



University of
Salford
MANCHESTER

Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford

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Author: Head of Home Office Compliance

Home Office Compliance

Student Administration

Document Control Information			
Revision History incl. Authorisation: (most recent first)			
Author	Summary of changes	Version	Authorised & Date
RDM	Initial Engagement Monitoring Policy for Tier 4 / Student Route visa holders	V1.0	SELTEC 10/12/2020
RDM	Previous versions of this document were known as <i>Attendance Monitoring Policy for Tier 4 Sponsored Students</i>	V7.0	SELTEC: 20/05/2020
Policy Management and Responsibilities:			
Owner:	This Policy is issued by the Home Office Compliance Team within Student Administration. The Directorate of Student Administration has the authority to issue and communicate policy on Attendance Monitoring for Tier 4 sponsored students and has delegated day to day management and communication of the policy to the Home Office Compliance Team and School Administration Staff.		
Others with responsibilities (please specify):	All subjects of the Policy will be responsible for engaging with and adhering to this policy.		
Author to complete formal assessment with the following advisory teams:			
Equality Analysis (E&D, HR) Equality Assessment form	1. Completed 04 November 2020		

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Consultation:	
Staff Trades Unions via HR Students via USSU Relevant external bodies (specify)	N/A – the policy is non-negotiable due to UKVI regulations. The University’s Home Office Compliance Assurance Group (HOCAG) includes representatives from across the University.
Review:	
Review due:	At the point of Home Office changes, new attendance system or within one year, whichever is sooner.
Document location:	University Policy & Procedure Pages
University Policy pages at http://www.salford.ac.uk/policies	
The owner and author are responsible for publicising this policy document.	

1. Purpose

The University of Salford is required to monitor the engagement of all its registered Tier 4 / Student visa holders, in line with [UK Visas and Immigration \(UKVI\) regulations](#) as well as the [Immigration Rules](#) that underpin immigration into the UK. As a Sponsor with a record of compliance, the University of Salford is committed to meeting all of its duties under its sponsor licence. As such, the following engagement monitoring procedures have been put in place, which will assist students in protecting their immigration status. The first section of the policy (parts 3-9) outlines what the engagement requirements are for different cohorts of Tier 4 and student visa holders and the second section outlines what actions are taken if the policy is not followed by a Tier 4 / student visa holder (parts 10-13).

2. Scope

2.1 This policy is to be adhered to by Tier 4 / Student visa holders who are currently registered on a programme of study with the University of Salford. These students fall under the following categories:

- Students who currently hold a Tier 4 visa;
- Students who hold a Student visa (introduced on 05 October 2020);
- Students who have made an application for Student permission to stay within the UK using a Confirmation of Acceptance for Studies (CAS) number from the University of Salford and a decision on the application is outstanding;
- Students who have made an application for Tier 4 or Student permission to stay within the UK using a CAS number from the University of Salford, have had their application refused and are currently undergoing an administrative review

2.2 This policy does not apply to students who currently hold permission to enter or stay in the UK that is outside of Tier 4 or the Student Route of the Points Based System.

3. Pre-sessional English students

3.1 All Tier 4 / Student visa holders on pre-sessional English programmes (PSE) will be monitored at one face-to-face in-person teaching event per day by the School. It is the responsibility of the Salford Languages Support Office to monitor attendance on a daily basis and contact students who do not attend.

3.2 Tier 4 / Student Route PSE students must inform Salford Languages of any absence prior to the start of the timetabled class where possible. Where this is not possible, students must inform Salford Languages on the day of absence.

3.3. All Tier 4 / Student Route sponsored students are subject to the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* until the end of their programme of study on their student record or the duration of their visa, whichever is the earliest of the two dates.

3.4 Tier 4 / Student Route sponsored students will also be exempt from the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* if they return to their home country, provide evidence that they have left the UK and sponsorship of their Tier 4 or Student visa has been withdrawn.

3.5. In order for Tier 4 / Student Route sponsored students to fully comply with this policy, the University expects students to live within a commutable distance from the University. The University of Salford defines 'commutable distance from the University of Salford' as a distance from the University that enables the student to attend the University during the core teaching hours of 9 am to 5pm on a daily basis. The location of where a Tier 4 / Student Route sponsored student chooses to reside cannot, in any circumstance, be considered an adequate reason for non-compliance with this policy.

3.6 Salford Languages are responsible for checking attendance submissions and contacting students who have not attended on a daily basis.

4. International Foundation Year (IFY) students

4.1 All Tier 4 / Student visa holders on an IFY programmes will be monitored over at least 15 teaching hours per week by Salford Languages (for their English classes) and their School (for their academic classes). It is the responsibility of the Salford Languages Support Office to compile weekly attendance reports on a weekly basis and contact students who do not attend.

4.2 Tier 4 / Student Route IFY students must inform Salford Languages or their School (depending on the location of the timetabled classes) of any absence prior to the start of the timetabled class where possible. Where this is not possible, students must inform Salford Languages / the School on the day of absence.

4.3. All Tier 4 / Student Route sponsored students are subject to the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* until the end of their programme of study on their student record or the duration of their visa, whichever is the earliest of the two dates.

4.4 Tier 4 / Student Route sponsored students will also be exempt from the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* if they return to their home country, provide evidence that they have left the UK and sponsorship of their Tier 4 or Student visa has been withdrawn.

4.5. In order for Tier 4 / Student Route sponsored students to fully comply with this policy, the University expects students to live within a commutable distance from the University. The University of Salford defines 'commutable distance from the University of Salford' as a distance from the University that enables the student to

attend the University during the core teaching hours of 9 am to 5pm on a daily basis. The location of where a Tier 4 / Student Route sponsored student chooses to reside cannot, in any circumstance, be considered an adequate reason for non-compliance with this policy.

4.6 Salford Languages are responsible for checking attendance and contacting students who have not attended on a weekly basis.

5. Taught students at UG and PGT level

5.1 Taught Tier 4 / Student Route visa holders are monitored by School Progression Administrators (SPAs) on a weekly basis using Blackboard Ultra and Jigsaw, as detailed in the University's **Student Engagement, Interruption and Withdrawal Policy**.

5.2 Students on Placement are monitored by the Placement Unit (School of Health and Society), the Employability Hub (Salford Business School), the placement provider (School of Science, Engineering and Environment) and the School Administrative Office (School of Arts and Media) to ensure engagement occurs.

5.3 Any Tier 4 or Student visa holder who leaves the UK to take part in an Exchange / Study Abroad programme must continue to meet this engagement policy if they retain their student visa. To enable this, International Recruitment and Development (IRD) must confirm that the institution that the student will be undertaking study with has its' own robust engagement / attendance policy and that they can provide engagement reports on a weekly basis. These engagement reports must be sent to HomeOfficeCompliance@salford.ac.uk and then saved in the student's Electronic Student File (ESF) in case of UKVI audit.

5.4 During the designated reading weeks and holiday periods for their programme of study, UG and PGT students are not required to engage.

5.5 All Tier 4 / Student Route sponsored students are subject to the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* until the end of their programme of study on their student record or duration of their visa, whichever is the earlier of the two dates.

5.6 In order for Tier 4 / Student Route sponsored students to fully comply with the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* the University expects students to live within a commutable distance from the University. The University of Salford defines 'commutable distance from the University of Salford' as a distance from the University that enables the student to attend the University during core working hours on a daily basis if they are required to do so. The location of where a Tier 4 / Student Route sponsored student chooses to reside cannot, in any circumstance, be considered an adequate reason for non-compliance with this policy.

6. Reassessments/retakes and the 60-day regulation

6.1 UKVI regulations state that if any students already in the UK are not required to participate in their programme of study (either in class or by some other in-person face-to-face contact) for more than 60 days then these students must leave the UK. In such instances, the University will withdraw its Tier 4 / Student Route sponsorship of these students, their student records will be set to 'interruption of study' and the Home Office will be informed of the circumstances.

6.2 The 60-day regulation applies to all Tier 4 / Student Route visa holders who fail their assessments and have to undergo reassessment (i.e. they do not undertake any study or attend any classes in the intervening period) as in the following, but not exhaustive, circumstances:

- a) The student fails in September and the next available opportunity will be in the following assessment period in January: the student must return to their home country and only return to the UK on a Student Route or visit visa for the reassessment (dependent on whether they will be undertaking further study);
- b) The student fails in January (e.g. January intake) and the next available opportunity will be in the following assessment period in June: the student must return to their home country and only return to the UK on a Student route or a visit visa for the reassessment (dependent on whether they will be undertaking further study).

6.3 The 60-day regulation also applies to students who only need to retake one semester in the next academic year, as in the following circumstances:

- a) The student has a retake in Semester One and then no further contact is required in Semester Two: the student should complete Semester One as required and then return to their home country for Semester Two;
- b) The student has a retake in Semester Two but there is no contact required during Semester One: the student must return to their home country for Semester One and only return to the UK for Semester Two.

6.4 Where a student is not required to engage in study within a 60-day period, students will be asked to provide evidence that they have left the UK (such as a scanned exit stamp in their passport and an e-ticket/ boarding pass). This will then exempt them from the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford*.

6.5 Students that are carrying a fail that also have a requirement to engage with their programme remain subject to the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* subject to them being at dissertation stage.

7. Postgraduate research students

7.1 Full-time PGR students are required to attend at least one formal supervision session each month. For Home Office Compliance purposes, these sessions must take place once a month, every month.

7.2 It is the responsibility of the PGR student to keep a record of each formal supervisory session on the *Research Supervision Record Form (RSRF)*. The RSRF is located on the Immigration and Visas section of the AskUS website and on the research-specific support pages.

7.3 Students will submit their signed RSRF via Salford Advantage by no later than the Sunday at the end of the calendar month concerned. These dates are provided on the University of Salford webpages.

7.4 If the RSRF form contains an electronic rather than a 'wet' signature from the supervisor, the student must ensure that they provide a screenshot of the email in which this form was returned to them in as evidence.

7.5 All Tier 4 / Student Route sponsored research students are subject to the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* until the end of their research programme on their student record or the expiry date of their visa, whichever is the earliest of the two dates. Tier 4 / Student Route sponsored students will also be exempt from the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* if they return to their home country, evidence that they have left the UK has been provided and sponsorship of their Tier 4 visa has been withdrawn.

7.6 Student Administration will carry out a sample audit of submitted RSRFs as part of their QA procedures. The forms will be checked against academic signatures held on file.

7.7 In order for Tier 4 / Student Route sponsored students present in the UK to fully comply with the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* the University expects students to live within a commutable distance from the University. The University of Salford defines 'commutable distance from the University of Salford' as a distance from the University that enables the student to attend the University during core working hours on a daily basis if they are required to do so. The location of where a Tier 4 / Student Route sponsored student chooses to reside cannot, in any circumstance, be considered an adequate reason for non-compliance with this policy.

7.8 All Tier 4 / Student Route sponsored research students are required to comply with the Taking Leave of Absence Requirements in the Code of Practice for Research Programmes. Please note: PGR students who take an authorised leave of absence of 21 days or more in one calendar month will not be required to have a formal supervision session within that calendar month, but will be required to complete an Advantage form detailing the authorised leave period. PGR students who take an authorised leave of absence of 20 days or less within one calendar

month will still be required to have a formal face-to-face in-person supervision session within that calendar month.

7.9 Research supervision record forms that are not signed and dated will not be accepted and will be classed as a missed contact point.

7.10 Tier 4 / Student Route sponsored students who submit fraudulent forms, such as those where the date has been purposefully altered or a signature has been forged, will be subject to the University's Student Disciplinary Procedure.

8. Authorised absence and sickness periods

8.1 Schools should ensure that they are able to identify whether their students are studying on campus or away from the University to fully comply with Home Office requirements.

8.2 To comply with Tier 4 / Student Route sponsor duties, the School needs to stay in contact with any student who is away from the University for field-work, data collection, conference or for research purposes. The School should agree the schedule and form of contact prior to the student leaving campus. These ideally should be face-to-face contacts via Microsoft Teams or, where this is not possible, Skype.

8.3 Any official absences need to be authorised by the academic member of staff concerned. Please note that authorised absence, without maintaining contact with the University, cannot exceed 59 days.

9. Staff absence

9.1 An expected contact point is one which the student would in principle have been able to attend. If a lecture, tutorial or other planned contact point with a student is cancelled due to staff absence or industrial action, any missed face-to-face in - person contact point caused by such circumstances should not be treated as an unauthorised absence.

9.2 In the event of a prolonged disruption to the normal schedule of attendance, for example as a result of the absence of a member of staff or industrial action, it may be necessary to vary the process for verification of attendance. If this is necessary, students will be informed of any new requirements via their University email address and other formal notification processes, such as the Student Hub. For example, during the COVID-19 crisis, the Home Office have agreed to special provisions where Tier 4 sponsors can offer on-line or blended learning in place of face-to-face teaching.

10. Lack of engagement – PSE students

10.1 Any pre-sessional Tier 4 or Student Route sponsored student whose attendance drops below 85% in any given month must be flagged by Salford Languages to the Home Office Compliance Team, who will issue a warning letter to the student, informing them that this could affect their sponsorship as a Tier 4 or Student visa holder.

10.2 Any pre-sessional Tier 4 or Student Route sponsored student whose attendance drops below 70% over a three-month period is required to have their sponsorship under Tier 4 or as a Student withdrawn. Salford Languages must flag this information to the Home Office Compliance Team, who will withdraw sponsorship for that student on the UK Visas and Immigration's Sponsor Management System (SMS) and inform the student that their sponsorship has been withdrawn and that they must leave the UK.

11. Lack of engagement – IFY students

11.1 Salford Languages liaise with Schools to monitor the attendance of any Tier 4 or Student Route sponsored IFY student.

11.2 Any Tier 4 or Student Route sponsored IFY student whose attendance drops below 85% in any given month must be flagged by Salford Languages to the Home Office Compliance Team, who will issue a warning letter to the student, informing them that this could affect their sponsorship as a Tier 4 or Student visa holder.

11.3 Any Tier 4 or Student Route sponsored IFY student whose attendance drops below 70% over a three-month period is required to have their sponsorship under Tier 4 or as a Student withdrawn. Salford Languages must flag this information to the Home Office Compliance Team, who will withdraw sponsorship for that student on the UK Visas and Immigration's Sponsor Management System (SMS) and inform the student that their sponsorship has been withdrawn and that they must leave the UK.

12. Lack of engagement – UG and PGT taught students

12.1 If it is noted through monitoring in 5.1 and 5.2 above that there has been no engagement for six teaching weeks or more (i.e. 40 working days), then the SPA will flag to the Home Office Compliance Team alongside their own internal communications to students.

12.2 After six weeks of non-engagement, the Home Office Compliance Team will issue a warning to the student advising them that the University may withdraw sponsorship if they do not engage for 30 (working) days or more.

12.3 If the student fails to respond or engage within 30 days of the warning email or there is no exceptional reason for non-engagement, the Home Office Compliance Team will inform the School that the student must be withdrawn and Tier 4 / Student Route sponsorship will be withdrawn on the SMS within 10 working days.

12.4 If a decision is made to withdraw sponsorship of the student's Tier 4 / Student Route visa, the Home Office Compliance Team will send an email to the student to advise them of this and to detail the actions that they need to take. The School will then be asked to liaise with the Fees and Awards Team (in Student Administration) to withdraw the student's registration record.

12.5 Students who are withdrawn under this regulation will only be permitted to re-register if they are able to provide mitigating evidence for their non-engagement. If the Home Office have not actioned the sponsorship withdrawal, and the student provides sufficient evidence, the notification on the SMS may be withdrawn and the student can continue to be sponsored under Tier 4/ the Student Route by the University of Salford. It should be noted that once the student's registration has been re-instated if the student continues not to comply with the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford*, sponsorship of their Tier 4 / Student Route visa may be automatically withdrawn.

12.6 When requesting to reverse the decision on the SMS where the Home Office have already actioned the withdrawal of sponsorship, the student will be asked to obtain fresh permission to enter the UK if they are required to undertake on-campus face-to-face teaching.

12.7 Following withdrawal of a student's Tier 4 / Student Route visa (because they were unable to provide satisfactory evidence of their engagement) the decision cannot be reversed. This is because the student has failed to meet the conditions of their visa. Sponsorship of the student's visa will be withdrawn, as will their student status, and the student must return home. Following these actions, if the student wishes to return to the University at a later date, they must provide mitigating evidence for their non-engagement. This will be reviewed on a case-by-case basis.

13. Lack of engagement – PGR students

13.1 If there is no evidence of a monthly RSRF being submitted for the past three months then the Home Office Compliance Team will send a warning email to the student. This warning email will advise the student that they need to comply with the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford* and failure to provide engagement evidence will result in the withdrawal of sponsorship of their Tier 4 / Student Route visa.

13.2 If the student fails to respond or engage within 30 days of the warning email or there is no exceptional reason for non-engagement, the Home Office Compliance Team will inform the PGR office that the student must be withdrawn and Tier 4 / Student Route sponsorship will be withdrawn on the SMS within 10 working days.

13.3 If a decision is made to withdraw sponsorship of the student's Tier 4 / Student Route visa, the Home Office Compliance Team will send an email to the student to advise them of this and to detail the actions that they need to take. The PGR office will then be asked to liaise with the Fees and Awards Team (in Student Administration) to withdraw the student's registration record.

13.4 Students who are withdrawn under this regulation will only be permitted to re-register if they are able to provide mitigating evidence for their non-engagement. If the Home Office have not actioned the sponsorship withdrawal, and the student provides sufficient evidence, the notification on the SMS may be withdrawn and the student can continue to be sponsored under Tier 4/ the Student Route by the University of Salford. It should be noted that once the student's registration has been re-instated if the student continues not to comply with the *Engagement Policy for Student Route and Tier 4 visa holders at the University of Salford*, sponsorship of their Tier 4 / Student Route visa may be automatically withdrawn.

13.5 When requesting to reverse the decision on the SMS where the Home Office have already actioned the withdrawal of sponsorship, the student will be asked to obtain fresh permission to enter the UK if they are required to undertake on-campus face-to-face supervision.

13.6 Following withdrawal of a student's Tier 4 / Student Route visa (because they were unable to provide satisfactory evidence of their engagement) the decision cannot be reversed. This is because the student has failed to meet the conditions of their visa. Sponsorship of the student's visa will be withdrawn, as will their student status, and the student must return home. Following these actions, if the student wishes to return to the University at a later date, they must provide mitigating evidence for their non-engagement. This will be reviewed on a case-by-case basis.

14. Related Documentation

14.1. The following documents can be found on the University Policy & Procedure pages at <http://www.https://www.salford.ac.uk/governance-and-management>:

- Academic Regulations for Taught Programmes
- Academic Regulations for Research Programmes
- Code of Practice for Research Programmes
- Personal Mitigating Circumstances Procedure
- Student Engagement, Interruption and Withdrawal Policy
- Student Code of Conduct
- Student Disciplinary Procedure
- Tier 4 Work Placement Policy
- Fitness to Practise Procedure

14.2. Government guidance

The following documentation can be found on the Government webpages at <https://www.gov.uk/>:

- Student Sponsor Guidance Document 1: Applying for a Student sponsor licence
- Student Sponsor Guidance Document 2: Sponsorship Duties
- Student Sponsor Guidance Document 3: Student sponsor compliance

- Student Sponsor Guidance Document 4: Higher Education regulatory reform
- Student and Child Student Guidance

14.3. Advice The following supporting documentation can be found on the University of Salford Immigration and Visa Help Pages at <http://www.salford.ac.uk/askus/immigration-visas>:

- Research supervisory record form
- Sickness self-certification form (for IFY, UG, PGT and PGR students)
- Deadlines for research supervision record forms