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| Institutional Procedures on students who are subject to Immigration Control | |
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1. Purpose

- 1.1. The overarching purpose of this procedure is to provide a clear description of the roles and responsibilities of the University and its students, with respect to the UK Immigration Rules.
- 1.2. Adherence to this procedure will ensure that the University meets its obligations as a Student Route Sponsor, and students do not act in breach of their visa conditions.

2. Scope and Exceptions to the Procedure

- 2.1. To be able to recruit students from outside the UK & Republic of Ireland the University is required to comply with the terms of the Immigration, Asylum and Nationality Act, 2006.
- 2.2. The University holds a Student Route Sponsor Licence issued by the Home Office permitting it to issue Confirmation of Acceptance for Studies ('CAS') to potential non-EEA students from 5 October 2020, and potential EEA students from the 1st January 2021. Previously, since April 2010, the University held Tier 4 Sponsor status.
- 2.3. Alongside Student visas, students at the University may hold a number of other types of time-limited leave to remain which allow them to register and study.
- 2.4. These procedures apply to all students who are subject to immigration control.
- 2.5. These procedures are specific to the University and do not necessarily set out the full requirements of the Immigration Rules. The University is entitled to revise its policies or procedures relating to compliance with its Student sponsor duties at any time and will usually do so where there have been any applicable changes to sponsorship requirements made by UK Visas & Immigration ('UKVI'). This policy should be read in conjunction with the UK Government prevailing [Student Sponsor Guidance](#), and the [Immigration Rules](#). The Immigration Rules and associated UKVI guidance documents will remain the main source of the University's obligations, regardless of whether any requirements are dealt with in these procedures.

3. Definitions and Terminology

- 3.1 **Registration:** The act of initial registration in person by the student during the prescribed period, dependent on the programme start date. For Student Route visa holders this is specified on the CAS.
- 3.2 **Sponsored Students:** For the purpose of this guidance, the sponsoring institution is the University of Surrey and sponsored students refers to those students studying under the Student Route.

3.3 Students: For the purpose of this guidance, all references to ‘Students’ includes those granted permission under the current Student route, and also those granted permission under the previous Ter 4 (General) route.

4. Sponsorship Duties for Student Route Sponsors

The University’s duties as a Student Route Sponsor are as described in the UK Government publication [Document 2: Student Sponsor Guidance, Sponsorship Duties](#).

Paragraph 1.2 of the Introduction to the Student Sponsor Guidance confirms that all references to ‘Students’ within the guidance must also be read as ‘including those applying for, or who were granted leave, under the previous Tier 4 (General) route’.

In summary, the University’s duties are:

| | Duty | Source |
|---|---|---|
| 1 | Support immigration control by taking steps to ensure that every student at the institution has permission to study in the UK throughout the whole period of their study | Document 2 ‘Sponsorship Duties’ |
| 2 | To obtain and record all documentation relating to sponsored students as per Appendix D of the Immigration Rules | Appendix D ‘Keeping documents guidance for sponsors’ |
| 3 | To meet educational oversight requirements as prescribed by the Sponsor Guidance | Document 1 ‘Applying for a Student Sponsor Licence’ & Document 2 ‘Sponsorship Duties’ |
| 4 | To offer programmes to sponsored students which comply with the Sponsor Guidance | Document 2 ‘Sponsorship Duties’ |
| 5 | To assign CAS only to those students we believe meet the requirements of the Student Route and will comply with the conditions of their permission to stay in the UK | Document 2 ‘Sponsorship Duties’ |
| 6 | To make timely reports to the Home Office on all sponsored students as prescribed in the latest version of the Sponsor Guidance. This includes but is not limited to withdrawals, non-registration and lack of engagement with the programme. | Document 2 ‘Sponsorship Duties’ |
| 7 | To report details of any agents and other third parties used in recruiting students | Document 2 ‘Sponsorship Duties’ |
| 8 | To ensure that all sites, exceptional arrangements and teaching partnerships are recorded as per the sponsor guidance. | Document 1 ‘Applying for a Student Licence’ |

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| 9 | To refer to the police any information we have about students engaged in terrorism or other criminal activity | |
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Students are advised that the University is obliged to inform the Home Office should they be made aware of any breaches to the terms and conditions of a student’s visa. Our sponsorship duties require us to co-operate with the Home Office and report anything that suggests a student is “breaking the conditions of their permission to stay in the UK, such as working in breach of their conditions”¹.

5. Responsibilities of students with time-limited leave to remain

Not all students from outside the UK & Republic of Ireland will hold a Student visa, however all students are required to:

1. Produce valid passport and immigration documents (e.g. vignette, Biometric Residence Permit (BRP), verified online confirmation, or other) for scanning and recording at point of registration.
2. Provide the Visa Compliance team (part of Student Records and Data, Academic Registry) with all correspondence that they receive from the Home Office in relation to their current immigration status.
3. Ensure that passports and immigration documents are always valid and in-date and that they do not contain any errors, and that any applications for further leave are applied for in good time, preferably in consultation with the International Student Advice team (ISS) through MySurrey Hive.
4. Produce any updated, extended, or replacement passports to the MySurrey Hive for scanning and recording as soon as they are received.
5. Inform the Visa Compliance team by emailing visa-compliance@surrey.ac.uk, immediately if their immigration status changes at any time (e.g. change of immigration category or becoming a citizen of a country not subject to immigration control in the UK).
6. Produce any corrected, updated, extended, or replacement immigration documents (e.g. vignette, BRP or other) to the MySurrey Hive for scanning and recording as soon as they are received.
7. Keep their personal and current contact details up-to-date on the student record system (via [Surrey Self-Service](#)).
8. Maintain personal copies of their Passport pages and valid immigration documents, leave stamps, or letters.
9. Seek advice from ISS before making changes to their programme of study which could affect their ability to remain sponsored by the University. Requests to make changes to a programme of study should then be raised via the relevant Academic Hive.

¹ Document 2: Student Sponsor Guidance, Sponsorship Duties;
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/939471/Student_Sponsor_Guidance_-_Doc_2_-_Sponsorship_Duties_2020-12.pdf

10. Ensure that if registered on taught programmes, they attend compulsory lectures, tutorials, examinations and other activities which form part of their programme of studies as per University regulations. In addition, to submit by required deadlines coursework and other assignments required for the programme as per regulations.²
11. Ensure that if registered on research programmes, they attend supervisory sessions and submit progress reviews as per University regulations. In addition, to ensure they are continuing to make satisfactory academic progress and maintain continued contact with their supervisors and faculty as per regulations and the code of practice.³
12. Reach the level of academic attainment required for the programme.
13. Re-register online with the University at the beginning of each new academic year during the required period between August and mid-October.
14. Always adhere/comply to the conditions of their visa.

6. Responsibilities of holders of Start-up visas

The University of Surrey will endorse individuals who make successful applications via the [Student Enterprise Team](#) for leave under the Start-up Visa scheme. This visa is for current final year students coming to the end of their studies and external applicants who have an innovative, viable and scalable business, as assessed by the Student Enterprise Endorsing Panel. Holders of this visa have the following responsibilities during their leave:

1. Consent to the University providing personal details to the Home Office.
2. Agree to update contact details with the University if they change during the year.
3. Agree to spend the majority of their working time on developing their business venture, although they can take up additional employment.
4. Agree to and follow the checkpoint dates and requirements around monitoring.
5. Agree to the University sharing information for publicity purposes.

7. Responsibilities of holders of Tier 4 Doctorate Extension Scheme visas

The University of Surrey will support students to apply for Tier 4 Doctorate Extension Scheme (DES) visas up until the closure of the route in summer 2021. Details on the application process and eligibility criteria can be found on the [University website](#). The [DES visa](#) allows graduates to stay in the UK for 12 months for the purposes of gaining “further experience in your chosen field, seek skilled work, or develop plans to set up as an entrepreneur”. Once granted their award by the University, a holder of one of these visas is no longer a student. However the holder of the visa has the following responsibilities for the duration of their leave:

² In accordance with ‘University of Surrey A1 Regulations for taught programmes’;
<https://www.surrey.ac.uk/quality-enhancement-standards/regulations>

³ In accordance with ‘University of Surrey A2 Regulations for research degrees’;
<https://www.surrey.ac.uk/quality-enhancement-standards/regulations>

1. Present to the University their Tier 4 (DES) BRP once issued for verification and recording.
2. Consent to the University providing personal details to the Home Office.
3. Agree to update contact details with the University if they change during the year.
4. Respond to the University's two scheduled contact emails within 28 days.

Students wishing to apply for a visa under the Doctorate Extension Scheme should refer to the University of Surrey's *Confirmation of Acceptance of Study ('CAS') issuing policy for applicants and students* for further information on conditions when the University will and will not issue a CAS.

8. Selection and Admissions

8.1 CAS Processing For Applicants

In order to apply for a Student visa to study at the University of Surrey, applicants must have a Confirmation of Acceptance of Studies (CAS). This is a reference number unique to each applicant.

CAS will be assigned as per the University of Surrey's [Confirmation of Acceptance of Study \('CAS'\) issuing policy for applicants and students](#). The CAS Issuing Policy also details the conditions under which we will not issue a CAS.

Receipt of an academic offer does not guarantee that you will be assigned a CAS. Your immigration history and status will be assessed in accordance with the Student Route requirements and Immigration Rules. The University reserves the right to refuse a CAS to an applicant if the immigration requirements of the Student Route Sponsor Guidance and Immigration Rules are not met.

It is the applicant's responsibility to familiarise themselves with the Immigration Rules and ensure that they show they have the required permission to be in the UK and study at the University of Surrey. The onus is on the applicant to ensure they qualify for a student visa.

For the avoidance of doubt, the issue of a CAS by the University does not necessarily mean that an applicant's or student's application for a Student visa will be successful. The University shall not be liable if any Student visa applications are refused by the UKVI. The University shall bear the cost of any CAS issued, however payment for the remainder of the visa application and associated costs (e.g. the Immigration Health Surcharge) are the responsibility of the applicant.

For further information, please refer to the University of Surrey [Confirmation of Acceptance of Study \('CAS'\) issuing policy for applicants and students](#).

8.2 Academic Progression

Applicants requiring a Student visa must apply for a programme of study which represents appropriate academic progression from their previous programme of study in the UK. This

must comply with the current definition within the [Student Route Sponsor Guidance](#) and [Immigration Rules](#). Applicants requiring sponsorship on the Student Route are required to declare on their application form any previous studies undertaken in the UK prior to their application being formally considered for entry. Failure to declare previous UK study may result in any academic offer being withdrawn.

The University will consider academic progression in all cases where the Student Visa application is being made within the UK and will detail how this requirement has been met on the CAS.

Applicants applying to undertake a second programme at a given Regulated Qualifications Framework (RQF) level, and who intend to apply for their new student visa from within the UK will only be issued a CAS if academic progression can be determined by the University Progression and Programme Transfer Panel. The panel is made up of representatives from Visa Compliance, Faculty Academic Hives, and Admissions.

The University will not normally issue a CAS to an applicant who has failed to successfully complete a previous programme of study in the UK unless there are exceptional mitigating circumstances, or the applicant has applied to transfer to the University of Surrey from another UK university for advanced entry to one of our undergraduate degree programmes.

In the case of an applicant requiring a Student Visa being accepted for advanced entry they will need to meet all applicable admissions criteria and provide evidence that they will apply for their new visa from outside of the UK before a CAS will be issued.

9. Academic Technology Approval Scheme (ATAS)

9.1 Requirements

All individuals studying in the UK who have, or are applying for, time-limited leave to study a programme in a subject area specified by [Appendix ATAS](#) of the Immigration Rules will be required to obtain a valid certificate before they can register for their programme, unless they are a national of any of the countries exempted under paragraph 3.1 of the Appendix.

9.2 ATAS and CAS Issuing

Where ATAS clearance is required, the University will only issue a CAS once a copy of the ATAS clearance certificate has been sent to the University by the Foreign & Commonwealth Office. This requirement exists both for the initial CAS to start a degree programme, and any subsequent CAS required for visa extensions.

9.3 ATAS and Non-Student Visas

For students subject to immigration control who do not need to apply for a Student visa but hold other time-limited leave to stay in the UK, the University will not permit them to register for their programme without an ATAS clearance certificate.

9.4 ATAS Refusals After Registration

Should a student apply for a new ATAS certificate for any reason after registering for their programme, and receive a refusal, is recommended that they contact the [International Student Advice Team](#) for advice before submitting any appeals. Should a refusal be received, and any appeal be unsuccessful, the student will not be permitted re-apply or to continue their studies at the University. They will subsequently be withdrawn from their programme on the grounds of our wider security obligations.

In exceptional circumstances the University may support a second ATAS application being made, however this will only be considered in circumstances where there is demonstrable evidence that the original application was not considered correctly, or the original refusal was due to a system or administrative error. Decisions on whether a second application may be permitted will be made by members of the Points-Based-System Group.

10. Registration

All new students from outside the UK or Republic of Ireland are required to present at registration their passport and valid immigration documents, which may include a vignette, entry stamp, Biometric Residence Permit (BRP) or secure online verification.

Students are also required to provide the University with a UK contact address, alternative e-mail address, and telephone number.

Staff registering students will take reasonable steps to satisfy themselves of the authenticity of the documentation provided and will take scanned copies (in a format which cannot be subsequently altered) of each student's current passport pages showing their personal identity details (including biometric details), leave stamps, and/or immigration status document including their period of leave to remain (permission to stay) in the UK. In the absence of an entry stamp, other evidence such as the travel ticket to the UK or boarding card may also be scanned. Training will be provided to all those working at registration and any queries should always be referred to the Visa Compliance Manager or an appropriate member of the Visa Compliance Team.

If checks establish that the student is not the rightful holder of the documentation produced or is not entitled to study at the University of Surrey, the individual will be referred to the Visa Compliance team immediately.

The use of false or forged documents will be reported to the Home Office. The potential student will be removed from their programme of study and advised to return to their home country.

10.1 Student Route Registration

Students holding leave on the Student Route will be expected to present their BRP card, digital status, or full-duration vignette (Pre-Sessional visas only) at registration. Students will only be permitted to register using a temporary entry vignette and Home Office decision letter in exceptional circumstances, and only then if approved by a member of the Visa Compliance Team.

If the BRP is not ready for collection from the Post Office, students will be required to show confirmation from the Post Office – this is normally a form detailing the reason for the delay. In these cases, the BRP should be collected as soon as possible from the nominated Post Office detailed on the decision letter and presented to the University within 10 days of the last date of registration as specified on the CAS.

The University will only register students holding leave on the Student route where the visa documentation contains the University of Surrey sponsor licence number (B5V1G9VP0).

Students who have applied for but not yet been granted a new Student visa may be eligible to register provided they have submitted a valid permission to stay application, and can provide appropriate evidence of that application. Students in this position register at their own risk, and should note that if their visa is subsequently refused, the University will withdraw them from their new programme of study.

10.1.1 Student Route Supplementary Study

Students may be permitted to register for a Pre-Sessional English programme while holding valid Student Leave from a different sponsor provided they meet the Supplementary Study regulations within the [Student Route Sponsor guidance](#).

Students wishing to register under this regulation will be required to provide the following documents at Registration:

- The current Student Route BRP from the students' existing sponsor.
- A formal letter from the existing sponsor confirming that by the point of registration for our Pre-Sessional programme, the student will have completed all studies of their original programme and that there are no further attendance requirements.

Under normal circumstances the existing visa should be valid for the full duration of the Pre-Sessional programme.

10.2 Non-Student Route Registration

Students holding visas in categories other than the Student Route may have to fulfil additional requirements to register, for example students holding leave on the Skilled Worker route (previously Tier 2) intending to register for Full-Time programmes will only be permitted to do

so following receipt of a letter from their employer confirming that undertaking their proposed programme of study will not interfere with their ongoing employment.

The University may be required to check with the Home Office whether a non-Student Visa holder is eligible to study. In those cases, University staff will seek consent to share data from the visa holder. It may not be possible to register on a programme until Home Office confirmation is provided.

Students who have applied for but not yet been granted a new visa may be eligible to register provided they have submitted a valid permission to stay application, and can provide appropriate evidence of that application. Students in this position register at their own risk, and should note that if their visa is subsequently refused, the University will withdraw them from their new programme of study.

For further information on eligibility to study, please contact visa-compliance@surrey.ac.uk.

10.3 Non-Arrival

The University is required to report to the Home Office any sponsored student who fails to register within their specified registration period (as given on the CAS) within ten working days of this elapsing.

If a CAS has been used to apply for a Student visa, then the University will report that the student has failed to register and will withdraw sponsorship. If the CAS has not yet been used, the CAS will be withdrawn so it is no longer valid for use in a visa application.

After each Registration period, students who have not completed the Registration or Re-Registration process, and are therefore not formally registered on their programme, will be reported to the Home Office along with the reasons for the failure to register (if known) and contact details of each student.

Students who register on a programme with other time-limited leave (where valid for study) that expires before the end date on their programme, do so at their own risk.

11. Change of circumstances

The University is expected to monitor and review changes of circumstance for students on the Student Route in order to submit timely reports to the Home Office. This includes but is not limited to withdrawals, non-registration, programme changes and lack of engagement with the programme. The Visa Compliance team does this by reviewing the student record system and through correspondence with Faculty Academic Hives.

11.1 Programme Changes

It may not be possible for a student studying on a Student visa to change programme or length of study except in the specific circumstances listed below.

The University must ensure any programme changes are properly assessed and meet Student Route regulations, which includes academic progression.

The University will apply the academic progression rules in all cases regardless of where the student intends to apply for a Student visa (whether in the UK or outside the UK). Transfers will not normally be approved unless the new programme represents academic progression from the programme for which the CAS was originally assigned.

Where a student requests to change programme or study length, they will be required to submit a supporting statement to Visa Compliance which will be considered by a panel (see section 10.2 below).

In addition to other conditions, any requests to change to a programme of a level and subject area specified in [Appendix ATAS](#) will only be approved following receipt of a valid certificate.

11.1.1 Adding or removing a Professional Training Year

Students will be permitted to add a Professional Training Year (PTY) to their existing programme subject to the following:

- Submission of a satisfactory supporting statement to the Visa Compliance team detailing how adding/removing the placement will benefit the student's future career and personal aspirations, such statements should be discussed with the [Employability and Careers team](#) in advance;
- A new Student visa covering the new programme length must be obtained prior to the start of the PTY. In exceptional circumstances, the new visa can be obtained after the PTY has been completed. This will be assessed on a case by case basis and will only be approved in instances where the delay in obtaining a new visa was caused by external factors beyond the student's control.

Students requesting to remove the PTY will be permitted subject to the following:

- Submission of a satisfactory supporting statement detailing how removing the PTY will benefit the student's future career and personal aspirations;
- The request to drop the PTY must be made prior to the end of the year preceding the PTY (usually the second year of the programme).

If the request to remove the PTY is approved, the student will not be required to obtain a new visa. When the student record is updated with the new programme and end date, the Visa Compliance Team will report the change of circumstances to the Home Office. The University is required to submit a further notification to inform the Home Office of the early completion at the end of the programme. At this point, the time remaining up until the original end date of the visa will be curtailed.

11.1.2 Transferring from a Bachelor's degree to an integrated Master's degree

Students registered on a Bachelor's degree which forms part of an integrated Master's degree will be permitted to transfer to the integrated Master's programme (e.g. BEng to MEng) subject to the required academic results and the following:

- Submission of a satisfactory supporting statement detailing how moving to the integrated Master's programme will benefit the student's future career and personal aspirations;
- A new Student visa covering the new programme length must be obtained before the student can be transferred to the integrated Master's programme. In some cases, an ATAS certificate may be required.

Students required to transfer from the integrated Master's programme to the equivalent Bachelor's degree due to failure to meet the academic thresholds will usually be required to remain registered on the integrated Master's pathway and will be awarded the Bachelor's degree as an exit award. Following the award, the Visa Compliance Team are required to report the early finish and award of a lower-level qualification to the Home Office and any time remaining up until the original end date of the visa will be curtailed.

In exceptional circumstances, it may not be possible to be awarded a Bachelor's degree on an integrated Master's programme, for example due to the specification of the integrated Master's programme. Students in this situation may be issued a CAS to obtain a new visa for the Bachelor's pathway. Due to academic progression rules, students will be required to make this visa application outside the UK, and must obtain their new visa before the programme transfer can be approved.

11.1.3 Other Programme Changes

Students wishing to change to a new programme not detailed above will only be permitted to do so if all the following criteria are met:

- Submission of a satisfactory supporting statement detailing how changing programme will benefit the student's future career and personal aspirations, and how the two programmes are related to each other; and
- The Progression and Programme Transfer Panel approves the programme changes; and
- The new programme can be completed within the time remaining on the original visa.

Programme changes which are not normally approved include, but are not restricted to:

- A transfer to an unrelated programme, particularly where the student will transfer back to year 1, and therefore will not be able to complete the programme within their current period of leave.
- A transfer to a lower level programme, for example from MEng to BEng, MBus to BSc without exceptional circumstances.
- A transfer to any programme without a strong supporting statement.

In exceptional circumstances the panel may agree to a programme change where it is not possible to complete the new programme within the remaining duration of the existing visa. This will normally only be agreed in situations where the programme change is required due to factors beyond the student's control. A non-exhaustive list of examples is:

- Significant and long term illness/medical issues.
- Withdrawal of the original programme by the University.

Approval of a programme change request and issuing of a new CAS does not guarantee that the visa application will be successful. Students applying for a new visa may be subject to a credibility interview, and should be aware that if their new visa is refused, they may not be able to continue on their original programme.

For these reasons, students on Student visas will need to very carefully consider any changes to their programme. Students are encouraged to speak with International Student Advice for guidance and then to contact their Academic Hive if they wish to formally request a change to their programme.

11.2 Progression and Programme Transfer Panel

As detailed above, students who wish to change programme must provide a supporting statement. This should be sent to the Visa Compliance Team (visa-compliance@surrey.ac.uk) as a Word document or email, and should be several paragraphs on why the student would like to change programme, how this relates to any previous study they have done, and how it will help the student's future career aspirations.

The supporting statement will be considered by the Programme Transfer Panel and must be approved in order for the transfer to be permitted on Visa Compliance grounds.

The panel is made up of representatives from Visa Compliance, Faculty Academic Hives and Admissions.

Approval from the Programme Transfer Panel does not guarantee that the transfer request will be agreed by the other stakeholders in the programme transfer process.

This supporting statement will be kept on the student record as evidence that the transfer was assessed in line with the Student Route regulations.

11.3 Reassessments

It is the responsibility of the relevant Board of Examiners to determine when a student is required to retake a module. If the Board requires the student to retake in the following year the student has the option to repeat with or without attendance.

11.3.1 Repeating with attendance

A student choosing to repeat with attendance will automatically be registered on the relevant module. A sponsored student must be registered on at least one relevant programme module (but not a Global Graduate Award module) per semester to enable sponsorship of their visa to

be maintained and their continued participation to be monitored and reported. A fee will be charged to the student if attending. Students who repeat with attendance are expected to engage fully with their programme of study

11.3.2 Repeating without attendance

Where a student chooses to repeat a module without attendance, they will be advised to return home as we are required to withdraw sponsorship for students not actively studying. They will need to apply for a further visa to return to the UK to take their resit assessments. Students making coursework submissions may submit them online and do not need to return to the UK.

Detailed guidance is available from International Student Advice through MySurrey Hive.

11.4 Absences

All absences are assessed and approved in accordance with University policy and regulation.

11.4.1 Up to 60 days

Temporary withdrawals from study where the University agrees to continue to sponsor a student will be granted for up to 60 days, as long as the programme of study can be completed in the time remaining on their visa. The student will be expected to return to their studies no later than the time agreed and will remain in contact with their faculty and agree regular points of contact during this period of 60 days which will be monitored as above.

If the student does not resume their studies by the date intended, or if the temporary withdrawal is subsequently extended beyond 60 days, then the University will withdraw sponsorship of the visa at that point.

In the case of a further request for temporary withdrawal being approved less than 60 days after the end of a previous period, the new request will be taken as a continuation of the previous absence, and may result in sponsorship being withdrawn if the new total is more than 60 days.

11.4.2 Over 60 days

Students taking a temporary withdrawal of over 60 days (regardless of the reason for the absence) will be advised to leave the UK, reported to the Home Office, and sponsorship of their visa will be withdrawn. The only exception to this rule is if specific guidance or concessions are introduced by the Home Office which temporarily overwrite our usual Sponsor duties.

Students who have sponsorship of their visa withdrawn will be required to re-apply for a new visa out of country (Entry Clearance) to return to the University when they are ready to

resume. Students should ensure that they plan for their return by requesting a CAS at least three months in advance of resumption.

Students will usually have 60 days from the start of the absence to leave the UK or make another immigration application, however this is subject to Home Office decision. Once a student has left the UK, they should not return to the UK on the same visa, even if they are yet to receive curtailment notice from the Home Office.

If a student is unable to leave the UK due to exceptional circumstances, they should speak with International Student Advice through MySurrey Hive who can advise accordingly.

11.5 Permanent Withdrawals

Students should notify their Faculty Academic Hive when they are considering withdrawing from their programme. Students will usually have 60 days from withdrawal to leave the UK or make another immigration application, however this is subject to Home Office decision. Once students have left the UK, they should not return to the UK on the same visa, even if they are yet to receive a curtailment notice from the Home Office.

If students withdraw from their programme earlier than expected, all work permissions stop with immediate effect.

Undergraduate and Postgraduate Taught students who withdraw from their programme earlier than expected for whatever reason will be deemed by the Home Office to have not successfully completed the programme and this may affect future Tier 4 visa applications either with the University of Surrey or other UK institutions.

11.5.1 Enforced permanent withdrawals (exclusion)

Where a student has been forcibly withdrawn (excluded) from their studies for any reason (academic, financial, disciplinary or regulatory) but has submitted an appeal to the University against this decision, the student will be reported to the Home Office as they are not actively studying at that time. The student will be advised to return home to await the outcome of the appeal. It is not sufficient to be sponsored by the University of Surrey or remain in the UK solely for an appeal.

Students will usually have 60 days from exclusion to leave the UK or make another immigration application, however this is subject to Home Office decision. Once students have left the UK, they should not return to the UK on the same visa, even if they are yet to receive curtailment notice from the Home Office.

Students who are reinstated after an exclusion should speak with Visa Compliance before making plans to continue on their programme, as it is likely that their current visa will no longer be valid. In nearly all cases, students will need to obtain a new visa before resuming study.

In certain exceptional circumstances, Visa Compliance may be able to contact the Home Office to cancel the withdrawal notification within two weeks of sending the notification. If this is the case, the student may be able to continue on their current visa. The student must contact Visa Compliance to see if this is possible before resuming study, and should not assume that a Home Office notification has been cancelled regardless of when they have been reinstated.

Undergraduate and Postgraduate Taught students who withdraw from their programme earlier than expected for whatever reason will be deemed by the Home Office to have not successfully completed the programme and this may affect future visa applications either with the University of Surrey or other UK institution.

11.6 Reporting

All changes to a student's status will be recorded on the student record system in a timely fashion to enable timely reporting to the Home Office.

The Visa Compliance team runs weekly reports to identify changes to students' status which require subsequent reporting to the Home Office.

Notification of any change to a student status must be sent to the Home Office within 10 working days. In certain exceptional circumstances, Visa Compliance may be able to contact the Home Office to cancel a notification within two weeks of sending the notification – students in this situation will contact Visa Compliance to see if this is possible.

12. Student Monitoring

The University will monitor engagement of sponsored students according to the requirements of the Academic Engagement Policy for Higher Education Providers contained within [Document 2 of the Student Sponsor Guidance](#).

12.1 Programmes below RQF6

Programmes with a final award below RQF6 fall into the requirements set in Band 1 - Study at RQF5 and below of the [Home Office policy](#).

| Home Office Policy Requirement | University Process |
|--|---|
| 7.17 Each student in this band must be 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 sponsor must review the reason for the student's absence. The student's record must then be annotated with the reason for the non- | Daily registers of attendance are taken. Where a student's attendance falls below 85% for the previous month the relevant faculty administration team will contact the student to investigate the reasons for the absence, note those reasons on the student record and implement any measures necessary to improve attendance. |

| | |
|---|---|
| <p>attendance and the steps being taken to improve the student’s attendance.</p> | |
| <p>7.18 Where a student’s attendance falls below 70% for three consecutive months, the sponsor must withdraw sponsorship due to lack of academic engagement unless there are exceptional and evidenced reasons for the non-attendance (e.g. illness).</p> | <p>Where a student’s attendance falls below 70% in any single month without evidenced reason their details will be passed to the Visa Compliance Manager who will contact the student to investigate the reasons for the absence and in conjunction with the faculty and local administration team will implement measures to improve attendance.</p> <p>If attendance remains below 70% for a second consecutive month without evidenced acceptable reason the Visa Compliance Manager will send a formal warning to the student highlighting the risk of withdrawal of sponsorship if attendance does not improve, and drawing attention to available support systems.</p> <p>If attendance remains below 70% for a third consecutive month without evidenced acceptable reason sponsorship of the student visa will be withdrawn and the student will be withdrawn from their programme.</p> |

12.2 Taught degree programmes

Taught Degree programmes fall into the requirements set in Band 2 – Study at RQF6 and above of the [Home Office policy](#). This requires that Sponsors ‘must have a single academic engagement policy in place that applies consistently to international students across their institution. ... The policy may differentiate between levels of study (for instance, doctoral and masters by research students may have their engagement recorded in a different way to undergraduates.’

Students undertaking a Bachelor’s Degree with integrated Foundation year will be monitored according to Band 2 requirements for the full duration of their programme.

As per University regulations, we require that all students participate fully in the work of their programme and complete the required assessments as set out in their programme specification and/or handbook.

The University does not currently monitor students at every individual teaching event. Instead, expected academic engagement points are monitored which are drawn from examples given in the Sponsor Guidance.

| | | |
|---|---|---|
| 1 | Completion of initial registration / online re-registration. | Failure to register/re-register will result in termination as per University general regulations and sponsorship duties. |
| 2 | Reporting Checkpoint One: Review submission of semester one assignments/assessments. | Any student submitting fewer than 50% of expected assessments over the course of a semester without approved Extenuating Circumstances will automatically be escalated for investigation at the next Reporting Checkpoint. Withdrawal of sponsorship and termination of study will take place if there is sufficient evidence of unsatisfactory engagement without evidenced acceptable reason over the course of the previous semester. |
| 3 | Reporting Checkpoint Two: Review submission of semester two assignments/assessments. | Any student submitting fewer than 50% of expected assessments over the course of a semester without approved Extenuating Circumstances will automatically be escalated for investigation at the next Reporting Checkpoint. Withdrawal of sponsorship and termination of study will take place if there is sufficient evidence of unsatisfactory engagement without evidenced acceptable reason over the course of the previous semester. |
| 4 | Reporting Checkpoint Three: Review submission of summer semester assignments/assessments. | Any student submitting fewer than 50% of expected assessments over the course of a semester without approved Extenuating Circumstances will automatically be escalated for investigation at the next Reporting Checkpoint. Withdrawal of sponsorship and termination of study will take place if there is sufficient evidence of unsatisfactory engagement without evidenced acceptable reason over the course of the previous semester. |

At each Reporting Checkpoint, the overall engagement of each student over the course of the previous semester will be reviewed according to data held within the MySurrey Engagement (MSE) platform. Additional checks may be made directly with academic Faculties as needed, in order to confirm the validity of data held within MSE. Each student will also be offered the opportunity to provide any further evidence they believe is relevant. The file will then be considered by the Academic Registrar and Head of Student Records & Data for a final decision.

The Academic Registrar and Head of Student Records & Data may opt to either withdraw sponsorship of the student visa, or maintain sponsorship on the condition of the student adhering to enhanced checks in the following semester.

If there are concerns surrounding a student's health and/or ability to continue with their studies their case may be referred to the Regulations for Support to Study before being permitted to continue.

If engagement concerns are raised by academic or professional services colleagues during a semester, individual cases may be referred immediately to the Academic Registrar and Head of Student Records for a decision on continued study, without waiting for the next end of semester checkpoint.

12.3 Research Students

Monitoring of research students is as follows:

| | | |
|---|---|---|
| 1 | Completion of initial registration / online re-registration | Engagement point. Failure to register/re-register will result in termination as per University general regulations and sponsorship duties. |
| 2 | (October) Review activity in July-September (for continuing students from previous academic year) | Engagement point. Monthly activity in the form of required monthly supervisory meetings, six monthly or annual review, submission of thesis, or viva voce. Withdrawal of sponsorship will take place if insufficient engagement at this and/or previous points is showing non-compliance. |
| 3 | (January) Review activity in October-December | Engagement point, as previous. |
| 4 | (April) Review activity in January-March | Engagement point, as previous. |
| 5 | (July) Review monthly activity in April-June | Engagement point, as previous. |

In accordance with the [University Code of Practice for Research Degrees](#), monthly meetings are the primary mechanism of monitoring progress between supervisors and students. Where research is being conducted at distance an effective method(s) of regular contact shall be agreed between the student and principal supervisor (e.g. telephone, email, Skype etc.). Research students who are writing up their thesis (on 'completing status') are also required to maintain contact with their supervisors in this manner.

The Visa Compliance team monitor monthly contact activity of research students on a quarterly basis, reporting those not engaging to the Doctoral College for appropriate follow-up action. If any student is identified as falling below the required engagement level, they will have the opportunity to provide any further evidence they believe is relevant, and their academic supervisor(s) will be asked for comment on the student's research progress over the past quarter.

If academic progress was unsatisfactory in the past quarter, and there are no relevant extenuating circumstances, the academic Supervisor(s), Head of the Research Degrees Office and Visa Compliance Manager may decide to withdraw sponsorship and end the student's registration at the University immediately.

Alternatively, if relevant extenuating circumstances are presented, it may be considered appropriate for the Doctoral College to implement a managed study plan for a minimum of three months, with documented research goals. If the student's engagement does not improve by the end of the plan they will be considered for withdrawal from the University.

If academically feasible, and considered appropriate by the Doctoral College, a student may have sponsorship of their visa withdrawn, but be permitted to continue their research at the University via Distance Learning.

12.4 Professional Training Year & Study Abroad Students

Details of all Professional Training Year (PTY) placements are held on the student record system. At the start of each placement period these are notified to the Home Office via a change in student circumstances report.

Placement providers are required, by virtue of their contract with the University, to alert the University to any unauthorised absences by students. The placement provider will advise the appropriate PTY administrator of any student failing to attend and/or engage with their placement and the administrator will refer this matter to the appropriate Programme Director to follow-up.

University Placement tutors visit students once in person and once or twice virtually. At each reporting checkpoint for taught students, the Visa Compliance team will confirm with the PTY administrators that the required placement tutor meeting has taken place.

Details of Study Abroad placements are held by the International Engagement Office at the start of each study abroad period these are notified to the Home Office via a change in student circumstances. Engagement of these students is monitored by receipt of an arrival certificate at the start of each semester and a satisfactory transcript from the overseas institution upon their return.

Should the University be made aware by an Employer or placement partner that a student is not engaging to satisfactory level, the student will have the opportunity to provide any further evidence they believe is relevant and the file will then be escalated to the Academic Registrar and Head of Student Records & Data for a final decision.

12.5 Appeals against a decision to withdraw sponsorship of a student visa

Students may appeal against a decision to withdraw sponsorship by emailing OSCAR within 10 University working days of receiving notification of the decision. Appeals received after this timeframe will only be considered in the most exceptional circumstances.

Appeals will be considered on one or more of the following grounds:

- that those making the decision failed to follow the University's regulations and/or procedures or failed to follow them with due care
- that one or both individuals have shown bias or prejudice towards the student in the way that they have reached their decision
- that relevant new evidence has become available that should be considered and there are valid reasons why it was not presented earlier

- that the decision to withdraw sponsorship was unreasonable and/or the outcome was not proportionate in all the circumstances

When making an appeal and in requesting a review of the decision to withdraw sponsorship, it is for the student to show that one or more of the grounds above apply.

OSCAR will collate a dossier of relevant material upon receipt of the appeal, and this will be provided to the Chief Student Officer. Consideration of the student's appeal will be based on the material contained in the dossier only.

The standard of proof applied is that of the balance of probability; that it is more likely than not that something was or was not the case.

The outcome of the appeal will be one of three findings:

- that the appeal should be upheld, and sponsorship should not be withdrawn
- that the matter should be reconsidered by the Academic Registrar and Head of Student Records & Data
- that the appeal should be rejected

The Chief Student Officer's decision will be final, and this will normally be communicated by OSCAR in writing within 10 University working days of the finding being confirmed. The letter also states that it constitutes the completion of the University's procedures and that the student can request a review of the University's decision by the Office of the Independent Adjudicator.

13. Expiring Visas and Overstayers

The University considers that responsibility for visa validity remains solely with the student. However, the Visa Compliance team will communicate with any sponsored students who have not yet completed their programme of study starting from three months before the expiry date on their visa. The team will recommend contacting International Student Advice for advice regarding visa extensions, if this is possible and appropriate for them. This communication will be followed up at monthly intervals until the date of visa expiry.

If a student's visa validity is about to elapse, the Visa Compliance team will endeavour to have established if:

- The student has left the UK and will either re-apply for new leave to enter (if appropriate and possible) to return either under Student route or other leave, and any new documentation will be presented at the MySurrey Hive.
- The student has left the UK, but will not return to the University and will finish their studies overseas by remote submission.
- The student remains in the UK, but has submitted an in-time application for further leave to remain (Student route or otherwise) and can continue their study under 'Section 3c leave' until this is granted. Any new documentation will be presented at the MySurrey Hive.

If none of these apply and the student has not made an in time application, the student will be deemed an overstayer, even if they are yet to receive official notice from the Home Office. A student in this situation will be terminated or suspended, and the student advised to leave the UK at the earliest opportunity. The student's registration may only be re-instated once they have demonstrated they have valid leave to study in the UK.

The University will not issue CAS to current students who have overstayed on their visa and who do not hold valid leave to remain.

14. Student Route and employment

Employment conditions are shown on the entry vignette and/or Biometric Residence Permit. Sponsored students who are studying full-time at degree level or above are permitted to work no more than 20 hours per week during semester time, while below degree level this is limited to 10 hours.

Students on the Student route are not permitted to work in certain jobs and should familiarise themselves with the Home Office Sponsor Route guidance for further information. Self-employment or engaging in business activity is strictly prohibited – this can encompass a number of different activities. Students should speak with International Student Advice or seek independent legal advice, and should review the "[Working for yourself](#)" UK Government guidance.

The Home Office takes illegal working very seriously, so students should ensure they do not breach the work conditions related to their visa. Students found to be breaching their work conditions risk the curtailment of their visa, a long term ban from the UK, fines, or a prison sentence. The University of Surrey is obliged to report breaches to the Home Office.

14.1 Working for the University of Surrey on a Student visa

Students seeking work through [Unitemps](#) are required to notify Unitemps of any change to their circumstances which may impact their permission to work. Students should be mindful of any external employment gained in addition to working for Unitemps and ensure that all work combined is limited to 20 hours per week during term time.

The University has a responsibility to ensure that every employee has the legal right to work in the UK, which is also applicable to students on Student visas who seek employment at the University – please visit our website for more information on our [Eligibility to Work in the UK policy](#). You will not be able to work for the University until you demonstrate your eligibility to work.

The Visa Compliance Team will inform Unitemps when a student visa is withdrawn earlier than the student's original end date.

14.2 Undergraduate Students and Work

Undergraduate students have defined Winter, Spring and Summer vacation periods, as well as a short vacation at the end of Semester 1. Undergraduate students holding Student Visas are eligible to work full time during these defined vacation periods. Vacation dates can be found on the [University website](#).

14.3 Postgraduate Taught Students and Work

Postgraduate Taught students have different defined vacations depending on their type of programme:

12/15-Month Programmes: Postgraduate Taught students on 12 or 15-month programmes have defined Winter and Spring vacation periods, as well as a short vacation at the end of Semester 1. However, they do not have a summer vacation as these programmes continue to have full-time study during the summer months.

24-Month Programmes in FEPS: In year one Postgraduate Taught students on 24-month programmes have defined Winter, Spring and Summer vacations, as well as a short vacation at the end of semester one.

In year two Postgraduate Taught Students undertaking a work placement do not have any defined University vacation periods. Instead, vacation time will be defined by the annual leave policy of their placement provider.

Postgraduate Taught Students who instead undertake further study or research at the University in year two have defined Winter and Spring vacation periods, as well as a short vacation at the end of Semester 1. However, they do not have a summer vacation as these programmes continue to have full-time study during the summer months.

24-Month Programmes in FASS: In year one Postgraduate Taught students on 24-month programmes have defined Winter and Spring vacations, as well as a short vacation at the end of semester one. However, they do not have a summer vacation as these programmes continue to have full-time study during the summer months.

In year two Postgraduate Taught Students undertaking a work placement do not have any defined University vacation periods. Instead, vacation time will be defined by the annual leave policy of their placement provider.

Full-time Postgraduate taught students holding Student Visas are eligible to work full time during these defined vacation periods. Vacation dates can be found on the [University website](#).

Students studying on Part-Time Student visa are not permitted to work during their period of leave.

14.4 Postgraduate Research Students and Work

Postgraduate Research Students holding Student Visas may work full-time only during University closure days, or during time booked using their 25 days holiday allowance. At all

other times Postgraduate Research student may only work part time until awarded their degree.

Postgraduate Research students may be permitted to undertake a placement providing it is an “integral and assessed” part of their research. Please contact visa-compliance@surrey.ac.uk for further information.

Students studying on Part-Time Student visa are not permitted to work during their period of leave.

15. Visa Support and Extensions

Any queries or requests for extensions to visas will be handled by the International Student Advice (ISA) team, who have been trained to provide information, advice, and guidance regarding students’ Leave to Remain in the UK and extensions of that Leave to Remain.

It is the responsibility of the student to ensure that they possess the correct visa, that it is valid, and that its terms are adhered to at all times.

The ISS team submits student visa extension applications to the Home Office after reviewing each student’s situation. Advice given is based on the information provided by the student at the time. Advisers will advise any student whose application has been unsuccessful or if there are any problems with the case.

Students are encouraged to seek advice from International Student Advice before making any decision that affects their visa or immigration status in the UK. If students do not wish to seek advice from the University, it is recommended that independent legal advice is sought.

15.1 CAS Issuance for Visa Extensions or Changes (Current Students)

It is generally understood that a student will complete their programme of study within the period granted on their Student visa.

However, it is recognised that on occasion a student may need to extend this period of time, and request a new Confirmation of Acceptance for Studies (CAS) to complete their programme. This may be required after a period of absence to account for a repeat period of study, or requested by the University prior to transferring to a new programme of study.

International Student Advice is responsible for issuing CAS to current students extending their visa to complete their studies with the University. The University is not legally obliged to issue a CAS and will always exercise caution when doing so to ensure adherence to its obligations as a licensed sponsor under the Student Route.

Information on CAS issuing for current students can be found in the *Confirmation of Acceptance of Study (‘CAS’) issuing policy for applicants and students* which includes:

- Criteria to be met before a CAS is issued
- When a CAS will not be issued
- Visa refusals

16. The Graduate Route

The University will support the application process for the Graduate Route by reporting successful completion of degree programmes for eligible students. This report will be made in accordance with the requirements set by the Home Office so will only be made for students who are awarded a Bachelor's Degree, Master's Degree or PhD, have time remaining on a valid Tier 4 or Student visa at the point of award, and have completed either the original programme stated on their CAS or have made one of the permitted changes listed within the [Graduate Route Guidance](#).

For Undergraduate and Postgraduate Taught students, the report of successful completion will be made after the date of mark release and no later than five working days after that date. For Postgraduate Research students, the report will be made no later than five working days after the date of award.

For the avoidance of doubt, the University has no authority to make exceptions to the eligibility requirements set by the Home Office and will only make a successful completion report where students meet all criteria. Additionally, eligibility for the Graduate Route is not guaranteed and the University cannot be held liable for any changes to programme end date or enrolment status which are necessary for a student to complete their degree programme, but which may remove eligibility for the route.

The University will continue to only support extensions to Student Visas where the reasons for doing so satisfy the criteria within the [Student Sponsor Guidance](#) and cannot authorise extensions solely for the purpose of maintaining eligibility for the Graduate Route.

Further information about the Graduate Route and the full eligibility criteria can be found on the University website and at gov.uk.

17. Communication

Details of the obligations of students holding leave on the Student Route and those of the University to monitor and report their non-attendance to the Home Office will be communicated to students at various times and in various ways:

- Visa and Immigration web pages on [MySurrey](#).
- Information sessions during International Orientation and Welcome Week.
- Details in online registration guidance.
- Information provided at Registration.
- Ad-hoc e-mail communication from the Visa Compliance team.

Details of the University's policy will be communicated to academic and professional services staff via signposts to the appropriate web pages and also disseminated via the quarterly Visa Practitioners group.

18. Recording and reporting of information

Information recorded about individual students is recorded on SITS (the University's student record system) in a timely fashion by Academic Registry staff and is reported, when required, to the Home Office Sponsor Management System on a weekly basis.

Reporting to the Home Office will be completed in line with obligations and deadlines set by the Home Office.

19. Managerial oversight and review

The Chief Student Officer, as Authorising Officer for the University, is accountable for providing assurance that the University is compliant with sponsor guidance as noted in the [Student and Child Student Guidance](#) and the [Immigration Rules](#).

The Chief Student Officer chairs the University's Visa Compliance steering group comprising representatives from Human Resources, Visa Compliance, Admissions, and Unitemps. This steering group convenes twice a year and reports annually to the Executive Board, its terms of reference being to review the University's working practices and to ensure compliance with its obligations under its licences and Student Route Sponsor status.

The Visa Compliance Manager convenes a fortnightly Points-Based-System operations group which oversees activities and monitoring relating students subject to UK immigration control. The other members of this group include representatives from International Student Advice, Visa Compliance, and Admissions.

This policy will be reviewed on a regular basis to ensure it remains compliant with the Student Route Sponsor Guidance and Immigration Rules as well as good sector practice.

20. Useful Contacts

Visa Compliance: visa-compliance@surrey.ac.uk

International Student Advice: internationalsupport@surrey.ac.uk

MySurrey Hive: hive@surrey.ac.uk

Academic Hives:

FASS: fasshelp@surrey.ac.uk

FEPS: fepshelp@surrey.ac.uk

FHMS (Biosciences and Psychology): fhmshelp@surrey.ac.uk

FHMS (Health Sciences): sso@surrey.ac.uk

FHMS (Veterinary Sciences): vetstudentsupport@surrey.ac.uk

Admissions: admissions@surrey.ac.uk

Admissions CAS Team: cas@surrey.ac.uk

OSCAR: oscar@surrey.ac.uk

21. Governance Requirements

21.1 Implementation: Communication Plan

This procedure will be published on the [University website](#), with a secondary student-facing link on the [MySurrey Visa Webpage](#).

21.2 Implementation: Training Plan

Not applicable.

21.3 Review

This procedure will undergo a full review every three years by the Visa Compliance Steering Group.

Additionally, interim updates will be made as needed to reflect changes in UK immigration, with review at the next Visa Compliance Steering Group.

21.4 Legislative Context and Higher Education Sector Guidance or Requirements

The University's duties as a Student Route Sponsor are as described in the UK Government publication [Document 2: Student Sponsor Guidance, Sponsorship Duties](#)

The terms of the Student Sponsor Guidance is set by the [UK Immigration Rules](#).

21.5 Sustainability

This Procedure has no impact on carbon emissions or on energy consumption.

22. Stakeholder Engagement and Equality Impact Assessment

Stakeholder Consultation was completed, as follows:

| Stakeholder | Nature of Engagement | Date | Name of Contact |
|-----------------------------|--|-------------|---|
| Academic Registry | Development and creation of this Procedure v1.0. | Dec 2023 | Camilla Davis, Academic Registrar |
| Academic Registry | Development and creation of this Procedure v1.0. | Dec 2023 | Fiona Marshall, Head of Student Records & Data |
| Student Experience | Development and creation of this Procedure v1.0. | Dec 2023 | Dr Samantha Cathro, Deputy Head of Student Experience |
| Admissions | Development and creation of this Procedure v1.0. | Dec 2023 | Simon Jones, Head of Admissions |
| Governance & Risk Assurance | Development and creation of this Procedure v1.0. | Dec 2023 | Steve Allen, Employment Lawyer |