

## **The Glasgow School of Art**

### **UKVI Tier 4 Immigration Policy**

#### **Context and General Approach**

This policy establishes the GSA approach to Home Office visa and immigration compliance. UK Government, Home Office and UK Visas and Immigration (UKVI) policies are not superseded by this policy (see <https://www.gov.uk/topic/immigration-operational-guidance>).

In order to recruit students who are non-EEA nationals to study full-time in the UK, GSA must hold a valid Tier 4 Licence with Tier 4 Sponsor status which is issued and approved by UKVI under the direction of the Home Office and UK Government.

GSA must apply for a Tier 4 Licence every four years and for Tier 4 Sponsor status annually. It must ensure compliance with Government legislation and the responsibilities of being a sponsor are being upheld. Moreover, it must be able to provide evidence of compliance if requested to do so by UKVI by way of a visit or audit and failure to do so can result in the immediate suspension or revocation of the licence.

#### **Precepts and Procedures**

##### **1.1 GSA Contact with UKVI**

Communication with UKVI should only be made by the Glasgow School of Art's UKVI Authorising Officer or nominee.

##### **1.2 Responsible Persons**

A Responsible Person is defined as the Programme Leader (or Head of Department where a Programme Leader does not exist) for each programme regarding UKVI academic selection and attendance monitoring. In the case of postgraduate research students, the Responsible Person is the Academic Co-ordinator for PGR. Changes to the Responsible Person for a programme must be made in consultation with the Authorising Officer. A list of the Responsible Persons is held by the Head of Academic and Student Services, Head of Registry and Head of Human Resources and is updated by the Head of Registry and issued annually at the start of each academic session.

GSA will deliver annual UKVI Briefing Sessions run by Registry (Tier 4) and Human Resources (Tier 2 and Tier 5) for the Responsible Persons. The briefings are mandatory for Responsible Persons with other relevant staff members being encouraged to attend.

##### **1.3 Student Recruitment**

The Responsible Persons must ensure that when making an offer of study, the applicant meets the following UKVI requirements:

- Academic Suitability
- Academic Progression (if the student has previously studied in the UK)
- English Language Proficiency

Registry will provide guidance on this at the annual briefing and are available to provide advice upon request.

#### 1.4 Issuing of Certificates of Acceptance for Studies (CAS)

Before a student can apply for permission to enter or remain in the UK under a Tier 4 visa, GSA must assign a Confirmation of Acceptance for Studies (CAS). This confirms that the student has been given an unconditional offer of a place on a course of study with a licensed Tier 4 sponsor and is required for the visa application.

Registry will make an additional check on all academic offers in relation to UKVI compliance and on receipt of an acceptance to the offer and the £1,000 non-refundable deposit, will issue via email, a CAS to the student for their visa application.

#### 1.5 Student Welfare

Student Welfare support students and prospective students with advice and information regarding Tier 4 visa requirements. They also provide support to continuing students with advice concerning visa extensions and the impact of taking a leave of absence/changing course whilst studying on a Tier 4 visa.

Registry will provide Student Welfare with a monthly list of those students with a visa expiring within six months. Student Welfare will then contact the student to offer advice and support.

#### 1.6 Enrolment

Enrolment of all Tier 4 sponsored students will take place at the start of each term.

Registry will identify and check the validity of the following original documents of all Tier 4 sponsored students. Key documents are:

- Passport
- Visa (Biometric Residence Permit and 30-Day Vignette)
- Academic evidence as stated on their CAS
- English language evidence as stated on their CAS (if applicable)

A copy of all documents will be made and held for five years (or the duration of studies of the student, if longer) on the student's file for audit purposes. Students will not be allowed to enrol until they have presented the required documentation. Students who attempt to enrol with a Tier 4 visa sponsored by another institution will be required to obtain a Tier 4 visa sponsored by The Glasgow School of Art prior to being allowed to enrol.

#### 1.7 Attendance Monitoring

In addition to the three enrolments each academic session, Registry will issue monthly requests for confirmation of student attendance normally in the first week of each month. It is the duty of the Responsible Person for each programme to confirm attendance and sign off the sheet returning it within 5 working days. The attendance monitoring spreadsheets will be held on a central UKVI record by Registry for audit purposes.

The Responsible Person should retain all evidence of attendance (e.g. class register, sign in sheet) as UKVI, Registry or an internal audit may request this. Attendance records should be retained locally in a convenient format for **five** years and Schools must have mechanisms in place to have this information accessible at all times.

The UKVI requirement is for the reporting of non-attendance after 10 contact points are missed. Contact points are scheduled and regular formal contacts which contain an academic element (e.g. lectures, seminars, tutorials, project supervision meetings, practical classes or workshops, supervised time in studio or workshop) as defined locally by each Responsible Person. Scheduled formal contacts must be made in person and be at least fortnightly in frequency. Unconfirmed sign-in sheets should not be used. If a student cannot attend a scheduled formal contact as a result of an extended field trip, this should be recorded as an authorised absence with fortnightly contact being maintained via email or video call.

When a student fails to regularly attend, standard GSA academic practice requires internal action to be taken in a shorter timescale than that prescribed by UKVI. However, to ensure UKVI compliance, 10 contact points must not be breached.

Registry must also be notified by the Responsible Person when they have any information that may suggest that a Tier 4 student may be engaging in terrorism or other criminal activity.

#### *Joint Programmes*

Where programmes are run jointly with other institutions, the lead institution must provide in writing the arrangements in place for monitoring the attendance of Tier 4 students. Programme Leaders at each institution are required to separately monitor and report the attendance of all Tier 4 students and keep each other informed of their findings and/or concerns. Any information provided to the lead institution must be made in a timely fashion to allow it to comply with UKVI reporting requirements.

#### *Work Placements (or equivalent) or studying outwith GSA*

If a Tier 4 student is on a work placement (or equivalent) or studying outwith GSA for a period greater than two weeks, the Responsible Person must seek and receive confirmation of attendance from the employer at least fortnightly. It is the responsibility of the department/school to communicate with the employer or hosting institution to confirm satisfactory attendance. Correspondence should be retained for audit purposes. The sponsored student must not be part of the communication process or this may be perceived as not being a sufficiently robust process.

If confirmation is not received by individual schools, Registry must be notified immediately by the Responsible Person. In addition, the Responsible Person must ensure that the employer is aware that they must report unauthorised non-attendance to GSA immediately.

Students who are required as part of their professional qualification to participate in a Professional Practice Year Out (PPYO) will not be sponsored by GSA for a Tier 4 visa for this purpose. If the student finds suitable work in the UK, it is the responsibility of the employer to sponsor them to remain in the UK during this time. If the student is unable to find suitable employment in the UK, they will be expected to return home once their existing leave to remain expires. GSA will provide sponsorship under Tier 4 when the student resumes their studies.

### **Tier 4 Student Responsibilities**

2.1 All Tier 4 students sponsored by GSA must:

- Arrive in the UK prior to the start of their programme of study and not more than 30 days prior to the start of their programme.

- Attend all Tier 4 enrolments and provide their passport, visa along with academic and English language evidence as stated on their CAS.
- Maintain an acceptable level of attendance on their programme.
- Notify Registry immediately of any change to their contact details or circumstances.
- Not work more than 20 hours per week during term time or as stated in their passport.
- The above responsibilities will be monitored by each Responsible Person and Registry as noted in this guidance.
- Not engage in terrorism or other criminal activity.

### **UKVI Requirements and Definitions**

#### **3.1 Contact Details**

A history of all Tier 4 students contact details (United Kingdom residential address, telephone number, mobile telephone number) must be retained and updated regularly.

#### **3.2 Working on a Tier 4 Visa**

All Tier 4 students at GSA who are studying on a course at degree level or above are allowed to:

- work for up to 20 hours per week during term time
- work full-time during vacations
- do a work placement as part of their course (i.e. learning in a working environment for a period of two weeks or more)
- work as a student union sabbatical officer for up to 2 years

#### **3.3 Academic Progression**

Academic Progression is when a Tier 4 student undertakes a course of study in the UK at a higher QCF/SCQF level from their previous course of study in the UK. GSA will not make an offer of study to a student who does not satisfy the Academic Progression criteria. Where a Responsible Person/Academic Selector is aware of previous study in the UK by an applicant and it is not indicated on the application, it is their responsibility to inform Registry.

#### **3.4 English Language Proficiency Minimums**

English language proficiency documentary evidence in the form of a UKVI approved SELT (Secure English Language Test) with a minimum of level B2 (IELTS equivalent 5.5) in each component, is now required. IELTS is currently the only overseas SELT provider approved by UKVI. If you are in any doubt, please contact the Registry Officer (UKVI).

#### **3.5 Maximum Duration of Study**

Tier 4 students are limited to a maximum of 5 years in the UK studying at degree level or above. There are however notable exceptions, which are:

- An undergraduate degree course is four or five years long and the student wishes to study a Master's degree at a higher education institution (recognised body or institution in receipt of public funding)

- The student wishes to study a PhD at a higher education institution
- The student is studying on an exempt course: architecture, medicine, dentistry, veterinary medicine and science, law, music studied at a conservatoire

### 3.6 Maintenance Funds

All Tier 4 students coming to study in the UK must be able to evidence to UKVI that they have sufficient funds for payment of their full tuition fee and nine months of living costs currently set at £1,015 per month for student studying outside of inner London.

If a student has dependants, an additional £680 per month for each dependant (up to nine months) must for evidenced.

All students are required to evidence to GSA that they have adequate funds in their bank accounts for the 28 day period required by UKVI in order to obtain a CAS.

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February 2016