

IMMIGRATION & SPONSOR LICENCE COMPLIANCE POLICY

Purpose and Context

The purpose of this policy is to provide a framework for all University staff and students on the requirements of the Home Office in relation to our compliance with our obligations as “Student Route” licence holder and also our obligations as a University to negate any abuse of the immigration system.

Scope

This policy applies to all non-UK domiciled, enrolled students at the University and staff dealing with them across teaching and learning or pastoral support.

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Introduction

This document is to set out and inform all staff members at the University of Huddersfield (UoH) who work with international and EU students (whether on a Student / Tier 4 visa or not) on processes and policies relating to University obligations to their Home Office licence and the sponsorship of these students to study in the UK.

It is the responsibility of the University and the relevant departments, to check that international students who are intending to study have the appropriate permission to enter/stay as granted by the Home Office (via their visa). UoH is a Student Route sponsor that offers appropriate courses of study within the UK and can sponsor migrants.

Sponsorship is based on the University demonstrating 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 compliance concerns;
4. Monitoring compliance with the UK Visas and Immigration (UKVI) department's Immigration Rules.

Requirements on HEIs and other institutions to play their part in ensuring that the immigration system is not abused is substantial. If the University does not remain compliant with its sponsor duties, the Home Office could take punitive action. This could be in the form of:

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

Outcomes 2 and 3 would result in severe reputational damage for UoH 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 17 December 2008 and is renewed every four years. Overall responsibility for the Student Route Sponsor Licence is held within the International Office (IO). The Pro-Vice Chancellor (International) is the Authorising Officer for the University and the Immigration & Compliance Manager is the Key Contact.
- 1.2.** Any questions or concerns about the University sponsor licence should be directed in the first instance to the Immigration & Compliance Manager within the IO.

2. Basic Compliance Assessment (BCA) and CAS allocation

- 2.1.** To retain its status as a Student Route Sponsor, the University must apply for a BCA every 12 months.
- 2.2.** The Key Contact 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 must be completed for the UoH to maintain its Student Route sponsor status.
- 2.3.** Successful completion of the BCA requires the University to be measured within tolerances of certain metrics, all of which must be met:
 - Visa Refusals - the refusal rate of Student visa applications made using a CAS issued by UoH must not exceed 10 per cent of all CAS used during the 12-month period immediately preceding the application for the BCA.
 - Enrolment Rate - 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.
 - Course Completion Date - 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,

UoH 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.

- 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.** Colleagues should pay attention to these metrics as appropriate when considering issues such as teaching, learning and support conducive to course completion
- 2.6.** To continue issuing CAS' to Student Route applicants and students, the University must apply for CAS allocation every 12 months.
- 2.7.** To ascertain how many CAS should be applied for, the Pro-Vice Chancellor (International) along with colleagues from the International Office will liaise with Schools and Associate Directors (International) during the annual planning round and prior to the application being lodged. Further applications for more CAS' during the year may result in the UoH 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 Home Office's visa and immigration rules are considered when a University programme is designed, approved, amended, reviewed and withdrawn. For example, if a course is delivered with a gap of more than 60 days between classes, e.g., block delivery, then it is unlikely to attract international students on student visas, due to immigration regulations. Courses that wish to attract international students must be within the regulatory framework as determined by the Home Office.

- 3.3.** The Student sponsorship system is based on a direct relationship between a sponsor and the student that they are sponsoring to study in the UK. This allows a sponsor to fulfil its sponsorship duties effectively. However, the Home Office are aware that education providers have a wide range of corporate structures and collaborative arrangements for delivering education in partnership with others. These are permitted under the Student sponsorship system (known as Sites and Partnerships agreements) but they must not distort or dilute the relationship between a sponsor and a student that underpins the effective functioning of the Student sponsorship system.
- 3.4.** The University lists on the sponsor licence all sites which are part of the institution and which it will use to teach students. With the exception of teaching hospitals, these sites must be fully integrated with broadly the same policies, procedures and regulations applying across the University in relation to students. The University must have central oversight of marketing and of the recruitment and the admission of Students across all of its sites and partnerships.
- 3.5.** International students who are recruited with a view to studying at a different site must have this clear on their admissions documentation and, prior to an offer being made, the Immigration and Compliance Manager must have given prior approval that this is acceptable under the terms of the Sites and Partnerships agreement.

4. Marketing of programmes

- 4.1.** Publication of course information on the website and in printed materials is managed by Marketing, Communications and Student Recruitment. Schools should regularly review course information. The Home Office review information available through the University's website so 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 checked to ensure compliance.

5. International and Regional Office Staff

- 5.1.** All new International Office staff are required to undertake training and be aware of Home Office Compliance regulations and issues as appropriate as part of their role.
- 5.2.** The Immigration and Compliance Team hold regular briefing sessions and/or attend team meetings when the Immigration Rules and Student Route regulations are revised or updated.
- 5.3.** Such sessions allow recruitment colleagues 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 UoH.

6. Recruitment and use of agents

- 6.1.** The International Office is solely responsible for the contracting of international recruitment agents providing student applications and enrolments to degree programmes. All queries in this regard must be routed through the Head of International Recruitment in the first instance.
- 6.2.** The recruitment, management and assessment of agents is carried out by the International Recruitment team and forms part of the agent contract.
- 6.3.** The International Office, will on request, as per the Student Sponsor Guidance, provide a list of current agents utilised by the University to recruit students with the Home Office.
- 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.

6.5. Subject to 6.4, the International Office will regularly review the performance of recruitment agents on the basis of but not limited to:

- Application quality
- Application volume
- Application rejection rates
- Student enrolments
- Visa refusal rates
- Student feedback

6.6. For the avoidance of doubt, the decision to appoint or terminate the contract of a recruitment agent resides with the International Office solely at their discretion.

7. Admission Policy for international students

7.1. The UoH's Admissions Policy (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.

7.2. In summary, all applicants must provide relevant qualifications, which are benchmarked against industry standards using Ecctis. In addition, all offers are subject to English language qualifications, either via a Secure English Language Test (SELT) or a credible and approved country-specific qualification. A financial condition is applied to all offers, either a minimum 50% deposit or a Statement of Financial Support (as per Home Office guidance).

7.3. Applications that are found to be fraudulent, including but not limited to false documentation or fraudulent deposit payment, will be immediately withdrawn and no future application accepted.

7.4. All students who are under the age of 18, are subject to the University's Admission of Under 18 student policy.

8. Academic Technology Approval Scheme (ATAS)

- 8.1. Certain university programmes may be deemed to contain sensitive subject matters which could be used to develop military technology or weapons. Courses of this nature are identified using the CAH3 code for the programme. Where a particular UoH programme of study or research requires ATAS clearance, international students need to have applied and been given their ATAS certificate by the Foreign and Commonwealth Office (FCO) before their offer can become unconditional and before a CAS is issued to them.
- 8.2. If a student refuses to apply for ATAS certificate, then their application will be withdrawn. Further applications for a different course will not be considered.

9. Confirmation of Acceptance for Studies (CAS)

- 9.1. A CAS will only be issued to a student that holds an unconditional offer for a programme of study.
- 9.2. 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 UoH 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"); 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.
- 9.3. Once a CAS has been assigned, the UoH has committed to undertake sponsorship duties for this student, including any reporting via the SMS that needs to occur.

- 9.4.** The International Office (IO) policy in relation to the assigning of a CAS is detailed in the Confirmation of Acceptance for Studies (CAS) Policy. The issuing of CAS is seen as a key sponsor duty. The IO must ensure that it is not assigning CAS' unnecessarily or where there is potentially an immigration risk.
- 9.5.** The IO reserves the right to refuse a second or subsequent CAS to an applicant where an initial visa application has been refused due to the non-disclosure of information and/or if an applicant refuses to provide information requested by the IO to evidence that they are compliant with Home Office requirements before issuing a new CAS.
- 9.6.** In addition, where a CAS has been issued for an applicant, and the Home Office refuse to grant a visa based on information submitted on a technical failure, for example, evidence of bank statements for maintenance, the IO cannot guarantee that a new CAS will be issued until it is assured that the reasons for the failure of the previous visa application have been addressed.
- 9.7.** In the event of a fraudulent application, either through documentation, financial fraud or misrepresentation, the IO reserves the right to withdraw any and all applications, including retaining the non-refundable deposit where appropriate.
- 9.8.** The judgement of whether a student is compliant with Home Office regulations and the decision to issue a CAS where applicants are required to provide more evidence in line with this process will be taken by the Immigration & Compliance Manager.
- 9.9.** In the event of a student or applicant submitting a visa application (in any category) the University reserves the right to refuse a CAS if that application is considered to be not genuine. If a student presents with section 3C leave¹ because of submitting a spurious immigration application, the University reserves the right to forcibly interrupt a student until such time as their immigration leave application is granted

¹ Section 3C of the Immigration Act 1971 extends a person's leave in order to preserve their lawful status and entitlements until they get a decision on their new application from the Home Office. This is often referred to as 'section 3C leave'.

and they have the required permissions to study.

- 9.10.** If a student has an application refused or rejected which stops their section 3C leave, they will be forcibly interrupted with immediate effect until such time as they have the required permissions to study .
- 9.11.** In the event of a dispute the final decision will rest with the Pro-Vice Chancellor (International) and will be non-negotiable.
- 9.12.** Whilst the University strives to ensure that all applications are processed in a timely manner, it reserves the right to conduct any additional immigration checks that it deems necessary. This may result in a delay to any offer and the University will accept no liability for any issues which arise from this. Failure to comply with these additional checks will result in an application being withdrawn.
- 9.13.** The IO will take all reasonable steps to establish that an applicant meets the criteria of a course, including but not limited to pre-CAS interviews and additional documentation, for example bank statements. Failure to meet these requirements will result in no CAS being issued.
- 9.14.** The IO reserves the right to include additional compliance checks in line with Home Office policy.
- 9.15.** In exceptional cases, the IO reserves the right to reject an application and ban them from further applications if the applicant has not complied with the requirements in this policy or where, in the IO opinion, the circumstances may otherwise compromise or pose a risk to the University's licence for sponsoring students.

10. Enrolment

- 10.1.** In line with the University's terms and conditions for students, all students must enrol (register) before the start of each year of study. Only students who are registered will have access to UoH facilities and services. A student's contract will be automatically cancelled if they do not register for the first year of study within the approved registration period.
- 10.2.** In addition to its own Academic Regulations for Taught Students and the Academic Regulations for Research Programmes, UoH 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.

10.3. International students do enrol at the University 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 migrants may present with and which team deals with this. If a particular visa is presented which is not included in the list below, further advice should be sought from Immigration & Compliance team. (also see section 13 below).

Visa Type	Definition	Responsibility of
Student visa (formerly Tier 4)	Main purpose is to come to the UK to study on a full-time basis	International Office
Skilled Worker (formerly Tier 2)	Main purpose is to work	Human Resources
Temporary Worker (Government Exchange)	Main purpose is to work	Human Resources
Temporary Worker - Youth Mobility	Main purpose is to work	Human Resources
Short-term student visa (STSV)	Studying short courses for a specific English language programme	International Office

Visitors	Main purpose for studying short courses up to 6 months in duration	International Office
PBS Dependent visa	Partner or child of the main visa holder	International Office
Indefinite Permission to Enter or Stay / Permanent Residence	Ability to stay in the UK indefinitely	Student Records
Permission to stay	Ability to stay in the UK for a fixed period	Student Records

- 10.4.** Not all international students right to study is managed by the International Office. As per the table above, students with indefinite leave to remain or those with refugee status and asylum seekers are processed and enrolled by the Students Records Team. Overseas students studying either part- time or distance learning without the requirement for a visa are managed by Schools. This includes the admission and subsequent enrolment of these students.
- 10.5.** The relevant team that is processing as per above has a sponsor duty to check the admissions documents and right to study documents and ensure that copies of these documents are stored for Home Office audit purposes. Students will not be enrolled or re-enrolled who cannot provide evidence of a right to study, including on request.
- 10.6.** Late registration for Student Route visa holders is permitted for two weeks after the start of induction for each intake. Exceptions to this must have written approval from the relevant School.
- 10.7.** The IO will report students to the Home Office within 10 working days

after the last date of enrolment 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 Immigration & Compliance team.

11. Non-Student route and right to study

- 11.1.** When registering a non-Student route visa holder, pursuant to clause 10.1, 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 leave to enter/remain allows. If the student will not realistically be able to complete their course in this time, then the student will have the risks and consequences explained to them.
- 11.2.** If there is any doubt as to whether the student can study on their visa and/or if they have enough time to, cases should be referred to Immigration & Compliance team who will investigate this further. The UKVI regards the enrolment of students who do not have valid immigration permission to study in the UK as a serious breach of compliance and the decision of the Immigration & Compliance Manager will be the final decision.

12. Record-keeping duties

- 12.1.** For each Student Route visa holder sponsored by the UoH, 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.
- 12.2.** 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 the IO:
- 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 the IO to show due diligence in ensuring the authenticity of all qualifications assessed. The IO currently check any Secure English Language Tests (SELT) using online verification systems. In terms of academic qualifications, Ecctis is used by the IO and Marketing, Communications and Student Recruitment (MCSR) to verify qualifications standards. This evidence is stored in the student's electronic student file on Wisdom.

- ii) Before registration is completed, staff at enrolment will require sight of the following documentation which will be copied and placed on the student's record in Wisdom:
- Passport or Travel Document including personal details page(s) and entry stamps;
 - Entry Clearance Visa (ECV or vignette) for which the UoH has sponsored the non-EEA student;
 - Biometric Residence Permit (BRP) for which the UoH has sponsored the non-EEA student;
 - Digital immigration status of a student.

 - Any other document which grants right to study at UoH as per clause 10.3

12.3. 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.

12.4. All documents must be kept for six years in Wisdom 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.

12.5. UoH 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 Student Handbook of Regulations for Student Route and Tier 4 visa

holders at the University of Huddersfield. This is confirmed as one of the terms and conditions of holding a Student visa.

- 12.6.** On a bi-annual basis, the International Office will conduct a visa checkpoint. One checkpoint will be online and one in person, whereby students are expected to provide their up-to-date immigration documents and confirmation of UK address. Students who fail to attend the checkpoint without prior approval from the Immigration and Compliance Manager will have their university account blocked and could be withdrawn from their course.
- 12.7.** Students who are found to be in breach of this policy and/or University regulations through the checkpoint process will have their accounts suspended whilst they rectify the breach. Failure to do so may result in students being withdrawn from their course.

13. Attendance & Engagement Monitoring

13.1. It is the responsibility of the UoH as a Student Route sponsor to monitor all enrolled Student Route visa holders during their period of registration with the University. The consequence of the University being unable to demonstrate effective attendance & engagement monitoring as part of the University's standard procedures will be the loss of the sponsor licence. 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) theUK;
- are abiding by the University regulations governing their registration as a student.

13.2. UoH'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 Huddersfield. In addition, there is further compliance reporting which is reviewed at each Senior Leadership Team meeting along with the onus on Schools to be vigilant to fraudulent behaviours, including spot checking attendance.

- 13.3.** Appendices A and B outline the attendance and engagement processes.

14. Work Placements

- 14.1.** For a Student Route visa holder to undertake a work placement as part of their programme of study, the relevant Placement Unit within the School must ensure that the placement:
- is supervised
 - is assessed as an integral part of the programme of study
 - has a robust engagement monitoring system
- 14.2.** 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 I&C to investigate with the Home Office. The work placements in these instances must also be an integral and assessed part of the course.
- 14.3.** Work placements must be reported to the IO so that this information can be updated on the SMS as per the Home Office regulations.
- 14.4.** 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 UoH 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. Any queries should be referred to the Immigration & Compliance Manager in the first instance.
- 14.5.** If a Student Route visa holder indicates that they wish to undertake a

placement as defined above, the IO 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 three months prior to going on placement or three months before the end of their current visa.

- 14.6.** Whereby an integrated 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 the IO as soon as possible 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 (see Section 15 for more detail).

15. Change of Circumstances and Progression

- 15.1.** Subject to the standard appeals timescale of 10 days for any disciplinary or withdrawal process; any change of circumstance that occurs in relation to an enrolled student's engagement with their course of study will be reported to the Home Office within 10 working days by the International Office.
- 15.2.** Changes include course transfers, revocation following failure to pay tuition fees, interruption and withdrawal. It is the responsibility of the relevant School of the enrolled student to inform the International Office via the SMP process.
- 15.3.** 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 I&C. For a list of CAH3 (Common Aggregation Hierarchy) codes that require ATAS see <https://www.gov.uk/academic-technology-approval-scheme>.
- 15.4.** The International Office will withdraw any student who has breached the terms and conditions of their visa and/or does not have valid leave to study at UoH. Once this withdrawal of sponsorship has been reported by the IO, curtailment action will be taken by the Home Office.
- 15.5.** At the discretion of the Immigration & Compliance Manager a student

may be permitted to interrupt their studies until such time as they have rectified their immigration status to enable them to continue studying.

- 15.6.** Where a student is withdrawn for non-payment of fees and sponsorship is subsequently withdrawn by UoH, curtailment action will be taken by the Home Office. In these circumstances, the student may be 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, assuming approval is given for their return.
- 15.7.** The Countries in Crisis policy will be applied where appropriate for students who are disproportionately affected by circumstances beyond their control in their home country and these students will be allowed to complete the academic year that they are in before having to suspend for financial reasons.
- 15.8.** 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. The IO will report, as an early completer, any taught student who submits their final piece of assessed work significantly earlier than their expected end date as stated on the CAS.
- 15.9.** 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. It is the responsibility of the School to ensure that course end dates are accurate so that international students are not negatively impacted.
- 15.10.** If the academic extension is granted because the student needs to re-sit or re-take a module, this visa extension may be applied for in the UK, with support from the Immigration & Compliance team.
- 15.11.** In all other cases, the IO 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. A CAS may be declined as outlined in the CAS Issuing Policy.
- 15.12.** 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 and the final decision lies with the Immigration and Compliance Manager.

- 15.13.** The IO may also refuse to issue a further CAS if a student cannot demonstrate academic progression whilst studying in the UK.
- 15.14.** I&C Team will support, where possible, to ensure that in-country visa applications are checked to identify and rectify issues at an early stage before an application is submitted.

16. Preventing illegal working

- 16.1.** UoH currently employs students on either a contract basis (via Human Resources) or on a non-contract basis through the University recruitment agency and are responsible for ensuring that students do not work over their permitted hours, as determined by their visa.
- 16.2.** Currently the University have a 16 hour maximum per week rule and Human Resources are responsible for ensuring that international students do not work beyond this during term time.

17. Graduation and Exit Checks

- 17.1.** A Student Route visa holder should only be allowed to graduate if they have no immigration documentation and/ or fees outstanding.
- 17.2.** There is currently no requirement to furnish the Home Office with the UK departure details of Student Route visa holders completing their studies at UoH.

18. Graduate Route

- 18.1.** 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).

- 18.2.** Upon notification that a student has successfully completed the degree for which they have been given a grant of leave, the International Office will email the student with their original CAS number and confirm to the Home Office that the student is eligible to apply for a Graduate Route visa.
- 18.3.** To qualify for the Graduate Route, an individual must meet the following conditions:
- They must be in the UK and have valid immigration permission;
 - They must have completed the eligible course during their current period of Student Route or Student immigration permission and it must be the same course for which their CAS was assigned (unless they were allowed to switch to a different course without applying for new Student or Student permission, then they can use that new course as the relevant qualification);
 - They must have had Student Route or Student permission for the duration of their course. They cannot switch to the Graduate Route from any other type of immigration permission;
 - Students can only have permission under the Graduate route once. While it is possible to switch from the Graduate route back to the Student route, they could not then apply again under the Graduate route based on a new qualification.
 - Students must not have outstanding tuition fees.

19. Information about course transfers (same, higher or lower academic level)

	Transferring/Progressing	Current Course and visa length	Action needed	Why action identified is needed
1	<p>Student transferring course before completion of the course that CAS was issued for.</p> <p>New course must be at the same academic level and related to the previous course studied</p>	<p>Student will be able to complete new course within the timeframe of current visa.</p>	<p>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 UoH transfer guidance.</p>	<p>Not applicable</p>
2	<p>Student transferring course at the same academic level (not due to a work placement)</p>	<p>Student will not be able to complete new course within the timeframe of current visa.</p>	<p>If visa does not cover full duration of the new course, the student will require a new visa.</p>	<p>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.</p>
3	<p>Student wishes to transfer to same course (at same academic level) that includes a work placement</p>	<p>Student will not be able to complete new course within the timeframe of current visa</p>	<p>As visa does not cover full duration of the new course that includes the work placement element, student must</p>	<p>This is because student is unable to demonstrate academic progression. Student is still able to re-apply for a new visa.</p>

			extend their visa either three months before start of placement or three months before end of current visa	
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* 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 needs a visa extension to complete their current course of study	PhD student requires visa extension because either they have been given an academic extension or	Student can apply to extend in the UK	This is a noted exception within the Immigration Rules where PhD students are permitted to extend their Student visa within the UK

		their area of research has changed		provided they meet all other requirements to obtain a CAS from UoH
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.

Related Documentation

[Academic Regulations for Taught Programmes](#)

[Admissions Policy \(Taught Courses\)](#)

[Admission of students under the age of 18 Policy](#)

[Applicant Complaints and Appeals Policy](#)

Agent Management Overview Document

[Regulations for awards \(taught\)](#)

[Regulations for awards \(research\)](#)

[Regulations for Taught Students](#)

[Regulations for PGR Students](#)

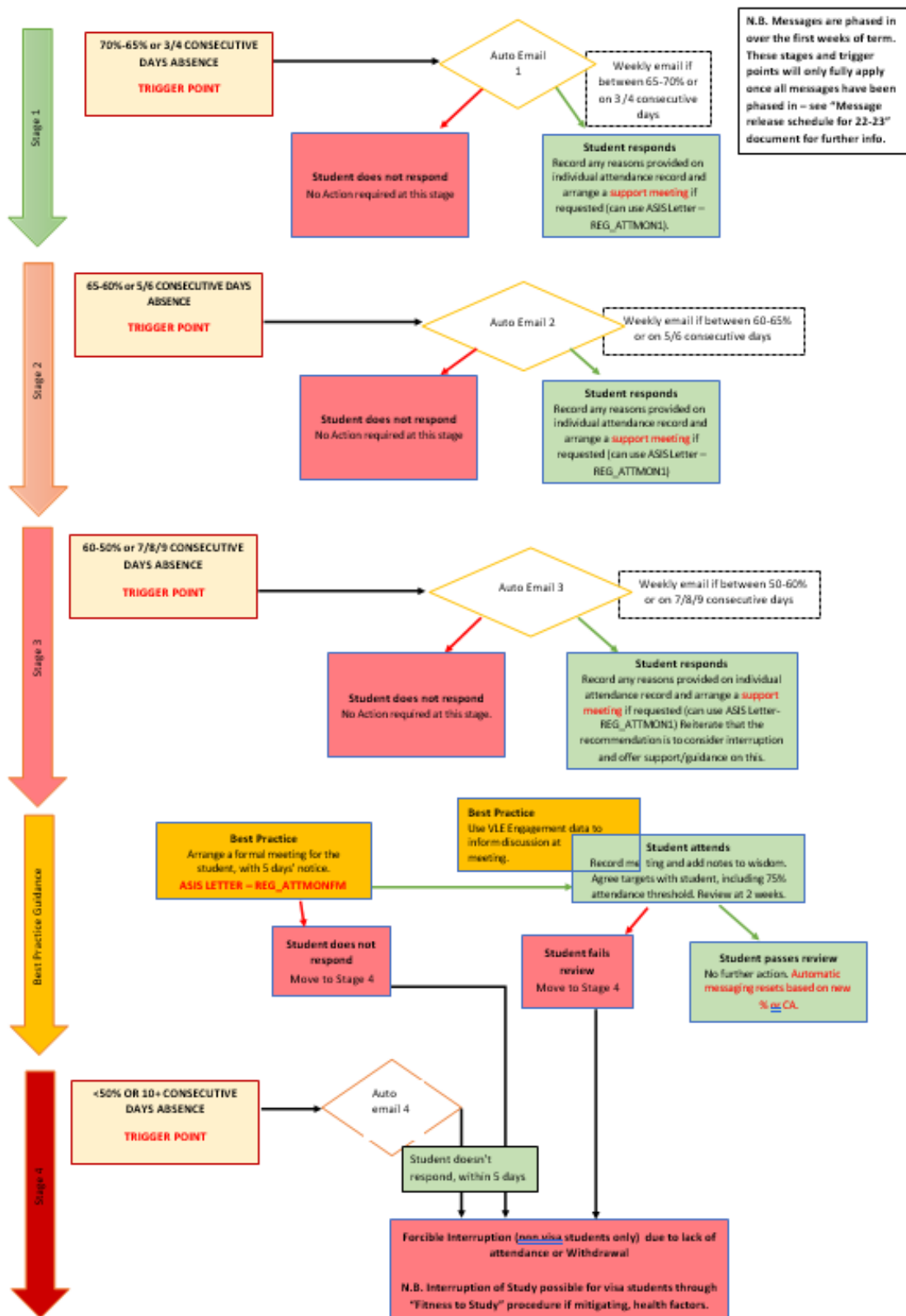
[Quality Assurance Procedures for Taught Courses](#)

Appendix A

Compliance Attendance Monitoring Flow Chart



Appendix B Engagement Monitoring Flow Chart



POLICY SIGN-OFF AND OWNERSHIP DETAILS

Document name:	Immigration & Sponsor Licence Compliance Policy
Version Number:	V1.1
Equality Impact Assessment:	12.03.2024
Approved by:	University Senior Leadership Team
Date Approved:	10 October 2024
Date for Review:	10 October 2027
Author:	Director of International Development & Head of International Operations
Owner (if different from above):	Director of International Development
Document Location:	L:\International\Policy Documents
Related Policies/Procedures:	CAS Issuing Policy

REVISION HISTORY

Version	Date	Revision description/Summary of changes	Author
V1.0	Nov. 2022	Approval and introduction of policy Document	Director of International Development & Head of International Operations
V1.1	March 2024	Removal of extant Start up visa scheme Removal of Schengen Visa as no longer significant Change of name from NARIC to Ecctis Including payment of tuition fees as condition of Graduate Route application	Immigration and Compliance Manager