University of West London

Staff Guide for UKVI Compliance

September 2019

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This guide should be read in conjunction with detailed systems guidance available on the UKVI Sharepoint site.
1 Purpose of the Guide

This guide is designed to help University of West London staff understand the importance of Tier 4 compliance, and to ensure that each department involved in compliance promotes and ensures good compliance practice. This Guide will help to ensure high levels of compliance with the University’s Tier 4 obligations across all aspects of University functions.

2 Maintaining the University’s Tier 4 Licence

The University holds a Tier 4 licence which enables it to sponsor international students on full-time degree programmes. The University must re-apply for this licence every four years. Each year the University must pass a basic compliance assessment which is based on three key metrics:

- A refusal rate of less than 10 percent;
- An enrolment rate of at least 90 per cent; and
- A course completion rate of at least 85 percent.

The University has duties as a Sponsor and it must maintain accurate records and report issues to the UK Home Office (Visas and Immigration) (UKVI) through the UKVI’s Student Management System (SMS) portal to inform the Home Office of any changes to a student’s course or attendance or enrolment status. These duties are set out in more detail in this guidance document.

3 The Compliance Team

The University has a central Compliance Team, which reports to the University Secretary and Chief Compliance Officer; the team’s responsibilities for UKVI compliance include:

- Maintaining accurate records
- Reporting on the UKVI SMS portal
- Monitoring compliance with the University’s sponsorship duties
- Keeping records relating to the Basic Compliance Assessment (BCA)
- Dealing with student cases.

It is important to note that although the Compliance team has the responsibility to ensure that the University achieves and maintains a consistently high level of compliance with the UKVI Tier 4 requirements, the Team cannot function in isolation and must work in close collaboration with Academic Schools and Colleges and Central Service Departments.
4 Responsibilities of Professional Service Departments

In order to operate successfully, Tier 4 compliance must be embedded into the functions of the following Professional Service Departments:

- International Office – responsibility for ensuring compliance in terms of applicant credibility, qualifications and English language when making offers and allocating Confirmation of Acceptance of Studies (CAS) and ensuring appropriate records are kept and scanned onto the EDM records system.

- Registry – Student Records and Data – responsibility for providing appropriate recording and reporting tools and ensuring that student status changes (withdrawal/deferral/transfer etc.) are actioned only after consultation with the Compliance Team. This team also manages the overall enrolment process.

- Academic Administration – responsibility for ensuring that students are fully enrolled, in attendance and engaged with their studies and that appropriate records of absences are maintained. Administrators must also refer to the Compliance Team when a student has any issues affecting their studies and/or compliance including early completion, resits etc. They should also check that all UKVI students are properly enrolled.

- Finance – Finance should ensure that all students have paid and that those who have not have an appropriate payment plan which they are following or otherwise liaise with the Compliance Team.

- Students Services Advice Team – responsibility for providing accurate immigration advice and guidance to students, eligibility checks for all CAS applications from Admissions and Visa extensions. Advisers also process visa extensions through the Home Office Student Batch Scheme and check students’ finances ready for Compliance Officer approval and CAS issue.

- Placement and Employment Team – responsibility for ensuring that international students are on an appropriate placement and for recording and monitoring their placement activities and informing Compliance for reporting to UKVI through the SMS system.

- Human Resources – responsibility for undertaking ‘right to work’ and documentation checks. The Payroll team checks for students who are employed by the University to ensure that they remain with the 20 hours.

- Quality Assurance Officer – responsibility for ensuring that all courses with placements are approved in the appropriate format.
5 An Overview of the University’s Sponsorship Duties under Tier 4

5.1 Terms of the University’s Tier 4 Sponsor Licence

Under the terms of its Tier 4 Sponsor Licence, the University must:

- Maintain accurate current records of all Tier 4 student documentation;
  - Passport
  - BRP card
  - Entry vignette
  - Qualifications
  - English language certificate
  - Offer/acceptance letter/statement of purpose/references
  - Attendance and Progression record
  - Current contact details including home address, term-time address, email address/s, telephone number(s) and mobile telephone number(s)
  - Details of any placements and their place of work and dates

- Ensure all non UK/EU/EEA students have appropriate permission to study with the University of West London. Students will not be able to commence a course of study if they do not hold a current immigration status in the UK.

- Keep up-to-date copies of all non UK/EU/EEA students' passports and visas. If students are issued with a new passport or visa during their course (either due to loss, renewal or extension), the University must verify the documents and keep copies.

- Notify the UK Home Office (Visas and Immigration) (UKVI) of any Tier 4 student who:
  - has a Visa is refused or refused following an appeal
  - fails to enrol
  - defers the start date of their course to a later date
  - takes a break in their studies and/or temporarily withdraws from their course of study
  - withdraws from their course of study at their request
  - is excluded for financial, academic or non-attendance reasons
  - transfers from their course of study to a different UWL course. Any transfer request must have compliance approval prior to any course transfer being agreed.

- Inform the UKVI of changes to a Tier 4 student's circumstances including:
  - details of a course transfer
  - details of a work placement
  - changes to a student’s immigration category, for example, where a student changes from Tier 4 to a different category
  - early completion of a course of study by a Tier 4 student; the course end date would be earlier than originally expected.
• Monitor all Tier 4 students’ attendance and engagement with their studies. This includes monitoring students’ attendance, checking their progress on their course of study.

• Monitoring students who are on a work placement which is part of their course, the University will contact their employer fortnightly to check that the student is engaging as required.

• Withdraw any student who fails to satisfactorily engage with their studies and report them to the UKVI.

Staff who have any queries, should contact the UKVI Compliance Team, or email INT.compliance@uwl.ac.uk.

6 The University’s Sponsorship Duties

6.1 Overall responsibilities and duties

As a Tier 4 Sponsor, the University’s responsibilities to Tier 4 students start from the moment a CAS is assigned to the student until:

• The University withdraws sponsorship from the student

• The student leaves the UK

• The student is given permission to stay in the UK with a different sponsor or in another immigration category.

As a Tier 4 sponsor, the University has a duty to:

• Act honestly in all dealings with the Home Office. For example, the University must not make false statements, and must disclose all relevant information when applying for a Tier 4 license or assigning a CAS.

• Take responsibility for all Tier 4 students while they are under the University’s sponsorship. This includes taking all necessary measures to ensure that: prospective students are genuine students who are able to comply with the Immigration Rules; that students enrol, that they comply with their conditions of leave, and they undertake their course through to completion.

• Ensure that concerns about the conduct and integrity of Tier 4 students are treated consistently with other students, including taking appropriate action where students are found to have used deception to gain advantage in their studies.

• Comply with all aspects of the Immigration Rules and sponsor guidance, and support immigration control, including by taking steps to ensure that every student at UWL has permission to study in the UK throughout the whole period of their study.

• Cooperate with the UWL Compliance Team who must comply with Home Office requests for information.

• Ensure that UWL’s website and any marketing material accurately reflects its status as a Tier 4 Sponsor.
6.2 Record keeping

As a Tier 4 Sponsor the University must keep all of the documents listed below, as per Appendix D to the UKVI’s Tier 4 Sponsor Guidance (available online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/515821/Appendix_D_04-16_v1.1.pdf).

Documents which must be copied and retained by the University include:

- A copy of each Tier 4 student’s current passport pages showing all personal identity details including biometric details, Entry Clearance vignette, leave stamps, or immigration status document including their period of leave to remain (permission to stay) in the UK. This must show the student's entitlement to study with the University.

- A copy of the student’s biometric residence permit (BRP).

- Retain a record of any appeal documentation which a student makes against any refusal of leave.

- A record of the student’s attendance/absence; this should be kept electronically on the University’s Student Attendance Monitoring System (SAM); manual records may be kept and retained where it is not practical to use the SAM system.

- A history of the student's contact details to include UK residential address, telephone number and mobile telephone number; these details must be updated regularly.

- Original certificates must be seen and copies of any evidence assessed by the University as part of the process of making an offer to the student; copies of examination certificates, including an English language certificate; all documentation connected to the offer of study, offer/acceptance letter etc.

- A copy of all non-EEA student immigration status documentation eg: current passport or associated documentation and current BRP card.

- Evidence of Start-Up visa endorsement route, retain evidence of the selection process that resulted in that endorsement.

The University is not required to keep original passports; these should be returned to the student once the required pages have been copied. Please note that it is illegal for passports to be retained for any purpose.

The University must provide the UKVI with any document listed in Appendix D, or any document relevant to the running of UWL, if they ask to see it at any time. Documents requested by UKVI which are not in English or Welsh must be accompanied by a certified translation.

The UKVI may ask UWL to complete a spreadsheet showing the details of each of its Tier 4 students and their attendance. If requested, this must be sent electronically to the UKVI within 21 days of the date of the request, providing all the information requested.

The UKVI may also ask UWL to complete a spreadsheet showing the details of each of its Tier 4 students and their current addresses, including information on the proximity of their residential address to the teaching site/s. If requested, this must be sent
electronically to UKVI within 21 days of the date of the request, providing all the information requested.

6.3 Reporting students to the UKVI

The Compliance Team must notify the UKVI, through the Sponsor Management System online portal, within 10 working days, if any of the following changes of circumstances occurs to any of UWL’s Tier 4 Students:

- A student withdraws from their course of study before they travel to the UK.
- A student does not enrol within the enrolment period.
- Where an appeal against a visa refusal is successful and leave is granted and the student has a new start date for commencing their course.
- A student misses 10 consecutive expected contact points. These can include lectures, tutorials, seminars, examinations, assessment boards, tests, meetings with a supervisor or personal tutor, appointments with student advisers, and missed submission of assignments or coursework.
- A student defers their studies after they have arrived in the UK and is no longer actively studying.
- The University withdraws a student from their course.
- The University stops sponsoring a student because they:
  - move into a different immigration category with a different sponsor;
  - move into an immigration category that does not need a sponsor;
  - complete the course sooner than expected.
- There is a significant change in a student’s circumstances, including:
  - a change in where a student studies or
  - the details of any work placement including employer address;
  - a change of course;
  - transfer to a different institution
  - any matters of issues which would suggest that a student is breaking the conditions of their permission to stay in the UK, such as working in breach of their permitted conditions.
- The University suspects that a student is not a genuine student.

It’s therefore vital that the Compliance Team are kept informed and updated of any of the above changes (and similar changes) to a Tier 4 student’s status, course or circumstances during their time at UWL.

The university must also advise the UKVI of any Start-up endorsed student who is not satisfactorily progressing or is in breach if their visa conditions.
7 Example Case Studies for Reporting Duties to the UKVI

Example scenarios have been provided below to demonstrate how UWL’s Compliance Team would respond to and report, different student cases of change of circumstances for Tier 4 students.

7.1 Case Study 1 – Student is delayed

Scenario: A prospective student is unexpectedly delayed; they have provided the University of a new date of arrival and they are able to enrol within the enrolment period detailed on their CAS.

Action: No need for SMS notification, as the student would be able to enrol within the enrolment period as detailed on their CAS.

7.2 Case Study 2 – Student has not enrolled

Scenario: The University has issued a CAS to a potential student to use in an application. The student has not arrived for enrolment and the University does not know whether their application was successful.

Action: After failing to get in touch with the student, UWL’s UKVI Compliance team would need to be informed, and a decision would need to be made whether to cancel their enrolment. The Compliance Team would then update the UKVI via the SMS portal.

7.3 Case Study 3 – Student has enrolled but not attended

Scenario: The University has issued a CAS to a potential student to use in an application. The student has arrived in the UK and enrolled but has not attended. The University has attempted to contact the student.

Action: After failing to contact the student, UWL’s Compliance Team would need to be informed, and a decision would need to be made whether to withdraw this student from the course in accordance with the Attendance Monitoring Policy. The Compliance Team would then need to update UKVI via the SMS portal.

7.4 Case Study 4 – Student withdrawn due to ill health

Scenario: The University is sponsoring a student who has enrolled and is attending but has told us they are unwell. They are no longer able to attend and have formally withdrawn from the course. The student has returned home but no decision has been made to defer their studies.

Action: UWL must stop sponsoring the student, and the UWL Compliance Team would need to update UKVI via the SMS portal that the student has withdrawn from their studies post enrolment.

7.5 Case Study 5 – Student has ceased studying and stopped attending

Scenario: a UWL student has ceased studying and has stopped attending their studies.

Action: After failing to get in touch with the student, UWL’s Compliance Team would need to be informed, and a decision would need to be made whether to withdraw them.
from their course. The Compliance Team would then update the UKVI via the SMS portal.

7.6 Case Study 6 – Student returned overseas but not withdrawn

Scenario: A UWL student must return overseas for compelling reasons and will not be able to return to complete the course within the existing leave on the visa. However, the student fully intends to return to the University and to take up studies as soon as he/she is able.

Action: This case should be treated as a deferral from the course, and the Compliance Team would need to update the UKVI via the SMS portal. The student would need to make a fresh Tier 4 application from overseas with a new CAS once they are ready to resume studying.

8 Student contact details

Students are required to keep their records up-to-date through the MyRegistry student record website and students are reminded of this at least twice a year. The University must keep a record of previous addresses for the student.

9 Attendance Monitoring

The University is required to monitor the attendance of Tier 4 students and inform the UKVI after 10 missed contact points. It does this by using;

SAM: a swipe card based electronic attendance monitoring system

Dashboard: A Strategic Planning reporting tool. This tool brings together data from SAM, Blackboard (the University’s Virtual Learning Environment (VLE)), the Library, and Assessment Boards to monitor student attendance and engagement.

Civitas: Student engagement system which brings together more integrated data to monitor student engagement. Emails are sent to students from both the Engagement team and the students designated Personal Tutor to ensure the student re-engages.

By the using all three systems the university is able to measure overall student attendance and engagement.

From SAM, the Compliance Team will issue the long term absence report (LTA) which details all student not attendance. Automatic email alerts are sent to students and copied to staff regarding non-attendance:

- no attendance for one week – the student and School Administrative Officer receive an alert (see Appendix 1 SAM 1-week absence alert)

- no attendance after two weeks – the student and School Administrative Officer receive an alert (see Appendix 2– SAM 2-week absence alert)
• no attendance after three weeks – the School Administrative Officer receives an alert.

The School Administrative Officer is required to follow up non-attending students and inform them of the consequences if they do not attend. If a student is unwell for one week they must complete a **self-certification form** (available from their school office) if absent for longer than one week they should obtain a **medical certificate** to cover the period of absence.

The School Administrator is required to annotate the LTA report, clearly stating what actions have been taken and return it to the Compliance Team who will use this and also analyse data received from Dashboard and Civitas and contact any student who has an unexplained absence of three weeks. If a student fails to engage with the Compliance Team then they will be withdrawn once they have missed five weeks without any mitigating circumstances and the UKVI advised accordingly through SMS.

By using the Dashboard reporting tool, schools download their student records **every two weeks** to check on overall attendance to ensure students are engaging with their studies. For those students whose attendance is **below 80%**, the SAM report is further used to monitor patterns of non-attendance, identifying why they are not attending a particular class/day. Where students are of concern, they should be sent a letter (attached in Appendix 3.) Where a pattern of non-attendance is identified the School should also alert Compliance.

Following sending the letter, the School should continue to review the SAM reports to ensure that they have improved their attendance. If they do not, this should be raised with Compliance. In addition, the Compliance Team also monitor SAM reports on a weekly basis to ensure that students have re-engaged.

### 9.1 Masters students undertaking their dissertation

Masters students who are undertaking their dissertation need to be monitored and records kept of their supervisory sessions. The Academic dissertation supervisor should retain a documented record of all supervisory meetings held with the student either by email/skype or in person.

### 9.2 Assessment Boards

The University’s Assessment Boards monitor student’s submission to assessment and their academic progress. Student may be withdrawn from their studies due to academic failure or for non-submission of assessment.

Where students are awarded out early or withdrawn, the School should inform the Compliance Team after the Board.

These students will be monitored by the Compliance Team through the Columbus reporting system.

The School should review the achievement of all Tier 4 students following the Assessment Board to ensure that they have passed. Where a student has failed a module(s) they should follow up to ensure that they have appropriate academic advice and that they have an appropriate study plan going forward which they should discuss
with the Compliance Team in the event that more time to complete their studies is required.

They should also discuss with the Compliance Team where a student is required to resit a module(s) and is unable to progress to their next level of study to ensure that the university is not in breach of its sponsorship duties.

### 9.3 Temporary absences

The University recognises that there are occasions where students would need to be absent from their course for unavoidable reasons. If students are absent for more than one week, they must provide a doctor's letter, where possible, to confirm their illness.

Where students inform the University that they will be absent for other reasons, particularly if they need to return home during term time. The Course Leader should in the first instance, before authorising any leave request, speak to the Compliance team as the university permits a maximum absence of 2 weeks’ duration. If a student requires a longer period, this will be considered on a case by case basis but may result in the student being deferred from their studies and the University would need to temporarily stop its sponsorship for that student. All students wishing to take an extended period of leave during term time should discuss the implications on their student visa with the Student Services Immigration Team.

### 10 Placements (including internships and work experience)

In the event of an international student studying a course at UWL that includes a designated placement (generally taking place at the end of Level 5) / internship (generally following the taught part of the course at level 7), the Home Office states that it is the responsibility of the Tier 4 Sponsor (UWL) to make sure that the student’s attendance is monitored. Work experience is where they take a number of hours which may be during term time alongside academic work or during the holidays.

The placement, however brief, must be recorded on the CAS and the activity reported on the SMS to the UKVI.

At UWL, the Placement and Employment Team takes responsibility for ensuring the correct documentation and paperwork is in place for the placement and for the monitoring of the students’ attendance whilst they are on placement. The Compliance Team are responsible for reporting any changes to the student’s placement company and/or address to the UKVI.

#### 10.1 UKVI rules around placements for Tier 4 Students

Work placements can be up to the duration of a maximum of 50% of the length of the course if the course is at degree-level or above. For courses below degree level (e.g. Foundation degrees), work placements must not have a duration of more than 33% of the total length of the course in the UK.

Work placements:
- must be an integral and assessed part of the students’ course of study
- can occur at any stage of the course and can take place throughout the course duration
• can be for more than 10 or 20 hours a week even where this is the stipulated time that students are allowed to work for during term time.

During their placement, a student remains a registered student of UWL and their Tier 4 visa will not be affected. The University is responsible for the student throughout the period of their work placement and must continue to comply with all of its Tier 4 Sponsor duties during this period.

10.2 Records for Tier 4 Students on placement

The following details must be kept for students on placements:

• records must be kept of all work placement sites, with address and key contact details maintained
• tripartite agreement between the University, the Student and the Employer
• Fortnightly updates on the student’s attendance from the work placement provider including sickness or holiday absence.

All details of the Tier 4 students work placement, including the address and start and end dates of the work placement must be maintained on the UKVI SMS portal by the Compliance Team. The Placement & Employments Services Team are responsible for advising the Compliance Team of any changes to a student’s placement and any changes must be reported.

10.3 Monitoring attendance while on placements

The Placements and Employment Service will contact the employer each fortnight to check that the student is attending the placement. Where the employer fails to respond they will be contacted. If the employer fails to respond within 3 days a follow up email is sent and after 5 days this is followed up by a telephone call.

Where a student has failed to attend the placement, the Placement and Employment Service will contact the student, explaining the consequences if they fail to re-engage. If they do not re-engage with their placement, this will be reported to UKVI Compliance Team who will make one more attempt to engage the student after which they will be withdrawn from UWL and the University’s sponsorship for that student will be withdrawn.

Where a student completes their designated placement weeks in line with their course requirements and returns to the University before the commencement of the next point of study, they will be required to attend a weekly meeting with a member of academic staff for support in relation to the submission their assessment portfolio or other monitored activity.

10.4 Assessment of placements

All placements including internships and work experience during term time, must be assessed. This can be undertaken in a number of ways but must be approved as part of the validation process.
10.5 Example Case Studies for placement issues

Example scenarios have been provided below to demonstrate how UWL’s Compliance Team would respond to and report, different student cases of change of circumstances for Tier 4 students.

**Case Study 1 – Student is unable to find a placement**

Scenario: A student is unable to secure a placement. The student will be supported by the course and Placement Office to find a placement and given a deadline by which they must have found one.

Action: A course transfer must be completed and Compliance informed. Compliance will inform UKVI by SMS that the Student has transferred to the non-placement course advised of the revised end date of the course. The UKVI will curtail the end date of the current visa accordingly. The student will not receive a new BRP card but will still be permitted an additional four months wrap-up period at the end of the new course.

**Case Study 2 - Student is unable to find a placement**

Scenario: A student is unable to secure an internship. The student will be supported by the course and Placement Office to find a placement and given a deadline by which they must have found one. If they do not find one, the student must take the dissertation instead.

Action: A course transfer must be completed and Compliance informed. Compliance will inform UKVI by SMS that the Student has transferred to the non-Internship course advised of the revised end date of the course. The UKVI will curtail the end date of the current visa accordingly. The student will not receive a new BRP card but will still be permitted an additional four months wrap-up period at the end of the new course.

**Case Study 3 – Student has work experience during the course**

Scenario: The University student is undertaking one week’s work experience of 40 hours or two weeks of 20 hours.

Action: Placements will be responsible for completing the tri-partite agreement with employers. Compliance will record the placement on the SMS to inform UKVI.

10.6 A note about what constitutes ‘work’

Even where the work may be unpaid or the student is undertaking voluntary work, this still counts as work and will be included in the 10 or 20 hours students are allowed to undertake according to the conditions of their Tier 4 visa.

Students may only do more than 20 hours per week (defined as Monday to Sunday) during term time if they are on a properly managed placement/internship or monitored work experience.

11 Research Students

11.1 Responsibility for Tier 4 compliance
Students who are registered for research degrees will be monitored by the Graduate School. The Graduate School Administrator is responsible for checking that the student is engaging with their Supervisor as required and making progress with their studies as required.

11.2 Admission
The Graduate School is responsible for overseeing the initial admission of research students, in consultation with prospective supervisors, as laid out in the Admissions Policy and Process for Research Degree Students. The Graduate School undertakes the initial screening of applications to ensure applicants meet the entry requirements. Those that meet the entry requirements are then sent to Schools for their views on the application. Schools then identify the applicants that they wish to interview and at this point the Graduate School requests that the International Office performs an immigration history check on the applicant. Whilst this is being carried out, an interview is arranged that normally includes the applicant, the proposed principal supervisor, the Head of the Graduate School and/or the Graduate School Director of Studies.

Once an international research student has been accepted for study on academic grounds, the Graduate School provides the International Office with a file containing all the relevant information relating to the student’s admission (passport, visa and qualifications, including evidence of English language ability). The International Admissions Team then issues a Confirmation of Acceptance for Study (CAS).

11.3 Enrolment
During enrolment, students are required to present their passport, visa and the original copies of their qualifications (including evidence of English language ability). These documents are scanned onto the Unit-e (EDM Screen and Columbus).

11.4 Supervision and monitoring
During the first year of their studies, research students are required to attend regular research workshops and their attendance is recorded and monitored.

Students are required to meet with their supervisors on a monthly basis and to submit monthly supervision records. Students are also required to submit an annual report each August. In addition to this, progress is checked when students submit their research proposals to the University Research Degrees Sub-Committee (4-6 months after enrolment), at a milestone presentation (12-14 months after enrolment) and when they apply to transfer from MPhil to PhD/DMus (18-24 months after enrolment).

At each supervision meeting, the supervision record is completed by the student and the supervisor. Supervision records are then forwarded to the Graduate School, and kept electronically. The Graduate School will monitor these to ensure that students are attending and making progress with their research.

11.5 Absence and issues
Students should have supervision each month unless absence has been authorised. Where a student is going to be absent for more than two weeks or has had several
short absences, the Graduate School Senior Admin Officer should consult the Compliance Team before any further leave is authorised.

Where students do not attend a supervision as expected, they should be contacted to find out why they did not attend and warned that they should always attend supervision sessions. If they miss subsequent supervisions, Compliance must be informed who will follow up the student.

12 Visa Extensions

The Compliance Team will monitor students who are coming to the end of their visa by means of the Visa Expiry Report. This report shows all students who are enrolled and whose visa is due to expire within the next three months. This will be circulated to Academic Schools who will flag those students who require additional time to complete their studies. These students will be contacted and directed to get advice from the Student Services Advice Team about the requirements for their visa. The Advice Team and Compliance Team will decide whether the student is eligible for a new CAS and this will be issued in accordance with the procedure outlined in Appendix 5 Visa Extensions.

13 Change of Status

13.1 Change of course

Students will not normally be able to change their course of study once they have been allocated a CAS; this would only be possible where the course is similar to the course for which they have applied. The Compliance Team is required to approve all course changes.

Students are permitted to change from a course without an integrated placement to one with, the student must apply for further Leave (extension CAS) prior to the start of the work placement. If a student wishes to change from one with an integrated work placement to one without, in this instance, the UKVI would be informed via the SMS portal and the course dates would be changed. The student will not receive a new BRP card but will still be permitted an additional four months wrap-up period at the end of the new course. The student is advised by the Student Service Immigration Advisor that they must complete and submit to the UKVI a change in migrant circumstances form, advising of the revised course end date.

13.2 Withdrawal or deferral

Where a student wishes to return home for either a temporary period or permanently, the School Administrator and/or the Student Record and Data team must inform the Compliance Team.

Where a student wishes to defer, the Compliance Team will discuss with the student the reasons for the deferral and inform them of the requirement to apply for a new visa before they return. Before issuing any new CAS, the student’s circumstances will be reviewed and the University reserves the right not to allocate a new CAS if the student does not meet the requirements (e.g. where the student does not have sufficient finances or has an erratic attendance record).
13.3 Students who complete early

The School Administrative Officer will inform the Compliance Office of any student who completes their course early. Where the student is to be awarded, the Compliance Team will inform the UKVI that the student has completed early and the students visa will be curtailed accordingly.

13.4 Changing visa category

Students may sometimes change their immigration visa category; for example, if the student had become a national of an EEA member state or they have received indefinite leave to remain. In this event, the Compliance Team will inform the UKVI via the SMS portal that the student has changed immigration visa category and that the University has stopped sponsoring the student under Tier 4. It is to be noted that a change in visa category does not necessarily mean a change in fee status for the student. Staff should contact the Student Services Advice Team for further guidance.

14 Working for the University

Students are generally permitted to work for 20 hours during term time (the permitted hours of work will be stated on the students BRP card) and full-time during vacation periods. Where the employer is the University of West London, it must ensure that it has undertaken the appropriate Right to Work checks which are undertaken by the Human Resources Department. Each student needs to complete a Talent Bank Registration Form and they are provided with the UWL Talent Bank Student Guidelines. These guidelines provide clear advice and guidance for Tier 4 students on their ‘Right to Work’ together with working hour restrictions.

Students and line managers are provided with clear instructions and guidelines in respect of the restriction on term time working hours, however, Human Resources monitor compliance with this on a monthly basis.

15 Non-Tier 4 Students Visa Categories

15.1 Record keeping

The University has students studying courses with different non Tier 4 visa categories. The University must maintain a record of the passport and immigration visa expiry dates for these students, and monitors these students to ensure that they have valid immigration leave to remain in the UK during their studies.

15.2 What if a student’s status is undetermined?

Students without valid immigration leave- including those with pending applications with the Home Office are not permitted to commence a course until their immigration status has been finalised. If a student is already studying on a course with UWL they are permitted to continue on the course whilst their immigration status is being decided.
16 Federal Aid students

Students who are in receipt of Federal Aid (who may not necessarily be Tier 4 students) are subject to different attendance and progress rules. These are set out in the following policies:

**Satisfactory Attendance Policy**

**Return of Title IV Funds**

All Federal Aid students’ attendance should be monitored in accordance with these policies to ensure that they are progressing. A return to confirm attendance is made each month.

Meetings are held comprising the Senior UKVI Compliance Officer, the Head of International and the Head of Academic Administration to review Satisfactory Academic Progress (SAP) before each loan disbursement. Any student who does not meet the SAP requirements will be treated in accordance with the above policies.

17 Providing Advice to Students – Important note from the Student Services Advice Team

As all students do, international students may come to members of academic or support staff for advice during their studies. However it is important to note that the regulations surrounding student visas are particularly complex, it is therefore **vital** that staff **do not give advice** on changing a course, deferring or withdrawing as these changes in circumstances can significantly impact an international student’s visa.

The Student Services Advice staff are trained and competent in advising students on Tier 4 visa regulations, applications and extensions. Student Advisors are the only UWL staff authorised by the Office of the Immigration Services Commissioner (OISC) to provide immigration advice and services to students. Therefore, if an international student has a course-related or visa-related query, it is important that staff **do not** try to give immigration advice; this is only permitted by a member of the Student Services Advice team, (as the rules surrounding immigration change very regularly). Staff must instead refer students to the Student Advice team, the contact details are:

Student Advice team
William Brake Student Services Centre
The Street
St. Mary’s Road Campus

Opening hours: Mon-Friday, 9am-5pm
Telephone: 0208 231 2591
Email: studentadvice@uwl.ac.uk
18 Start up visa

18.1 The process
The University is able to endorse please who have a viable business idea to apply for a start up visa which is designed to enable entrepreneurs to develop successful business in the UK. The process is outlined in Appendix 4.

18.2 Eligibility
To be eligible to be considered for start-up endorsement, the individual must be accepted as member of the Westmont Enterprise Hub and:

- Have a viable business idea
- Have appropriate immigration leave to enable them to undertake the required activities
- Normally be a student or former student of UWL.

18.3 Endorsement
Once the Hub member has engaged for three months, consideration can be given to endorsing an application for a start-up visa. A panel comprising the Deputy Vice Chancellor, the University Secretary and the Director of the Westmont Enterprise Hub will form a panel to consider the application. Other specialist advice will be sought as required or other members invited to the panel if required.

The panel will consider the proposal in relation to the following criteria:

- **Innovation**: Is there a genuine business plan that meets new or existing market needs and/or creates a competitive advantage.
- **Viability**: Does the applicant have the necessary skills, knowledge, experience and market awareness to successfully run the business.
- **Scalability**: Is there evidence of structured planning and or potential for job creation and growth into national and international markets.

Once the panel has made its decision to endorse, the hub member will be provided with an endorsement letter in the form required by the UKVI and will be supported to apply by Student Services to become a start-up migrant.

18.4 Monitoring
Prior to endorsement, the Hub will monitor the student in accordance with the conditions of their existing immigration leave.

Once a hub member has been endorsed, performance will be monitored monthly in accordance with agreed key performance indicators. There will be a review at 6 and 12 months to ensure continuing to work on their business ventures and have either demonstrated reasonable progress with their original ideas or are pursuing new business ideas that are also innovative, viable and scalable.
18.5 Record keeping and reporting

Compliance will retain the panel papers and the records of the decision together with copies of the endorsement letter and any other relevant documentation used to make an endorsement.

Compliance will also retain the 6 and 12 month assessment records. The Hub will be responsible for retaining records of monthly meetings and KPIs.

Compliance will be responsible for contacting the UKVI if:

- if the start-up migrant does not keep in contact, e.g. by missing one or more progress reviews without authorisation;
- if we have evidence to suggest that the start-up migrant is breaching the conditions of the leave; or
- if a Start-up migrant is no longer participating in the scheme.

19 UKVI meetings

To keep staff up-to-date with compliance issues, regular cross University meetings are held. All staff with an involvement in compliance should attend. The meetings provide an opportunity to learn about new developments, changes to compliance, share good practice and raise issues.

20 The University of West London UKVI Compliance Team

UWL’s UKVI Compliance team is responsible for promptly reporting international students’ activities, attendance, course status and changes in student circumstances to the Home Office. As previously stated, these form part of our Tier 4 Sponsorship Duties. If we neglect these duties, or do not comply with them, the University risks losing its Tier 4 Sponsor licence to sponsor international students to come and study at the University of West London.

Staff are required to address all Tier 4 related queries to the UKVI Compliance Team contact details below:

Senior Compliance Officer: Jackie Forbes
Email: Jackie.Forbes@uwl.ac.uk
Telephone: 0208 231 2338

Compliance Assistant: Vivien Stennett
Email: Vivien.stennett@uwl.ac.uk
Telephone: 0208 231 2368
Office Location:
WK.03.007
St. Mary’s Road Campus
Ealing
London  W5 5RF
21 Appendices

21.1 Appendix 1 – SAM 1-week absence alert
21.2 Appendix 2 – SAM 2-week absence alert
21.3 Appendix 3 – Low attendance letter
21.4 Appendix 4- Start-up endorsement flow chart
Appendix 1 – SAM 1-week absence alert

TEST International 1 weeks absent

17/02/2016
To:
Student Number:
Course:
Dear

Re: Non-attendance - Letter A

According to our records, you did not swipe your ID card on the SAM system last week. Therefore, it appears that you have not been attending your timetabled classes.

Please contact your School Office as a matter of urgency regarding your non-attendance on our record as you are expected to attend all classes for the modules on which you are registered. There may be an error on our records which we need to correct immediately.

If you are experiencing any serious problems which are affecting your attendance, it is extremely important that you inform us of your circumstances as the University may be able to help you.

If the University withdraws you for non-attendance where appropriate the funding bodies or UKVI will be notified.

We would urge you to contact your School Office without delay.

Yours sincerely

Your Academic School Office
Appendix 2 – SAM 2-week absence alert

15/02/2016

To:

Student Number:

Course:

Dear

Re: Non-attendance - Letter B

Further to our previous email and according to our records, you have not swiped your ID card on the SAM system for the last 2 weeks. Therefore, it appears that you have not been attending your timetabled classes. You are expected to attend all classes for the modules on which you are registered.

If you are experiencing any serious problems which are affecting your attendance, it is extremely important that you inform us of your circumstances as the University may be able to help you.

If the University withdraws you for non-attendance where appropriate the funding bodies or UKVI will be notified.

You should contact your School Office without delay.

If we do not hear from you within five days you will be withdrawn from your course.

Yours sincerely

Your Academic School Office
Appendix 3 – Low attendance letter

Dear Student

The university attendance record shows that you have not attended all your scheduled classes. May I remind you that as a Tier 4 student sponsored by UWL you are expected to attend ALL classes to comply with the terms of your visa. Please ensure that you swipe into all classes.

As your attendance is unsatisfactory please can you now ensure that you adhere to the conditions of your visa and attend all future classes. May I request that if in future you are absent, that you inform the school office immediately and provide evidence for this absence.

If you have any issues, please let your School Office know. You can also seek advice from Student Services. If you have academic issues, please seek help from your personal tutor.

Please note that the University of West London takes a proactive approach to all UKVI sponsorship duties. If you do not adhere to the above the University will withdraw sponsorship and report this action to the UKVI.

[Paragraph for non attendance on a particular day/class]

From your SAM record, it appears that you are not attending x class(s). These are part of your course and you should ensure that you attend. If there is a problem with your enrolment on the module or particular group please come and discuss it. Otherwise you will be expected to attend these sessions.
Appendix 4: Start-up endorsement process

Enterprise Hub
Consideration of initial idea. Approved as member of the Hub

Due Diligence
Check eligibility for Start-up visa, previous visas etc

Selection
Selection process including Evidence of engagement with the Hub Panel Decision based on business plan

Student Services
Student with Student Immigration Advisor submits Start-Up Application

Compliance
Hub maintains copies of monthly KPI reports and 6 and 12 month monitoring report copied to compliance

Record
Maintained For UKVI