valid UK address or telephone number.

15. Engagement Monitoring

15.1. It is the responsibility of the UoS as a Student Route sponsor to monitor ***all*** Student Route visa holders during their period of registration with the University, whether PSE, IFY, undergraduate, PGT or PGR students. **The consequence of the University being unable to demonstrate uniform, active, routine and *effective* engagement monitoring as part of the University's standard procedures will be the loss of the sponsor licence and the right of the University to sponsor international and non-UK, non-Irish students.** The University is required to assure itself that all Student Route visa holders:

- are fulfilling the requirements of their academic programme;
- are engaging as required by the programme structure;
- are progressing normally and are abiding by Home Office regulations governing their permission to enter (and stay in) the UK;
- are abiding by the University regulations governing their registration as a student.

15.2. UoS's policy for monitoring the engagement of its Student Route cohort is outlined in the Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford.

16. Work Placements

16.1. For a Student Route visa holder to undertake a work placement as part of their programme of study, UoS must ensure that the placement:

- is supervised
- is assessed as an integral part of the programme of study
- has a robust engagement monitoring system so that the University is able to meet its sponsor duties if the student retains their Student visa during the placement. The Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford is compliant with this requirement.

16.2. Work placements must not constitute more than 50% of a degree-level or above programme of study. However, if there is a UK statutory requirement for the programme to contain a specific period of work placement which exceeds this limit, cases should be referred to HOCT to investigate with the Home Office. The work placements in these instances must also be an integral and assessed part of the course.

16.3. A student who is registered on a Higher Education course at an overseas HEI and comes to the UK to do part of their course at UoS on a Student visa may also complete a work placement during their time in the UK as long as the work placement does not exceed more than 50% of the time that they will study in the UK. Please note that a student coming to the UK on a short-term student visa or a visitor visa **CANNOT** undertake a work placement or work experience as part of their study in the UK.

16.4. If a Student Route visa holder indicates that they wish to undertake a placement as defined in 16.1. and 16.2. above, UoS will need to confirm with the student whether they have a visa that will cover both their studies at the University and their placement year. If they do not, the student will be required to obtain a new Student visa 3 months prior to going on placement or 3 months before the end of their current visa.

16.5. If a student is registered on a course with an integrated placement and the placement does not occur (i.e. the student is moved to the equivalent programme without a work placement) - it is the responsibility of the School to inform HOCT so that a change in circumstances can be reported to the Home Office within 10 working days of the programme transfer. It is likely that the student's visa will then be curtailed by the Home Office.

17. Change of Circumstances and Progression

17.1. Any change of circumstance that occurs in relation to a student's engagement with their course of study once registration has been completed should be reported to the Home Office within 10 working days. These changes include course transfers (see Appendix 2 below), revocation following failure to pay tuition fees, interruption and withdrawal.

17.2. A student will not be permitted to transfer onto a programme that requires an ATAS certificate until that ATAS certificate has been obtained and provided to HOCT. For a list of CAH3 (Common Aggregation Hierarchy) codes that require ATAS see the University's Confirmation of Acceptance for Studies (CAS) issuance and Academic Technology Assurance Scheme (ATAS) Policy.

17.3. A student who has breached the terms and conditions of their visa and/or does not have valid leave to study at UoS will be required to withdraw from their studies (or may be permitted to interrupt their studies until such time as they have rectified their immigration status to enable them to continue studying). Once this withdrawal of sponsorship has been reported by HOCT on the SMS, visa curtailment action will be taken by the Home Office.

17.4. Where a student is revoked for non-payment of fees and sponsorship is subsequently withdrawn by UoS, curtailment action will be taken by the Home Office. In these circumstances, the student is required to make a fresh visa application from outside the UK if they subsequently pay their fees and wish to return to their course of study.

17.5. In normal circumstances, a Student visa expires within either two or four months of the course end date as stated on the student's CAS (depending on whether the student is studying a course of less than 12 months or one that lasts 12 months or more[6]). UoS will report any taught student who submits their final piece of assessed work one month earlier than their expected end date as stated on the CAS if this is reported by the student or the School. This could, if the course end date on the CAS is more than 60 days in the future, lead to a curtailment of that student's leave.

17.6. If a Student Route visa holder is granted an academic extension to their course, they may require a further CAS to extend their visa - if the new end date for their studies is after the expiry date of their current visa.

[6] Pre-sessional students, however, will receive one month wrap-up at the end of their course; whilst students undertaking other short-courses, of less than six months, below degree level will only be eligible for seven days wrap-up.

17.7. If the academic extension is granted because the student needs to re-sit or re-take a module with attendance, this visa extension may be done in the UK utilising the Check and Send scheme outlined in 18 below.

17.8. In all other cases, the UoS will only consider issuing a further CAS to a student in the UK if there is clear evidence of academic progression on their course and/ or studies in the UK as defined by UKVI.

17.9. Where academic progression is not demonstrable, the student **may** still be eligible for a further CAS to extend their visa, however, they would have to apply for entry clearance from overseas.

17.10. UoS may also refuse to issue a further CAS if a student cannot demonstrate academic progression whilst studying in the UK. For example, if a student wishes to study at the same or a lower-level course than one that they have previously studied in the UK then the Home Office may deem this student as non-credible and could refuse the visa application. In such cases, the University would weigh up the risk of issuing a further CAS that could lead to a visa refusal. This risk would be assessed based on the documentary evidence supplied by the student and their stated career aspirations. If it is determined that a further CAS could be issued in these circumstances, then the University would need evidence that the student had already left the UK and would be making the visa application overseas before that CAS would be issued.

18. Check and Send scheme

18.1. This scheme is operated by HOCT and ensures Student visa applications and supporting documents are correct before being submitted to UKVI by the student.

18.2. The key advantage of this process is that all Student visa applications are rigorously checked by HOCT staff to identify and rectify issues at an early stage before a Student visa application is submitted. This helps the University to mitigate against a visa refusal. The Student visa refusal rate has a significant impact on one of the key factors that the Home Office considers when looking at the annual BCA for Student sponsors (see 2 above).

18.3. Another advantage is that the service links to the support provided by PCST at the Home Office. Complex cases (which might otherwise result in lengthy processing times or incorrect refusals) can be queried directly with PCST, who can act as a mediator with the caseworker assessing the visa application.

18.4. Students also see huge benefits to using this scheme. The scheme is a more efficient and streamlined option from a student perspective, leaving them with more time to concentrate on their studies, as much of the administration time is mitigated by the University. The scheme also reduces the significant emotional and financial impact on individuals of having a Student visa application refused. In addition, students with dependants can also utilise the scheme to extend their dependants permission to stay in the UK.

19. Preventing illegal working

19.1. During a Home Office audit that considers the Skilled Worker licence as well as the Student Route licence, UKVI personnel will ask to see a sample of files relating to non-EEA employees who are not sponsored by UoS under a Skilled Worker certificate of sponsorship (CoS). These files will be measured against UKVI's own guidelines on preventing illegal working. For non-Skilled Worker migrants, the UoS will be expected to demonstrate that they have taken evidence relating to the migrant's current immigration status, covering their right to work.

19.2. The University will also need to show that they have designed systems and have sound business processes to allow Student Route visa holders (whether studying at UoS or not) to work no more than the permitted number of hours stated on their visa.

19.3. UoS currently employs students on either a contract basis (via Human Resources) or on a non-contract basis through the University recruitment agency Unitemps.

19.4. For all contracted work, Human Resources conduct a right-to-work check prior to the commencement of a contract. Human Resources are also responsible for ensuring that these particular students work no more than 20 hours per week during term-time. This is achieved by:

- Flagging all Student Route visa holders on SAP (Systems, Applications and Products in Data Processing) – a system which hosts and maintains workforce data – and running monthly reports to ensure hours are not being exceeded;
- Ensuring all students and hiring managers sign a declaration of obligation which stipulates the work restrictions;
- Reinforcing Student visa restrictions with the hiring managers in Schools and coordinating the allocation of working hours within the Schools to ensure compliance on working hours.

19.5. Similarly Unitemps conduct right-to-work checks prior to students being engaged in work by UoS. In relation to international students they are also responsible for ensuring that these students work no more than 20 hours per week. This is managed by a bespoke database and tracker that logs the immigration status of students and the hours of work allocated to them.

20. Graduation and Exit Checks

20.1. A Student Route visa holder should only be allowed to graduate if they have no immigration documentation and/ or fees outstanding.

20.2. There is currently no requirement to furnish the Home Office with the UK departure details of Student Route visa holders completing their studies at UoS. However, this information is collected by HOCT when a student completes their studies earlier than expected or interrupts or withdraws from their course of study.

20.3. Any UK departure data obtained by HOCT for its Student Route population is shared with the Home Office by recording details on the SMS.

21. Start-Up Visa

21.1. The Start-Up Visa scheme was a route for non-UK, non-Irish nationals who wished to set up a business in the UK. Their business idea had to be a new one, innovative and viable, with a potential for growth.

21.2. Successful applicants to the scheme were granted a 2-year visa.

21.3. The Start Up Visa scheme is now closed.

21.4. As of August 2023, the University of Salford still had endorsees under the Start Up Visa route and, as such, the Start Up Visa policy is still relevant. The University's policy in relation to the Start-Up Visa is outlined in the Start-Up Visa Policy document.

22. Graduate Route

22.1. The UK government opened the Graduate Route on 1 July 2021. This immigration route is for non-UK, non-Irish students who want to work in the UK following the successful completion of either a Bachelor's degree, a Master's degree, or PhD (or another type of doctoral qualification). Eligible students switching into the Graduate route will be able to work or look for work after their studies for a maximum period of 2 years (or 3 years if they have successfully completed a PhD).

22.2. To qualify for the Graduate Route, an individual must meet the following conditions:

- They must be in the UK and have valid Tier 4 or Student immigration permission;
- they must have completed the eligible course during their current period of Tier 4 or Student immigration permission and it must be the same course for which their Confirmation of Acceptance for Studies (CAS) was assigned (unless they were allowed to switch to a different course without applying for new Tier 4 or Student permission, then they can use that new course as the relevant qualification);
- they must have had Tier 4 or Student permission for the duration of their course. They cannot switch to the Graduate Route from any other type of immigration permission;
- If they have studied a course of 12 months or less then they must have studied the whole course in the UK, and for a course of more than 12 months, they must have studied in the UK for at least 12 months;

- if their tuition fees and living costs were paid by a government and/ or an international scholarship agency within the 12-month period before they apply for the Graduate Route, they **must** provide a letter showing the financial sponsor's consent to their application under the Graduate route;
- someone can only have permission under the Graduate route once. While it is possible to switch from the Graduate route back to the Student route, someone could not then apply again under the Graduate route based on a new qualification.

Appendix 1 - Definition of student:

New Student	• Student commencing study for the first time at UoS • Student who has successfully completed a programme of study (either at UoS or elsewhere) and is commencing a new programme of study at UoS • Split-site student who will come to the UK to study at UoS at some point in their programme • Student who has successfully passed the International Foundation Year (IFY) at UoS and is commencing the first year of their degree • Student who has successfully passed the Pre-sessional English (PSE) at UoS and is commencing the first year of their main programme of study
Continuing Student	• Continuing UoS student progressing to the next level of their programme • Continuing UoS student who needs to repeat part of their programme with attendance • UoS student returning from an Interruption to Study • Split-site UoS student who will come to the UK to study at some point in their programme • A UoS PGR student at Writing-up stage

Appendix 2 - Information about course transfers (at the same, higher or lower academic level) from 6 April 2016[7]

	Transferring/Progressing	Current Course and visa length	Action needed^	Why action identified is needed
1	Student transferring course before completion of the course that CAS was issued for.º º New course **MUST** be at the same academic level and related to the previous course studied	Student **will** be able to complete new course within the timeframe of current visa.	Student does not have to do anything in terms of visa provided they have enough time on their visa to complete the new course and it is the same academic level. Transfer request will be processed in line with the UoS transfer guidance.	Not applicable
2	Student transferring course at the same academic level (not due to a work placement)	Student **will not** be able to complete new course within the timeframe of current visa.	If visa does not cover full duration of the new course, sometime* before visa is due to expire **student will need to leave the UK and extend visa from overseas**.	This is because student is unable to demonstrate academic progression. Student is still able to re-apply for a new visa from outside the UK and then return to study.
3	Student wishes to transfer to same course (at same academic level) that includes a work placement	Student **will not** be able to complete new course within the timeframe of current visa	As visa does not cover full duration of the new course that includes the work placement element, student must	This is because student is unable to demonstrate academic progression. Student is still able to re-apply for a new visa.

[7] For students with a Tier 4 visa issued before 06 April 2016, please speak to HOCT for further information.

			extend their visa either three months before start of placement or three months before end of current visa. This can be done from within the UK.	
4	Student has successfully completed (or is on track to successfully complete) one course and is moving to a new course which is at a higher academic level than the previous course.	Student has completed/ will complete course within timeframe of current visa and has received/ or is due to receive a CAS for new course.	Student will be able to apply for new visa for the new course within the UK (provided new course starts within 28 days of current visa expiry date)	This is because the learning outcome of previous course has been/ will be achieved and academic progression is demonstrable
5	Student is able to move to a higher award or level of a course before award for current course has been made. Courses this could apply to include: □ MPhil to PhD** □ PGCert or PGDip to Masters level** □ BEng to MEng^^ ** In cases such as this ATAS **may** be required ^^ In cases such as this ATAS **will** be required	At the point student moves to the higher award or level, they will not have been awarded the qualification that they originally obtained their visa for. They will, therefore, need to obtain a new visa to complete the higher award or level of course.	Student needs to extend their visa from outside the UK* in order for them to complete this higher qualification.	This is because student is unable to demonstrate academic progression because they have not attained the learning outcome that the original visa was granted. Student is still able to re-apply for a new visa from outside the UK to return to study for the higher qualification.
6	**Extension required for same level of course - PhD ONLY**	PhD student requires visa extension because either they	Student is able to apply to extend in the UK	This is a noted exception within the Immigration Rules where

	PhD student needs a visa extension to complete their current course of study	have been given an academic extension or their area of research has changed		PhD students are permitted to extend their Student visa within the UK provided they meet all other requirements to obtain a CAS from UoS
7	**Moving to a lower award** A PhD student who will not be able to achieve a PhD but may be eligible for a lower award of MPhil	Students cannot use current Student visa to study at a lower level than that the visa was granted for. Length of current visa may not cover the additional work that they are required to do to obtain the MPhil	Student will need to leave the UK* to obtain a new visa to cover them for this lower-level course.	Student is unable to demonstrate academic progression because they have not attained the learning outcome for the original visa they were granted. Student is still able to re-apply for a new visa from outside the UK to return to study.

^ Assumes that student is within the current time limit allowed under a Student visa for their level of study

*This should be at a time when student does not have to attend classes or undertake assessments.

N.B. The Academic Regulations for taught students make the following points in regard to course transfers:

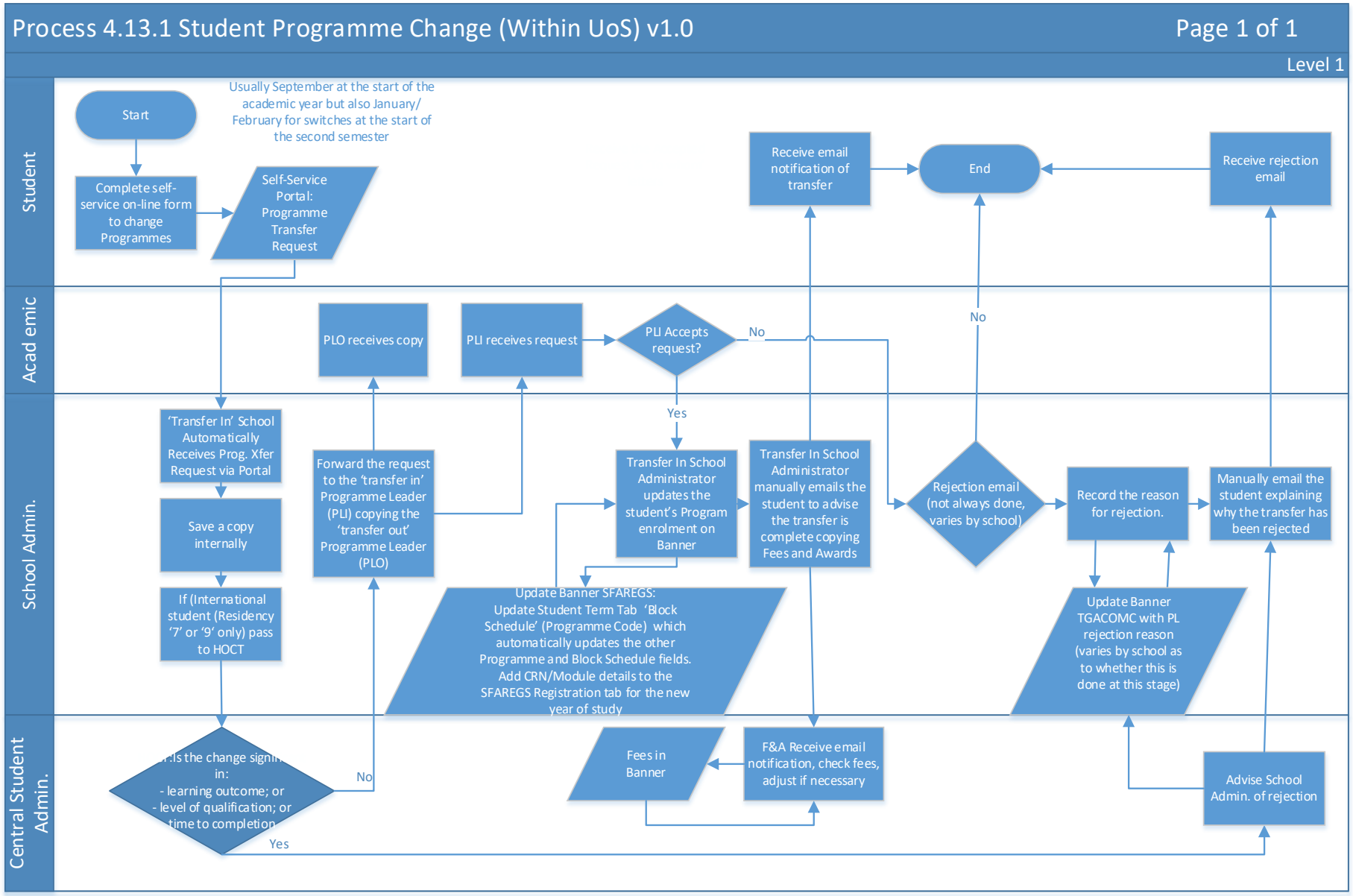
*6.2.3 A student **may** be permitted to transfer between modules on a programme of study up to the end of the second week of teaching.*

7.6.5 A student who has failed the placement module within a three-year sandwich honours degree programme shall be permitted one reassessment opportunity only and shall not be permitted to retake the module. A student who does not pass the

*placement module at reassessment **may** transfer to a designated non-placement programme. A student who transfers to the designated non-placement programme after failing the placement reassessment shall undertake replacement level 5 modules as a third and final retake opportunity to progress to level 6.*

It should also be noted that the Programme Transfer Guidance on the Student Portal advises 'if you are a Tier 4 [i.e. Student Route visa holder] student you should also discuss your proposed transfer with the Home Office Compliance Team.' Furthermore this guidance states that before requesting a course transfer a Student Route visa holder should make themselves aware of the Student Route regulations and avail themselves of advice from HOCT.

The process that governs a student's programme change (reproduced below) also signposts the case to HOCT, so that they can make an assessment of whether the change significantly alters the student's learning outcome; their level of qualification; or time to complete.


Process 4.13.1 Student Programme Change (Within UoS) v1.0
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Level 1
Student
Acad emic
School Admin.
Central Student Admin.
Start
Usually September at the start of the academic year but also January/ February for switches at the start of the second semester
Complete self-service on-line form to change Programmes
Self-Service Portal: Programme Transfer Request
Receive email notification of transfer
End
Receive rejection email
PLO receives copy
PLI receives request
PLI Accepts request?
No
Yes
No
'Transfer In' School Automatically Receives Prog. Xfer Request via Portal
Forward the request to the 'transfer in' Programme Leader (PLI) copying the 'transfer out' Programme Leader (PLO)
Transfer In School Administrator updates the student's Program enrolment on Banner
Transfer In School Administrator manually emails the student to advise the transfer is complete copying Fees and Awards
Rejection email (not always done, varies by school)
Record the reason for rejection.
Manually email the student explaining why the transfer has been rejected
Save a copy internally
If (International student (Residency '7' or '9' only) pass to HOCT
Update Banner SFAREGS: Update Student Term Tab 'Block Schedule' (Programme Code) which automatically updates the other Programme and Block Schedule fields. Add CRN/Module details to the SFAREGS Registration tab for the new year of study
Update Banner TGACOMC with PL rejection reason (varies by school as to whether this is done at this stage)
Is the change signi... in:
- learning outcome; or
- level of qualification; or
- time to completion
No
Yes
Fees in Banner
F&A Receive email notification, check fees, adjust if necessary
Advise School Admin. of rejection

Related Documentation

Academic Regulations for Taught Programmes

Admissions Policy and Guidance (including Applicant Complaints and Procedure)

Admission of students under 18 years of age Policy

Agent Management Overview Document

Collaborative Provision Procedure

Confirmation of Acceptance for Studies (CAS) issuance and Academic Technology Assurance Scheme (ATAS) Policy

Engagement Policy for Student Route and Tier 4 visa holders at the University of SalfordInterruptions of Study for Students – Guidance for Staff

Programme Design, Approval, Amendment, review and Withdrawal Policy

Student Programme Change (Procedure 4.13.1) v.1.0

Student Withdrawals – Guidance for Staff

Start-Up Visa Policy