

**City College Norwich
International
compliance procedure
for Students studying
on Tier 4 visas:
Information for
College staff 18/19**

Version control document

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June 2015	Addition: Page 5, paragraph 2.5	Helen Richardson-Hulme	AMB 2015
18.08.15	Confirmed details set out in section 1 with UKCISA 2.1 / 2.2. updated with 1516 process 2.6 Updated paragraph to include new guidance published 10.08.15 Appendix 2 updated letter in line with new guidance published on 10.08.15 Section 5 updated users and roles for 1516 Section 9 updated with 1516 figures Updated Appendix 1 (to include in final draft) and 4	Helen Richardson-Hulme	
17.11.15	Confirmed details set out in section 1 with UKCISA 2.6 updated paragraph to include new guidance published 12.11.15 Addition: Appendix 5 3.1 updated with 12.11.15 Section 9 Updated student numbers 11 Updated Guidance Documents ½/3 in line with 12.11.15	Sharon Farrant	
18.04.16	Updated level 1 user details		

	<p>Updated Appendix 5</p> <p>5.25 Updated Academic progression – to include new guidance published 06.04.16</p> <p>5.28 Updated academic progression – to include an additional example as published in new guidance 06.04.16</p>		
02.08.16	Annual update including UKVI updates from 18.07.16 Document 2	Helen R-Hulme	
14.11.16	<p>Addition of Daniel Place as Level 2 user (pg 4)</p> <p>2.2 Addition of Rules, Regulations and Procedure for Students 1617 reference</p> <p>2.4 Addition of reference to policy relating to administration fees</p> <p>Training update amended in appendix 4</p> <p>Addition of Appendix 6 – International fee status excerpt</p>	Sharon Farrant & Alexandra Miller	
01.12.16	<p>Appendix 1 – addition of ATAS advice if applicable</p> <p>1.4 Updated footnote1 hyperlink</p> <p>2.6 Updated footnotes 2 & 3 hyperlinks</p> <p>Appendix 2 – amended meeting schedule to termly</p> <p>Appendix 5 – Refreshed excerpt from Document 2 Sponsorship duties - Academic progression and assigning a CAS to reflect new guidance Nov 2016</p>	Sharon Farrant & Alexandra Miller	
19.04.17	<p>Removal of L2 user – Alison Honeybone is no longer in post.</p> <p>1.4 Updated footnote1 hyperlink</p> <p>2.6 Updated footnotes 2 & 3 hyperlinks</p> <p>11 Document references updated to reflect 06.04.17 changes</p> <p>Appendix 5 Document references updated to reflect 06.04.17 changes</p> <p>Training update amended in appendix 4</p>	Sharon Farrant & Alexandra Miller	

20.07.17	Title page amended for 17/18 – no guidance change	Sharon Farrant	
25.06.18	<p>2.2 Updated referral process for Tier 4 applicants and added Helen Richardson-Hulme as compliance team.</p> <p>2.5 Amendments of payment as deposits updated.</p> <p>5.3 Addition of Level 2 user to CAS requirement meetings</p> <p>6.1 Addition of Level 2 user for fortnightly monitoring and compliance meetings</p> <p>6.2 Amendment from monthly to half termly report</p> <p>8.1 Addition of Level 2 user to fortnightly meetings</p> <p>9.1 Update of current Tier 4 students</p> <p>11 Updated legislation and related documents dates. Insert on Office of Students application.</p> <p>Appendix 4 Updated staff training record</p> <p>Appendix 5 Updated excerpt for academic progression version 8th May 2018</p>	Alexandra Miller	

<p>15.01.19</p>	<p>9.1 Updated the College’s current student details</p> <p>11 Updated legislation documents and registration with OfS</p> <p>Appendix 1 – updated procedure</p> <p>Appendix 2 – amendment to letter</p> <p>Appendix 3a added – updated form</p> <p>Appendix 4 – updated staff training record</p>	<p>Alexandra Miller & Sharon Farrant</p>	
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Key contacts for colleagues 1819

Key Contact: Helen Richardson-Hulme
Assistant Principal Student Services
01603 773070

Level 1 User: Helen Richardson-Hulme
Assistant Principal Student Services
01603 773070

Sharon Farrant
International Team Level 1 User
(Immigration & Compliance)
01603 773 451

Alexandra Miller
IAG & International Team Leader
(Immigration & Compliance)
01603 773 623

Level 2 User: Daniel Place
International Adviser

CAS Compliance Administrator Sara Razzaghi
PA to Assistant Principal Student Services and Systems Administrator

Authorising Officer: Corrienne Peasgood
Principal
01603 773 306

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1. What is an International Tier 4 student visa?

1.1 A Tier 4 visa is required for students who are coming to study in the UK who are citizens of a country outside of EEA (European Economic Area) or Switzerland.

1.2 Countries in the EEA are: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

1.3 Iceland, Liechtenstein and Norway are EEA member states, but they are not members of the European Union (EU).

1.4 Switzerland is not a member of the EU or the EEA. However, since 1 June 2002, Swiss nationals have had rights which are similar to those of nationals of EEA countries.¹

2. Key information for staff: the Application process

2.1 Staff must refer initial enquiries to the **International Adviser. In 1819 this is Daniel Place**. Applicants require initial IAG about which courses meet immigration requirements. We will also try and make an appointment to see any family members the applicant may have living in the UK at this point.

2.2 Applicants will receive information about qualification checks we need to carry out and information about College fees as detailed in **Rules, Regulations and Procedures for Students 1819** (Excerpt in Appendix 6). Following immigration advice and documentation collection, the students' application will be discussed at the International compliance team meeting. **In 1819 this is Helen Richardson-Hulme, Sharon Farrant, Alexandra Miller, Daniel Place and Sara Razzaghi**.

2.3 Direct applications from overseas should be referred to the International Adviser so that initial contact can be made.

2.4 Continuing students including progressing students **must** be referred to the International Adviser so that their visa can be checked and we can log any forthcoming changes such as the renewal date.

2.5 Detailed information about the application process is in Appendix 1. During the application process students are referred to the **Rules, Regulations and Procedures for Students 1819 policy where it states that** a Tier 4 student and Short-Term Study student is required to pay the full tuition fee (if it is a year-long course) or the first-year fees if it is a longer course required prior to issuing a CAS. In the Rules, Regulations and Procedures for Students 1819 policy it states that a **£250 administration charge** will be retained should the application not proceed.

¹ [Countries in the EU and EEA - GOV.UK](#)

Accessed 15.01.19

2.6 CASs (Confirmation of Acceptance to Study) are issued to Tier 4 applicants **before** they can apply for their visa and enroll on their programme. CASs are issued by the Key Contact or Level 1 User and the process for this is detailed in the application process in Appendix 1.

2.7 The College reserves the right to refuse to issue a CAS for new or returning students on the basis that to do so would put the College in the position of not complying with UKVI Sponsor guidelines for Tier 4 Sponsors. This includes assessment of a student's academic progression. The Guidance states a serious breach is 'Failure properly to assess a student's academic progression, or falsely claiming that students meet the exception to the requirement to be moving up an academic level.'²

When considering applications, staff must refer to the UKVI definition of Academic Progression as set out in Tier 4 of the Points Based System: Guidance for Sponsors Document 2: Sponsorship Duties: Which is listed in full in Appendix 5.³

3. Key information for staff: Attendance checks

3.1 We are required as part of our Sponsor duties to monitor and record student attendance. **We are required to report instances where a student misses 10 consecutive expected contact points.** At our College we define an expected contact point as 1 week during term time. The purpose of this is to ensure that Tier 4 students are complying with the terms and conditions of their visa and that we report to the Home Office any breaches. This information will be recorded on the student's eILP and the Level 1 User will liaise with academic staff as appropriate in each case. As part of our monitoring procedure we will look for patterns of attendance and any anomalies.

Examples included in Sponsor duties guidance are;

- a lesson, a lecture, tutorial or seminar
- a test, examination, or assessment board
- a meeting with a supervisor or personal tutor
- a research-method or research-panel meeting, writing up seminars or doctoral workshops
- an oral examination or viva
- an appointment with a welfare adviser or international student adviser
- submitting assessed or unassessed coursework
- an interim dissertation, coursework or report
- registration

3.2 **In our College**, we define an expected contact as;

1. a week of term time
2. a test or exam or other assessment

² See Document 3: Sponsor Duties and Compliance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/606679/Tier_4_Sponsor_Guidance_-_Doc_3_Compliance.pdf

Accessed 15.01.19 (page 13)

³ See Document 2: Sponsorship Duties

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/606678/Tier_4_Sponsor_Guidance_-_Document_2-Sponsorship_Duties.pdf

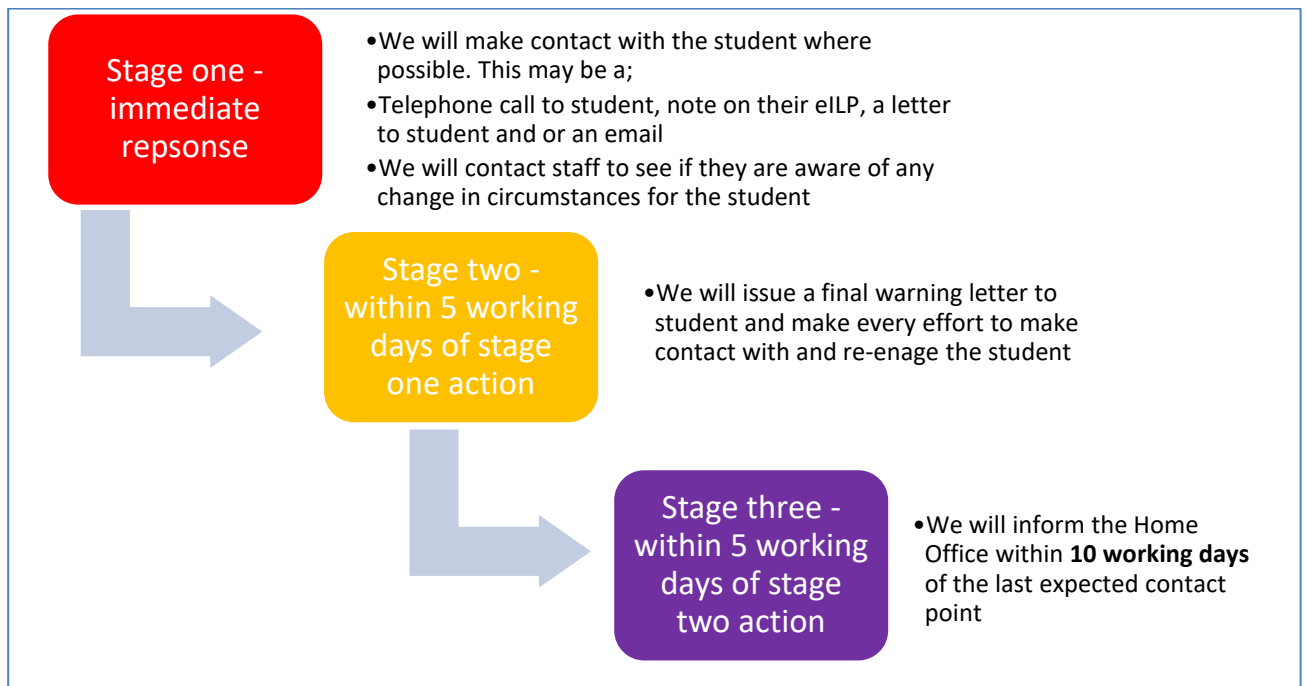
Accessed 15.01.19 (page 31)

3. a meeting with a teacher, tutorial supervisor or other member of staff
4. submission of any work by the required deadline

Students will be invited and expected to attend a welcome meeting during the first half term and scheduled progress meetings throughout the year with the Compliance team.

3.3 An example progress meeting letter is in Appendix 2, an example template for staff to use to complete the progress update is in Appendix 3 and an example of a termly review form is in Appendix 3a.

3.4 Action we will take if a student does not meet the required attendance 'expected contacts'



4. Key information for staff: Correspondence with Tier 4 students

4.1 All relevant correspondence with Tier 4 students will be recorded on the student's eILP so that curriculum colleagues have access to this important information about how their students is being supported in terms of their visa compliance.

5. Key information for staff: Roles and responsibilities

5.1 The Key Contact will:

- Meet with the Level 1 User(s) and Level 2 User fortnightly to review the caseload and discuss individual cases as appropriate, including any issues arising from attendance monitoring
- Provide management information to the College Exec and Academic Management teams as appropriate
- Assign CAS for individual applicants as required

5.2 The Level 1 User will:

- Conduct weekly attendance checks of students on Tier 4 visas and highlight concerns in attendance and monitor absences in line with our Sponsor duties
- Conduct the day to day sponsorship activities using the sponsor management system⁴
- Support the Level 2 User and Key Contact in their day to day role
- Assign CAS for individual applicants as required

5.3 The CAS Compliance Administrator will:

- Collates and stores evidence required for the CAS process
- Meets with Level 1 User(s) and Level 2 user to discuss CAS requirements

5.4 The International Adviser will:

- Provides advice and guidance to new applicants and existing students on immigration rules

5.4 The Authorising Officer will:

- Have strategic responsibility for the College's Tier 4 sponsor status

6. Monitoring and compliance

6.1 Reporting on the progress of Tier 4 students will take place on a fortnightly basis between Key Contact, Level 1 User(s) and Level 2 user.

6.2 A termly report on Tier 4 compliance will be presented to the College Executive team.

7. Staff training

7.1 Tier 4 training has been provided to staff in key roles in the organisation. The training plan for 1819 is in Appendix 4

8. Professional services

8.1 The College utilises its membership of UK NARIC⁵ and UKCISA⁶ for training, consultation and professional updates. These are shared between the Key Contact, Level 1 User(s) and Level 2 and discussed at fortnightly meetings.

9. Current position in College

9.1 The College has 2 students studying on Tier 4 General visas in 1819; 1 on a BSc Aviation Engineering and 1 on a BA Business Management.

10. Student engagement and feedback on our service

We aim to provide a supportive, welcoming and professional service to students studying with us on Tier 4 visas.

⁴ The SMS sponsor management system is a UK Visas and Immigration Service system

⁵ UK NARIC is the designated National Agency responsible for providing information, advice and expert opinion on qualifications worldwide.

⁶ The UK Council for International Student Affairs (UKCISA) is the UK's national advisory body serving the interests of international students and those who work with them.

10.1 Tier 4 students have access to a representative through the Student's Union.

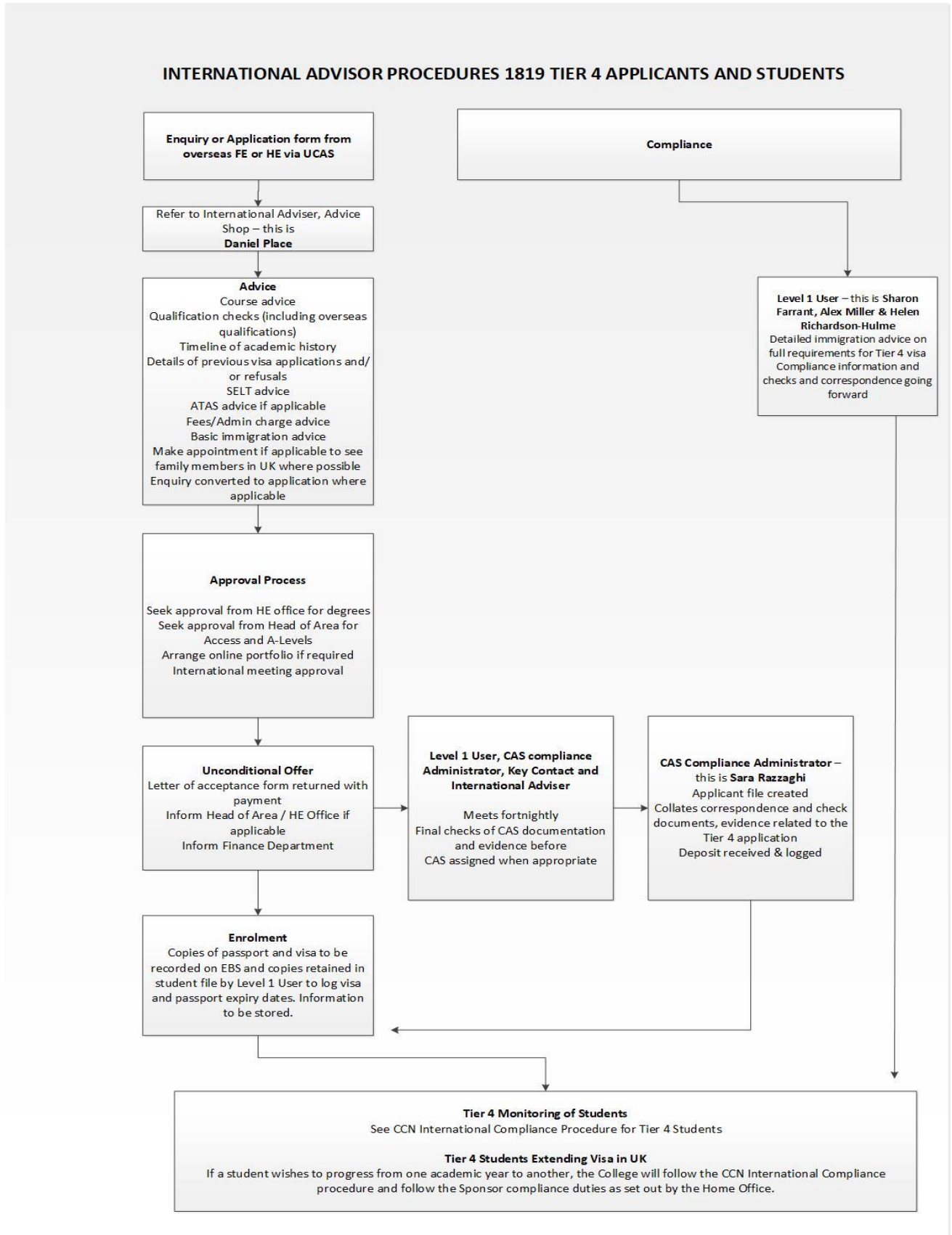
10.2 Students are able to feedback on their experience of using our information, advice and guidance services through participating in surveys, speaking to their student rep or HE Student Forum, feedback postcards and during their face to face meetings with staff.

11. Legislation and other related Procedures

- Home Office Tier 4 of the Points Based System: Guidance for Sponsors Document 1: Applying for a Tier 4 Licence 10.01.19
- Home Office Tier 4 of the Points Based System: Guidance for Sponsors : Document 2: Sponsorship Duties 10.01.19
- Home Office Tier 4 of the Points Based System: Guidance for Sponsors : Document 3: Tier 4 Compliance 10.01.19
- Home Office Tier 4 of the Points Based System: Guidance for Sponsors : Document 4: Higher Education regulatory reform
- Ofsted Handbook for inspecting skills, April 2018
- Keeping Children Safe in Education 2018
- Prevent duty guidance, July 2015
- Student Attendance & Achievement, January 2017 (this is currently under review)
- CCN Rules, Regulations and Procedures for Students 1819

CCN has now registered and received confirmation to Office of Students.

Appendix 1 Application process



For a copy of this diagram or to discuss any aspect of the application process for Tier 4 students please contact the policyholder named at the front of this document.

Appendix 2 Progress meeting letter for Tier 4 students

Date

Name and address

Dear

TIER 4 STUDENT TERMLY REVIEW MEETING

I am writing to invite you to a short progress meeting as part of our support service for international students who are studying with us on Tier 4 Student visas. This is part of the way that the College monitors your progress and comply with our responsibilities as a Sponsor of international students.

I would like to make an appointment with you on

Date, time, place

Please can you confirm by telephone or email, that you will be able to attend this appointment, or suggest another day or time.

At this meeting I would like to talk to you about your

- Attendance
- Outcome of meetings with tutors and supervisors
- Examination attendance
- Submission of course work
- General progression on the course.
- Confirm or update your current address and telephone numbers for UK & overseas

I will be in touch with your tutor prior to the meeting and I will also give you the opportunity to talk to me about any issues you may have whilst you are a student here at City College Norwich.

As a Tier 4 Student, you will know that the College has Tier 4 Compliance duties to the Home Office. So, we have introduced these meetings to help you and the College protect your Tier 4 status. The Home Office can bring your immigration permission to an end if they are notified that you have not met the conditions of your visa. It is very important that, as far as possible, you attend all your classes and lectures and submit coursework when it is due. If you have problems with this you should let us know immediately so that we can discuss your options with you. It is very important that you notify us if you are ill and cannot attend or submit work. If you decide to leave your course early you must tell us. If you are returning home or going to a different institution to study, you should provide us with details so that we can notify the Home Office. It will then be clear to everyone whether or not you are still studying in the UK.

I look forward to seeing you.

Yours sincerely

Sharon Farrant

IAG Team Leader and College Immigration and Compliance

Sponsor Licence Number GN7JDV8A0

Appendix 3 Example progress meeting template for staff to use

Termly Review Meeting Tutor Report				
Date				
	Module/subject	Module/subject	Module/subject	Module/subject
Attendance				
Outcome of meetings with tutors and supervisors				
Examination attendance				
Submission of course work				
General progression on the course				

Appendix 3a Example of a Termly review form

INTERNATIONAL STUDENT TERMLY REVIEW FORM			
Student Name		Student Code	
Contact Telephone Number/Address (home & overseas)		Date of meeting	
Course Title		Name of Tutor	
Report from tutor			
Attendance			
Meetings with supervisors/ tutors			
Examination attendance			
Submitting coursework			
Discussion with Level 1 user			
Staff Signature	Student Signature	Date of next meeting	

Appendix 4 Staff training and development 1516 & 1617 & 1718 & 1819

1516

Title	Date	Attendees
UKCISA Preparing for Enrolment	25.02.16	Sharon Farrant Chris Caddamy
UK NARIC	06.04.16	Sharon Farrant
UKCISA Preparing for Enrolment	26.04.16 Internal training	Student Services Student Data Admissions
AoC International Conference	09.06.16	Alexandra Miller
UKCISA Framework for Fees 1617 v3	21.07.16	Sharon Farrant Tom Grayling
UKCISA Framework for Fees 1617 v3	22.08.16 Internal training	Student Services Student Data Admissions

1617

Title	Date	Attendees
UKCISA Basic Tier 4	20.10.16	Daniel Place
UK Naric Conference	21 & 22.11.16	Daniel Place
UKCISA Assigning a CAS	29.11.16	Daniel Place
UKCISA Advising on Tier 4 Applications (1)	06.12.16	Daniel Place
UKCISA P813 Tier 4 & Sponsor Compliance	18.01.17	Alexandra Miller
UKCISA Enrolment & Immigration	08.02.17	Daniel Place

1718

Title	Date	Attendees
UK NARIC Conference	20/11/17	Helen Richardson-Hulme
UK NARIC Conference	21/11/17	Sharon Farrant
UK NARIC L2 International Admissions Course	20/03/18	Daniel Place
UKCISA Home Office Audit Survival and Preparation Course	15/04/18	Daniel Place

1819 – completed and scheduled

Title	Date	Attendees
GDPR & immigration work in the education sector	16.11.18	Daniel Place
UKVI audits: preparation and survival	05.12.18	Helen Richardson-Hulme
UKCISA Framework for Fees	25.01.19	Alexandra Miller
UKCISA Preparing for Enrolment	08.02.19	Alexandra Miller
UKCISA Members' Seminar	13.02.19	Sharon Farrant
Stop Press: recent changes and issues	30.05.19	Sharon Farrant

Appendix 5

Excerpt from Tier 4 of the Points Based System: Guidance for Sponsors

Document 2: Sponsorship Duties

Version 01/2019 - This guidance is to be used from 10th January 2019

Academic progression

5.20 The academic progression rule is in place to ensure that students are progressing academically if they wish to study a further course in the UK and are not merely seeking to extend their stay in the UK.

Who is exempt?

5.21 A student does not need to show academic progression if:

- a. they are making a Tier 4 (Child) Student application in the UK or overseas;
- b. they are making their first Tier 4 (General) application;
- c. they are making a Tier 4 (General) application overseas;
- d. they are making a first application to move to a new institution to complete an existing course commenced at a Tier 4 sponsor that had its licence revoked;
- e. they are applying to resit an examination, repeat a course module ¹ or repeat an academic year, or they have previously re-sat examinations, repeated modules or repeated an academic year and require leave to remain to complete the course in respect of which those examinations were re-sat, modules repeated or academic year repeated;
- f. they are applying to complete the PhD or other doctoral qualification for which they were last given Tier 4 or Student leave, in the UK or overseas (including where they are completing the qualification at a new sponsor);
- g. they are applying to undertake a role as a Student Union Sabbatical Officer, or to complete the qualification for which they were last given Tier 4 or Student leave after a period as a Student Union Sabbatical Officer;
- h. they are applying under the doctorate extension scheme;
- i. they are applying as a postgraduate doctor or dentist on a recognised Foundation Programme; or
- j. they are applying to extend their leave to remain in order to undertake a study abroad programme or work placement or they have previously completed a study abroad programme or work placement and require leave to remain to complete their course.

¹ A student may not take the same exam or module more than three times unless their sponsor has Tier 4 Sponsor status.

- 5.22 If a student is exempt from demonstrating academic progression, the sponsor must confirm this and set out why in the CAS. Caseworkers may request further evidence when deciding applications.
- 5.23 If a student is applying in the UK as a differentiated applicant, the sponsor must explicitly confirm that they have completed their previous course of study on the CAS for academic progression to be considered to be met. Caseworkers may request further evidence when deciding applications.
- 5.24 If a student is applying for the purposes of re-sitting a single or multiple examination(s) or repeating a single or multiple module(s), or because they have previously done so, the sponsor must state this (and whether they are/have re-sat examinations or are/have repeated modules) in the CAS. If the student has changed their course without completing their previous course (having met the relevant requirements to do so), they must submit transcripts to show that they have previously sat the exam/s or taken the module/s to support their application, in respect of the course they changed to, not the previous course.

How can a student meet the academic progression requirement?

- 5.25 To meet the academic progression requirement, the student's new course must normally be above the level of the previous course for which they were given Tier 4 leave. For example, if a student's previous course was at RQF6 (and equivalents), their next course should be at least at level RQF7.
- 5.26 In certain circumstances a student may be able to continue to study at the same level (see 'Studying at the same level'). However, if the student's new course is at a lower level than the previous course, it will not represent academic progression and any application to extend their leave will be refused.
- 5.27 The student must also meet one of the following requirements:
- a. they must have successfully completed (meaning they have achieved the qualification for which they were studying) the course for which they were last granted Tier 4 leave or, if they have changed courses with the same sponsor, the course they changed to; or
 - b. they must be applying to progress from:
 - i. a Bachelors to Masters level course as part of an integrated Masters course, or
 - ii. a Masters to PhD level course as part of an integrated Masters and PhD programme; or
 - c. they must be applying to pursue an intercalating year as part of their medical, dental or veterinary science degree, or they are returning to their original course having completed their intercalated year.

Sponsor duties

- 5.45 When assigning a CAS to a student required to show academic progression, the sponsor must confirm on the CAS that the student meets the requirement, and how. Where the sponsor is an HEI which has chosen exceptionally to assign a CAS to a student wishing to extend their leave who is applying to study a second course at the same level, the HEI must justify its decision by explaining its rationale on the new CAS. This explanation must include confirmation that either the new course is related to the previous course (meaning that it is either connected to the previous course, part of the same subject group or involves deeper specialisation) or the student's previous and new course combined, support the student's genuine career aspirations, and why. Abuse of this exception to the requirement to be moving up an academic level will be regarded as immigration abuse and compliance action may be taken against the sponsor.
- 5.46 UKVI may take compliance action against a sponsor if:
- they assign a CAS without properly assessing a student's academic progression.
 - they are required to confirm a student's academic progression on the CAS, and do not.
 - they abuse the exception to the requirement to be moving up an academic level.
 - when assigning a CAS for an integrated Masters course or integrated Masters and PhD programme, they do not make an assessment of the student's ability to complete the higher level course before issuing a CAS.
 - they abuse the ability to provide formal written confirmation or fail to withdraw sponsorship in the event that the student does not successfully complete their first course.

Appendix 6

Excerpt from Rules, Regulations and Procedures for Students 1819

4.6 International students

The College holds a strict no-refund policy. The student will be liable for the entire fee, even if they withdraw before the end of the course.

Students are required to pay a 25% deposit at enrolment and this is non-refundable.

However, a Tier 4 student and Short-Term Study student is required to pay the full tuition fee (if it is a year long course) or the first year fees if it is a longer course, prior to issuing a CAS (confirmation of Acceptance to Study) or unconditional offer letter (applicable to short term study visa.)