



Registry Services

Briefing Note: RS/13/07 **Updated**

Any enquires should be directed to:

Kevin Pickess,

Academic Registrar

International Students and the new points-based system (Tier 4)

Introduction

The Points Based Immigration system (PBS) is the means of regulating immigration to the United Kingdom from outside the European Economic Area (EEA) for people who wish to work, train or study in the UK. The system was phased in between 2008 and 2010 and is administered by the Home Office.

The PBS consists of five separate tiers, 1 through to 5. Tier 4 is the route used for migrants who want to study full time in the UK.

The University of Worcester is licensed by the Home Office to sponsor successful international applicants who wish to enter the UK for the purposes of studying in full time higher education. The University must comply with the appropriate tier 4 regulations under which it is licensed. Failure to do so may result in the suspension of and/or withdrawal of its sponsors licence. The University currently enjoys Highly Trusted Sponsor (HTS) status. In order to retain its HTS status, which is renewed annually, the University must meet the HTS eligibility requirements introduced in September 2011.

What a student has to achieve to obtain a visa (entry clearance)

Any student who wishes to come to the UK under tier 4 of the PBS must obtain a visa before they travel. A student cannot apply for a visa or extension of stay without a Confirmation of Acceptance for Studies (CAS) which will be issued by the University under its HTS license.

In order to obtain a visa, students must score 40 points under Tier 4 of the points-based visa system. 30 points are awarded for having a CAS from a licensed sponsor and 10 points are awarded for having sufficient funds to cover the course fees and monthly living costs for up to one year. This figure is set by the Home Office and the University does not currently check students meet this requirement.

As the Sponsor, the University makes a statement to the Home Office describing the students' suitability for their course of study and lists the evidence which they have used to gauge this. This information is recorded in the Student Record System and uploaded centrally to the Home Office who then issue the CAS. A CAS is issued to a student in the form of an emailed statement detailing their CAS number and listing the relevant documents used in their assessment.

A student will only be assigned a CAS when they have been issued with an unconditional offer of a place on a course and paid a fees deposit.

It is the sponsor's responsibility to assure itself, before issuing a Confirmation of Acceptance of Study (CAS) certificate, that the applicant is *bona fide*. The Home Office will make the final decision on who is permitted to study in the UK and will check all documentation provided.

English Language Requirements

All students who are issued a CAS must be competent in English language at a minimum of B2 on the Common European Framework of Reference for Language (CEFR). Students are required to be proficient to at least B2 in each of the four components; speaking, listening, reading and writing. The University accepts a range of English Language qualifications to demonstrate achievement at the appropriate level.

For applicants who do not quite reach the appropriate standard, the University issues a short CAS and offers a range of pre-sessional courses and uses the Common European Framework of Reference for Languages in order to assess competency.

ATAS and Police Registration

ATAS certification and Police Registration has been retained as at the present time.

Student Attendance, Monitoring and Reporting

It is the responsibility of the University as the tier 4 sponsor to monitor the progress and attendance of all sponsored students during the length of their programme of study at the University. This includes students at all levels; Undergraduate, Post Graduate Taught and Post Graduate Research.

It is also the responsibility of the University to report to the Home Office any failure on the student's behalf in fulfilling their requirements as set out in the sponsors guidance at:

The University must:

- Ensure that students comply with the terms of their visa; and
- comply with record keeping duties – keeping copies of passports showing evidence of their entitlement to study and the period that they have permission to stay in the United Kingdom, keep and update student contact details.

The University will be expected to inform the Home Office of:

- a) any students failure to enrol on their course;
- b) any discontinuation of studies;
- d) students changing educational institution.

The University must also:

- Where daily registers are not kept we are required to report where the student has missed an expected interactions, for example, tutorials or submission of coursework;
- report any students who discontinue their studies (including any deferrals of study) or who stop attending an institution either because the institution has withdrawn them from the course or because the student has told them they are leaving, within 10 working days of this being confirmed;

- report any significant changes in students' circumstances, for example, if the length of a course of study shortens, to us;

Sponsorship Ends

The University has a duty to inform the Home office of any student who:

- formally withdraws
- is withdrawn from their studies or
- who defers their studies.

The Home Office must be told within 10 working days of them doing so. If the University stops sponsoring a student for any other reason the Home Office must also be informed within 10 working days.

If a student decides to defer their studies after arriving in the UK then their permission to stay will no longer be valid as there are not actively studying. As well as informing the Home Office the student must be advised to leave the country and when they are ready to resume their studies, apply for a new CAS to make a fresh visa application.

Extension of stay

Students who are already in the UK under tier 4 can apply for an extension of their current permission to stay; this is called further leave to remain and they require an extension CAS. Extension CAS are processed by the Student Records Office.

Working whilst a student

During term time and out with any placement period tier 4 students are allowed to work part time which is up to a maximum of 20 hours in any single week. This is not an average of 20 hours but a fixed maximum for any single week.

Monitoring Students after arrival

The most significant challenge of the new points based system will be the monitoring of attendance for students. The Home Office places a duty on HEI sponsors to report non-attendance, without the sponsor's permission, for more than 10 'interactions' to the Home Office. The University needs to ensure that it is in a position to meet compliance standards.

We will be using the student record system to assist with this monitoring – this will include:

- Checking that a student has registered on-line within a specified time period;
- Recording when a student has arrived by recording the issue/collection of a student ID card;
- Attendance at International Student Induction;
- Participation in census week – non participation will trigger an automatic email which will be sent to the International Office, Academic Tutor and Student Records Office;
- Participation in Academic Tutoring meetings. All students are expected to meet with their Academic Tutor at least four times during the academic year. Non attendance must be reported to Student Records.

- Monitoring submission of coursework – we will need to record in the student record system ALL coursework submission deadlines. This will be of benefit to all students as they will be able to sort their tracking receipts by date order. Non submission (after 24 hours of submission date) will trigger an automatic email which will be sent to the International Office, Personal Tutor and Student Records Office;
- Attendance at additional language and assessment preparation sessions arranged through the Language Centre.

Not all students will engage in all of the items listed above but during the year all students will register, collect ID cards and submit coursework. This spread of activity will mean the University will be able to meet the requirement of '10 interactions' and will have effective reporting systems using the student record system to investigate a missing interaction before alerting the Home Office.

To enable academic staff identify easily students who are subject to a Tier 4 visa have been highlighted in yellow on the class list report that can be accessed via SOLE.

The University will update the Terms and Conditions that students sign when registering to include a new statement confirming that the University will notify the UKBA if a student misses an interaction and appears no longer to be in attendance. In addition international students will receive a summary of the types of monitoring that the university will be undertaking as part of registration and be included in the International Student Handbook.

December 2013