

# Visa Compliance Guidance

## Introduction

This document outlines Imperial College London's visa compliance responsibilities and processes in relation to all Non-EU/EEA students enrolled on a programme of study at the University. In addition, it outlines specific duties and processes for students sponsored by the University under the student visa route.

## Student sponsor Licence

- The University holds a student sponsor licence from United Kingdom Visa and Immigration (UKVI) to sponsor students. In order for the University to maintain its sponsor licence, it is required to meet a number of responsibilities and requirements which are outlined in UKVI's Student Sponsor Guidance.

## Licence Details

- Sponsor licence number is 1E82R2BR6
- Authorising Officer- David Ashton, Academic Registrar.
- Key Contact - Melanie Peter, Director of Admissions and Student Support, Registry.

## Record Keeping

In order to meet the sponsorship requirements, Appendix D of the Student Sponsor Guidance outlines documents and details which the University is required to keep on file for student visa holders:

- Copy of each student's current passport pages showing all personal identity details
- Copy of each migrant's biometric residence permit (BRP). The University also requires students to upload their 90-day entry travel vignette to My Imperial. This would have been stamped upon arrival to the UK.
- Record of the migrant's absence/attendance, this may be kept electronically or manually
- A history of the student's contact details to include residential address, telephone number and mobile telephone number. This must be updated regularly.
- Where the student's course of study requires them to hold an Academic Technology Approval Scheme (ATAS) clearance certificate, the University must keep a copy of the certificate on file.

## Basic Compliance Assessment

The University is required to apply for a Basic Compliance Assessment (BCA) every 12 months. When UKVI carries out a Basic Compliance Assessment, it will assess the sponsor against the following core requirements. A sponsor must meet all of the requirements on the date that it applies. The core requirements are:

- A refusal rate of less than 10 percent
- An enrolment rate of at least 90 percent
- A course completion rate of at least 85 percent

## Teaching Sites

The University is required to report to UKVI all of its sites and any other locations used to teach student visa holders in the UK. The only exception to this requirement is any activity which takes place at teaching hospitals.

## Partnerships

A sponsor must list all the teaching partnerships it wishes to use to teach their student visa holders on its sponsor licence. Where both partners are student sponsors, the partnership must be listed

on both licences regardless of which sponsor is issuing a confirmation of acceptance (CAS) under the partnership.

### Admissions Processes

All applications for students are assessed in line with University admissions processes. The University does not employ agents to recruit students.

### Admissions Documentation

All applicants are required to present their documentation before they can be given an unconditional offer. Any documentation used to assess an applicant as part of an offer will be retained on the student file. This includes but is not limited to Secure English Language Tests, copies of qualifications and transcripts, references, personal statements and, where required, a copy of the Academic Technology Approval Scheme (ATAS) certificate.

### Imperial College London – Study Visas

An non-UK national holding a firm offer to study at the University is permitted under the Immigration Rules to apply for leave to enter / remain to study in the United Kingdom. The Home Office outlines within the immigration rules the various visa options to study within the UK. The University will either sponsor or support a visa application for non-EU/EEA students to study the following courses at the University:

Courses	Visa route
<ul style="list-style-type: none"> <li>• Full Time registered courses taught at Imperial College London campus sites at undergraduate, postgraduate taught and postgraduate research level.               <ul style="list-style-type: none"> <li>- Courses can include integrated and assessed work placements.</li> <li>- Includes PRI Students</li> </ul> </li> </ul>	Student Visa
<ul style="list-style-type: none"> <li>• Part Time registered course at post-graduate taught and postgraduate research level</li> </ul>	Student Visa Part - Time
<ul style="list-style-type: none"> <li>• Medical Elective</li> <li>• Occasional postgraduate research visitor</li> <li>• Undergraduate / postgraduate taught students who need to return to resit exams</li> <li>• Some PhD students who need to re-enter the UK only to attend their viva</li> <li>• Summer School students</li> <li>• English course less than 11 months long</li> </ul> <p>Course criteria:</p> <ul style="list-style-type: none"> <li>• Longer than 6 months, study majority outside of the UK, attend short intensive face-to-face learning or assessment periods in the UK, spend no more than 56 days in the UK in any 6 month period.</li> </ul>	Visitor Visa

## **CAS Issuing**

The University's central admissions team is responsible for issuing a CAS to new students. The Visa Compliance Team issues a CAS to students already enrolled on courses. Before a CAS is issued admissions staff will undertake checks to ensure an applicant's eligibility for a CAS. These checks include an assessment of the cap, academic progression and, where required, previous immigration history. The University reserves the right to withhold a CAS from a student if it has reason to believe it will not lead to a successful visa application.

## **Visa Refusals**

Where a student receives a visa refusal, the International Student Support Office will make an assessment of the student's eligibility for a second CAS.

## **Enrolment**

All EU/EEA and non-EU/EEA students are required to enrol online each academic year. A student who requires and holds an UK visa is required to upload a copy of their visa to My Imperial to be checked by the Admissions team in the first instance. The Visa Compliance team is responsible for checking the student has entered the UK correctly and activated their visa as well as obtain and retain copies of their entry evidence. This will be logged and stored on the University's database in accordance with UKVI requirements. Students who do not currently hold a visa but can present evidence of a valid visa application are permitted to be registered with the University and will be required to present their visa at a later date. They must have applied in the UK and during the validity period of their previous visa. Students must complete all parts of enrolment with the University within three weeks of the start date of the course. Failure to do so without first seeking approval from the Department (in conjunction with the Visa Compliance Team) could lead to withdrawal.

## **Changing visa**

The University has a duty to ensure that all have valid permission that allows them to study in the UK for the duration of their studies. Students that require immigration permission to study in the UK are required to provide the Registry with up-to-date copies of their visa and passport if this changes during their studies. If a student's immigration permission lapses, the University cannot allow them to continue with their studies and they will be withdrawn or placed on an interruption until the matter has been resolved.

## **Returning from Interruption**

Student visa holders returning from an interruption will normally be required to apply for a new student visa in most cases if their interruption period is longer than 60 days. Students are strongly advised to contact the International Student Support Team before they are assigned a CAS.

## **Overstaying**

Student that requires immigration permission to be in the UK are responsible for ensuring that they have valid permission to study for the duration of their registration period at the University. Students become classed as an overstayer if they remain in the UK after the end of their visa and they have not made a valid in-time visa application.

## **Tier 4/Student visa leave from previous study**

A Tier 4/Student visa is linked to a course of study and is not transferable once the original course of study has been completed. Students cannot use any remaining leave from a previous course of study in order to register and must obtain a new visa before they can undertake further study at the University.

## **Supplementary study**

Student visa holders are allowed to undertake supplementary study in addition to their main course. As per the Student Sponsor Guidance, this can be in any subject and does not have to relate to the main course of study. The supplementary study can take place during or after the main course and students do not need permission from UKVI to undertake this. Extensions of leave will not be given by the University to complete supplementary study.

## **Engagement Monitoring**

As a student sponsor Imperial College London is responsible for ensuring that it meets UKVI engagement monitoring requirements for all students sponsored under the Tier 4 visa route. UKVI expects student sponsors to monitor student engagement with the University and at least 10 times per year. A student who does not engage for 60 days since the last contact must be reported to Visa Compliance first and then they will be reported to UKVI via the Sponsor Management System (SMS). Expected contacts must be distributed throughout the year and educational institutions are permitted to define what these contacts are. At Imperial College London, academic departments are responsible for determining contact points and monitoring attendance. The Visa Compliance Team provides advice and support on this process. More detailed information can be found in the Tier 4 Engagement Monitoring Guidance.

## **Contact Details**

The University is required to hold a record of the current UK telephone number and residential address of all its sponsored students. Students can update their details on their My Imperial account. Students that fail to do this will be in breach of the terms of their student visa and will be contacted by Visa Compliance for this information.

## **Non-enrolment due to Fees**

Students that cannot register due to non-payment of fees will be reported to UKVI as no longer in attendance.

## **Study Away from the University**

The University is required to fulfil its sponsor duties for student visa holders when they are away from the University. This includes where students are undertaking fieldwork, study abroad or work placements. Time away from the University should be authorised by a student's Department and a plan of how attendance will continue to be undertaken during the period away from University should be agreed. Departments are required to report all student visa holders undertaking study away from the University to the Visa Compliance Team so that this information can be reported to UKVI.

## **Changing Course**

A student visa is granted for a specific course of study and there are complex rules around who can change course without needing to apply for a new visa. All student visa holders wishing to change course are strongly advised to seek advice from the International Student Support before the change is made.

## **Writing Up**

UKVI regulations allow the University to sponsor postgraduate research students who are writing up a dissertation or thesis. If a student visa holder resides in the UK whilst writing up, there must be regular contact with their supervisor and their contact details (including telephone numbers) must be kept up-to-date. If a student visa holder chooses to write up 'away from the University', the student should update their address on My Imperial and also ensure they remain in regular contact with their supervisor. Please note at Imperial, students are no longer distinguished as writing up in University or away from the University. Students remain enrolled in either case until they have completed their degree.

## **Research students that require additional time prior to submitting their thesis**

Students will only be assigned a new CAS if they are granted additional registration time by the special case panel.

## **Research students completing corrections**

The University will not sponsor a student visa for a student who requires additional time to complete corrections.

## **Pregnancy**

The Student Sponsor Guidance from UKVI does not include special provision for students that become pregnant while holding a student visa. Pregnant students may be granted a maximum of 60 days interruption of study at the discretion of their Department and Visa Compliance Team.

## **Reporting changes of status**

The Visa Compliance team is responsible for reporting changes of status to UKVI using the Sponsor Management System (SMS) and will notify students via their Imperial email address when a report has been made. UKVI requires that all reports are made within 10 days of the change taking place.

The following types of report will usually result in visa curtailment

- **Non-enrolment**  
The University is required to report students that have not enrolled or re-enrolled by the University deadline
- **Interruptions**  
Interruptions of study cannot be back-dated and must be reported to Student Records as soon as they commence. All interruptions regardless of length will be reported to UKVI.
- **Withdrawals**
- **Course completed early**

The following changes are required to be reported to UKVI but will not result in a visa curtailment

- **Change of immigration category**
- **Change of course**
- **Work placement/ field work/ study abroad**
- **External study leave for research related to degree**

## **Graduate Visa**

Student visa holders may be eligible to apply for the [Graduate Visa](#) once they have been awarded their degree. This allows them to stay in the UK for up to 2 years (for undergraduates and postgraduate Masters students) or 3 years (for postgraduate research students). The Visa Compliance Team are responsible for reporting their eligibility to UKVI. The team will only report them as eligible if they meet all the criteria and they have confirmation that the student has been awarded their degree.

## **Working**

Student visa holders may have working rights depending on the strict rules set out by UKVI.

Undergraduate student visa holders are only permitted to work up to 20 hours during term-time. They are permitted to work full-time during the University's official vacation dates. Once the course end date (as stated on the CAS) has passed, students are permitted to work full-time until their visa expires.

Postgraduate Taught Master's students are required to be in continuous attendance and the standard term dates do not apply to them. The 20 hours per week during term-time applies to the entire duration of the programme until the course end date has passed (as stated on the CAS). Following the course end date, they are permitted to work full-time until their visa expires.

Postgraduate research (PhD) students are required to be in continuous attendance and the standard term dates do not apply to them. Students are permitted to take up to eight weeks annual leave approved by their supervisor. The 20 hours per week during term-time applies to the entire duration of the programme until their registration end date has passed. This will be the date that the degree is officially conferred by the University and not from their thesis submission date or viva date. Following this, the students can work full-time until their visa expires.

Students sponsored on a **student part-time visa are not permitted to work in the UK.**

More information on working can be found on the [International Student Support](#) pages.

**Changes to policy**

The UK government regularly updates its policies on student visa sponsorship and the University reserves the right to update its processes and policies in line with these changes.

**Further Information**

For further support and advice on visa compliance requirements please contact the Visa Compliance Team at [visacompliance@imperial.ac.uk](mailto:visacompliance@imperial.ac.uk).