Imperial College London

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 College. In addition, it outlines specific duties and processes for students sponsored by the College under the Tier 4 visa route.

Tier 4 Licence

The College holds a Tier 4 licence from United Kingdom Visa and Immigration (UKVI) to sponsor Tier 4 students. In order for the College to maintain its Tier 4 sponsor licence, it is required to meet a number of responsibilities and requirements which are outlined in UKVI's Tier 4 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.

Tier 4 Pilot Scheme

The College is part of the Tier 4 Pilot Scheme which was launched by UKVI in 2015.The scheme offers several advantages for students studying on a Master's course of 13 months or less. As part of the scheme students can benefit from a streamlined visa application process and are granted six months additional leave after of their course end date.

Record Keeping

In order to meet the sponsorship requirements, Appendix D of the Tier 4 Sponsor Guidance outlines documents and details which the College is required to keep on file for Tier 4 students:
- Copy of each student's current passport pages showing all personal identity details
- Copy of each migrant's biometric residence permit (BRP). The College also takes scans of student's 30 day travel vignette which has 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 College must keep a copy of the certificate on file.

Basic Compliance Assessment

The College 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 College is required to report to UKVI all of its sites and any other locations used to teach Tier 4 students 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 Tier 4 students on its sponsor licence. Where both partners are Tier 4 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 Non-EU/EEA students are assessed in line with College admissions processes. The College does not employ agents to recruit students.

Admissions Documentation
All applicants are required to present original 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
A Non-EU/EEA applicant holding a firm offer to study at Imperial College 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 College will either sponsor or support a visa application for non-EU/EEA students to study the following courses at the College:

Courses	Visa route
• Full Time registered courses taught at Imperial College London campus sites at undergraduate, postgraduate taught and postgraduate research level. - Courses can include integrated and assessed work placements. - Includes PRI Students	Tier 4 (General) Student Visa
• Part Time registered course at postgraduate taught and postgraduate research level	Tier 4 (General) Student Visa Part - Time
• Medical Elective • Occasional postgraduate research visitor • Undergraduate / postgraduate taught students who need to return to re-sit exams • Some PhD students who need to re-enter the UK only to attend their viva • Summer School students • English course less than 11 months long	Short Term Study Visa

• Undertaking a distance learning course and entering the UK for in-duction weeks, short periods of intensive face-to- face learning and exams or assessments	
• Extend leave for completed post-graduate research students	Tier 4 (General) Student Visa Doctorate Extension Scheme

CAS Issuing

The College's central admissions team is responsible for issuing a CAS to new students. 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 College 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.

The Visa Compliance Team issues CAS to students already enrolled at the College. International Student Support provide immigration advice to students before a CAS is released to them.

Visa Refusals

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

Enrolment

All Non-EU/EEA students are required to enrol online each academic year and to register in person at the start of their course. At in person registration, non-EU/EEA students are required to present originals of evidence to confirm their visa status in the UK which will be logged and stored on the College'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 register with the College and will be required to present their visa at a later date. Students must complete all parts of enrolment with the College 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 College has a duty to ensure that all Non-EU/EEA students have valid permission that allows them to study in the UK for the duration of their studies. Non-EU/EEA 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 College 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

Tier 4 students returning from an interruption will normally be required to apply for a new Tier 4 visa. Students are strongly advised to contact the International Student Support Team before they are assigned a CAS.

Overstaying

Non-EU/EEA students are responsible for ensuring that they have valid permission to study for the duration of their registration period at the College. 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. The College is not permitted to allow overstayers to continue with their studies and will interrupt or withdraw them.

Tier 4 leave from previous study
A Tier 4 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 College.

Supplementary study
Tier 4 students are allowed to undertake supplementary study in addition to their main course. As per the Tier 4 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 College to complete supplementary study.

Attendance Monitoring
As a Tier 4 sponsor Imperial College London is responsible for ensuring that it meets UKVI attendance monitoring requirements for all students sponsored under the Tier 4 visa route. UKVI expects Tier 4 sponsors to monitor student engagement with the College at least 10 times per year and report to them via the Sponsor Management System (SMS) if a student is no longer in attendance. 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 Attendance Monitoring Guidance.

The College also sponsors students on the Doctorate Extension Scheme. The Visa Compliance team is responsible for ensuring there are at least two contact points recorded at regular intervals during the time the student is on the scheme.

Contact Details
The College is required to hold a record of the current UK telephone number and residential address of all its Tier 4 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 Tier 4 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 College is required to fulfil its sponsor duties for Tier 4 visa holders when they are away from the College. This includes where students are undertaking fieldwork, study abroad or work placements. Time away from the College should be authorised by a student's Department and a plan of how attendance will continue to be undertaken during the period away from College should be agreed. Departments are required to report all Tier 4 students undertaking study away from the College to the Visa Compliance Team so that this information can be reported to UKVI.

Changing Course
A Tier 4 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 Tier 4 students 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 College to sponsor postgraduate research Tier 4 students who are writing up a dissertation or thesis. If a Tier 4 student 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 Tier 4 student chooses to write up 'away from College', the College will not be able to meet its Tier 4 sponsor requirements and will therefore make a report to UKVI to confirm that the student is no longer sponsored.

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 College will not sponsor a Tier 4 visa for a student who requires additional time to complete corrections.

Authorised Absence
In some exceptional circumstances where the well-being of a Tier 4 student may be adversely affected by a visa curtailment, the College can permit an 'authorised absence' for up to 60 days. Absences of up to 14 days can be authorised by the Department. Any absence of 15 to 60 days must be authorised by the Department in conjunction with the Visa Compliance Team. Students will not be permitted more than a total of an absence of 60 days in an academic year. During an 'authorised absence' the student will not be placed on interruption and must be able to complete the course in spite of the period of authorised absence. The College must remain in contact with the student during the period of authorised absence and be able to continue to meet its sponsor duties.

Pregnancy
The Tier 4 Sponsor Guidance does not include special provision for students that become pregnant while holding a Tier 4 visa. Pregnant students may be granted a maximum of 60 days authorised absence 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 College is required to report students that have not enrolled or re-enrolled by the College 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**

Working
Tier 4 students may have working rights depending on the strict rules set out by UKVI.

Undergraduate Tier 4 students are only permitted to work up to 20 hours during term-time. They are permitted to work full-time during the College'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 College and not from their thesis submission date or viva date. Following this, the students can work full-time until their visa expires.

Changes to policy
The UK government regularly updates its policies on Tier 4 sponsorship and the College 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.