

## UKVI Student Route Compliance Policy

<b>Policy owner:</b>	Northern School of Contemporary Dance – Leadership Team
<b>Lead contact:</b>	Admissions Manager
<b>Audience:</b>	Applicants/Students/Staff for Northern School of Contemporary Dance Courses of higher education
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<b>Date Equality and Diversity Assessment Completed:</b>	
<b>Further information:</b>	
Queries regarding this Policy should be directed to <a href="mailto:admissions@nscd.ac.uk">admissions@nscd.ac.uk</a>	

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## **UKVI Student Route Compliance Policy**

### **1. Introduction**

This Policy document outlines the School's UKVI Student Route compliance alignment with the requirements of the Home Office UK Visas and Immigration (UKVI) service for the admittance of Non-UK students, excluding the Republic of Ireland, under Points Based Immigration – UKVI Student Route. The policy ensures best practice and the safeguarding of the School's UKVI Student Route policy. It is subject to change in line with changes to Government legislation.

The Policy is checked intrinsically through the process it details, through consideration at UKVI Sub-Committee with approval through Senate.

Following on from a successful inspection by the UK Border Agency in October 2020, NSCD obtained continued approval as a UKVI StudentRoute sponsor for the recruitment of overseas students (migrants outside of the EEA & Switzerland and requiring UK study visas) under the UKVI Student Route of the national points-based immigration system.

On 5th October 2020 this was superseded by the UKVI Student Route. The UKVI Student Route status allows the school to authorise Confirmation of Acceptance for Studies (CAS) for Non-UK students, excluding the Republic of Ireland, to obtain visa clearance to join courses at Regulated Qualification Framework (RQF) Level 3 or above. To retain its licence, the school has to fulfil criteria relating to the recruitment, arrival, monitoring and reporting of students on the UKVI Student Route. This policy outlines the school's intent to align with UKVI requirements and to minimise risk in respect of the status of all non-UK students, excluding the Republic of Ireland.

Strategic level responsibility for the monitoring of the school's continued compliance with the scope of its licence rests with the Vice Principal and the CEO & Principal of the school. The school's operational guidance specifies the actions required by Admissions, HR and Faculties to ensure that it is fulfilling its sponsor duties and safeguarding the school's UKVI Student Route licence.

### **2. Scope**

This Policy is most relevant for NSCD staff, students and applicants but may be of use to:

- UK Visas and Immigration (UKVI),
- Quality Assurance Agency (QAA),
- Office for Students (OfS)
- General public.

### **3. Amendments to this policy**

This policy is the school's alignment with the requirements of UKVI for the admittance of Non-UK students, excluding the Republic of Ireland, under Points Based Immigration – Student Visa route (Tier 4, General Students).

This policy has been written based on current UKVI Student Route policy published to date by the Home Office UK Visas and Immigration.

This policy may be subject to change throughout the academic year, based on government policy change. Non-strategic amendments are approved by Senate.

#### **4. Responsibilities and Training**

The CEO and Principal is the UKVI Student Route Sponsor's Authorising Officer. The role has overall responsibility for the School's UKVI Student Route licence, including oversight of the actions of staff who use the Home Office's Sponsor Management System (SMS). All applications to renew the school's licences under Points Based System, regardless of the route, are made under the Authorising Officer's name.

The Vice Principal and/or Admissions Manager are the UKVI Student Route Sponsor's Key Contact. The key contact is the main point of contact for the Home Office UK Visas and Immigration (UKVI). These roles are responsible for overall authorisation of users required to access the Home Office's Sponsor Management System (SMS).

NSCD has a single licence, which incorporates the UKVI Student Route and UKVI Skilled Worker licence responsibilities. The Human Resources (HR) department is responsible for the safeguarding of the School's UKVI Skilled Worker requirements; for policies and procedures, which relate to the employment of students and staff.

The Human Resources department is responsible for the internal employment and monitoring of students on the UKVI Student Route in accordance with UKVI working regulations.

The leadership team has responsibility for monitoring the UKVI Student Route at national level and aligning and proposing changes in internal policy and procedures to ensure that the school's status as a UKVI Student Route sponsor remains secure.

Academic Registry has the responsibility for ensuring that relevant staff across the school comply with operational procedures and are supported to do so. The Admissions Manager, Academic Registry and the Vice Principal will prepare staff for Home Office audits to minimise risk and to ensure sponsor licence duties are maintained.

The Vice Principal and Admissions Manager will manage the annual sponsor licence service and its risk (annual Basic Compliance Assessment (BCA), annual CAS allocation and four-year licence renewal).

The Vice Principal will co-ordinate relevant local and sector level training for professional services and faculty staff. This is usually supported by external input such as Eversheds or NARIC webinars and courses.

## **5. Student Responsibilities**

The student is responsible for meeting the requirements of their UKVI Student Route visa, in accordance with current Home Office UKVI Student Route sponsor policy and guidance. The School's Admissions Team will provide information, advice, and guidance to students on the UKVI Student Route, throughout their student journey, to ensure they are aware of their responsibility to abide by the conditions of their UKVI Student Route leave. Any student in breach of their sponsorship conditions will be withdrawn from the School.

## **6. Use of Agents**

At the time of writing this policy, NSCD does not use agents to recruit overseas students.

## **7. Confirmation of Acceptance for Studies (CAS)**

Confirmation of Acceptance for Studies (CAS) to support UKVI Student Route visa applications from RQF Level 3 and above and UKVI Student Route Part-Time Visa applications, from RQF Level 7 and above, are actioned via the UKVI Sponsor Management System (SMS). NSCD students on a Student Visa can only study on a course Full-time at present.

Only authorised users of the SMS at Level One (authoriser) and Level Two (data entry). The academic credentials, including English Language level, are assessed by Admissions staff. Alongside the offer making, UKVI Student Route eligibility is assessed centrally by the Admissions Manager. Once all overseas admissions and UKVI Student Route eligibility criteria are met a CAS is issued to the student.

A CAS will be issued solely on the discretion of the School as a UKVI Student Route sponsor, taking into consideration UK Visas and Immigration (UKVI) criteria and the school's assurance around issuance of CAS.

UKVI staff monitor the volume of institutional CAS issued and the School can request quarterly management information from UKVI; significant deviation from expected numbers, a high percentage of 'no show' students, visa refusals or CAS that remain unused will be subject to further scrutiny by the UKVI and this may ultimately impact on the School's sponsor status. The Vice Principal and Admissions team monitor the data provided and work to ensure continued integrity in the issue process and the sustainability of its low visa rate.

All course end dates, which are outlined on the CAS, are required to be in line with the School's academic calendar. For courses more than 12 months the Home Office grants 4 months at the end of the academic period, which will cover the resit period. If students require an extended period the internal CAS extension process will apply. Non-term date periods shall be advertised accordingly.

Exchange students applying for a course at the School, which is 6 months or more will be issued a CAS unless the applicant requests a supporting letter to apply for Standard Visitor Route.

If a student completes the course earlier than stipulated the student will be reported in line with the School's UKVI Student Route sponsor reporting duties.

A CAS is valid for 6 months from the date it is assigned. The applicant can apply for entry clearance or leave to remain 6 months before the start of the course. If the CAS is not used within this period the CAS will expire. If the student's UKVI Student Route application is unsuccessful and they wish to reapply, a new CAS will be issued in line with the School's CAS issuance procedures.

NSCD ensure that any CAS is sent directly to the applicant. To support students in the application process the admissions team will ensure up to date information, advice and guidance is on the School's web pages. Students will be referred to the information, advice and guidance and the Admissions team will offer support for ongoing queries regarding the UKVI Student Route application process.

### **8. Visa Extension (Permission to Stay)**

NSCD Admissions Manager administers the CAS issuance process for visa extensions. An extension only applies to UKVI Student Route visa holders who are on a full-time course and are academically progressing. If these rules apply the student can extend their visa in the UK from one Higher Education Provider (HEP) to another.

The student's current UKVI Student Route leave in the UK must be valid at the point the CAS extension is issued. The student will be expected to apply with the help of the Admissions team visa application checking service to support the prevention of visa refusal and the risk to the School's annual Basic Compliance Assessment.

Prior to a CAS being issued the student will be required to meet all UKVI requirements, including maintenance checks, undertaken by the Admissions team, to progress with their study at the School.

If a student has not met academic progression they will be required to apply for fresh entry clearance overseas. The School will support a new application from overseas as long as the student's study situation falls in line with the academic progression requirement of the University of Kent (our validating institution).

In line with the Assessment Regulations, a student will be provided with the opportunity to extend their Student Route Visa to undertake resits or repeat study, as long as the student is required to undertake continued participation (in classes or by contact) within 60 days of the next academic period starting.

### **9. Government or Financial Sponsorship**

If the student is government sponsored the student's period of stay in the UK will be limited in line with the sponsor's specifications.

An authorised sponsor guarantee must be provided and approved by the Admissions team before a CAS can be issued. The CAS will be required to stipulate who is financially sponsoring the student. In addition, as part of the Student Route Visa application process the student must provide an official headed letter of confirmation, bearing the organisation's official stamp.

## **10 Academic Progression**

NSCD's Admissions Manager will assess the student's academic progression, in line with UKVI exemptions, on a case-by-case basis in line with UKVI Student Route guidelines. The student will be required to provide justification, at the admissions stage, as to why they would like to apply for the same level study.

The Admissions team will not assign a CAS if the student is applying for a lower-level course.

Supplementary study cannot be used to show academic progression.

## **11. Supplementary Study**

Academic Registry must approve supplementary study if the course is outside of the School. Students can take supplementary study in addition to their main course, as long as it does not jeopardise the progress of their main course of study. This can be at any level, taken any time in the day and does not have to relate to their main course. The additional study period(s) must be taken within their valid leave period. The School does not need to give the student permission to assume this study and UKVI do not need to be informed.

## **12. Standard Visitor Route**

In accordance with the [UKVI Standard Visitor](#) visa requirements, NSCD Admissions Manager provides the Standard Visitor visa acceptance letter for any applicant on any course, with details of the course.

Students from the age of 16 can apply for the Standard Visitor route, for study purposes at an accredited institution, which is issued for a 6 month calendar period. The student can undertake one or more concurrent or consecutive courses as long as they will be completed within the validity period of the visitor permission.

If a student is studying for less than 56 days within the 6-month period they can use the Standard Visitor Route. If the student is studying for more than one period, within the 6 months, the student must leave within the final period of their study. The student is required to leave within 30 days of the end of their study or at the end of 6 months, whichever is sooner.

The student can use this route to complete a resit or retake a module.

Students on the Standard Visitor route are not allowed to work in the UK. The student will not be able to undertake employment at the School with Standard Visitor Route Visa.

## **13. Under 18's**

The minimum age requirement for the UKVI Student Route is 16 however NSCD's policy is that no students under the age of 18 upon enrolment will be considered for a place on our courses should they require a Student Route Visa.

This is in the best interests of the applicant and the School, given the intensity and complexity of transitioning to study in a different country as a minor.

Exceptions can be made in particular circumstances at the discretion of the Admissions Manager and Vice Principal.

#### **14. English Language Criteria**

On issuing a CAS, NSCD must ensure that students have met the UKVI language requirements for students whose first language is not English. Tests will be verified by the Admissions Manager to confirm the student has passed the required Secure English Language Test (SELT): these are typically IELTS for UKVI, LanguageCert International ESOL SELT OR PTE Academic UKVI.

As NSCD is a Higher Education Provider (HEP) we can assess the level of English through an alternative qualification providing it meets the required level.

The School's programme specifications and entry criteria on our website outlines language requirements for entry and these meet or exceed UKVI requirements. This information also reflects the level of achievements expected by UKVI for non-UK students, excluding the Republic of Ireland, in all four components across a range of the most common language qualifications.

#### **15. Registration**

The student is required to arrive by the start date of the course, as stipulated on the CAS; informing the NSCD Admissions Manager of any unavoidable changes to their arrival date in the UK. Approvals will be in line with the School's Admissions process.

As per UKVI guidelines, from 31st December 2024 BRP cards will cease to exist and all Student Route Visa Students will be issued with a digital immigration status. Those who still have a BRP card do not need to take any action and the change will happen automatically.

A student is registered at the School once their official identity documents, in accordance with current [Home Office Sponsor Guidance Appendix D](#), are approved and registered by NSCD Admissions Manager on the School's Student Record System.

For student on a Student Route Visa with limited leave to remain register at the School, the NSCD Admissions Manager will liaise with the student to ensure they have the continued right to study in the UK throughout the period of their course.

Overseas students will be unable to register as new students or continuing students, without a current valid visa, relating to their current course.

If a student's visa expires within 2 months of the start of the course the School will register the students if:

- They are able to provide written evidence of a pending application to the UKVI for an extension or further permission to stay in the UK and evidence that any application was made prior to the expiry date of their old visa.
- They provide written evidence of submission of a pending administrative review against a decision of the UKVI to refuse an application or revoke the student's leave to remain in the UK.
- They have paid the required payment in respect of their annual tuition fee.



- If a student's immigration application is at the judicial review stage the student is not covered under Section 3C of the Immigration Act 1971, therefore will not be able to study at the School.
- Where at any time within a student's period of study their immigration status becomes invalid (e.g. their leave to remain in the UK expires or is revoked), the student will not be able to register. If they are a current student, they will be withdrawn from their course.

## **16. General Data Protection Act**

Students have the right to make a request for any information held at the School and School must comply with the Act in responding to the request. NSCD must follow strict rules known as 'data protection principles' and we must ensure we use data fairly, lawfully and transparently.

Corporate Governance is obliged to provide information to statutory agencies, at their request. The processing of such data will be based on the secure and confidential sharing of information between NSCD and the Home Office.

## **17. Reporting Duties**

All sponsors must retain evidence of each individual UKVI Student Route status, including passport, visa and contact details. Any changes in the status of overseas students and any amendments to personal circumstances that would result in the School ceasing sponsorship under the UKVI Student Route will be reported to UKVI by NSCD Admissions Manager within 10 working days of the occurrence.

The School will continue to sponsor a Postgraduate student writing up their dissertation or thesis, as long as continued participation is required either by classes or contact. If the student decides to write up overseas, their UKVI Student Route leave will be withdrawn. If they wish to apply to return to the UK a CAS can be assigned if the UKVI Student Route eligibility requirements are met.

The Admissions Manager will report to the UKVI, via the SMS, all incidences of a student's failure to join or re-join their course, student delays, visa refusals, internal/external course transfers, early course completion, changes of study location, changes of immigration status, student no longer participating within 60 calendar days, withdrawals and suspensions and students contravening their visa requirements.

## **18. UKVI Student Route sponsor responsibilities**

In accordance with the School's Admission Policy an active CAS or current UKVI Student Route leave will be cancelled if there is evidence of misrepresentation and fraud. If the student is actively involved the Home Office will immediately end their leave. If not the Home Office will curtail the student's leave from 60 calendar days from date of the Home Office curtailment letter which informs the student that their leave has been revoked.

## **19. Visa and Passport Checks**

As a responsible sponsor, and as a service to students, NSCD Admissions Manager will monitor visa and passport end dates for all on a Student Route Visa and will advise students of the need to renew documentation.

## **20. Pregnancy/Maternity/Paternity Leave**

The School is able to continue to sponsor the student if illness occurs due to pregnancy. If a student on UKVI Student Route leave would like to take maternity leave during their study period; the School will continue to sponsor the student for no longer than 60 days, providing the student can still complete their course within their existing period of leave when they resume their studies. If not, the student will be advised to take an intermission in their studies and NSCD Admissions Manager will report the student on the Home Office SMS

A student can continue to be sponsored on paternity leave as long as the leave period is no greater than 60 days, that the student can still complete their course within their existing period of leave when they resume their studies and the period is approved by Academic Registry.

In all cases the student will be referred to the Student Services team for advice and guidance and to support the student, where required.

## **21. Attendance Monitoring**

NSCD has an Attendance Policy which aligns with the Home Office UK Visas and Immigration UKVI Student Route requirements by applying a single academic engagement policy to all students across the institution.

Academic engagement is indicated by attending required lectures, seminars and tutorials, practical work, undertaking research and submitting essays, assignments, and practical coursework. It is the School's responsibility to decide which study elements are required for a given course and constitute academic engagement and what minimum level of engagement is required for each element.

Supplementary to the standard UKVI Student Route academic engagement monitoring requirements, the School will report, to the Home Office, students on the UKVI Student Route who fail to register or are absent for a prolonged period that does not exceed 60 days in duration.

NSCD's Student Services department monitor attendance for all students on a Student Route Visa. The school's Student Review Board (SRB) and responsible for identifying those UKVI Student Route Visa holders who require intervention in accordance with the current requirements of the Home Office UK Visas and Immigration (UKVI) regulations and compliance.

In line with the School's Student Engagement Policy, where a student has been absent and made no contact for 2 weeks they will be withdrawn from their programme of study. The Admissions Manager will report a student on a UKVI Student Route to the Home Office and their UKVI Student Route visa shall be cancelled. At the point the School has reported the student to the Home Office, they are no longer sponsored by NSCD on a UKVI Student Route Visa.

## **22. Working in the UK**

The School's term dates and student holidays are advertised on the NSCD website. Holiday periods, including those between academic years, should be reasonable and consistent in line with the School's academic calendar.

Throughout the student's registration periods the school will identify and record if the student is entitled to work during their study period.

If a student is permitted to work they are usually entitled to work up to 10 or 20 hours a week as detailed on their [Biometric residence permit \(BRP\)](#), decision letter or digital immigration status during term time and full-time during non-term time. Non-term time is as outlined by the programme study pattern and differs for UG and PGT students. A week is defined by the Home Office as a period of 7 days beginning with a Monday, this also includes paid, unpaid and voluntary work.

Any time spent working can be in addition to any time spent on a permitted work placement.

UKVI Student Route holders can do many kinds of work, but they must not:

- be self-employed
- engage in business activity
- take a permanent full-time job
- be employed as a professional sports person including as a sport coach
- be employed as an entertainer, which includes actors, musicians, dancers and other performers

Once a student has completed their course and whilst their visa is valid, the student is able to work full-time within the limitations above and if all assessments have been completed. For undergraduate and postgraduate students, course completion means after the course end date, as stated on the CAS, as long as the student has completed all required assessment by this date. A student cannot work full-time while writing up their dissertation or if undertaking amendments.

## **23. Voluntary Work**

Students who are prohibited to work are not allowed to undertake 'unpaid work' as the student would be in breach of the work prohibition even though they are not getting paid for it.

NSCD is obliged to report to the Home Office any student who is working more than the working restrictions of 20 hours during term time; this will be classed as illegal working. The implications of being reported for the student is the risk of having their visa revoked and having to leave the country.

## Appendix A: UKVI Key Documents

### Key document locations

Document no.	Document name	Location	Link
1.	UKVI Sub Committee	Microsoft Teams / NSCD Committees / UKVI Sub-Committee	<a href="#">2023.24</a>
2.	Overseas Student Summary tracking document	Microsoft Teams / UKVI Student Monitoring & Records	<a href="#">Overseas Student Summary 2023 -24.xlsx</a>
3.	UKVI Student Route Visa individual files	Microsoft Teams / UKVI Student Monitoring & Records	<a href="#">Overseas Students</a>
4.	Overseas Students Attendance tracking	Microsoft Teams / Attendance	<a href="#">Overseas Students Weekly Attendance Check 2023-24.xlsx</a>
5.	Student Visa Administration (student information on VLE)	Moodle	<a href="https://moodle.nscd.ac.uk/course/view.php?id=373">https://moodle.nscd.ac.uk/course/view.php?id=373</a>
6.	Overseas student webpage	Website	<a href="https://www.nscd.ac.uk/study/overseas-students/">https://www.nscd.ac.uk/study/overseas-students/</a>

## Appendix B: Responsibilities

Team	Action	Document No.
Admissions	Post Acceptances: Create new electronic folder for next academic year and set up Overseas Student Summary. Carry over continuing students.	2.
Admissions	Application (plus remote audition if applicable)	2.
Admissions	Audition Scores (& interview notes if by skype - DaCE)	2. Admissions files
Admissions	Offer Letter (Conditional)	3.
Admissions	Acceptance Form	3.
Admissions	Pre-CAS Passport	3.
Admissions	Pre-CAS Academic Qualifications	3.
Admissions	Pre-CAS English Language Qualification	3.
Admissions/Finance	Pre-CAS Proof of Funds	3.
Admissions/Finance	Pre-CAS Tuition Fee Deposit Payment	3.
Admissions/Finance	Pre-CAS Tuition Fee Waiver (if awarded)	3.
Admissions	Assign CAS in SMS	3. SMS
Admissions	Unconditional Offer Letter	3.
Admissions	Record of CAS from SMS	SMS
Admissions	Issue online Enrolment	Admissions
Admissions	Update 'UKVI Student Responsibilities' (if changes)	Website
Admissions	Take copy of BRP (or equivalent) and save in individual student folder. Input BRP number and details in current year Overseas Student Summary. Check end date matches course end date. ( <i>start of academic year</i> )	3.

Head of Academic Registry & Compliance	UKVI Sub Committee - meetings scheduled 4 times per academic year	1. Term dates meeting calendar Outlook calendars for members
Student Services	Enrol UKVI Students to the UKVI Visa Student section in Moodle. <i>(start of academic year)</i>	5.
Student Services	Access Overseas Student Summary in electronic folder for academic year. <i>(start of academic year)</i>	2.
Student Services	Check Enrolment status on Student Record system (Quercus)	Quercus
Student Services	Record and download student termly declaration re. contact details, work commitments. Schedule in student schedule on Asimut (timetabling system).	1. 2. Termly – monitored by UKVI Sub-Committee.
Student Services	Monitor and record attendance. <i>(on-going)</i>	4.
Student Services	90, 60 & 30 reminders of visa expiry date	Student email Schedule usually June – October Reminders in Outlook calendars