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UKVI Reporting Policy

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THE QUEEN'S ANNIVERSARY PRIZES 2019 & 2021 For Higher and Further Education UNIVERSITY OF THE YEAR 2012 & 2019 Times Higher Education SCOTTISH UNIVERSITY OF THE YEAR 2020 The Times & The Sunday Times

UKVI Reporting Policy

Purpose

1.1This document sets out the University's policy regarding the reporting duties as a Student Visa sponsor under the Student Route visa system.

1.2 This policy has been designed for staff to detail the reporting duties for education sponsors as set out in the Home Office's 'Student Sponsor Guidance Document 2: Sponsorship Duties'. <u>Student Route Sponsor Guidance</u>

Scope

2.1 Responsibility for the management and implementation of this policy and any accompanying procedures lies with the Authorising Officer, with the assistance of the Head of International Student Journeys and the Visa Compliance team, International Student Support Team, Student Business, Admissions team, Recruitment and International Office and the Faculties.

2.2 This policy is primarily designed for use by the staff responsible for reporting students to the Home Office. Despite the overall key responsibilities, all staff working with students covered by the points-based immigration system must ensure the policy is adhered to accordingly.

Reporting duties

3.1 The University will report students to the Home Office in accordance with the <u>Student</u> <u>Route Sponsor Guidance</u>, the Immigration Rules and other advice received by the Home Office, under 'Change to student circumstances'. Please refer to Appendix 1 for further details.

3.2 Reports to the Home Office will be made through the Sponsor Management System (SMS) unless a situation arises whereby reporting through SMS is not possible in which case a report will be made via email to HomeOfficeCurtailments@homeoffice.gsi.gov.uk or directly to contacts within the Home Office.

3.3 Reporting of graduates who may be eligible for the Graduate Route will be completed once their degree awards have been confirmed on the University student information system by the Faculties. Checks will be undertaken to establish how long graduates have studied in the UK on a Student Route visa using data monitored by the Visa Compliance Team. Once these reports have been completed eligible graduates will be emailed to confirm they can apply for the Graduate Route if they meet all other eligibility criteria.

3.4 The Visa Compliance team also update the student record with the date Graduate Route eligibility has been confirmed.

3.5 The University will inform the Home Office if any information reported through SMS is incorrect and why it is incorrect.

3.6 When making a report to the Home Office the University will provide the student's last known address, term or home, as held on the University student information system.

3.7 In accordance with the Student Route Sponsor Guidance the University will notify the Home Office if it becomes aware that any of its sponsored students have been granted leave with the incorrect conditions of stay.

4 Enrolment

4.1 When Enrolment opens at the start of August a new student can commence the Enrolment process if they have a status of 'Valid to Register' for their chosen programme, or in the case of continuing students, re-register on their programme of study or research. Enrolment applies to all students on all programmes.

4.2 All students will receive communication as soon as Enrolment is open through targeted communications from the University.

4.3 Student Route visa holders who do not register within the agreed Enrolment timeline will be reported to the Home Office and sponsorship by the University of Strathclyde will be withdrawn.

4.4 If a student's start date is delayed or will change before they enter the UK then the University will inform the Home Office by making a report via the SMS or adding a sponsor note to the Confirmation of Acceptance for Studies (CAS), depending on the CAS status. If the new start date will result in a student not being able to complete their course within the time on their visa the University will assign a new CAS and the student must apply to vary their leave to include the new course start and end date. Those students who choose not to do this, must complete their course of study within the existing leave period and will not be eligible for a visa extension.

5. Student stops academically engaging

5.1. Student stops academically engaging with the University and have patterns of consecutive periods of non-engagement as defined in the Faculty Attendance Monitoring Procedures may be reported to the Home Office.

5.2. The University of Strathclyde will manage and report these students in line with the University's UKVI Engagement Policy.

6. Interruption

6.1. In line with University policy, the University will make a report to the Home Office and withdraw sponsorship when a student takes a period of interruption after arriving in the UK which is longer than 60 days. Students already in the UK who temporarily suspend their studies through interruption for more than 60 days will be asked to leave the UK if their sponsorship has been withdrawn.

6.2. Those students with an interruption of less than 60 days who choose to keep their Student Route visa and do not leave the UK understand that they must complete their course of study within their existing leave period and cannot apply for a student visa extension.

7. Significant changes in student circumstances

7.1. A report will be made to the Home Office if there is a significant change in a sponsored student's circumstances including:

- Change of study location or location of work placement.
- Change of programme.

 If there is anything to suggest a student is breaking the conditions of their Student Route visa or permission to stay in the UK, including but not limited to, lack of engagement, falsifying documentation, breaching work conditions, or if there is reason to believe a student is non-genuine.

8. Situations where sponsorship has ended

8.1. A report will be made to the Home Office when the University stops sponsoring a student for any reason and the student has left the UK with no intention to return. This includes, but is not limited to, the following:

- If a student moves into a different immigration category with a different sponsor.
- If a student moves into an immigration category that does not require a sponsor.
- If a student completes their course sooner than expected.
- If a student withdraws or is withdrawn from their course.
- If a student has chosen to write up/complete studies from home.

	lf	Then
a	A student withdraws from their course before they travel to the UK. A student's start date is delayed before they	 You must: Report it to us within 10 working days of you knowing about it. Tell us if the student is joining another institution and the name and address of that institution if you know it. You must:
b	enter the UK but after they have been granted entry clearance.	 Agree with the student whether they can still complete the course within the dates given on their visa. If they can, you need not report anything. If they can't, you must: Assign a new CAS Advise the student to apply to vary their leave to include a later finish date.
C	A student does not enrol within the enrolment period.	 You must: Report it to us within 10 working days of the enrolment period ending, including the reasons for non-enrolment, for example; a) they missed their flight; b) they decided not to come to the UK; c) they delayed their enrolment; d) they are doing a course with a different sponsor; or e) we have refused them permission to come to, or stay in, the UK. If we have refused a student permission to come to, or stay in, the UK, you do not need to report the non-enrolment as soon as you become aware of the refusal. The time-limit is still 10 working days from the date the enrolment period ends.
d	You are a sponsor with Probationary Sponsor status and: • you are a higher education provider and a student stops academically engaging; or • you are not a higher education provider and a student misses 10 consecutive expected contact points. Examples of expected contacts include: • attending formal academic or pastoral care activities including: - a lesson, 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(viva); - an appointment with a welfare adviser or international student adviser; - submitting;	You must: • Tell us, within 10 working days of the last expected contact point, or the date the student has stopped academically engaging, that you intend to withdraw sponsorship of that student • Provide the name and address of any other sponsor the student has moved to, if you know it.

Appendix 1: Changes to student circumstances table

	 assessed or unassessed coursework; or an interim dissertation, coursework or report; and o Enrolment (for enrolment or matriculation). 	
e	You are a sponsor with Student Sponsor status and: • you are a higher education provider and a student stops academically engaging; or • you are not a higher education provider and a student misses 10 consecutive expected contact points.	 You can either: Report a tenth missed contact, or the date the student has stopped academically engaging whenever it occurs during the year; or Set two checkpoints during any rolling 12-month period. You must report any students who have stopped academically engaging or missed 10 consecutive expected contacts, without you
	 Examples of expected contacts include: • attending formal academic or pastoral care activities including: - a lesson, 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(viva); - an appointment with a welfare adviser or international student adviser; - submitting; o assessed or unassessed coursework; or o an interim dissertation, coursework or report; and o Enrolment (for enrolment or matriculation). 	reasonably giving them permission leading up to that checkpoint, and you are withdrawing sponsorship of the student.
f	A student defers their studies after they have arrived in the UK and is no longer actively studying. You may continue to sponsor a student who has deferred their studies for up to a maximum of 60 days providing you can continue to carry out your sponsorship duties and the student will be able to complete their course within their existing period of permission. If you think the student will not resume their studies after 60 days, you must withdraw sponsorship. In exceptional circumstances, such as serious illness or injury, you may continue to sponsor a student for longer than 60 days, providing the student can still complete their course within their existing period of permission when they resume their studies. It is for you to decide whether you are prepared to continue sponsoring a student during a deferral and, if necessary, provide evidence to verify this decision to our compliance officers.	You must report that the student has deferred their studies within 10 working days of agreeing the deferral. If you withdraw sponsorship, the student's permission to stay is no longer valid and you must advise them to leave the UK. Once the student is ready to resume their studies, you must assign a new CAS and the student must reapply for a new visa.
g	You are withdrawing a student from their course.	You must: • Tell us within 10 working days of you knowing about the issue

		 Tell us why, for example; a) The student has not met your requirements b) The awarding body stops running the course or stops trading. If a student to whom you have issued a CAS intends to request administrative review of a decision to refuse their visa application, and you will continue to sponsor them if the refusal is overturned, do not withdraw sponsorship until the review has been concluded. Report such students as non-enrolments in accordance with row c. of this table unless you are withdrawing sponsorship for other reasons.
h	 You stop sponsoring a student because they: commence a study abroad programme overseas and do not plan to return to the UK or you do not want to continue to be responsible for them while they are out of the UK move into a different immigration category with a different sponsor; move into an immigration category that does not need a sponsor; or complete the course sooner than expected. 	You must: • Tell us about it within 10 working days of knowing about the issue.
i	 There is a significant change in a student's circumstances. These include: a change in where they study or do their work placement; a change of course; or anything that suggests that they are breaking the conditions of their permission to stay in the UK, such as working in breach of their conditions. 	You must: • Report the change to us within 10 working days of you knowing about it.
j	You suspect that a student is not a genuine student.	You must: • report this by e-mail to the Home Office as soon as possible. https://www.gov.uk/reportimmigration- crime
h.	You are a Higher Education Provider with a track record of compliance, and your sponsored student has both: • successfully completed a course at GR. 5 of Appendix Graduate of the Immigration Rules; • held Student permission for the relevant period as required by GR 6 of Appendix Graduate of the Immigration Rules.	You must: make a report by bulk data transfer, or a workaround notification process agreed with UKVI of successful completion of the course against that student's record. While concessions around distance learning and eligibility for the Graduate route are in place, you must also assess whether a student has arrived by the relevant date if they have not held the minimum period of permission required but the concession on arrival dates applies.
		This data will be used to assess matters such as: eligibility for any future application under the Graduate route made by the student; use of sponsor

privileges by those with 'track record' status; the behaviour and trends of sponsored students at individual sponsors within the Student route; and to monitor uptake of the Graduate route. Reports do not need to be made immediately upon the results of a course being known for individual students; both individual and bulk reporting is permitted. Nil returns
against this reporting duty are not required where sponsored students fail to meet the criteria above.