



UNIVERSITY OF  
WINCHESTER

## VISA SPONSORSHIP POLICY

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<p><b>Indicate whether the document is for public access or internal access only</b></p> <p><b>Indicate whether the document applies to collaborative provision?</b></p> <p><i>(Strikethrough text, as appropriate)</i></p>	<p><b>Public Access</b></p> <p><del><b>Internal Access</b></del></p> <p><del><b>Only</b></del></p> <p><del><b>Applies to Collaborative Provision</b></del></p>
<p><b>Summary:</b></p> <p>This document defines the policy for compliance with the Home Office regulations relating to Student Route visa students, sponsored by the University.</p> <p>The Policy is specific to the University of Winchester and does not cover all immigration and sponsor requirements. It is reviewed annually but may be amended sooner in response to UKVI Policy changes.</p>	

# STUDENT VISA COMPLIANCE POLICY

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## 1. Policy Introduction

The UK Visa & Immigration Directorate of the Home Office (UKVI) requires Higher Education Institutions to undertake a range of duties and responsibilities as Sponsors of students entering the UK with Student Visas. These focus on issuing of Confirmation of Acceptance for Studies (CAS); Record Keeping and Reporting Duties.

The Pro-vice Chancellor (Engagement) is Authorising Officer and has overall responsibility of the Sponsor Licence.

The Head of International Student Success is responsible for ensuring that the University complies with UKVI requirements as outlined in their [Policy Guidance](#) and is Key Contact.

## 2. Scope

2.1 This policy applies to:

- applicants and students of programmes delivered on University of Winchester premises who require a student visa to study in the UK.

2.2 This policy does not apply to:

- employees of the university (except where the employee is also a student of the university).
- Collaborative Provision.

## 3. Key Requirements of UKVI Policy Guidance

The University's Policy reflects requirements set out in UKVI's Policy Guidance and Immigration Rules as follows:

- 3.1 The University shall allow access to UKVI staff; apply their guidance; supply ad hoc data; use the UKVI on-line Student Management System (SMS) and strive to ensure that the University's sponsored students arrive, enrol and complete their studies.
- 3.2 The University shall issue a CAS for students that meet the relevant UKVI and university requirements. The CAS contains essential information on the student's programme, background, fees and English language (where required). The CAS is a key instrument used by the student in support of a visa application.
- 3.3 The University will keep copies of up-to-date passport (specific pages); visa (BRP/Digital Immigration Status); evidence of date of entry; contact details; attendance data and key documents supporting their application for the students that it sponsors.
- 3.4 The University will securely keep electronic copies of up-to-date passport (specific pages); visa (BRP/Digital Immigration Status) as evidence of Right to Study for all unsponsored Overseas students.
- 3.5 The University will report students who do not enrol; cease engagement; change immigration category or have significant programme changes. The University will also report details of recruitment 'intermediaries' and students believed to be breaching or attempting to breach

visa conditions or involved in terrorism or other criminal activity.

- 3.6 To retain sponsor status, the University must apply for a Basic Compliance Assessment (BCA) every 12 months. This consists of a CAS refusal rate not exceeding 10%; a 90% enrolment rate of sponsored students and a course completion rate of at least 85% for sponsored students.
- 3.7 Failure to comply with UKVI requirements may result in the loss or suspension of the University's licence to sponsor Overseas students.
- 3.8 Sponsored students can only enrol on programmes that meet certain requirements; these are that the programme must be at RQF 3 or above (except English language courses); the programme should be full-time (part-time students may be accepted at Postgraduate level) and must lead to an approved qualification. There are additional conditions about the place of study and mandatory work placements.
- 3.9 Full details of current UKVI requirements are available on the [UKVI website](#) and Student Support and Success pages of the intranet. The Head of Student Visa Compliance can also provide clarification.

#### 4. Specific Responsibilities at the University of Winchester

##### 4.1 CAS Issuing

UKVI Requirement	Responsibility
Issue CAS to new students	Marketing, Communications & Engagement – Admissions Student Support and Success - International Student Success for Study Abroad students
Issue CAS to continuing students	Student Support and Success - International Student Success

##### 4.2 Record Keeping

UKVI Requirement	Responsibility
Copies of relevant passport pages, visas(BRP/Digital Status) and all relevant appendix D documents	UKVI Compliance Officer
ACL Procedure	UKVI Compliance Officer
Contact details	UKVI Compliance Officer
Attendance and Engagement records	UKVI Compliance Officer
Evidence used for CAS issuing	Marketing, Communications & Engagement – Admissions

##### 4.3 Reporting Duties (see [Student sponsorship Guidance for detail](#))

UKVI Requirement	Responsibility
Student visa refused	UKVI Compliance Officer
Student delayed	UKVI Compliance Officer

Student fails to enrol	UKVI Compliance Officer
Student withdraws/defers	UKVI Compliance Officer
Student engagement/contact stops	UKVI Compliance Officer
Stop sponsorship - other reason: e.g., change of immigration category/programme/work placement. Complete programme early.	UKVI Compliance Officer
Successful completion reporting: confirming eligibility to UKVI for Graduate Route	UKVI Compliance Officer

## 5. Recruitment and Admissions

- 5.1 Students will apply to the University in the same manner as other students, either via UCAS or using a University of Winchester Application Form.
- 5.2 Any Agent or other intermediary will be appointed and managed by Marketing, Communications & Engagement - International Recruitment, in line with the University's Agent Policy.
- 5.3 The UKVI Compliance Officer will provide UKVI with the list of agents it engages on an annual basis via UKVI's Educators Helpdesk.
- 5.4 Offers will only be made to students who meet the English language requirement as stated in UKVI's [Student Sponsor Guidance](#). This requirement is in addition to the University's published entry requirements.
- 5.5 Offers made, do not guarantee CAS will be issued to the applicant and the University reserves the right to refuse sponsorship under the Student Route to any applicant. Where such action is taken, the University will clearly explain reasons for this refusal to the student.
- 5.6 A CAS does not guarantee a successful visa application.
- 5.7 Qualifications and English language certificates will be verified, where possible.
- 5.8 The University will carry out financial and credibility checks for applicants applying from countries not listed under appendix ST 22.1 ( in the [Immigration Rules - Immigration Rules: Appendix Student - Guidance - GOV.UK](#) ). The University reserves the right to also carry out credibility checks for applicants applying from countries listed under appendix ST 22.1, if relevant.
- 5.9 Once a student has accepted an unconditional offer, they will be invited to create their account on CAS Shield (Enrolly), to enable the University to collect further information required before a CAS can be issued in relation to their UK Immigration history.
- 5.10 Students are normally required to pay a tuition fee deposit to demonstrate their commitment to University study before a CAS is issued.
- 5.11 Students may be required to undertake a pre-CAS credibility interview. This will be used to assess the credibility of the student before CAS is assigned.
- 5.12 When a CAS is provided to a student, they will also be sent information about our expectations and the conditions of visa sponsorship, via email.
- 5.13 Visa refusals for new students will be reported to the UKVI by UKVI Compliance Officer. Depending on the nature of the refusal, a new CAS may be issued to allow the student to submit a new visa application, but this is at the discretion of the UKVI Compliance Officer.
- 5.14 In the event of visa refusal, a new CAS will not normally be issued where:
- The visa was refused on credibility grounds.
  - The visa was refused due to fraudulent documents or suspicion of fraudulent documents.



## 6. Right to Study checks and Enrolment

- 6.1 All students will complete a Right to Study visa check prior to formally enrolling at The University of Winchester. Students who are unable to evidence their Right to Study, will not be permitted to enrol onto their course.
- 6.2 An in-person check will be required to be carried upon arrival with the enrolment team and checks will be completed by the enrolment team.
- 6.3 Checks determine a) that the student has the valid and correct documentation and b) ensures The University of Winchester retains copies of documentation on the student record as per the [UKVI Appendix D](#) requirement.
- 6.4 All students must ensure they have the Right to Study for the duration of their course, whether sponsored or unsponsored.
- 6.5 Un-sponsored students must provide evidence of Right to Study before being permitted to enrol, but it does not have to cover the entire programme of study at the point of enrolment. However, if a student's immigration permission expires before the end of their course, it is the student's responsibility to ensure one of the following:
- They request a CAS to apply for a Student visa, although there is no guarantee that this will be provided by the University or that they will be eligible for visa sponsorship.
  - They extend their current visa and provide evidence of this to International Student Success, before their current visa expires.
- 6.6 If an un-sponsored student is unable to provide further evidence of their Right to Study before the end of their programme of study, the student may be liable to be withdrawn from their studies at the University.
- 6.7 The UKVI Compliance Officer is responsible for the University Alternative Collection Location (ACL) Process. Students who used our ACL code will be able to collect their BRP directly from the University.
- 6.8 The ACL Procedures document describe how the UKVI ACL requirements are met.
- 6.9 Students are normally required to live within 60 mile/90 minute radius of the University to ensure they are able to meet their engagement requirements.

## 7. Engagement Monitoring

- 7.1 This section is based upon [UKVI's Engagement policy](#) which took effect from 5 October 2020. It refers to students, sponsored by us under the Student Route. Monitoring engagement is a statutory requirement and it should also be read alongside the University of Winchester Dashboard Procedures 2023-24. This describes the technical aspects of how our engagement dashboard works and the University's approach to support students to re-engage with their studies.
- 7.2 Sponsored students must academically engage with their course throughout the period of leave for which the students are being sponsored. UKVI recognises that academic engagement is indicated by activities such as:
- Attending required lectures, seminars or tutorials
  - Undertaking required laboratory work
  - Undertaking research or fieldwork
  - Submitting essays, assignments and attending examinations.
- 7.3 Faculties are responsible for recording the attendance and engagement of its sponsored students on taught programmes and ensuring no falsifying of attendance is taking place.
- 7.4 Research Knowledge and Exchange (RKE) are responsible for recording PhD students by way of monitoring engagement with Supervisor meetings.
- 7.5 Sponsored students whose intended award is below degree level are required to attend a minimum of 15 hours of daytime (08:00 to 18:00, Monday to Friday) classroom-based\* study per week. Where the student has not reached 85% attendance of their classroom-based study in any given month, the Faculty/Department must review the reason for the student's absence and a record must then be annotated with the reason for the non-attendance including steps being taken to improve the student's attendance. Where a student's attendance falls below 70% for three consecutive months, the UKVI Compliance Officer must be notified to ensure the student's sponsorship due to lack of academic engagement is withdrawn. If applicable, exceptional and evidenced reasons for the non-attendance (e.g. illness) will be considered. Please note that students who are on a foundation year as part of their degree should be considered as 'degree level' and should be monitored by their Faculty.
- 7.6 The attendance and engagement of Sponsored students whose intended award is degree level or above, (with the exception of students on work placements, Study Abroad programmes and Research programmes) will be monitored through Attendance and Engagement Dashboard as detailed in the Dashboard Procedures 2023-24 document. Attendance is monitored on 7 calendar days rolling basis, from the first teaching week.
- The nonengagement process will follow the Appendix 1 – flowchart in the Dashboard Procedures 2024-25 document.
  - Once the 21-day alert have been triggered, an additional set of steps will be initiated for sponsored students.
  - A further 28-day and subsequent 35-day alert will be triggered from the UKVI Compliance Officer to the student via email confirming the student has not been attending and engaging and if there is no further engagement in the next 14 days/7 days, they will be withdrawn from the University and visa sponsorship will be withdrawn.
  - A 42-day checkpoint will be triggered to confirm if there has been any engagement. If no further engagement has been identified, the student will be referred to Registry for withdrawal from the University. Once withdrawal has been confirmed and allowing for any appeals processes, visa sponsorship will be withdrawn.

There may be exceptional circumstances where the University will not seek to withdraw the Student due to non-engagement. This must be agreed in writing with the Head of International Student Success and Director of Student Support and Success. Exceptional circumstances will normally be approved where:

- Evidence demonstrates a clear risk to a Student's well-being based upon notification of withdrawal and;
- The student can still complete their programme of study within the time-frame of their current visa.

- 7.7 The attendance and engagement of sponsored students on a work placement or field research trips is recorded by faculty.
- 7.8 The attendance and engagement of sponsored students on a Study Abroad programmes is monitored by International Student Success in conjunction with the Partner institution as detailed in 7.3 of the Student Exchange and Short Term Study Abroad Policy.
- 7.9 Faculties are responsible for regularly informing the UKVI Compliance Officer which visa students due to start placement/study abroad so that they can be externally reported to UKVI at each occurrence:
- Faculties must keep an up-to-date list of sponsored students on placements.
  - Faculties must report each individual placement to the Head of Visa Compliance.
  - The UKVI Compliance Officer will report placement to the UKVI before commencement of the placement or study abroad programme.
  - Students may undertake a work placement if it is an integral and assessed part of the programme, but it must not normally be more than 50% of the total length of a programme.
  - The University remains responsible for the student during their work placement and shall continue to comply with all sponsor duties, including those relating to attendance monitoring and the maintenance of current contact details.
  - The Faculty should keep a record of students' engagement with placement and alert the UKVI Compliance Officer if engagement stops.
  - The Administrator with monitoring responsibilities is responsible for ensuring that the work placement provider is aware of the requirements relating to sponsored students in their workplace.
- 7.10 Faculties must keep a record of regular contact with Master's students in the writing-up phase of their course.
- 7.11 The attendance and engagement of sponsored students who are undertaking official roles as Student Union sabbatical Officers is monitored by International Student Success in conjunction with Student's Union.
- 7.12 There is no requirement to monitor academic engagement for immigration purposes during university designated vacation periods or post study periods.
- 7.13 Post-graduate students in the write up phase of their dissertation are considered current status. This period runs from the end of semester two until the dissertation is submitted for marking.

## **8. Review by the Office of the Independent Adjudicator**

- 8.1 Students and former students who remain dissatisfied with the outcome of the University's internal procedures may refer the matter to the Office of the Independent Adjudicator (OIA) within 12 months of the date of issue of the Completion of Procedures Letter. Further

information can be obtained from the Students Union Advice Centre or the OIA website ([www.oiahe.ac.uk](http://www.oiahe.ac.uk)).

## **9. Resit and Repeating Students**

- 9.1 These students may continue to be sponsored, provided their continued participation is required. If no participation or attendance is required for more than 60 days, sponsorship will be withdrawn, but the student may still continue to be enrolled at the University.
- 9.2 There is no automatic right to a visa extension. If a student is due to resit or repeat modules, or has already resat or retaken modules, and requires a new CAS for the purpose of a visa extension, this will normally be provided by the University, except where:
- No in-person attendance or participation is required.
  - The purpose of visa extension is to provide extra time to apply for a Graduate Route visa.
  - There are tuition fee debts.

## **10. Exceptional Circumstances**

- 10.1 If a student requires a CAS for the purpose of a visa extension due to exceptional circumstances, this will normally be provided by the University.

## **11. Interrupting/withdrawing Students**

- 11.1 If a student requests to interrupt or withdraw from studies and this is confirmed by registry, sponsorship will be withdrawn, where applicable. Please note requests for backdated Interruption/withdrawals will not be accepted if the requested date is more than 40 days prior to application.

## **12. Compliance Duties**

- 12.1 The UKVI Compliance Officer will undertake several scheduled activities throughout the year to monitor the University's compliance. The key activities to be monitored include:
- Completeness of Passport and Visa records relating to non-UK/Irish Nationals
  - Completeness of student contact details on SITS.
  - Attendance and engagement records are maintained
  - Changes to UKVI policies and regulations
  - Audit checks on relevant departments
  - Annual Licence activities such as, annual CAS allocation application
  - Annual confirmations of third parties
  - Addition of new teaching sites
  - Renewing Student sponsor licence (when applicable)
- 12.2 The University of Winchester will continue to meet its Educational Oversight requirements by maintaining the required ratings during inspections.
- 12.3 Material changes will be reported if applicable as per the [Sponsorship Guidance document](#). Changes such as name or address of the University; new sites; changes in staff or student profile; mergers or significant financial changes.
- 12.4 Changes to sponsor details should be updated via the SMS as stated in the guidance document.

