Tier 4 Compliance: a practical guide

This guide was published before the GDPR came into force so should be read in conjunction with your institution's current data protection policies.

**UK Council
for International
Student Affairs**

UKCISA

Tier 4 Compliance:
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Acknowledgements

I would like to thank the many staff across the sector who, sometimes unwittingly, contributed to this publication. This includes all of the delegates who have attended a UKCISA training session on Tier 4 in the past year and who participated fully, by sharing their own good practice or raising areas of concern. However, special thanks must go to Julie Allen, Sarah Rimmington and Duncan Lane at UKCISA, Sophie Ferguson at Anglia Ruskin University and Ros Harrison and Natalie Stevenson at the University of Leeds who took the time to review draft versions of this publication, and who provided extremely useful feedback and guidance which has helped to create the guide.

Ros Martin, 14 June 2016

Foreword

UKCISA's core purpose is to help international students get the best possible support advice and experience throughout their time in the UK. It is now generally acknowledged that:

- this cannot happen if institutions do not establish appropriate systems which enable them to retain their licences from the Home Office – and continue to teach the courses they have offered
- to be effective, systems need to be very clearly understood at all levels within an institution – and staff need to explain clearly to all students what is required, and
- critically, processes need to both ensure that the rules are met but also that they are sensitively and proportionately designed and implemented to ensure that they do not undermine the overall nature and quality of the international student experience.

We therefore commissioned the production of this good practice guide to bring together some of the key aspects and considerations and to help all colleagues understand what is required, when and how.

The guide is a useful introduction for those new to compliance as well as an important reference point for more experienced practitioners reflecting and reviewing current pratice.

We are extremely grateful to Ros Martin for compiling the guide. She has very wide experience and expertise in this area from her time working at BPP, UKCISA, Penningtons law firm, London Metropolitan University and now as an independent advisor and consultant.

And we are also grateful to those members of the Immigration Compliance Network (ICN) – an association which we helped to establish and continue to support – for working with us on this project and for providing some of the examples.

You can order print copies or read the guide on the UKCISA website.

Dominic Scott
Chief Executive
UKCISA
June 2016

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Glossary

Academic Technology Approval Scheme (ATAS)

The Academic Technology Approval Scheme (ATAS) is central to immigration legislation. It requires people subject to UK immigration control, who are applying to study for a postgraduate qualification in certain sensitive subjects, knowledge of which could be used in programmes to develop weapons of mass destruction (WMDs) or their means of delivery, to apply for and obtain an Academic Technology Approval Scheme (ATAS) certificate. This must be obtained before applying for immigration permission to study in the UK. The scheme is administered by the FCO.

Administrative Review

If an immigration application is refused, the applicant can submit a request to review the refusal. This is known as an Administrative Review (Admin Review). The refusal letter will normally indicate if it is possible to apply for an Admin review. An application for an Admin Review must be submitted within 28 days of the original refusal.

Authorising Officer (AO)

A Tier 4 sponsor must have a named Authorising Officer (AO) at all times. The AO must be the most senior person within your institution responsible for the recruitment of students and ensuring that all of your sponsor duties are met. They are also responsible for deciding which members of staff have access to the SMS. The person nominated to this role must be a paid member of staff or office holder within your institution.

Basic Compliance Assessment (BCA)

A Basic Compliance Assessment (BCA) is carried out by the UKVI on every institution that wants to retain their Tier 4 Sponsor status. Institutions must apply for and successfully pass this assessment every 12 months. The outcome of the application is determined by assessing an institution's performance in several areas (core requirements) against defined limits.

Biometric Residence Permit (BRP)

A Biometric Residence Permit (BRP) is proof of the holder's right to stay, work and/or study in the UK. It is in the form of a small credit card sized identity card.

Civil Penalty

 A civil penalty is the financial punishment imposed by a government agency as restitution for any wrongdoing as defined within legislation. For example, a civil penalty is imposed on an organisation which is found to have employed workers illegally.

Confirmation of Acceptance for Studies (CAS)

A Confirmation of Acceptance for Studies (CAS) is a unique reference number generated by a sponsor within the SMS for each student they have decided to sponsor under Tier 4. It contains information about the course of study for which it has been issued and the student's personal details. A CAS is not a certificate or paper document but is a virtual document similar to a database record.

Doctorate Extension Scheme (DES)

The Doctorate Extension Scheme allows Tier 4 students who have successfully completed a postdoctoral research degree to apply to remain in the UK and work for 12 months. Students require a Tier 4 sponsor to issue them with a CAS before applying for immigration permission under this category although they will no longer be studying. Specific Tier 4 guidelines exist for both sponsors and students which relate to this scheme and how it should be implemented.

Educational Oversight

Educational oversight is a term used by the UKVI which refers to the institutional reviews or audits carried out from the perspective of quality assurance. Sponsors have educational oversight where they have attained a minimum level in their designated institutional review reports e.g. QAA or ISI.

Educators Helpdesk

A sponsor seeking clarification on their duties and responsibilities who does not have a Premium Account Manager, can email queries directly to the UKVI at: EducatorsHelpdesk@homeoffice.gsi.gov.uk Although responses are generally fairly quick, they usually provide a repeat of what is already stated in the guidance.

Entry Clearance Officer (ECO)

An entry clearance officer makes decisions on immigration applications made outside the UK.

Entry Clearance Vignette

This is the 'certificate' which is inserted into a passport or travel document and permits the holder to enter the UK under a specific immigration route. The vignette will clearly state the immigration category, any associated conditions and the validity dates during which period the holder must enter the UK.

Foreign and Commonwealth Office (FCO)
The FCO is a government department responsible for protecting and promoting British interests worldwide. One of the FCO's responsibilities is to safeguard the UK's national security by countering terrorism and weapons proliferation.

Immigration Compliance Network (ICN)
The ICN was established in 2014 by staff working within UK educational institutions to provide a safe and supportive forum within which colleagues can share their ideas and concerns about compliance with (primarily) the Tier 4 sponsor requirements. The network operates under the umbrella of UKCISA and works on a foundation of trust. It enables the sharing of good practice between institutions as well as offering less experienced colleagues the opportunity to build a network and benefit from the experience of others.

Independent Schools Inspectorate (ISI)
The ISI is an organisation responsible for the inspection of independent schools in England. It has also been approved by the UKVI as a suitable inspection body for private Further Education colleges and Language Schools applying for or renewing a Tier 4 sponsor licence.

Key Contact
A sponsor's Key Contact is the named person who is the main point of contact between the organisation and the UKVI. The Key Contact must be a paid member of staff or office holder within the organisation.

Legacy Sponsor
A Legacy Sponsor is not permitted to sponsor any new students, but they can continue to sponsor existing students until the student's leave expires or the sponsor's Tier 4 licence expires, whichever happens first. A Legacy Sponsor must continue to comply with all Tier 4 sponsorship duties, including the requirement to apply for and pass an annual Basic Compliance Assessment.

Level 1 User
A Level 1 User carries out the day-to-day sponsorship activities using the Sponsor Management System (SMS), including assigning CAS and reporting to UKVI. There is no limit on the number of Level 1 Users that a sponsor can have. Level 1 Users can be added to or removed from the SMS at any time.

Level 2 User
A Level 2 User carries out day-to-day sponsorship activities using the Sponsor Management System (SMS), including assigning CAS and reporting to UKVI however they are restricted in the level of permissions held relative to a Level

1 User. A Level 2 User can only access and report on any CAS that they have assigned themselves. There is no limit on the number of Level 2 Users that a sponsor can have. Level 2 Users can be added to or removed from the SMS at any time.

'Low Risk' national
UKVI has identified some of the nationalities which they deem to be "low-risk". These are outlined in Appendix H of the immigration rules. A 'low-risk national qualifies for differential arrangements when applying for Tier 4 immigration permission from in the UK or in their country of nationality.

National Qualifications Framework (NQF)
The NQF is the system that records levels of learning achievement to ensure that the skills and knowledge gained are recognised throughout the country. There are eight levels on the NQF.

Office of the Immigration Services Commissioner (OISC)
The OISC is the office which regulates immigration advisers based in the UK. Unless an immigration adviser is regulated by another approved regulator, such as a solicitor or barrister, they must be regulated by the OISC. The OISC maintains and publishes a register of those advisers that it has found fit and competent to provide immigration advice and services.

OFSTED
OFSTED is the Office for Standards in Education. It's the regulatory body which inspects and regulates services that care for children and young people and services providing education and skills for learners of all ages. OFSTED is also approved by the UKVI as a suitable inspection body for publicly funded Further Education colleges which are applying for or renewing Tier 4 Sponsor status.

Premium Account Manager (PAM)
Now also referred to as the Premium Customer Services Team (PCST) Manager, this is a named person based in the UKVI sponsorship team who helps provide a range of benefits and services to those sponsors who are Premium Sponsors. A PAM can be contacted for clarification about Tier 4 requirements and further information about individual students.

Premium Sponsor
Institutions with Tier 4 Sponsor status can apply to the UKVI to become a Premium Sponsor and receive a package of benefits including Premium Customer Service, if they meet the relevant criteria.

Probationary Sponsor

A sponsor is given Probationary Sponsor status when it is first granted a Tier 4 licence. A Probationary Sponsor is subject to a number of restrictions, mainly relating to courses which can be offered to Tier 4 students. A Probationary Sponsor must demonstrate that it can fulfil its sponsorship duties, will continue to do so, and can be trusted to hold Tier 4 Sponsor status. At the end of 12 months, a Probationary Sponsor must apply for and pass its first annual BCA, in order to be granted Tier 4 Sponsor status.

Quality Assurance Agency (QAA)
The Quality Assurance Agency for Higher Education is the independent body responsible for checking standards and quality within UK higher education. The QAA carries out quality assessment reviews on universities, colleges and alternative providers of higher education courses to check how they maintain academic standards.

Sponsor Licence Number (SLN)
This is a unique reference number given to an institution when a Tier 4 sponsor licence is first granted. It should be quoted on all correspondence with the UKVI. Students will also need to quote this when completing a Tier 4 immigration application. The SLN is listed in a sponsor's summary information contained on the Sponsor Management System.

Sponsor Management System (SMS)
The SMS is the UKVI's IT system which sponsors are granted access to (via their Level 1 and Level 2 Users) in order to carry out day-to-day sponsorship duties, including assigning CAS, reporting to UKVI and applying for the BCA.

Tier 1 Graduate Entrepreneur (GE)
The immigration category under which institutions which are authorised endorsing bodies can recommend graduates, who are deemed to have a genuine and credible business idea to pursue in the UK.

Tier 2
The immigration category under which UK based employers can sponsor migrants to work in the UK, if they hold the relevant Sponsor Licence.

Tier 4
The immigration category under which UK based education providers can sponsor students to come and study in the UK, if they hold the relevant Sponsor Licence.

Tier 4 (Child) Sponsor licence

Institutions must hold a Tier 4 (Child) Sponsor licence if they wish to sponsor children aged 4 to 17 years to undertake study in the UK. Those applying for a Tier 4 (Child) licence must be an Independent School and offer courses in line with the National Qualifications Framework at, or below, NQF level 2.

Tier 4 (General) Sponsor licence

Institutions must hold a Tier 4 (General) Sponsor licence if they wish to sponsor students aged 16 years and above to undertake study in the UK. Those applying for a Tier 4 (General) licence must intend to offer courses to students in line with Tier 4 requirements.

Tier 5

The immigration category which covers youth mobility and temporary work schemes. It has six subcategories: Creative and Sporting; Charity Workers; Religious Workers; Government Authorised Exchange; International Agreement; Youth Mobility Scheme. Sponsored researchers are covered under the Government Authorised Exchange subcategory, available only to Tier 4 sponsors which also hold a valid Tier 5 sponsor licence.

UK Visas & Immigration (UKVI)

The UKVI is the operational section of the Home Office, responsible for making decisions about who can come to or remain in the UK. The UKVI also monitor organisations listed on the sponsor registers for Tiers 2, 4 and 5 to ensure full compliance with their corresponding sponsor duties.

UKVI Audit

This is the review of an organisation carried out by a team of UKVI officers in order to assess how compliant that organisation is with their respective sponsorship duties. During the audit, UKVI officers will ask a range of questions about processes and procedures currently implemented and then will review a number of files to determine if these processes are sufficient to comply fully with the organisation's sponsorship duties.

Zero CAS allocation

An institution which is listed on the Tier 4 Register of Sponsors, but which UKVI has raised concerns with may have their CAS allocation reduced to zero. This means that the institution cannot sponsor any new students until the UKVI lifts this restriction and a new CAS allocation is granted.

1. Introduction

The aims of the guide

This guide aims to help staff in UK-based educational institutions review and update their internal processes in line with the responsibilities and duties associated with holding a Tier 4 sponsor licence.

The guide is predominantly aimed at institutions with a Tier 4 (General) sponsor licence and not a Tier 4 (Child) sponsor licence. A few specific issues highlighted, such as confirming academic progression and employing your students, are not relevant to those sponsors with a Tier 4 (Child) licence. We also do not discuss some requirements specific to a Tier 4 (Child) licence, such as care arrangements for children. (In 2015, the Tier 4 requirements were updated such that only Independent Schools are now permitted to hold a Tier 4 (Child) licence). However the areas of compliance and general good practice discussed throughout this guide are applicable to all institutions which hold, or are considering applying for, a Tier 4 licence under either category.

As well as those in dedicated Tier 4 compliance roles, staff who are likely to find this guide useful include those working in:
- Senior Management
- Marketing and Recruitment
- Admissions
- International Advice and Support
- Academic registry / students records services
- Academic departments
- Finance
- Careers services
- Alumni
- Human Resources
- Students' Unions or Associations

The scope of the guide

The guide:

- does not attempt to tell institutions how they should operate in order to be fully compliant with Home Office regulations, but seeks to highlight good practice which already exists within the sector.

- is not intended to provide an interpretation of the Tier 4 requirements. UKCISA produces alternative resources which offer an up to date overview of the current legislation, however it is important to ensure that when reviewing internal processes, staff also refer directly to the most recent Immigration Rules and Tier 4 guidance documents.
- does not outline procedures which have been approved by the UKVI as being Tier 4 compliant. Rather, the purpose of this document is to enable institutions to examine and question their own internal processes, determining for themselves which areas offer the greatest source of risk and therefore require the greatest resource allocation. Where applicable we will make suggestions which may be suitable for implementation within your own institution in order to improve compliance. Institutions should adopt and adapt as they see fit, according to their own circumstances and fitting in with existing institutional processes.

It is also important to remember that institutions vary greatly and so there is no 'one size fits all' approach to implementing compliant processes. Institutions differ in terms of the number of international students they enrol and the resources available, including staffing, and this is likely to be reflected in the processes implemented to assist with compliance. For example, an institution with a small number of international students may be able to utilise manual processes to ensure compliance but this becomes more difficult in institutions with larger numbers of international students where a more systematised approach is usually required.

Processes implemented by individual institutions should support full compliance with the Tier 4 requirements as determined by the "outputs" of your institution, primarily assessed by the UKVI through visa refusal, enrolment and course completion rates. However, institutions should consider their own processes from the perspective of delivering high quality education along with a duty of care to all of your students. Policy should not simply be driven by a need to comply with UK immigration legislation.

Some of the information and guidance which follows will inevitably appear basic to institutions with many years of experience of working with international students, but we are including it for the benefit of those institutions with less experience of such matters and to give all staff, irrespective of previous experience, a better understanding of Tier 4 compliance and the issues you are

likely to encounter. The guide will also be useful to institutions reviewing their processes as a whole.

Appendix E contains the reference links for all of the external documents referred to throughout this guide as well as links to additional sources of information.

2. Compliance and your institution

In this section, we will consider:

- basic good practice
  - key dates relevant to your Tier 4 sponsor licence
- your staff
  - key personnel
  - compliance team
  - staff training
  - immigration advisers
  - internal communications
  - external networks
- institution inspections & educational oversight
- academic course development
- working with partner institutions
- communicating with UKVI

2.1 Basic good practice

The best advice that we can give to any institution that holds, or wishes to hold a Tier 4 sponsor licence is to read all of the Tier 4 rules and guidance carefully, map them against your academic regulations and so determine how best to accommodate the requirements. Draft your own institutional policies so that your staff and students are very clear about what is expected of them and the processes that should be followed across your institution.

Although it may not always appear to be the case, UKVI regularly state that they do not intend to dictate how institutions operate. However, they do expect institutional processes to adhere with Tier 4 requirements and support immigration control. In addition, UKVI expect your staff and students to understand how your processes should be implemented.

At times the Tier 4 legislation may appear confusing or unclear. In these areas, it is particularly important that institutions seek guidance from the UKVI on their policy intention and then draft their own unambiguous policies and procedures. This enables your staff and students to have a clear framework within which to work. One common example of this is students who have to interrupt their studies for a medical reason or pregnancy. Some institutions allow sponsorship

to continue during this break from study and may make decisions on a case by case basis. Other institutions require students to withdraw from study and cancel sponsorship. For example, if it is not academically possible for a taught student to return to their course after missing more than 3 weeks, irrespective of the reason, then the student should interrupt their study and sponsorship be withdrawn. The period of absence permitted in this example might be longer for students on a research degree. A documented policy which states how long a student can "interrupt" their studies without sponsorship being withdrawn protects everyone and does not lead to differing decisions being taken by different members of staff. However, institutions must remember to define policies which clearly adhere to the Tier 4 requirements.

It is essential that you review institutional processes on a regular basis. The Immigration Rules and underlying guidance can be updated at any time, and this usually happens at least four times a year. It is usually advisable to identify a few members of staff who are responsible for tracking changes in the guidance and their implications for your institution. In larger institutions a working group or steering committee may be established to ensure that all implications are discussed fully and processes updated accordingly.

Key dates relevant to your Tier 4 Sponsor licence

There are a number of dates in relation to your Tier 4 licence which are important to keep track of:

- Tier 4 licence renewal date;
- Basic Compliance Assessment date (BCA);
- CAS allocation expiry date.

These are listed in Licence Summary Section when you log on to the Sponsor Management System.

It is vital that these dates are not overlooked or missed. Failure to submit the relevant application to renew your Tier 4 licence before the deadline will result in the sponsor being removed from the "Register of licenced sponsors – students". The Tier 4 licence must be renewed every four years. Similarly, the UKVI will begin revocation action if the sponsor fails to apply for the annual BCA within the relevant window, (sponsors can apply up to a month before the final deadline). If a sponsor fails to submit a request to renew their CAS allocation, this will result in them not being able to assign CAS to new or continuing students. A CAS allocation is valid for a 12-month period and so institutions must submit a request for a new allocation annually.

It is common for a sponsor's Authorising Officer or Key Contact to diarise relevant dates and keep track of upcoming deadlines. However, good practice would suggest that several staff members should be aware of these key dates to ensure that renewal dates are not missed due to staff absences or departures.

2.2 Your staff

Staff working in institutions, their knowledge and their experience are vital in helping to achieve high levels of compliance under Tier 4, thus minimising any potential risk to your status as a Tier 4 sponsor licence holder.

Key personnel

Your key personnel are staff within your institution who are nominated to take on specific roles relating to your Tier 4 licence, Authorising Officer, Key Contact, Level 1 and Level 2 Users. When appointing the key personnel for your institution's sponsor licence, it is important that staff understand the importance of their role and the responsibility that comes with it. Staff nominated to take on the specific Tier 4 roles on behalf of your institution must have a thorough understanding of UK Immigration Rules. It is also important that senior staff are involved, as well as operational staff, taking on some of this responsibility. This is because input from staff at all levels within your institution helps to ensure that processes are implemented properly to achieve high levels of compliance. It is also more likely that any areas of perceived risk will be identified quickly, with processe reviewed or updated accordingly and resources being diverted to minimise those risks.

In addition, the Tier 4 Sponsor Guidance states that your Authorising Officer should be the most senior member of staff, directly responsible for the recruitment of international students. This clearly indicates that UKVI expect a senior member of staff to hold this role.

Compliance team

Since Tier 4 was introduced in 2009, institutional structures have evolved such that most sponsors now have an appointed compliance manager who is responsible for overseeing Tier 4 compliance for the institution. In small institutions, this is likely to be a single person, who also has many other duties listed in their job description. However larger institutions, and possibly those with high levels of perceived risk, generally have a central compliance team to support the compliance manager. Such roles have become essential for institutions that wish to retain their Tier 4 sponsor status. However, this does not mean

that maintaining compliance is not the responsibility of staff across the whole institution.

A central compliance manager or team (depending on the size of your institution) is essential for monitoring the institution's overarching compliance levels, as indicated by three key statistics:

- visa refusal rate;
- enrolment rate;
- course completion rate.

It is usual for this person or team to be responsible for the central aspects of Tier 4 sponsor duties including the overall monitoring of attendance, visa expiry dates, reporting changes to UKVI as well as keeping track of changes to the Tier 4 requirements and identifying where internal processes need to be adapted as a result of changes to Tier 4 or a new source of risk. In some institutions, this central compliance team is effectively an internal Tier 4 audit team, regularly assessing how the institution will perform in a UKVI audit.

Unfortunately, having a central compliance unit is not sufficient to achieve and maintain high levels of compliance with the Tier 4 requirements, it is simply a good place to start. Tier 4 compliance is something that must be embedded across the entire institution. A central compliance team will only be successful if there is significant buy-in and support from colleagues in academic departments and other central service departments. Where a central compliance team may be responsible for ensuring that all policies meet Tier 4 requirements and are implemented consistently across the institution, it will usually be the staff in academic departments or other service departments who have to implement these policies on the front line. For example, at enrolment or when recording attendance.

Determining where a central compliance unit should sit within the structure of your institution will depend on the current structure and resources available. It may be part of the International Office or External Relations department which has overall responsibility for the recruitment and admissions of international students. Alternatively, it may be located with Academic Registry or the equivalent registry services team which has overall responsibility for student records. Ultimately, it does not matter where this unit is situated, what is important is that they have the overall authority, or the supportive ear of a senior member of the institution who has the authority to implement new processes, improve existing ones and require staff to implement these properly so that full compliance under Tier 4 is achieved.

And while the compliance manager or compliance team may only focus on Tier 4 compliance, it is very important that they work closely with colleagues in the Human Resources department. This is to ensure the institution is fully compliant across all sponsor licences held (Tiers 2, 4 & 5 even though they are separate licences) and compliant with the UKVI guidance on the preventing illegal working.

Staff training

The importance of ensuring that all relevant staff within your institution have access to comprehensive training on immigration matters, including Tier 4, cannot be emphasised strongly enough and it is an underlying theme throughout this document. Immigration-related training should no longer be limited to a handful of staff who are seen as the "immigration experts" within your institution i.e. those who hold greater knowledge than others. Institutions will continue to have a small group of staff who have a much greater knowledge about immigration matters however they must be supported by senior staff and staff from across the institution who also have a good understanding of this area, if high levels of compliance are to be achieved and maintained. Enabling staff to undertake immigration-related training will allow them a greater understanding of Tier 4 and the consequences for any institution which fails to adhere to the Tier 4 sponsor duties. This will help to ensure high levels of compliance with Tier 4 across all aspects of your institution.

Appendix D contains some suggested areas of training that might be of relevance to your staff.

Immigration advisers

Anyone who provides immigration advice to individuals is usually required to be registered with the Office of the Immigration Services Commissioner (OISC) to ensure that only properly qualified advisers support individuals with their immigration issues. Ministerial Orders allow staff in educational institutions to provide immigration advice and services without formal registration with the OISC. However, staff who provide advice are subject to OISC regulation and should only advise within the boundaries of their level of competence and must be properly trained and supervised.

Many institutions had international student advice teams before Tier 4 was introduced. Such teams usually provided advice and support to enrolled students who need help making a new immigration application. In some institutions, this also extended to advising prospective students while still based overseas. Since the introduction of Tier 4 and the ever increasing scrutiny that institutions

must now carry out when assessing which students to sponsor under Tier 4, the number of staff within an institution who advise on immigration matters has increased. Recruitment and admissions staff or those working in compliance areas are often required to provide detailed advice to applicants about what is needed to make a successful Tier 4 visa application (such as checking financial documents), sometimes going even further and advising on how to submit an Administrative Review following a visa refusal. These staff need to have enough training and competence to enable them to advise applicants in compliance with the OISC's Code of Standards.

Similarly, staff involved in enrolling students and liaising with them on a daily basis must be aware that their advice and decisions are likely to be affected by Tier 4 requirements. This applies especially to those who deal with student matters, including requests to change course, the monitoring of attendance and approving absences, deciding whether the period of study should be extended for exams or assignments beyond the original end date of the course and requests to suspend study. Staff who handle these matters need to be aware of Tier 4 requirements and if they do not provide advice to the students directly they need to understand when students require detailed immigration advice and know who to refer them on to.

These developments should not lead institutions to conclude that a dedicated immigration advice team is no longer required, rather the opposite is true. Many institutions have already increased resource in this area to allow staff to provide students with a greater level of support when navigating the complex rules and associated guidance. The work carried out by an institution's immigration advisers must enhance and support the work carried out by recruitment and admissions staff or staff who deal with students post-enrolment. For example, recruitment and admissions staff may have sufficient knowledge to advise overseas applicants on what is needed to make a successful Tier 4 application but may be aware of their own limitations and refer students on to the dedicated advice team when an applicant needs help to challenge a visa refusal. As elsewhere, this requires various teams to work well together and communicate effectively with each other.

Importantly, anyone giving advice to current or prospective students should be giving the same advice. This is only possible if the institution has clear policies which staff are aware of and understand, and if all staff receive ongoing immigration training, as appropriate to their specific role and its boundaries.

Internal Communications

Tier 4 sponsorship duties illustrate the need for good levels of communication within an institution. This is important irrespective of the size of the institution or the number of students sponsored. Good internal communication can help to ensure that institutions can confidently meet their monitoring and reporting requirements (see Sections 4.3 & 4.4 below).

In many areas, this communication is likely to form part of a sponsor's everyday processes. For example, notifying the compliance team that a student has withdrawn from their course of study so the relevant report can be submitted. In other areas, good communication enhances institutional processes and the student experience. For example, notifying the international student advice team when a student requests a change in their programme but before this has been approved. The student might be invited to meet with an adviser and obtain immigration advice relating to their change request thus minimising the risk of problems arising in the future.

Clearly good internal communications are important for institutions to function efficiently and adhere to Tier 4 requirements, however it is also important to consider whether or not these internal communications form a necessary part of a Tier 4 audit trail. If yes, consider how this information is communicated – for example via telephone, email, designated sections within the student record systems or other means such as Wikis. Whatever means of communication is used, if this is an essential part of the decision making process and therefore should form part of the audit trail, it must be stored against the relevant student file and easily accessible during a UKVI audit. It is also essential that the staff writing these communications are aware that they are likely to be reviewed by UKVI staff, and so content should be relevant, concise and not include any unnecessary comments.

External networks

As well as sharing responsibility within your institution, it is important to encourage staff to talk to colleagues in other institutions – local networks, national networks or via overarching member organisations as this can provide access to additional support. The Immigration Compliance Network (ICN) provides a supportive group of colleagues whose roles focus on Tier 4 compliance, and within this network they can discuss issues and areas of concern. This type of network can provide a much needed lifeline or support system for staff who often feel that they are working in isolation, particularly those staff in smaller institutions who do not have a large internal team to talk things through with. The current ICN

is mainly comprised of staff from HEIs and some FE colleges however it is open to staff from all UKCISA member institutions.

2.3 Institution inspections and educational oversight

All institutions strive to deliver high quality education but this is now even more important if you want to offer this education to international students. Educational oversight is the phrase used by the UKVI to mean academic inspection by a body specified in the Tier 4 sponsor guidance that must be passed with a rating determined by the UKVI. These bodies include the QAA, ISI and OfSTED and the required rating must be achieved before applying for a Tier 4 sponsor licence, and also in subsequent inspections in order to retain Tier 4 sponsor status.

Educational oversight requirements mean that it is now possible for an institution to pass the relevant institutional review or inspection and so be allowed to continue to enrol students. However, depending on the rating awarded, the institution may no longer be able to enrol new international students or even to retain a Tier 4 sponsor licence.

Even if poor performance in an institutional review or inspection does not result directly in revocation action, it may still trigger a UKVI audit. Tier 4 sponsorship and academic inspections are now inextricably linked for all institutions and so staff responsible for leading on preparations for institutional reviews should be aware of all of the potential implications of failing to achieve the highest levels.

2.4 Academic course development

It is important to ensure that any new courses under development meet the requirements of Tier 4 if target markets for the course are international markets. Often courses which include a work placement are seen as being very attractive to international students but such a course must meet very strict requirements. Similarly, institutions need to be cautious when developing non-standard courses where some of the teaching takes place elsewhere (away from the main campus) on an ad hoc basis. These courses may not be suitable for students sponsored under Tier 4. Only in very rare and exceptional circumstances will the UKVI consider allowing non-standard courses to be approved under Tier 4.

Consequently it is important to take Tier 4 requirements into account when considering the business case for a new course prior to validation and the launch of a new programme. This should be relatively easy to incorporate if institutions implement a process which requires the business case for all new courses

to be signed off by a member of staff who is suitably qualified in the Tier 4 requirements, such as a Compliance Manager, before it can proceed for approval.

Unfortunately, even with such checks in place, it is not possible to guarantee that all courses will continue to meet Tier 4 requirements in the future. It is entirely possible that changes to Tier 4 requirements in the future will result in some courses no longer being suitable for international recruitment. This can obviously have an impact on the viability of a programme which in turn impacts on income, student experience and staffing required. Institutions need to be constantly aware of any changes to Tier 4 that might affect some, or all, of the programmes offered to international students.

Finally, it is important to remember that UKVI perceives the offer of Tier 4 sponsorship by an institution as confirmation that the student must be in the UK to study the course on a face-to-face basis. Courses which make use of online interaction or blended learning do not require the student to be in the UK on a full-time basis and therefore are unlikely to meet Tier 4 requirements.

2.5 Working with partner institutions

Many institutions chose to have a variety of agreements and / or partnership links with other UK based institutions. Sometimes this agreement will simply take the form of a validation agreement which is not of interest to UKVI. Other arrangements exist which cover a range of teaching partnerships and the UKVI must be informed about these, and possibly even approve the partnership before students can be sponsored to study these courses. This is an area that the UKVI has tightened up since the introduction of Tier 4. It is now a requirement under Tier 4 for sponsors to inform the UKVI of any such arrangement where their sponsored students are taught at another institution, even for a short period.

Where a UKVI-approved partnership agreement exists between two institutions, it is extremely important that both parties have robust compliance processes in place. Weaknesses or compliance breaches identified by the UKVI in one institution may lead to further investigations by the UKVI of all other partner institutions.

It is essential that before entering into a partnership agreement, all parties work together to agree processes which meet the requirements of Tier 4 while also conforming to their own academic regulations. If one institution is the Tier 4 sponsor but the students are being taught, for part of their programme at the partner institution, then the Tier 4 sponsor must be confident that attendance

monitoring processes are being adhered to by the partner institution, and that these records are readily available to the Tier 4 sponsor. This also applies to research students carrying out their research across a number of institutions.

Working with partner institutions which are based overseas may also be a source of risk for Tier 4 sponsors but less so than UK based partners. Links with overseas partners becomes relevant when those students are able to progress onto programmes at your institution here in the UK. This may be to complete the course they are already studying overseas or to continue their studies by starting a new course in the UK. Before sponsoring these students to study in the UK, institutions must apply their own rigorous admissions processes and not simply accept them as a result of the agreement which is in place. Such agreements should contain a disclaimer that not all students are guaranteed Tier 4 sponsorship, even if they satisfy the academic terms of the partnership agreement.

2.6 Two-way communications with UKVI

Throughout this guide, we advise that an institution maintains a dialogue with the UKVI, raising concerns with them directly, advising them of internal developments outside the reporting requirements, asking for assistance interpreting the guidance or simply asking for additional background on a prospective applicant before assigning a CAS. Unfortunately, the channels available for institutions to communicate with the UKVI are not always straightforward.

Institutions which have opted to become a Premium Sponsor can certainly take advantage of their named Premium Account Manager (PAM) to ask questions and raise concerns. However this service can be quite varied depending on the experience and knowledge of the PAM. At the very least, having a named PAM provides an opening to those who hold more senior roles in the UKVI Sponsorship team. PAMs can be used to request a meeting between senior staff on both sides, if there are issues to discuss. Similarly, if your institution is planning to expand international recruitment, a copy of your international strategy can be emailed to your account manager along with a request for them to pass it on to appropriate colleagues.

However, institutions which have not applied to become a Premium Sponsor, or which are not yet eligible to do so are limited in the options available to them to communicate with the UKVI. These institutions are restricted to using the Educators Helpdesk, which is a generic email contact provided in the sponsor guidance, or making use of the various sector bodies and mission groups who

might have direct links including UKCISA, Russell Group, Association of Colleges, English UK, Study UK, UUK and the Million+ group.

3. Deciding who to sponsor

In this section, we consider:
▪ marketing and recruitment
  – compliance at the recruitment stage
  – recruitment agents
  – students who know why they want to study with you – credibility
  – increasing your international student numbers
▪ admissions processes:
  – academic entry criteria
  – oacademic progression
  – ocredibility interviews & refusals
  – financial requirements
  – immigration history
  – location of student when applying for their Tier 4 immigration permission

3.1 Marketing and recruitment

No institution wants high student drop-out levels as this has implications for institutional completion rates and league tables or rankings as well as the Tier 4 Basic Compliance Assessment. Recruiting and enrolling the right students is important but institutions must also ensure every student recruited is fully informed about their preferred course and study methods, as well as the potential immigration implications if they decide to change course or institution, or simply withdraw at a later date.

In today's competitive world of home or international student recruitment, the use of detailed marketing material is essential to maximising an institution's recruitment. Helping all students to make an informed decision means they are often better prepared for what's expected of them during their studies. This in turn means that students are better prepared for any credibility interview they are invited to as part of their Tier 4 application.

The extent of international recruitment efforts may differ depending on the size of associated budgets and resource availability. However, even institutions with very small international recruitment budgets can market and recruit through their online presence (website and social media platforms) and via recruitment agents or partner institutions. This gives all institutions a much wider reach globally,

irrespective of budget and if used well, these methods can help to ensure that students are fully informed about the institution before opting to study there.

Compliance at the recruitment stage

It is common for a recruitment team (often separate from the admissions and compliance teams) to be assessed on their performance against specific targets. Conflict can arise if there is concern among compliance staff (founded or unfounded) that compliance requirements are overlooked in an attempt to achieve these targets. This can be avoided by ensuring good communication between the teams, and good communication with the students. Getting the message correct at the point of recruitment is essential to ensuring the first steps towards a high level of compliance because sponsored students will be well prepared and they will understand what is expected of them during their studies. Fully informed students are less likely to drop-out, change course or switch institution post-enrolment. This in turn minimises the risk to the sponsoring institution when UKVI carries out the annual Basic Compliance Assessment, which looks at the corresponding statistics. Good recruitment practices ensure students know why they want to study with you (see below).

Having international recruitment staff who have a good understanding of Tier 4 compliance can therefore lead to improved internal working relations. This is because recruitment, admissions and compliance staff feel they are working together over which students to accept and sponsor under Tier 4.

Recruitment agents

Ensuring your recruitment agents are fully informed about your courses and the local environment is as important as getting the information direct to your students. Regular training, inward visits or agent conferences are a vital part of this process. Training sessions which include your compliance and admissions teams as well as recruitment staff, plus recruitment agents, can ensure that the process is efficient and less stressful for all involved as well as maintaining consistency in decision making by all involved.

The British Council provides training and accreditation for recruitment agents worldwide. However, institutions that work with agents must also offer their own specific information and training so that recruitment agents and their counsellors clearly understand institutional processes and the underlying reasons for adhering to these, for example minimising visa refusal rates.

Students who know why they want to study with you – credibility

Every institution wants to ensure that prospective students make an informed

decision when choosing where to study. Your recruitment team, recruitment agents, marketing and web information are all vital in spreading the relevant information around the world. With the range of communication methods available, it is relatively easy for institutions to engage with their prospective students from an early point in the process via online chat sessions, face-to-face interviews via a range of media links or even online open days for those who are not able to visit in person. This makes it possible to include academics in the process without their needing to travel overseas on a regular basis. Such methods enable institutions to vet their applicants much more thoroughly in terms of their academic potential and English language ability (speaking and listening) as well as enabling the students themselves to gather much more information about the institution and the course that they wish to study. The introduction of "credibility" interviews as part of the Tier 4 application process has made this even more crucial.

UKVI expects those applying to study in the UK to have a good understanding of:
- individual subjects they will be studying within the course;
- how they are likely to be assessed;
- details about the study environment;
- where they will be living;
- how they will get to class and what this is likely to cost on a daily basis.

It is essential to get this information across to your prospective students without "coaching" them in advance of an interview as part of the visa application process. By "coaching" we mean providing students with standard answers. However, providing students with the information that they need and giving them a chance to practice answering the type of questions that are likely to be asked is good practice.

Institutions have chosen to handle this in different ways. In part, this is determined by the perceived risk associated with refusals following credibility interviews. The extent of resources within your recruitment team and wider academic staff to engage more with applicants at an early stage in the process is also relevant. Some institutions have opted to use an initial questionnaire to ask specific questions and identify applicants who they believe might not be genuine students. Others have chosen to focus their resources on interviewing all applicants from countries deemed to be high-risk by the UKVI (institutions can work out which countries are deemed to be high risk by examining UKVI stats for countries with the highest refusal rates) whereas institutions who see credibility as their main source of risk have opted to interview all prospective students as a standard process.

Staff in your institution who carry out such interviews should all work to the same guidelines to ensure consistent decision-making. If this is part of your selection process then it is important to retain detailed notes of any interviews and these should be held on the individual student files. This is because the UKVI expect institutions to hold evidence, and produce this in an audit, which illustrates the decision-making process to sponsor a student under Tier 4.

Increasing your international student numbers

The UKVI now expect institutions to inform them of plans to increase international student numbers, particularly if your international strategy is ambitious and expansive in nature. Expanding recruitment efforts into different markets, or efforts to target new cohorts of international students, possibly through partnership agreements, can lead to an unexpected spike in international student numbers. The UKVI will view this with concern if they are not already aware of the plans to increase numbers. For example, a new progression agreement with partner institutions in South America might lead to a sudden increase in visa applications from this region under your Tier 4 sponsorship. In isolation, this could lead the UKVI to question what is going on and instigate further investigation or an audit but if they are aware that this has been planned and is part of your institutional strategy, they are likely to have fewer concerns.

Section 2.6 outlines how institutions can communicate regularly with UKVI keeping them informed of planned changes such as increasing international student numbers.

3.2 Admissions processes

UKVI makes it clear in its Tier 4 sponsor guidance that it expects a sponsor to assess all applicants thoroughly and determine an individual's ability and intention to study as well as his or her ability to make a successful Tier 4 application. This means that institutions are expected to assess more than the academic ability of each applicant.

It is no longer sufficient to assess an international applicant solely on academic merit. However institutions that continue to make offers of a place to study based only on academic criteria as the initial assessment, must make clear at the point of offer that this is not a guarantee of sponsorship under Tier 4. UKVI require many more checks to be carried out by institutions before sponsoring students.

Whether your admissions staff and CAS issuing staff are in the same team or not, it is good practice to combine the admissions and CAS assessment processes

so that all applicants are assessed for their eligibility for a CAS at the same time as assessing academic suitability. This helps to eliminate difficult conversations with offer holders who are subsequently refused a CAS having possibly already accepted the academic offer and paid a deposit to your institution.

Combining the assessment requires looking at all aspects of an applicant including their academic and English language ability, immigration history and finances. It becomes important to look for any gaps in an applicant's timeline. For example, are there any unexplained breaks in study or work history? Students often decide not to include information on their application because they do not believe it is necessary for entry onto their chosen course. However, it is essential for an institution to be able to clarify all gaps in the application timeline as students might have omitted to tell you about a previous period of study in the UK which could have implications when calculating time limits on study or determining if academic progression must be confirmed on the CAS.

Ensuring that all of the required documents are obtained at the point of application, and added to the student's file prior to assigning a CAS are the first steps towards being prepared for a UKVI audit. All staff involved in the overall process of recruitment, admissions and assigning CAS must be aware of all of the checks that need to be carried out and which documents need to be obtained before a CAS is assigned.

Appendix A contains a detailed check list of matters that need to be considered when assessing all international applications. What was once a relatively straightforward admissions system for staff and students has become a complex and often difficult process to navigate. However, if all staff are giving out a consistent message, the overall process can become more efficient and the level of risk minimised.

Academic entry criteria
Institutions need to be totally clear in their marketing and course information about the institutional requirements for all students, while also indicating where more stringent requirements might be required if the applicant intends to apply for Tier 4 immigration permission. This can sometimes arise with English language requirements where the level accepted by an institution for the course (and for applicants not requiring Tier 4 sponsorship) is lower than the level that students must attain if they want to apply under Tier 4. This can be confusing for applicants, and for staff, if not explained clearly in the course information published by the institution.

The Tier 4 guidance specifies the academic levels that must be met before you can issue a CAS. However the UKVI also expects institutions to only sponsor students who will be able to successfully complete the proposed course. For this reason, institutions should be cautious when applying flexibility to stated academic entry criteria. Institutions must look at past levels of academic progress and achievement when assessing international applicants. For example, an applicant who is applying for a postgraduate qualification but has failed to achieve the published entry criteria (applicant holds the equivalent of a 2.2 whereas a 2.1 is required) may still be considered for entry by many institutions. However if that applicant has taken longer to repeat or resit aspects of the undergraduate degree, this may be viewed as a student who is not able to successfully complete the postgraduate qualification. In such cases, institutions might want to obtain more information before deciding whether or not to sponsor the student.

Academic progression

Academic progression has become an area of increasing difficulty for institutions to assess because its requirements have been changed several times, each time becoming more restrictive about when students who have previously studied in the UK can move to a new course. Failure by an institution to correctly confirm academic progression is now viewed as a serious breach in sponsor duties and could lead to the loss of Tier 4 sponsor status.

Academic progression relates to situations where the student has studied in the UK previously with Tier 4 leave, and is making a Tier 4 application in the UK. Tier 4 requirements have become more restrictive in relation to the courses that a student will be able to progress onto. To meet the academic progression requirements, students must have successfully completed their previous course, even if this qualification is not a requirement for entry onto the new course. In general, the new course must be at a higher academic level, however students can progress onto a second course at the same academic level if this can be justified in line with the Tier 4 guidance.

Where academic progression is confirmed on a CAS, institutions must retain on file all of the evidence used to determine that this requirement has been met, as this will be requested during a UKVI audit. It is important for institutions to have obtained confirmation that the previous qualification has been successfully completed. In addition, where the student is progressing onto a course at the same academic level, any documents to support this must be on file. Such evidence may include a statement from the student about their future

career aspirations and how these will be enhanced by the new course and / or corroboration from an appropriate academic about the complimentary aspects of the two courses or any deeper specialisation available.

Credibility interviews and refusals

Since November 2014, Tier 4 sponsors must have a visa refusal rate of less than 10 per cent for those students to whom they have issued a CAS. Previously, this upper limit was set at 20 per cent. As a result, many institutions have re-focussed resources to keep their visa refusals at a minimum. Speculation continues that the UKVI will reduce the acceptable visa refusal rate further, possibly to 7 or 5 per cent, and so this is an area of potentially increasing risk for all sponsors. As explained earlier in this guide, visa refusals form part of the annual BCA assessment carried out by the UKVI on each sponsor so it is essential that this rate is kept to a minimum.

The issue of assessing a student's credibility or genuineness has already been touched on above, in the context the marketing and recruitment process. However it is very difficult to eliminate all refusals based on credibility as there will always be an element of subjectivity involved in such decisions. This is also an area where the risk to your Tier 4 sponsor status could increase with little or no warning. As previously mentioned, interviewing candidates, engaging them in online chat sessions or "open events" can give staff a clearer understanding of an individual student's intentions. Concerns over academic progression (as discussed above) are also sometimes the reason for a credibility refusal. Modernised Guidance published by UKVI outlines what the Entry Clearance Officers are looking for when assessing credibility.

Institutions may implement a variety of methods to vet their applicants thoroughly and reassure themselves about a student's intentions, credibility and academic progression in line with the Modernised Guidance. However it is also important for institutions to follow up on any refusals received. This means reviewing the refusal notice and if appropriate, supporting the student to challenge the refusal decision via an Administrative Review. Refusal decisions which have been overturned are not included in the BCA calculations, so assisting students with this is also in the best interest of the sponsor. It is also important to challenge "unfair refusals" due to credibility to help to ensure consistency in decision making by Entry Clearance Officers.

Helping students to challenge visa refusals can be resource intensive particularly given the time frame within which the applicant can submit an Administrative

Review and the fact that most students will be overseas. Institutions may need to provide such support to students including those applying from overseas.

Financial requirements

Assessing the financial situation of prospective students has become part of the normal admissions process for many institutions. Many institutions have decided that it is now essential to check that each student not only meets the financial requirements for a Tier 4 application, but also that they have the necessary documents. This is a complex area with a risk of errors on the part of both students and staff. Again, the level of resource that institutions choose to commit to this aspect of the process will depend on the level of perceived risk.

Institutions with a high level of risk or which are very risk averse have opted to check financial documents for all applicants before assigning a CAS, and this has been built into the admissions / CAS issuing process. Others have opted to check documents only for applicants in countries where there is a greater perceived level of risk and not for applicants from countries which the UKVI defines as 'low-risk'. At the other end of the spectrum, some institutions insist only on checking financial documents for those who have previously had a visa refusal due to finances.

Remember, although 'low-risk' nationals do not need to submit their financial documents with the Tier 4 application, it is still possible that they are asked to provide these at a later date by the Entry Clearance or Immigration Officer. If students are unable to provide documents which meet the financial requirements under Tier 4 within a specified time period, their application will be refused.

Adding financial document checks to your admissions / CAS issuing process can add further delays into this process. Institutions can avoid unnecessary delays for students, and simplify the process for staff by providing prospective students with clear information as to what documents you will need them to provide and when this will be requested. Advising applicants throughout the recruitment and admissions process that they will need to supply evidence that they meet the Tier 4 financial requirements before a CAS will be issued will ensure that most students are prepared for this.

In some cases, institutions are willing to delegate the responsibility for this to their local staff and recruitment agents but this should only be in situations where you know the agents are highly experienced in this area. It is good practice to continually monitor your agents and the risk that they pose to your visa refusal, enrolment and course completion rates based on the students that they recruit to your institution.

One aspect that may also be overlooked is whether or not the student intends to bring their family to the UK as dependants, in which case institutions may wish to check finances to cover all of them in order to avoid a visa refusal.

Ultimately it is the student's responsibility to submit all of the correct documents with their visa application and institutions are not able to guarantee that the documents submitted will definitely lead to a successful Tier 4 visa outcome. However, carrying out these checks can minimise the risk to their sponsor licence.

Institutions which carry out checks of financial documents should remember to include a disclaimer in their correspondence with the prospective students as errors can happen, financial documents are only valid for a specific period of time (meaning that documents 'approved' by the sponsor or agent could still lead to a refusal if submitted at the wrong time). It is essential to stress that students need to take responsibility for their own Tier 4 application.

Immigration history

Institutions which are also a Premium Sponsor, and have been allocated a Premium Account Manager (PAM), may be able to use their PAM to obtain additional information about an applicant's academic progression and immigration history. With the student's permission, institutions can ask their PAM to provide information on any previous immigration applications this individual may have made. This may confirm, or supplement the information that the student has already provided directly. This additional information may flag up previous visa refusals (under any UK immigration category) that the student may not have told you about. In addition, your PAM can to confirm the level of course for which any previous Tier 4 visas were granted to the student. This is important when determining academic progression and calculating the amount of time the student has already spent studying in the UK.

Based on institutional risk perceptions, you may wish to do this for occasional applicants who you are unsure about, or ask your PAM to corroborate information obtained for all of your applicants before assigning a CAS. Clearly you will want to discuss with your PAM how to manage this process, particularly at peak points in the cycle as this can add further delays into the admissions and CAS issuing process. Remember it is essential to have students' permission before contacting UKVI to ask for more information. To save time and resources, this may be incorporated into your application forms such that blanket approval is given by each student who applies to study with you.

There is no alternative checking process available for institutions that do not have access to a PAM. Institutions will therefore have to ensure that the vetting of applicants during the admissions process is extremely thorough and any queries highlighted. To do this, institutions must ensure that all of the "right" questions are asked during the application process including questions about any previous refusals and previous qualifications applied for, and obtained. In addition, staff processing the applications need to be trained to spot any anomalies in an applicant's educational and immigration timeline and be able to follow up with requests for additional information, if necessary.

Location of student when applying for Tier 4 immigration leave

As part of the admissions / CAS issuing process, it is now essential for institutions to know where the student intends to submit their application for Tier 4 immigration permission. This is because restrictions apply to some students who are not permitted to apply for additional Tier 4 leave from within the UK. For example, a student who is currently sponsored by an FE college, English Language School or other private provider (non-HEI) must return to their home country in order to make a new Tier 4 application. Alternatively, a student who does not meet the academic progression requirements under Tier 4 but whom you have chosen to sponsor as a result of additional information obtained must return home to apply for new Tier 4 leave in order to return to the UK.

There are also restrictions on "switching" between different immigration categories from within the UK. Students who are already in the UK with non-Tier 4 immigration permission may have to return to their home country to apply under Tier 4.

Furthermore, it is not always possible for students to apply for Tier 4 immigration permission from outside their own country. Most British embassies will not process a Tier 4 application for anyone in the country as a temporary visitor. Tier 4 applications should be submitted in the country where the student is normally resident.

Applications incorrectly submitted within the UK will be refused, and this will contribute to the sponsor's visa refusal rate.

Institutions must consider how to verify that the student has returned home to make the application, if this is required. Using recruitment agents to confirm the applicant is back in their home country before assigning a CAS is one option.

4. Ongoing compliance

In this section, we consider:

- student enrolment
    - checking immigration status
    - checking matters other than immigration status
- monitoring
    - monitoring attendance on campus
    - monitoring attendance away from your campus
    - monitoring changes to study
    - monitoring re-sits and repeats
    - monitoring others
    - monitoring expiry dates
    - monitoring the employment of international students on campus
- record-keeping
- reporting to UKVI

4.1 Student enrolment

At enrolment, it is essential that staff check all students to ensure they have the right to study in the UK, not simply the immigration permission of those sponsored under Tier 4.

Checking immigration status

The UKVI regards the enrolment of students who do not have valid immigration permission to study in the UK as a serious breach of Tier 4 sponsor duties and it could lead to the loss of Tier 4 sponsor status.

Staff involved in the enrolment of students must check that the student has the right to study at their institution. This includes students with Tier 4 leave and those with any other type of immigration permission. Enrolment staff must have the knowledge and experience to assess an individual's right to study in the UK and to know what documents are acceptable as evidence of this.

This is separate to the assessment of a student's fees status which is usually determined against a different set of government regulations. It is possible for someone who is subject to immigration permission to be eligible for "home fees" status. An example of this would be a student who is a non-EEA national but who

is married to a UK or EEA national and also meets the residency requirements for "home fees". This student would not require Tier 4 leave to be in the UK but staff enrolling the student would need to check that the immigration permission presented does not restrict study.

It is, therefore, very important that staff at enrolment understand the difference between checking immigration status and assessing the student's eligibility for "home fees".

For every student who is subject to immigration control, a copy of their current immigration permission must be made and added to their file as evidence of their right to study. It is good practice to record on your system which member of staff carried out this check and the date that it was completed. You may be asked to evidence this during a UKVI audit.

Students enrolling on short courses or part-time programmes should also have their immigration permission checked and this should be retained on file. At the time of writing, a student who holds Tier 4 leave for another institution may also be able to enrol on a short course with you as "supplementary study". For example, a student who wishes to take a part-time computer class with you while studying a degree course at another institution. In these situations, it is good practice to obtain confirmation from the Tier 4 sponsor that the student is still enrolled on the main course and that studying an additional course with you will not have a negative impact on their main course.

As enrolment is often a busy and chaotic period for both staff and students, institutions may wish to consider a separate "immigration" check which is carried out on all international students rather than incorporating this as an additional step within the normal enrolment process. Students would be required to present their immigration documents to trained staff who can confirm that the student has immigration permission (Tier 4 or other type) which permits study. This could be built into the student record system as a "clearance check" which students would have to pass before their enrolment is completed.

Checking matters other than immigration status

In addition to checking a student's immigration permission, enrolment is the point at which institutions generally check original qualifications held by the student and obtain their UK contact details including mobile phone number and personal email address as it is possible that contact details will have changed since the point of application. It is important to note on student records systems the date on which the original qualifications checks are carried out and by which member of staff.

At this point, institutions should also ensure that Tier 4 students are aware of their responsibility to update you, as their Tier 4 sponsor, of any changes to their UK address or other contact details. Some institutions require their sponsored students to reconfirm their contact details at the start of each academic year, or each term. This may be a face-to-face check with students at certain points in the year or an email reminder which requires students to confirm or update their current contact details accordingly. The UKVI often ask during an audit for information about how you obtain up-to-date contact details from students and what process you have in place to support this.

If a student is living outside of the normal expected travel area for your institution you must be confident that this will not impact on their ability to attend classes and engage fully with their chosen course. The UKVI often use this to question the student's intention and ability to study their course.

Where a student has not finalised their accommodation details before enrolling, institutions must have follow-up procedures in place to obtain this information. Follow-up procedures should also be in place for any students who are permitted to enrol but who still have an immigration application pending with the Home Office or those who not yet to collected their BRP.

Appendix B provides a list of points which staff should be checking at enrolment.

4.2 Monitoring

UKVI expectations about the monitoring of sponsored students have increased since the introduction of Tier 4. It has always been an area which has caused problems for sponsors when trying to comply fully with the Tier 4 requirements, particularly with regards to monitoring attendance. This is because sponsors have the flexibility to define their own attendance regulations provided they meet UKVI increasing expectations.

Monitoring Tier 4 students should not be restricted to checking their attendance at academic classes. It must also include:
- the monitoring of attendance away from campus;
- attendance while on work placements or study abroad programmes;
- the number of times a student re-sits any part of their course; and
- visa expiry dates and even passport expiry dates.

Monitoring attendance on campus
The Tier 4 guidance requires that institutions have specific contact points which are monitored and used to identify students who miss 10 contacts consecutively.

Institutions can determine for themselves what constitutes a contact point within their own academic framework from a range of suggestions detailed in the Tier 4 guidance. This has resulted in huge variations as to how sponsors monitor their students. However what has become clearer is that the UKVI expect institutions to be monitoring students' regular engagement with their studies, reason for them coming to the UK. Note, attendance monitoring is only required during term-time and not during the vacation periods.

Some institutions have chosen to introduce additional "check-ins" for their Tier 4 students to use for monitoring purposes. These check-ins are not always linked directly to academic attendance and so do not provide evidence of student engagement with their studies. These extra contact points also place an additional burden on both staff and students. Such check-ins (which sometimes included fingerprint scanning) are not seen as examples of good practice that an educational institution might wish to introduce. The UKVI have also confirmed that they do not expect to see "attendance" monitored in this manner.

Many institutions now use tutorials, seminars and workshops as contacts but not lectures where groups are deemed too large to record accurately. This latter practice does appear to be viewed by the UKVI as a robust method of defining contact points. Aligning these with attendance at classes, submission of assignments or examinations clearly supports UKVI expectations that attendance and absence records reflect a student's engagement with their studies.

The UKVI advises that expected contacts should not be so far apart as to be inadequate for monitoring the overall attendance of each student. This supports the view that contacts are best aligned to regular academic commitments and not simply a weekly, or monthly, check-in point. Institutions requiring Tier 4 students to attend a check-in appointment outside of the regular academic commitments could be inconveniencing their students by doing so and it should be made clear that this is an institutional policy, not a Tier 4 requirement. UKVI does not expect sponsors to introduce policies which are seen to be unreasonable.

Research students who are not expected to follow a timetable of taught classes are likely to have regular meetings with their supervisor, often on a monthly basis or more frequently. Provided these meetings are recorded, this appears to be an acceptable method of obtaining attendance records for research students. UKVI has indicated to sponsors during Tier 4 audits that this is acceptable, even where the meetings are only expected to take place monthly.

In order to ensure consistency in attendance recording and monitoring, institutions must have a documented policy which explains the attendance

requirements being applied, what constitutes an expected contact and the action that will be taken against a student who fails to meet these requirements. This is important so that staff, students and the UKVI understand what is required. The UKVI will then expect records for each student to reflect this policy. Appendix D to the Tier 4 Sponsor Guidance, which lists all of the documents and information a sponsor is expected to retain for each sponsored student, clearly states that attendance / absence records must be kept and these must be easily accessible during an audit.

These policies should also make it clear what is acceptable in terms of an "approved" absence and the documentation needed (such as medical evidence) in order for an absence to be approved. Policies should also clarify how long an absence is permitted before a student is required to intermit or suspend their studies. Many institutions already have academic regulations which outline these requirements but some institutions may need to supplement existing policies in order to fully comply with the Tier 4 requirements. All regulations about this must be made available to students.

Be careful when setting your specific attendance requirements and be mindful of the consequences for everyone. If you state in your attendance policy that students are required to maintain an attendance record above a certain percentage level, then the UKVI will expect you to have taken action against students who fall below this level (unless mitigating circumstances exist) i.e. withdraw them. This will be the expectation even if the students have not fallen foul of the attendance requirements stated within the Tier 4 sponsor guidance.

The main focus of any attendance monitoring is clearly expected to be a student's attendance relative to defined contact points. However it is now apparent that the UKVI also expects institutions to look for any patterns in the attendance and absence records of sponsored students. For example, if a student was to regularly miss classes on certain days of the week this could be an indication that the student is working rather than studying and institutions are now expected to follow up on this. Such patterns would not necessarily be highlighted if you only consider contact points which do not cover all classes or are additional check-in points spread throughout the academic year. Sponsors are now expected to spot such patterns and investigate further.

There is no perfect system for recording and monitoring attendance. Some institutions have opted for electronic systems and swipe cards. Such systems have two main advantages: staff are not expected to spend their time taking registers and inputting this information into a central system; and staff monitoring

attendance data are likely to have access to data from across the institution in real time and so any follow up can take place quickly to get students back into class. Electronic systems also have their disadvantages, with the main concern being that students may give their swipe card to others to register their attendance therefore making it difficult to confirm which students were actually present. Students have also complained that electronic systems have sometimes failed to register their presence even when they have attended and this requires further investigation by staff to make sure the attendance records are accurate.

The alternatives to using electronic attendance systems utilise register based systems which require greater manual input by staff and students. This can be viewed as more reliable if staff are recording which student is present. However it requires a lot of staff time to input this information into an electronic system before any central monitoring can be undertaken. Ultimately this can lead to delays in the monitoring of students.

Effective attendance monitoring processes which are seen as examples of good practice generally include early warning indicators to identify students who have a poor attendance level, either through having missed a number of consecutive contacts or a patchy attendance record. These early warning indicators enable institutions to help "at-risk" students re-engage with their studies before they drop-out or have their enrolment terminated. Attendance monitoring enables institutions to provide additional support to these students, ensuring academic progression throughout their course by picking up problems at an early stage. Ultimately, there is a duty of care towards all students. Monitoring attendances or absences can assist an institution in identifying students at risk of dropping out much earlier in the academic cycle.

Monitoring attendance away from your campus

Many courses exist where a student is required to, or chooses to spend part of their course away from the institution. This may be through undertaking a work placement, studying abroad at a partner institution through Erasmus or other exchange links, or even students who need to carry out some of the research for their dissertation or thesis away from the main campus. The UKVI does not expect sponsors to have as close an eye on students in these situations, but some system of monitoring must exist and be followed during this period if Tier 4 sponsorship continues.

In reality, it is likely that the work placement provider or partner institution is effectively taking on institutional sponsorship duties to record the attendance and absences of these students. This information must be communicated back to the

sponsoring institution so that regular monitoring can continue. Institutions need to be confident that work placement providers and partner institutions understand this and have their own systems in place to effectively record attendance and absences.

Many sponsors make use of weekly time sheets for students on work placements which have been signed off by the employer each week to confirm the details. Others allow their students to submit monthly timesheets. However, in this case, it is important that employer has also agreed to notify the sponsor immediately if the student is absent from work.

It can be more difficult to implement a suitable system with partner institutions overseas or in the situation where a student is undertaking a period of independent research without direct supervision. Remember, these attendance records do not have to be as comprehensive as those produced when the student is studying on campus, but they must show how the sponsor has confirmed that the student is continuing to engage in their studies. Institutions which are not able to do this, may need to withdraw sponsorship until the student returns to studying on campus. If sponsorship is withdrawn, then before the student can return to the UK and continue with their studies, he or she will have to obtain another CAS and submit a new Tier 4 application. This may require the student to return to their home country. Students making a new Tier 4 application will have to evidence that they meet all of the Tier 4 requirements once again, including financial requirements.

Monitoring changes to study
Institutions must monitor all changes to a Tier 4 students study programme, relative to what was stated on the CAS initially, even when the end date of the course remains unchanged. Such changes includes a change of course title, a change in academic level (e.g. from MEng to BEng), the addition of a work placement, a change in study location (even for a short period), or any change to a student's enrolment status including suspension, intermission or withdrawal. This is because sponsors are expected to report this to the UKVI usually within 10 working days of the change taking place (see below Section 4.4 Reporting to UKVI)

Institutions may opt to monitor these changes by extracting specific reports from their student record system on a regular basis and so fulfil their reporting duties. Alternatively, it may be possible to modify the student record system so that automatic notifications are sent to the relevant people when any changes are made to a student record. In both situations, this will only indicate changes after

they have already been approved and implemented. While this will enable the institution to meet their reporting duties, this process is not completely robust. In many cases, a student's request to make a change to their study programme should instigate a referral to the compliance or international student advice teams so that the request is considered in line with Tier 4 requirements.

Monitoring students undertaking resits or repeats

The Tier 4 requirements restrict the number of times a student is permitted to re-sit or repeat an individual module, except in exceptional circumstances. Therefore institutions must have procedures in place to limit the number of times sponsored students can attempt each module. For most institutions the Tier 4 requirements will correspond with, or may even be more generous than, academic regulations and so it is likely that this is already built into the re-registration procedures for all students. However where an institution has academic regulations which allow a greater number of attempts than Tier 4 requirements permit, additional monitoring must be in place for sponsored students. During Tier 4 audits, UKVI now look very carefully at modules being undertaken, and the number of attempts at each module, if applicable. If a student has been allowed to attempt a module more times than Tier 4 requirements permit, then UKVI will expect to see evidence on file to support the reasons for this decision. For example, if a student is allowed a further attempt after failing an examination due to illness, the UKVI would expect to view any corresponding medical evidence.

When allowing a student to repeat part of their course, it is also necessary to consider if this will extend the end date of the overall course and if the student will need to make a further Tier 4 immigration application in order to complete the course. At this stage, it may be necessary to assess the student for a new CAS, taking into account academic progression requirements, the amount of time that the student will be able to remain in the UK under Tier 4 and whether or not the student will have to return home to make this immigration application. It is always good practice to refer a student to your immigration advisers before automatically allowing them to repeat part of their course and so extend the duration of the course. In addition, institutions may opt to share the details of all Tier 4 students who are undertaking a re-sit or repeat with their immigration advice and compliance teams so that these students can be invited in to receive any advice necessary. Institutions which communicate well internally generally have fewer issues to deal with at a later stage.

Monitoring others

Institutions that choose to sponsor students under Tier 4 either to take up a

position as a Students' Union Sabbatical Officer or via the Doctorate Extension Scheme (DES) must make sure that they retain appropriate "attendance" records in all cases. For a student working as a Sabbatical Officer, sponsors may wish to implement a process similar to that in place for students on work placements. The Tier 4 requirements for maintaining contact with students sponsored under the DES route are fairly flexible, permitting contact to be maintained by telephone, email or in person. However it is important that this contact does take place and evidence of this is retained on the appropriate file.

Some institutions may also have chosen to sponsor individuals under the Tier 1 Graduate Entrepreneur route. Guidance for Tier 4 sponsors using this route requires them to maintain contact through a specific number of progress reviews and to report to the UKVI any missed contact points. As with research students, these contacts can be distributed throughout the period of leave but institutions must ensure contact is made, and the relevant records retained.

Monitoring expiry dates – immigration permission and passports
In line with the Tier 4 sponsor duty to support immigration control and UKVI expectations that institutions will not enrol students who do not have valid immigration permission, so sponsors are expected to monitor the expiry dates of the immigration permission of all enrolled students. This enables sponsors to ensure that students whose immigration permission has expired, are not permitted to continue studying. Monitoring expiry dates should be applied to all enrolled students who are subject to immigration control, not just Tier 4 students.

The ease with which institutions can monitor students will depend on the student records systems available. However, once again, sponsors need to have a documented policy as to who is responsible for carrying out this monitoring and what process should be followed. Many institutions now identify enrolled students who have only 3 months until the expiry of their current immigration permission. If the course is due to continue beyond this date, institutions and students should have sufficient time to prepare and submit an application for further immigration permission.

Procedures must be implemented so that a student is not permitted to remain enrolled beyond the expiry date of their immigration permission, unless they have provided evidence that a new application has been submitted to the Home Office. In this case, evidence institutions would expect to receive is similar to that required from students who are permitted to enrol while their immigration application is still pending with the Home Office. Follow-up mechanisms must

also be in place here until the new immigration permission is granted and a copy of the BRP has been made and added to the student's file.

It is also becoming more common for sponsors to monitor the passport expiry dates of their enrolled students. Not only is this seen as good practice but it also appears to be something that the UKVI expect sponsors to do. Identifying passport expiry dates 3 months in advance and flagging this with the student is advisable. Student records systems should be able to help to facilitate this. Students may not always be aware that their passport is due to expire soon and for some, it may not be a straightforward process to renew their passport in the UK.

Monitoring the employment of international students on campus

While this is not a distinct sponsor duty under Tier 4, it is an area which institutions must be aware of, particularly in relation to their sponsor responsibilities linked to the UKVI guide on preventing illegal working. This may be a matter which falls under the remit of an institution's Human Resources team but staff involved in Tier 4 compliance will want to be confident that processes are in place to monitor this effectively.

Many institutions offer their own students the opportunity to work part-time within the campus. This work might be ad hoc in nature, such as working as a student ambassador or examinations invigilator, or more regular employment, for example in campus catering. It is important that there is a central record of the number of hours a student works during a given week. This is because Tier 4 students are restricted in the number of hours they are permitted to work and this differs during term-time and vacation periods. Note, some students are restricted from taking on any work while in the UK, other than a work placement as part of their course.

The risk arises where a faculty or department seeks to employ a student on an ad hoc basis when the student is already working elsewhere within the institution, or for an external employer. The additional work may take them over the maximum threshold which would have serious implications for both the student and the employer. Consequently, it is essential that all employment of students, casual or part-time, is processed through a central Human Resources team so that the number of hours any individual works each week can be carefully monitored and regulated.

Institutions which have a Students' Union must ensure that their processes also adhere to the UKVI requirements on preventing illegal working . Even if the

Students' Union is a separate legal entity, the institution is usually the parent company and so any failings in this area could reflect back on the institution itself.

Clearly, it is the student's responsibility to know their own work restrictions and not to work more than their permitted hours. However institutions have a sponsor duty to ensure that their students fully understand the Tier 4 requirements. Institutions can remind students to check their own work conditions (as stated on their BRP) and to take seriously their responsibility to adhere to these conditions.

At the same time, it is still the responsibility of the employer to ensure that they are only employing individuals within the conditions stated in their immigration permission. Keeping a central record of all Tier 4 students' employee records will allow the institution to keep track of the number of hours worked each week by an individual. Failure to do so could result in the institution having a civil penalty imposed and the curtailment of the student's immigration permission. The imposition of a civil penalty can result in a fine for the institution and may have additional implications for the Tier 2 and Tier 4 sponsor licences.

4.3 Record Keeping

Keeping appropriate records which will satisfy a UKVI audit should be straightforward for all institutions where robust admissions, enrolment and monitoring processes are in place. Documents that must be retained on each file are listed in Appendix D of the Sponsor Guidance. Some institutions provide their Admissions or CAS issuing staff with a check-list to refer to before assigning a CAS. This should ensure that the Appendix D documents which relate to assessing an applicant are on every file.

Institutions must also have processes in place to ensure that these records are kept up-to-date, not only with the relevant attendance and progression information but also with evidence of further immigration permission granted and corresponding BRPs or new passports. This is an extension of the monitoring processes outlined above and staff should be required to maintain the follow-up with students until the relevant documents have been obtained and added to the student file.

UKVI does not specify the format for retaining records. They may be held as hardcopy files or electronically. Furthermore, different aspects of a record may be held on various systems. For example, admissions documents on one system or as hardcopy files, and attendance records on a separate system. However, it must be possible for institutions to access and collate records for an individual

student quickly and easily for review during a UKVI audit. The importance of this is discussed further in Section 5.1

4.4 Reporting to UKVI

Reporting to the UKVI is one of the main Tier 4 sponsorship duties listed. The sponsor guidance details all instances in which institutions are required to submit a report to the UKVI, not only relating to Tier 4 students but also reporting requirements that apply to those migrants who have been sponsored under the DES or Tier 1 (GE) schemes.

Reports must be submitted to the UKVI, usually via the SMS, within specific timeframes. In most cases, this is 10 working days. If reports are not submitted in time, it is essential that they are submitted as soon as possible but this is likely to have consequences. The UKVI identifies sponsors who submit reports late. This will be apparent from the information which has been included in the report. If an institution is identified as having submitted a large number of reports late, it is likely to trigger a Tier 4 audit. This is because the UKVI consider late reporting to be evidence of non-compliance. They may assume that the processes in place for monitoring sponsored students are not robust enough to enable the institution to fulfil all of its Tier 4 sponsor duties.

In the event that some reports are submitted late, it is important to have a complete audit trail on that file explaining why the report was required, how it was missed within required timeframes and why the process has changed to ensure this will not happen again in future.

In order to avoid non-compliance when reporting to UKVI, institutions must have processes in place which allow any changes to a student's circumstances to be communicated to those responsible for quick and accurate reporting. For example, faculty staff might not realise how important it is for the compliance team to report that a student has completed their course early and that this needs to be reported to the UKVI within 10 days of the new end date.

Some institutions rely on their compliance team to extract regular reports from their IT systems in order to submit the necessary reports to the UKVI. This might include a report indicating which students have missed 10 consecutive contacts, have changed course or withdrawn from study since the last report was run. Systematising the process in this way can be beneficial provided you are confident that all reporting requirements will be picked up accurately. For example, a student who completes their qualification early might be recorded

on the system as "completed" whereas the report might only extract students who are recorded as "withdrawn", "suspended" or "interrupted". However, all of these students would need to be reported. Alternatively, others rely on email communication being sent to the compliance team (or responsible person) as soon as any changes (suspension, interruption or withdrawal) have been confirmed to the student. However, in this case it is advisable to use a generic email account to receive the notifications, one that is monitored by several staff in order to minimise the risk that emails might be missed or reports submitted late due to staff absences.

It is also important to highlight that although processes must enable reports to be submitted quickly, they must be accurate. It is good practice to have checks built into the process to verify any changes before submitting the report to the UKVI. Some reports will have implications for the student, including the curtailment of their Tier 4 leave. Many institutions now implement a process where at least two members of staff have signed off on the report before it is submitted to the UKVI.

5. Demonstrating your compliance

In this section, we consider:
- UKVI audits
  - preparation
  - Tier 4 student files
  - Non-Tier 4 student files
  - HR files – Tier 2 & prevention of illegal working
  - other relevant files
- When things go wrong
  - action plans
  - revocation action

5.1 UKVI audits

The best way to minimise the stress and tension associated with a possible UKVI audit is to be prepared. In this context, preparation covers a vast array of aspects.

Preparation

Preparation includes having institutional policies drawn up in line with immigration requirements and fully documented, relevant staff trained in both the UK immigration regulations and your own institutional policies, along with regular checks or internal audits to ensure that documented policies are being properly implemented and achieving the desired "outputs". Remember that your preparation should cover all areas where you sponsor migrants to be in the UK, including Tier 1, Tier 2, Tier 4 and Tier 5.

In order to be fully prepared you must also plan how to deal with the practicalities of a UKVI audit. Appendix C of this publication details some questions to consider.

Preparation is vital. Audits may be announced, in which case you will have received advance notice as to when the audit team will arrive and so will have a few days, weeks or even months to prepare. Alternatively, your institution may be subject to an unannounced audit, in which case you will only find out about it when the UKVI audit team arrive on your premises. This will be at the main address listed on your Tier 4 sponsor licence.

If you are told about the audit in advance (an announced audit) and key staff are going to be unavoidably absent on the proposed date(s), it may be possible to negotiate with the UKVI and agree a date that is suitable for everyone.

Audits may last anything from a single day up to a week. It is unlikely that the audit will last more than a week. However, if issues are identified during the initial audit then it is highly likely that UKVI will return later for a follow-up (unannounced) audit.

Tier 4 student files

With an announced audit it is likely that you will be told in advance which student files the UKVI intend to review. You will be given a list of CAS numbers, usually up to 20% of the CAS that you have assigned. The files to be reviewed by the UKVI will normally reflect your current students plus files that relate to previous reports submitted, such as refusals or student withdrawals. This list will not simply be CAS assigned during the past 12 months. It is also possible that you will only receive part of the selected list in advance of the audit and on arrival the UKVI will give you an additional list of CAS numbers which they also want to audit. With unannounced audits, you will only be informed of the files to be reviewed when the UKVI team turn up at your institution.

Student and employee files which will be the subject of the UKVI audit can be held as paper copies or electronically. However if the latter then you must consider how you will provide the UKVI with access to these files during the audit. As it is unlikely that UKVI staff will be able to navigate through your student records systems, you will need to have enough computers and staff available to assist during the audit, guiding the UKVI team through the files requested.

The other aspect to consider is whether different parts of an individual student's file are held separately or accessible on one single system. For example, are admissions records held in a separate system to the attendance and progression records? If so, can the staff assisting UKVI staff during the audit access all the information necessary across different systems? Furthermore, will staff be able to access any additional but relevant documents held against a student's record, e.g. mitigating circumstances to support resits which may be confidential? What about email communication that is relevant to a particular decision, is this on the file?

Remember, only relevant information and documents need to be on the student file but they must all be easily accessible for the purposes of a UKVI audit. Providing hardcopy files is usually more straightforward.

If you do intend to provide hard copies of files during the UKVI audit and you are not able to prepare these in advance then it is worth considering who will be responsible for printing the documents for the files requested. There will be time to prepare the files while Key Personnel (Authorising Officer and Key Contact) have initial discussions with the UKVI audit team but someone else will need to have a good understanding of Tier 4 to know exactly which documents to print. If you have a small compliance team this is more difficult but it is very important that everyone is aware of their role in what can sometimes be a highly stressful situation. The audit will definitely run much more smoothly if staff are clear beforehand what role they will need to undertake, who will print the relevant files, who will check them etc.

Non-Tier 4 student files

During a UKVI audit they will also ask to look at a sample of files relating to any students with other types of immigration permission, and this will include those in the UK as dependants, asylum seekers, Tier 2 visas etc. Such students could be studying with you full-time or part-time. You will be asked to provide a list of these students to the UKVI audit team, from which a selection will be chosen to review. For these students you will only need to provide copies of their passport and immigration permission. If you enrol students whose primary purpose is to work in the UK, for example they have a Tier 2 visa, good practice would suggest that you also have on file confirmation from their employer that studying with you is not affecting their work. This is particularly important if the student is enrolled on a full-time course with you.

Human Resources files – Tier 2 and the Prevention of Illegal Working

When carrying out an audit of Tier 4, it is highly likely that UKVI will also review processes relating to employment of staff and a selection of employee files. This has become a standard part of audits carried out at a University or Higher Education Institution, even where there are separate licences for Tier 2 and Tier 4.

In addition to any Tier 2 files, UKVI will ask to be provided with a list of all non-EEA employees who are subject to immigration control (non-Tier 2) from which a sample of files will be selected for checking. Files will be checked in relation to 'UKVI guide on preventing illegal working. It is important to realise that this covers all migrants employed on a full-time, part-time or casual basis which in some cases might be devolved to a Department, School or Faculty level. Furthermore, if you have a Students' Union which holds its own employment records, these files may also need to be included in the UKVI audit.

Tier 2 files must contain the information and documents detailed in Appendix D to the Sponsor Guidance. For other migrants, you will be expected to provide evidence of their current immigration status which confirms their right to work in the UK. If you have made use of the employment checking service to confirm the immigration status of any individuals, their confirmation should also be retained in file.

Institutions which employ their own Tier 4 sponsored students, subject to their work conditions, will need to have systems in place to ensure that they do not allow any student to work more than their permitted weekly hours. If you employ Tier 4 students who are sponsored by another institution, good practice would indicate that you also retain on file confirmation that they continue to be enrolled on the course for which their Tier 4 immigration permission was granted.

Other relevant files

It is highly likely that any Doctorate Extension Scheme (DES), Tier 1 General Entrepreneur (GE) or Tier 5 files will also be reviewed, if you have sponsored migrants under these particular immigration routes. They should also be kept up to date and "audit ready" in line with the details specified in the Sponsor Guidance or in Appendix D to the Sponsor Guidance. For all migrants sponsored under Tier 1 (GE) immigration category, it will be expected that the files contain information about the selection process followed by the sponsor.

5.2 When things go wrong

Failure to comply with the Tier 4 requirements can be viewed by the UKVI as a simple breach or a more serious breach depending on the circumstances. In isolation, a minor breach may not have consequences for your institution. However the discovery of a number of minor breaches can be viewed as a more serious breach. In such cases, the UKVI will impose an action plan or initiate revocation action, depending on the circumstances.

Institutions in this situation should obtain independent legal advice as a matter of urgency. The UKVI are keen to have a direct dialogue with sponsors when issues arise rather than engaging via legal representations but it is still important for institutions to obtain independent advice before entering into dialogue with UKVI. Obtaining independent legal advice does not mean that institutions cannot discuss the issues, and any possible action, directly with the UKVI. However it does ensure that institutions enter into such discussions fully briefed on the possible options and how best to handle this situation.

Action Plans

The UKVI will normally issue an action plan (at a cost to the sponsor) to institutions where a number of minor breaches have been discovered. An action plan sets out the steps that the sponsor is expected to follow in order to retain its licence, and is likely to include changes to processes and procedures.

The Tier 4 Register of Sponsors highlights those institutions which are under an action plan and this can have a negative impact on an institution's reputation, both in the UK and overseas. It is also likely that institutions with an action plan are restricted in the number of CAS available to them. This can even result in the imposition of a zero CAS allocation. Institutions with a zero CAS allocation cannot sponsor any new students until the UKVI lift this restriction and so their international recruitment is directly affected. It is likely that any restrictions imposed will continue until the UKVI is satisfied (usually following another audit) that the sponsor has made the changes outlined in the action plan.

Where possible, institutions should negotiate with UKVI and request additional CAS where current students need to extend to complete their current course or even where students might wish to progress to another course. For example, if a cohort studying a pre-sessional English course is due to progress onto their main course, the UKVI might exceptionally grant a CAS allocation for these students.

Revocation action

The UKVI will initiate revocation action if they consider that there has been a failure to demonstrate significant improvements as the result of an action plan, or if the initial breaches uncovered are deemed to be more significant. Revocation action results in the loss of the Tier 4 licence, and may lead to the loss of other sponsor licences held, for example for Tier 2 or Tier 5 licences. An institution which has its licence revoked can only continue teaching current students at the discretion of the UKVI.

Clearly revocation can have an even greater impact on an institution than being subject to an action plan. The reduction in numbers of international students will lead to a loss of income, which in turn may lead to the loss of jobs across the institution. There may also be a loss of diversity within the student body and the benefits that UK students gain from studying alongside students from around the world. International partnership links can be affected if students studying overseas are no longer able to progress to study with you in the UK, and this might impact on the availability of such links for outgoing students. And finally, there is the loss of reputation and the overall negative impact that losing a licence can have on an institution globally. Even if an institution were to obtain a new

Tier 4 licence in the future, it will face a continuing challenge to counteract the negative impact arising from the revocation – for example, the loss of confidence among prospective students, recruitment agents and partner institutions overseas.

6. Tier 4, the future…

In this section, we consider:
- Future-proofing against additional changes
- On completion of studies – where next?

6.1 Future-proofing against additional changes

Since the implementation of Tier 4 in 2009, there have been many changes to the requirements and, as a result, sponsors have continually amended internal processes to maintain full compliance with the changing requirements. Such changes may be announced at any time of the year, often with little notice. Unfortunately it is not possible to pre-empt all future changes that UKVI will continue to implement in coming years. Therefore whatever processes you do introduce, these need to maintain a level of flexibility to be able to react accordingly.

In the past some of the changes brought in by UKVI were introduced at a point in the year which did not align with the recruitment cycle, for example, changes to English language requirements coming into force part way through the year when institutions had already made offers to a large number of prospective students. Since this occurrence, the sector has generally received better information in advance of any changes so that processes can be updated in line with institutional recruitment cycles. Representative bodies for the sector liaise routinely with UKVI colleagues and consultation has improved. However some changes are still liable to be implemented by UKVI at very short notice.

Consequently, it is important that all marketing materials, both online and printed, will need to be updated as and when any changes are introduced. Institutions may also wish to include relevant disclaimers within their materials highlighting that they reflect the immigration rules at a particular point in time and, where appropriate, signposting UKVI law and guidance along with other sources of advice and guidance.

Furthermore, where internal processes have become highly systematised in order to be more efficient and cost effective, these might have to be amended (often at additional cost) as new changes are introduced or processes require additional tightening. Institutions must be ready to review and update their processes at any

point in the academic year, providing up-to-date training for those staff involved in implementation.

To ensure high levels of compliance, processes should be robust, clearly documented and properly implemented by all staff.

6.2 On completion of studies – where next?

The UKVI already expects sponsors to know what their Tier 4 students will go on to do following completion of their studies. It is still not clear if sponsors are currently being assessed by the UKVI on this area. However it is an area of discussion that is regularly being raised by UKVI staff when carrying out an audit.

Clearly UKVI is able to obtain intelligence where students with Tier 4 leave go on to claim asylum or potentially even if they remain in the UK after their immigration permission has expired. What is not yet clear is whether institutions will be held accountable for this or what else institutions can do to prevent this. From the UKVI's perspective, this stems back to the initial assessment of prospective students at the point of recruitment and admissions.

It is entirely possible that institutions will become accountable for their Tier 4 students on completion of their studies and that this could have direct implications for sponsor licence retention. This raises many questions, including how institutions might be able to obtain information on, and / or evidence to support what their students, do on completion of their studies. While there have been light-hearted suggestions about institutions organising coaches to take groups of international students to the airport directly from their graduation ceremony, or even slightly more serious suggestions of withholding qualification certificates until a student has provided evidence of having left the UK, neither of these examples are recommended good practice.

Some institutions already have a good knowledge regarding the destination of some of their students post-study. This might be through an alumni network or careers office collating information about employment routes followed by their former students. Such information is usually gathered for future marketing purposes but it is unlikely that systematic processes exist in order to obtain complete information.

Clearly, if this is to become a factor which forms part of the annual assessment of Tier 4 sponsors, then institutions may need to look at means of collating such data on a regular basis. To implement policies which enable institutions to obtain this information in the months immediately following the completion of studies,

is likely to require a large number of resources. Although this is something which might be driven by immigration policy, institutions can channel resources in such a way that it becomes "added value" for their students. For example, there might be a role for a careers office to assist all recently completed students with future employment opportunities and remain in contact with them over the next few months in order to support and advise them as well as to obtain the necessary information. Alternatively, an alumni office might be better equipped to follow up and request the necessary information.

7. Summary

For institutions that wish to remain a viable option for international students, it is essential that Tier 4 compliance is recognised as being of crucial importance. Sufficient resource must be allocated to this area, in the same way that an institution would provide the resources necessary to ensure full compliance with QAA, OFSTED or equivalent requirements. Although licenced sponsors are obliged to comply with Tier 4 requirements, many aspects of compliance can also be interpreted as simply delivering a high quality education and with a strong duty of care towards all of your students.

In summary:

- All staff should have an awareness of Tier 4, with a widespread group having a basic understanding of the requirements in order to support those who have a more in-depth, specialised knowledge. It is not something that one person should be responsible for in isolation.
- Senior staff must have significant involvement.
- Provide staff with access to relevant and regular training. The Immigration Rules and sponsor guidance usually change at least four times a year, so staff need to keep themselves up to date with the latest requirements
- Document institutional policies. This helps to add clarity where the Immigration Rules and Tier 4 guidance appear ambiguous. These might be Tier 4 specific or general policies with additional clauses where Tier 4 rules apply i.e. attendance requirements. Ensure that all staff and students have access to these policies.
- Ensure institutional policies are correctly implemented and carry out your own internal audits to review the outputs of your policies. Are the expected outputs being achieved and demonstrated by the evidence on a student's record?
- Be prepared for a UKVI audit. Relevant staff should know what each is responsible for before, during and following an audit. All institutions should plan how to deal with the logistics of an audit, whether announced, and unannounced, and test fully how this plan will be implemented.

Appendix A: Admissions (Pre-CAS) Checklist

The following list is not prescriptive, nor is it exhaustive. Your own processes may differ such that you require additional checks to have been carried out. However the intention here is to raise issues which are a concern for many institutions so that these can considered along with any associated risk(s). This will help you decide if your own processes should be adapted to include additional steps or questions.

Staff should check the following information has been obtained before assigning a CAS to any prospective student:

1. Passport copy, including personal details page and any pages indicating that the passport has been extended – check that the passport is currently valid and consider how much time is remaining on the passport. If a passport is about to expire the student should be advised, if there is time, to get a new one before the CAS is assigned to avoid having a mismatch between information on the CAS and the passport and to avoid having to apply for a new one in the UK.

2. Does the applicant have dual nationality, and if so which passport do they intend to use to make the visa application?

3. What is the student's current immigration status, if already in the UK

4. Check previous immigration status if the student has been in the UK before. This check could flag up issues relating to academic progression or the limit on study even if the student is now outside the UK.

5. Fully completed admissions form – does it clearly explain an applicant's academic and work history. Are there any gaps in the timeline which require further explanation?

6. Copies of all academic qualifications necessary to meet the academic entry criteria for the applicant's chosen course.

7. Evidence of English language assessment which has been verified.

8. References, portfolio of work or any other documents that have been used to support the application.

9. Is the applicant credible? This might have been assessed informally through the information and documents provided, or more formally via interview. If the latter, interview notes should be held on file

10. Interview notes, if you or a member of staff has interviewed the candidate as part of your admissions process. This might be standard procedure for some, or all of your courses.

11. Academic progression assessment, if applicable, including confirmation that the most recent course has been successfully completed even if it is not required to meet academic entry criteria.

12. If academic progression has to be justified on the CAS, do you have corroborating evidence on file to support this justification, from the student, academic staff or both?

13. Financial documents which demonstrate that the student meets Tier 4 financial requirements and holds documents to evidence this, as outlined in the Tier 4 Immigration Rules and policy guidance. This might include consent documents from parents or guardians if the bank account is in their name – Tier 4 requirements are very detailed and staff must be up-to-date on them if advising applicants.

14. Confirmation that your institution has received a deposit from this applicant so that this amount can be specified on the CAS, if applicable.

15. Official financial sponsor letter, if applicable.

16. Evidence of ATAS, if it is relevant to the course being applied for. Without a valid ATAS certificate, a Tier 4 application will be refused so you should confirm that this has been issued by the FCO before assigning a CAS.

17. Does the applicant intend to bring dependants to the UK? This is relevant when assessing whether the applicant holds sufficient funds for the Tier 4 application as they must hold enough funds for the whole family. It is also helpful to cross-check that the student is applying to study a course which is at a high enough level to bring dependants under Tier 4.

18. Confirmation of any previous UK visa applications that have resulted in a refusal (including, for example, Short Term Student or General Visitor applications). It is advisable to obtain a copy of all previous refusal notices so that you can assess what risk these have in terms of a future refusal, if any.

19. Current location of applicant and where they intend to submit their Tier 4 visa application – particularly important if recruiting students who have recently studied in the UK as not all will be allowed to extend their Tier 4 leave in

country. There are also restrictions on applying from outside the student's own country and so students travelling or studying away from their home country may need to return there to apply.

20. If the applicant will be 16 or 17 years old when studying with you, have you obtained copies of the additional documents required under Tier 4 (General) as outlined in the guidance?

21. If the applicant will be 17 years old when applying for their visa, even if they will be 18 years at the point of enrolment on your course, you should also obtain copies of the parental consent required to make a Tier 4 application.

22. Information from your Premium Account Manager, if you have one, about the applicant's previous level of study – this is helpful when assessing academic progression in case the student has exited with a lower award than the one for which their immigration permission was granted. It is also relevant in determining if the student is likely to exceed the time limits permitted under Tier 4.

23. Information from your Premium Account Manager, if you have one, about the applicant's previous UK immigration history – this is helpful to find out about previous visas obtained or refused that the applicant may have failed to tell you about.

You may also need to revise and update any application forms used by international students to ensure that the right questions are asked in order to obtain the necessary information as early in the process as possible. Alternatively you may have an "international form" or CAS request form which requests any additional information required.

Appendix B: Enrolment checks

The following is a suggested check list for staff to refer to during the enrolment process. It is not a prescriptive list, nor is it exhaustive but aims to include points for consideration when reviewing the suitability of your own enrolment procedures.

1. ID checked using passport – is a copy of all the relevant pages already on file for each student? If not a copy should be made and retained on the student's file.

2. Check immigration permission and note on the student records system the date that this has been carried out and by which staff member.

3. Make a copy of the relevant immigration permission to retain on the student's file. It is good practice to record the date that this has been carried out and by which staff member.

4. If the student holds Tier 4 immigration permission, is the correct sponsor licence number listed?

5. Do the dates on the Tier 4 immigration permission match the course dates as stated on the CAS? If not, the student (and sponsor) will have to notify the UKVI as soon as possible and request that the details are amended.

6. Are the Tier 4 immigration conditions correct e.g. work permissions, police registration? If not, the student (and sponsor) will have to notify the UKVI as soon as possible and request that the leave is amended.

7. Has the student already collected their BRP? If yes, a copy of the front and back should be held on file.

8. If the BRP has not yet been collected, retain a copy of the original Entry Clearance vignette and the corresponding letter confirming that the visa has been granted. Flag the student's file for follow up to obtain a copy of the BRP within a specified number of days – students are required to collect their BRP with 10 days of arrival in the UK.

9. If the student has an immigration application still pending with UKVI, you should retain sufficient documentation to satisfy you that the student submitted a valid, in time application. This is likely to include: a copy of their previous visa; confirmation of the date of application for new Tier 4

immigration permission, such as online payment receipt; confirmation of postage to indicate that the student did send off the required documents to the Home Office; letter inviting student to attend their Biometrics appointment, if received; any other correspondence that the student has received from the Home Office in relation to their visa application. It is not sufficient to have a letter from a legal representative or other third party confirming that the new leave was applied for in time, you need to have copies of the relevant documentation on file.

10. If the student holds a different type of immigration permission, does it permit study? If this leave ends before the expected end date of the course, do you allow the student to enrol? You may wish to carry out a full pre-CAS check on the student to determine if they are likely to be eligible under Tier 4, if they need to apply at a later date in order to complete the course. Students should be referred to an immigration adviser to ensure they understand the potential implications of enrolling on a course without sufficient leave to complete the course.

11. Check original academic certificates as it is likely that only copies have been received at the point of application. Ensure copies of all relevant documents are retained on the student's file. This includes originals plus any certified translations.

12. Check original English language certificates if it was not possible to verify these online prior to assigning the CAS. Ensure copies of the relevant documents are retained on the student's file.

13. Obtain UK contact details: address; mobile phone number; personal email address or check that those held on file are correct. If the student is unable to provide permanent UK contact details at enrolment you must flag the student's record for follow up to ensure that these details are obtained as soon as possible.

14. Emergency contact details, if not already on file. This may include an emergency contact here in the UK and/or overseas.

Whatever checks you do include in your enrolment process, you must ensure that students know what documents and information to bring with them to enrolment before travelling to the UK.

Appendix C: Points to consider when preparing for a Tier 4 audit

1. Who are the relevant staff who will take the lead in the audit? The Authorising Officer and Key Contact should be involved but you may also wish to include other staff during the audit when discussing specific processes.

2. You will want to include the people who are able to confidently discuss your policies and processes, including recruitment and admissions processes, enrolment, attendance and ongoing monitoring or visa expiry dates, this may be a range of people rather than one single person.

3. Do you have documented copies of institutional policies and procedures which can be given to UKVI? If so, will information on student files fully reflect these policies, for example, if the policy says to send a warning to a student about absences, has this been sent and is a copy on file?

4. It is important that all staff involved during the audit have a thorough knowledge of Tier 4 requirements and that this knowledge is up-to-date.

5. If relevant staff are not available on the day (particularly if an unannounced audit occurs), have you identified who should be involved instead?

6. Do staff on reception (at the main address listed on your sponsor licence) know who to contact if UKVI staff turn up to carry out an unannounced audit?

7. What room will you use to host UKVI staff while they carry out the audit, meet with staff, review files etc. You will want to base the audit in a location which is accessible for staff and student files however you may not wish to host the UKVI team in the same open plan office where staff are based.

8. Do you intend to present the records electronically? If so, does the room you plan to use have sufficient computers with access to all the necessary systems: admissions, student records, attendance records?

9. Will you require staff to be on hand to assist the UKVI staff in accessing these records and do these staff have access to all of the necessary systems? This is likely to take them away from normal duties for several days, depending on the duration of the audit.

10. Do your systems allow you to search by CAS number? This is the information which will be provided to you by the UKVI although might also receive student name and date of birth but not the institutional Student ID number.

11. Note, the relevant documents may be held in differing formats, Jpeg, PDF or Word and if multiple documents are open on screen at the same time, it is possible that some will be overlooked during the review and noted as not held on file.

12. If each complete student record is held across a number of different systems, admissions systems (including UCAS), student records systems (post enrolment), attendance systems, it is likely that the review of all these aspects for one single student will take longer than if the documents have been prepared as hardcopy.

13. Alternatively, do you intend to provide hardcopy files to be audited? If so, are these already printed, checked and available for review or will they need to be printed off on the day in the event of an unannounced audit?

14. If you intend to print files on the day of the audit, who will coordinate this? Remember key staff will be with UKVI staff having initial discussions about policies and processes.

15. Will the staff who are carrying out the printing have a check-list to ensure that they print out all of the required documents? For example, if you are printing 100 files or more, you may need assistance from support staff and interns who are not familiar with the Tier 4 requirements.

16. Do you want documents to be printed single sided only? This helps to ensure that nothing is likely to be missed when UKVI are reviewing the documents.

17. Will there be a member of staff with a strong Tier 4 knowledge who can do a final check of printed files before they are reviewed by UKVI?

18. Remember you will need to provide a complete file for each CAS, this includes all documents used to assess the applicant prior to assigning a CAS, attendance records, progression information (assignment or exam results), documents to support mitigating circumstances, current contact details as well as historical contact details.

19. It is also good practice to have a copy of the CAS on each file so that UKVI can clearly see what qualifications have been used to assess the student.

20. If aspects of the file are held in different locations, you will want to pull it altogether and collate the file before presenting it to the UKVI for review. For example, attendance records might be held locally within faculties or departments.

21. If participation on work placements is recorded separately to attendance information this will also need to be collated.

22. Information relating to any reports you have submitted via the SMS, as well as a screen shot from the SMS to evidence when the necessary report was submitted.

23. Complete files should also include all relevant email communications.

24. A student sponsored under Tier 4 as a Students' Union Sabbatical Officer or the Doctorate Extension Scheme may also be included within the sample of Tier 4 files selected for review. These files will also need to contain all documents listed in Appendix D to the Sponsor Guidance, including appropriate monitoring records.

25. On arrival, the UKVI will ask you to provide them with a list of all non-EEA students who have limited immigration permission (non-Tier 4 leave).

26. Who will pull off this and is this information easily accessible from your student systems?

27. You will be asked to provide passport and visa copies for a selection of these students.

28. Are colleagues in HR fully prepared for an upcoming audit of staff files in relation to Tier 2 and the UKVI requirements on preventing illegal working? Remember, you will be expected to include all of the information listed in Appendix D to the Sponsor Guidance on the Tier 2 file. Other information held on an employee's personal file does not have to be presented to the UKVI unless it is relevant to their immigration status and your duties as a Tier 2 sponsor.

29. You will also be asked to provide a list of all non-EEA staff employed by your institution who have limited immigration permission (non-Tier 2 leave) and it is likely that a selection of these files will be reviewed as part of the audit.

30. Do you sponsor migrants under the following immigration categories: Tier 1 (General Entrepreneur); or Tier 5? If yes, then it is likely that these files will also be requested for review during the audit.

Appendix D: Areas to consider for staff training

The following is a list of areas that have been identified by other institutions for specific staff training:

1. Tier 4 basics and compliance – Understanding Tier 4, the importance of compliance and implications of non-compliance.
    This is useful for a wide range of staff across your institution. Having a basic knowledge of Tier 4 helps all staff ensure that your institutional processes can be implemented within the wider context of your overall Tier 4 sponsorship duties and helps to ensure that the implications of not adhering to processes are understood. For example, staff understand that if attendance monitoring is not properly implemented across the institution, you risk losing your licence.

2. Embedding compliance in recruitment practices

3. Training your recruitment agents regularly and monitoring the risk they have on your sponsor licence.

4. Assessing applicants and assigning a CAS – what to look for beyond academic eligibility
    This is important for all staff involved in the admissions assessment of international students and those who assign CAS.

5. Immigration categories and permission to study
    Of particular importance for staff involved in enrolment but also relevant for admissions and recruitment staff.

6. Attendance monitoring – 10 consecutive contacts and highlighting patterns (regularly late or missing specific days of the week)

7. Prevention of Illegal Working

It is essential that training provided is up-to-date and thorough. However training does not always have to be carried out be external bodies. You may choose to hold internal training led by staff from within your institution but it is vital that those delivering any training have a thorough understanding of the UK Immigration Rules, specifically Tier 4.

UKCISA offers courses that cover the main training topics referred to above. Please see Appendix E for a link to UKCISA's National Training Programme.

Appendix E - External references and links

- Immigration Rules
  www.gov.uk/guidance/immigration-rules

- Tier 4 Sponsor Guidance (documents 1, 2 & 3)
  www.gov.uk/government/publications/sponsor-a-tier-4-student-
  guidance-for-educators

- Tier 2 and 5 guidance for sponsors
  www.gov.uk/government/publications/sponsor-a-tier-2-or-5-worker-
  guidance-for-employers

- Appendix D to the Sponsor Guidance
  www.gov.uk/government/publications/keep-records-for-
  sponsorship-appendix-d

- Appendix H to the Sponsor Guidance
  www.gov.uk/guidance/immigration-rules/immigration-rules-
  appendix-h-tier-4-documentary-requirements

- Modernised Guidance (Studying)
  www.gov.uk/government/collections/studying-modernised-
  guidance

- SMS User Manuals (including Managing your sponsorship licence, Creating a
  CAS and Reporting student activity)
  www.gov.uk/government/collections/sponsorship-information-for-
  employers-and-educators

- UKVI guide for employers on preventing illegal working in the UK
  www.gov.uk/government/uploads/system/uploads/attachment_
  data/file/304793/full-guide-illegal-working.pdf

- Tier 4 guidance for applicants
  www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-4-student

- Immigration Compliance Network (ICN)
  https://institutions.ukcisa.org.uk/Info-for-universities-colleges--schools/Training--conference/Support-networks-for-staff/Immigration-Compliance-Network/

- UKCISA Compliance information (accessible by member institutions)
  http://institutions.ukcisa.org.uk/Info-for-universities-colleges--schools/Info--guidance/Tier-4-Compliance/

- UKCISA schedule of training courses
  http://institutions.ukcisa.org.uk/Info-for-universities-colleges--schools/Training--conference/Training-courses/