

Policy governing University Sponsorship, for visa purposes, of international Students

Student Data and Systems: Points Based System

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Introduction

UWE Bristol is licensed by the UK Visas and Immigration (UKVI) to act as a sponsor for visa purposes for international students admitted to relevant programmes of study at the University.

This policy addresses the key areas of governance and compliance applied by UWE Bristol in the sponsorship of international students to ensure that the University retains its licence and status as an HEI with a track record of compliance.

The principles outlined in this document apply to all international students at UWE Bristol, whether or not they are sponsored by UWE Bristol to study in the UK.

As a licensed sponsor, UWE Bristol seeks to:

- Ensure that the University is complying with its sponsor duties as set out by the UKVI.
- Ensure its students, and their dependents, are complying with the Immigration Rules and the terms of their visas.
- Prevent abuse of the procedures in relation to admission to the University and academic assessment.
- Capture early any patterns of student behaviour that may cause concern in relation to UKVI compliance.

Sponsorship Duties

1. Full details of sponsor duties are available on the [UKVI website](#), but a summary list includes the following:
 - Having recruitment practices to ensure that only genuine students are accepted and issued with a CAS, minimising the number of refusals of leave for migrants applying with a CAS.
 - Maintaining accurate student records and notifying the UKVI of significant changes to a student's status at the University.
 - Notifying the UKVI when students cease to attend their programme or comply with the conditions of their visa.
 - Taking all reasonable steps to ensure that the students attend and complete their course of study.
 - Maintaining application to registration conversion rates within a range stipulated by the UKVI.
 - Maintaining withdrawal rates within a range stipulated by the UKVI.
 - Co-operating with the UKVI and following UKVI guidance at all times.
2. UWE Bristol policy and practice is designed to ensure compliance with its duties to the UKVI. Nothing in UWE Bristol policy is intended to absolve the University from complying with its duties as a licensed sponsor under the Points Based immigration System.
3. UWE Bristol is obliged to comply with its sponsor duties. As such, UWE Bristol cannot accept liability for any loss (financial or otherwise) experienced directly or indirectly by any applicant or student because of any actions or omissions on the part of the University which the University believes are necessary or desirable to comply with its sponsor duties.

4. The Home Office, via the UKVI, has the authority to change immigration rules and guidance at any time. This may require UWE Bristol to review and change practices and policies at short notice, which may impact students during their studies.
5. Advice on the implications of any decision made by UWE Bristol on an individual's immigration status is provided by the Immigration Advice Team. While they can advise on the implications of a decision made by UWE Bristol, they are not able to lobby the University on an individual's behalf.
6. In fulfilling its sponsorship duties, UWE Bristol is required to maintain records on its sponsored students. As a result, UWE Bristol will collect and retain any such information about its applicants and students as it deems necessary for the purposes of complying with its sponsor duties. UWE Bristol will retain this information in accordance with the General Data Protection Regulation and its own Data Protection Policy. UWE Bristol will share information with the UKVI to the extent that it complies with its sponsor duties.

Application and Admission

7. UWE Bristol has an admissions policy designed to ensure that only applicants eligible for the programme receive offers to study. For international applicants, additional requirements exist for English Language level (to comply with UKVI requirements) and fee deposits. A link to the Admissions policy can be found [here](#).
8. When an international applicant accepts an offer of a place and pays the appropriate deposit to study at UWE Bristol, they are requesting a CAS. The International Admissions Team may require applicants requesting a CAS to provide further information and documentary evidence to enable the University to properly evaluate the case and fulfil its sponsor duties before issuing a CAS. It is the responsibility of the applicant to provide any and all information requested and to comply fully with any and all conditions identified by UWE Bristol.
9. UWE Bristol reserves the right to pass on the charge for issuing a CAS to applicants where the applicant has been responsible for an error on the CAS.
10. Issuing a CAS does not guarantee that an applicant will be successful in securing a visa. UWE Bristol is not responsible for any decisions made by the UKVI and cannot accept any liability for an applicant or student failing to obtain a visa and/or for the consequences and/or losses (whether financial or otherwise) of such failure. Nor is UWE Bristol liable for consequences of declining to issue a CAS for an applicant or student.

Current students requiring a CAS to complete their programme (including formerly registered students seeking to return to complete their original programme) or making an application for an endorsement letter for a UK Start Up Visa

11. Students who change courses and/or require more time to complete their studies on their current programme of study will be required to do so in accordance with UKVI rules and regulations. This may result in a further visa application being required before further study can take place, and the visa application may need to be submitted in the student's home country in accordance with UKVI regulations.
12. UWE Bristol may require students requesting a second or additional CAS to provide further information and documentary evidence to properly evaluate the case and fulfil its sponsor duties before issuing a CAS. It is the responsibility of the student to provide any

required information and to fulfil any conditions identified by the University.

13. UWE Bristol will issue a CAS for study purposes only where there is a demonstrated requirement for the student to remain in the UK to complete their programme of study and where the student:

- is making satisfactory academic progress,
- can meet the required English language criteria relevant to the programme of study concerned,
- has an up-to-date student record, including relevant application documents and passport details,
- has obtained ATAS (Academic Technology Approval Scheme) clearance where appropriate.

See below for the reasons UWE Bristol may **not** issue a CAS.

14. Students will normally be issued with a CAS in line with the submission date of their final piece of course work or end of their final assessment period. The submission date will be the next submission opportunity for that piece of work.

a) For research students this is the normal minimum period within which a student is expected to submit their thesis (e.g., 4 years for a full time PhD student).

b) Postgraduate research students awaiting confirmation of an oral examination or the formal written outcome of the examination, may be issued a CAS prior to the availability of their end date if required.

15. UWE Bristol reserves the right to pass on the charge for issuing a CAS to the student where they are responsible for an error on the CAS.

16. In some instances, UWE Bristol may decline to issue a CAS, but may advise the student to apply for a different visa for them to continue their studies at UWE Bristol (based on UKVI regulations in force at the time).

17. Issuing a CAS does not guarantee that a student will be successful in securing a visa. UWE Bristol is not responsible for any decisions made by the UKVI and cannot accept any liability for any student failing to obtain a visa and/or for the consequences and/or losses (whether financial or otherwise) of such failure. Nor is UWE Bristol liable for consequences of declining to issue a CAS for a student.

18. UWE Bristol is unable to issue a CAS if a student has a break in study with no teaching or attendance requirement of over 60 days (excluding holiday periods). The UKVI guidance prohibits UWE Bristol from sponsoring students during a break in study of over 60 days.

Refusal to issue CAS: applies to consideration of both new applicants and also current and previous students applying for a second or additional CAS for the purposes of study in the UK at UWE Bristol

19. UWE Bristol will refuse to issue a CAS where:

- In the opinion of the University, the applicant or student's circumstances may compromise or pose a risk to the University's sponsor licence. This includes where the University has reason to believe the visa application will be refused.

- The applicant or student is/has been engaging in criminal activity, or where there is a reasonable suspicion that this is the case.
- The applicant or student has provided incorrect information to receive a CAS or make a visa application.
- The applicant or student's main purpose for being in the UK is other than full-time study, or there is a reasonable suspicion that this is the case.
- There are any circumstances relating to the applicant, the student, their representatives, or financial sponsors which UWE Bristol considers may impact negatively on the University's status as a highly trusted sponsor or may otherwise harm or endanger its reputation or good standing.

20. UWE Bristol will normally refuse to issue a CAS where:

- The applicant or student has not met fully the requirements requested of them.
- There is reasonable suspicion that a student is in breach of their current visa or failing to follow immigration advice about their visa position. This includes, but is not limited to, overstaying in the UK on a previous visa.
- There are other circumstances which suggest that to do so would be contrary to UKVI guidance.

21. UWE Bristol reserves the right to carefully consider and potentially refuse to issue a CAS where:

- An applicant or student has previously been refused a Student visa.
- An applicant or student has previously had visa sponsorship withdrawn.

Identity management

UWE Bristol will normally prevent any international student studying in the UK from registering, or re-registering, until:

- a) they have provided acceptable proof of identity.
- b) they have provided evidence of their right to study in the UK. This would usually be a valid visa to study the programme, or a pending application for leave to remain in the UK,
- c) these documents have been checked and copied to the relevant UWE Bristol student records systems.

22. Students are required to provide UWE Bristol with up-to-date immigration documents. If a student gets a new passport or visa, they are required to present this to the University, and this includes replacements and renewals.

23. Students are required to maintain their personal records with UWE Bristol, including their address, for the duration of their studies.

Withdrawal of visa sponsorship

24. UWE Bristol must ensure that all students sponsored by the University for visa purposes follow UKVI regulations throughout the duration of the sponsorship period. Students who obtain a visa to study at UWE Bristol who fail to comply with these regulations will be at risk of having their sponsorship withdrawn by UWE Bristol, which will result in curtailment of their visa. The conditions under which UWE Bristol may consider the withdrawal of sponsorship are listed below.

25. UWE Bristol will withdraw sponsorship where:

- The student is/has been engaging in criminal activity, or where there is a reasonable suspicion that this is the case.
- The student has provided incorrect information in order to obtain a visa to study in the UK. This includes, but is not limited to, qualification information, English language results and financial details.
- There is reasonable suspicion that a student is in breach of their current visa, is deliberately failing to follow immigration advice about their visa position or is found to have obtained their visa inappropriately
- In the opinion of the University, the student's circumstances may compromise or pose a risk to University's sponsor licence.
- The student's main purpose for remaining in the UK is other than full-time study, or there is a reasonable suspicion that this is the case.
- There are any circumstances relating to the student which UWE Bristol considers may impact negatively on the University's status as a highly trusted sponsor or may otherwise harm or endanger its reputation or good standing.

26. UWE will routinely withdraw sponsorship for students who:

- Successfully complete their programme of study earlier than the end date listed on their CAS.
- Have their studies terminated due to non-progression or other academic regulations,
- Do not fully register on their programme within required timescales. This includes applicants as well as students and covers annual re-registration requirements and circumstances in which re-registration is prevented due to academic progression, to non-payment of tuition fees or other relevant circumstances,
- Are withdrawn from their studies for non-payment of their fees,
- After completion of any formal University procedure, are expelled from UWE Bristol or given a period of suspension which is in excess of one month. These procedures include:
 - Student Disciplinary Procedure
 - Fitness to Study Procedure
 - Professional Suitability Procedure.

27. UWE Bristol will normally withdraw sponsorship for students who:

- Transfer to part-time study,
- Have suspended their studies for a period which is more than 60 days, including suspensions arising from:
 - medical or personal circumstances including maternity leave
 - programme transfers
 - plans to repeat study
 - a period of study or work or work experience/placement outside the University
 - a requirement to complete assessments as an external candidate,
- Fail to cooperate with the University in the maintenance of accurate records,
- Are:
 - working in breach of their visa conditions
 - engaging in forms of employment which involve fraudulent or other illegal activities or contravene UK health and safety laws
 - engaging in activities which bring the University in to disrepute.

28. Students who suspend their studies may be able to resume their studies at a later date. UWE Bristol will consider all requests to return to studies and the issuing of new CAS. This will be handled in accordance with the above sections for admission of current/former students.

29. UWE Bristol is required to make reports to the UKVI regarding withdrawal of sponsorship within 10 days of one of the above conditions being met.

Appeals

30. Where UWE Bristol declines to issue a CAS, or withdraws sponsorship for an applicant, the applicant can seek a review via the Admissions Policy.

31. Where UWE Bristol declines to issue a CAS, or withdraws sponsorship for a current student, the student can seek a review via the following appeal procedure.

32. An appeal is a request for a reconsideration of a decision made by UWE Bristol in relation to:

- a report to the UKVI on an individual applicant/student
- the suspension or withdrawal of a student (or an applicant not being permitted to enrol at the University) based on their immigration status

33. It should be noted that students may be required to withdraw through other procedures not relating to their immigration status, and separate appeal procedures therefore exist for these, including:

- Assessment results leading to withdrawal on grounds of academic failure
- Academic Appeal Procedure
- Student Disciplinary Procedure
- Professional Suitability Procedure
- Fitness to Study Procedure
- Suspension and Expulsion of Students for Academic Reasons

Grounds for Appeal

34. Appeals may be made on one or more of the following grounds:

- That there is substantial new evidence which may have affected the decision which was not available at the time the original decision was made.
- That there were procedural irregularities or administrative errors in the decision-making processes.
- That there is evidence of prejudice or bias on the part of one or more members of University staff.

35. UWE Bristol can only consider an appeal against a University decision that is made in line with the grounds in point 35 of this policy. UWE Bristol cannot consider an appeal where UKVI requirements and this policy have been followed.

36. UWE Bristol cannot consider an appeal against the actions or regulations of a third party, for example the UKVI. The appeal should be made directly to the relevant body.

Submission of Appeals

37. An applicant/student wishing to make an appeal must do so in writing to the Complaints and Appeals Office, setting out in full the grounds for and the nature of the appeal.

Further information on the appeals process can be found here:
<https://www.uwe.ac.uk/about/contact-us/complaints>

Ownership and Oversight

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Related policies, procedures and codes of practice:	
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Version history

Version	Date	Summary of changes	Author
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