

# Sector positions to inform the implementation of the Graduate Route

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*Endorsed by:*



*Developed by:*

**UK Council  
for International  
Student Affairs**

# UKCISA

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## Introduction

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The new [Graduate Route](#), which offers international students the opportunity to work in the UK after graduating, will enhance the attractiveness of the UK as a place to study and improve the international student experience, in line with the goals of the Government's [International Education Strategy](#).

It will also help the country to retain the global talent necessary for our post-Covid economic recovery – and help to strengthen our international relationships. The Home Office's efforts to develop this route in a simple, inclusive and user-friendly manner, and to minimise restrictions, are recognised and appreciated.

However, to maximise the benefits of this new route, both for the country and for the international students who choose to study here, a number of key factors are important:

- Inclusive eligibility requirements which adequately reflect the rich diversity of UK higher education institutions, qualifications and international students
- Strong, clear messaging to current and prospective students, with a clear rationale for any exceptions
- Reporting requirements which minimise the administrative burden on sponsors
- An approach to dependants in line with other immigration routes
- A proportionate application fee
- The timely provision of clarity on outstanding details from the Home Office

This position paper, developed by UKCISA and endorsed by Universities UK International, GuildHE, Independent HE and Association of Colleges, outlines key recommendations to inform the technical development and implementation of the Graduate Route, with a particular focus on eligibility and reporting requirements.

UKCISA stands ready to support this process by convening expert staff from across the international education sector, and gathering relevant evidence, in the coming months.

## 1. Eligibility

### 1.1 Type of qualification

- There is a lack of clarity on whether the Graduate Route will be open to all students who have successfully completed a 'degree-level qualification' (as specified in the guidance), or only to those who have completed a recognised UK degree. If the latter, certificates, diplomas and other non-degree qualifications at RGF 6 or SCQF 9 and above may not qualify, even though many of them are vocational qualifications, including teaching, architecture and law.
- Excluding degree-level qualifications such as these adds an unhelpful layer of complexity to the process, and also unfairly discriminates against a range of students pursuing valuable vocational qualifications which the UK is proud to offer.

### 1.2 Mode of study

- Home Office guidance specifies that *'applicants must have completed the entirety of their degree in the UK except for permitted study abroad programmes or when distance learning has been necessary due to Covid-19'*.
- While recognising the concern to limit access to this route to individuals with a track record in immigration compliance, this approach risks discriminating against a large number of **students who spend a considerable period of time in the UK**, for example students on **transnational education<sup>1</sup> (TNE)/articulation pathway courses<sup>2</sup>**.
  - **These students represent a significant number of the international students in the UK.** In 2018/19 alone more than 16,500 students entered UK First Degree<sup>3</sup> courses in year 2 or later of the programme, making up around 17.4% of international entrants at this level of study. This group represents a vital pipeline for international student recruitment: for example, at the University of Greenwich Direct Entry students made up around 25% of all international undergraduate student provision in 2019/2020.
  - **These students are disproportionately concentrated in a small number of (major sending) countries.** More than half of Year 2+ entrants come from China, accounting for more than 40% of Chinese first degree entrants in the UK. A similar proportion of international first degree students entering in

year 2+ are from Malaysia. Other sending countries/regions with relatively large numbers of year 2+ entrants include Hong Kong, France and Germany. Excluding students on articulation pathways will disproportionately impact these markets, while also limiting the UK's ability to fully leverage the new opportunities presented by an increased focus on internationalisation in countries such as India and Myanmar.

- **These students are likely to spend a significant period of time in the UK.** 60% of students in this group enter their UK course in Year 2, meaning they will study for at least two years in the UK. In some cases, for example integrated undergraduate-to-masters courses, students will enter in the second year, but will still study for a further three to four years (i.e. an equivalent length of time to a standard bachelor's degree). Students on integrated Master's will effectively spend their final years completing a UK Master's degree, which would qualify them for the Graduate Route if it were treated as a separate programme.
- **These students make a significant contribution to the UK economy.** Universities UK estimates that undergraduate students on articulation/TNE pathways alone could have a net financial contribution to the UK economy of circa £1.4 billion.
- Beyond students on TNE/articulation pathways, this approach would also exclude students on **joint/dual/double degree programmes** with time spent in the UK, or students on **degrees offered through consortia**, such as those funded by Erasmus Mundus. These programmes are typically offered by high tariff institutions – from LSE's double degrees with Sciences Po and Fudan University, Shanghai, to the University of Bath's EuroMasters<sup>5</sup> – and attract exceptional individuals.
- It is also unclear whether international students pursuing **part-time postgraduate degrees** (with time spent outside the UK), or international students studying through **franchise degree arrangements** (i.e. an international student taking a university-awarded degree at a college) would be eligible for the route.
- Finally, it is essential that alongside 'permitted study abroad programmes', **overseas fieldwork for international postgraduate research students**, which in many cases is essential to successful course completion, is not interpreted as limiting eligibility.

- Excluding any of the students in the categories referenced above risks negatively impacting the student experience for an important section of the international student community; undermining the value of transnational education at a time when the UK Government is committed to growing this activity and associated exports; and compromising institutions' future international recruitment success.
- This approach would mean the UK losing out on the contribution of a range of talented individuals, and also risks disproportionately impacting those of more limited means, given that articulation pathways in particular (e.g. 2+2, 3+1) represent a more cost-effective way to secure a UK qualification, than full-time, UK-based study (at a time when Covid-19 is limiting spending power globally).
- Likewise, a significant number of students will end up with a **qualification other than the one stated on their original Confirmation of Acceptance of Studies (CAS)**, whether as a result of a legitimate course transfer or as a result of circumstances beyond their control (e.g. institutional merger). Again, no student should be penalised for changing to a course which better suits their study and career aspirations or compelled to continue studying a course which does not suit them, in order to access the Graduate Route.<sup>6</sup>
- It should remain the Government's position that no international student should lose out as a result of Covid-related restrictions. In this context, **a timely review of the 6 April 2021 deadline** for students engaged in distance learning to be back in the UK is essential as the public health situation evolves.

### 1.3 Higher education providers

- Home Office guidance stipulates that the Graduate Route will be limited to students graduating from a 'Higher Education Provider with a **track record of compliance**', meaning both 'immigration compliance' and 'educational oversight' (paragraph 4.6). Sponsors in England must also be registered with the Office for Students (OfS).
- Particularly in the context of ongoing concerns around the OfS registration process and with well-established providers seeking a Tier 4 licence for the first time due to EU exit, limiting access to the Graduate Route to students from institutions with 'Full Privileges' **unfairly discriminates against students studying at new or smaller providers** – who have made the same contribution to the UK as their counterparts with access to the Full Privileges of Tier 4.
- Finally, there should also be some **flexibility on allowing applications to be made in the UK/ for a short window after a students' Tier 4 leave has expired**. Zero flexibility will mean that students who, for example, have to resit their final exams will likely lose out on the opportunity to apply, while Covid-related disruptions increase the likelihood that out-of-country applications may be necessary.

### Sector recommendations

While recognising the need for confidence from an immigration compliance perspective, the sector shares concerns about the negative impact of excluding certain international students from accessing the Graduate Route as a result of the type of degree-level qualification they complete; the type of higher education provider they attend; time spent outside the UK; or circumstances beyond their control.

#### The sector urges the Home Office to:

### 1.4 Flexibility to take into account diverse student circumstances and Covid-19

- Alongside a clear rationale for any exceptions – it is essential that there is enough flexibility in the rules on eligibility to account for diverse student circumstances, and the continuing impact of the pandemic.
- For example, every year a considerable number of international students need to **suspend their studies** and return to their home countries for personal reasons. This should not exclude them from accessing the Graduate Route.
- **Consider a requirement for students to be following a UK programme with a minimum period of time spent in the UK, rather than requiring full-time study in the UK**
- **Review its commitment to limiting access to the Graduate Route to students graduating from institutions with 'Full Privileges' and recognised UK degrees (as opposed to degree-level qualifications)**
- **Ensure flexibility in implementation – including provisions to account for course change, periods of absence, and the uncertain impact of the pandemic**



## 2. Reporting requirements

- The sector welcomes the Home Office's intention for the Graduate Route to be simple, easy and unbureaucratic – already visible in the fact that this is an unsponsored route without a cap or any stipulations about the type of work which can be pursued by graduates.
- From a provider perspective – and recalling the administrative burden for higher education institutions associated with the implementation of post-study work – it is unclear why 'a positive reporting requirement' in relation to students' successful course completion is required, particularly given the GDPR issues posed by correspondence with the Home Office about individual applicants, without consent.
- If a 'positive reporting requirement' is mandatory it is important that it is as time efficient as possible, and that the Home Office allows sufficient time and provides clear guidance for institutions to undertake the necessary systems development.
- To reduce the bureaucratic burden on sponsors, any bulk upload should only contain essential information, rather than addresses, contact details and other details already available to UKVI.
- Added to this, it is important that the overall approach also takes into account the challenges posed by multiple examination board and award dates, and the diversity of the international education sector.

## Sector recommendations

The sector encourages the Home Office to:

- Review the requirement for positive reporting of successful student completion
- If required, permit bulk uploads through the existing Sponsorship Management System (SMS), allowing sufficient time for systems development and requesting only essential information
- Retain the option for manual reporting for those institutions with a smaller number of international students
- Recognise and work with the sector to address the challenges posed by multiple examination boards and award dates

**UKCISA and staff across UK institutions would welcome the opportunity to co-design the relevant 'user journey' with Home Office colleagues.**

## 3. Further points

### 3.1 Dependants

- Although there is no guidance on the status of dependants under the Graduate Route, the Home Office has suggested that eligibility will be restricted to dependants who are already in the UK with the Tier 4 student who wishes to apply under the Graduate Route. This would mean that only government-sponsored students and postgraduate students sponsored by a higher education provider with a track record of compliance on courses at least nine months long would be able to have dependants under the Graduate Route. In addition, those dependants would already need to be in the UK as Tier 4 dependants. Children aged 18 or older would be able to remain if they have dependant leave.
- This proposal would exclude many students: most undergraduates, postgraduates and government-sponsored students whose dependants were not with them during study, perhaps because of children's schooling and partners' work, and anyone who forms a relationship or has children after they have been granted Graduate Route leave. It would also possibly exclude family members who are in the UK but not with dependant leave, for example, partners with Tier 4 (General) leave and children with Tier 4 (Child) leave.

**The Home Office is urged to reconsider this restriction, which is not applied to other post-study work routes, fails to take into account the realities of life and risks the loss of international graduate talent from the UK's labour market.**

### 3.2 Cost of application

It is important to ensure that the cost of application, which comes on top of the (recently increased) annual immigration health surcharge fee, is proportionate, rather than prohibitive.

### 3.3 Timing

It is important that all outstanding details, including but not limited to those raised above, are clarified and that timelines for the Graduate Route application process are announced as quickly as possible.

- In particular, it would be helpful for the Home Office to confirm the likely meaning of 'Summer 2021' as a timeline for the opening of the route.
- Clarity on this point would provide reassurance to students and enable them to communicate effectively with potential future employers about their likely immigration status.
- It would also meaningfully contribute to institutions' international recruitment efforts for academic year 2021/2022, which will begin from this autumn (and include the challenge of attracting EU nationals under a changed fee status).

## Notes

- 1 While the term transnational education is generally used in a UK context to describe UK degree programmes delivered outside the UK, in practice it covers a range of modes of delivery, including arrangements which involve time spent in the UK partnership activity, including but not limited to joint, dual or double degrees.
- 2 These points are drawn from a Universities UK paper which investigates more comprehensively the scale and scope of UK TNE/articulation pathways, based on analysis by Janet Ilieva.
- 3 First Degree courses are defined as bachelor's degrees and integrated undergraduate-to-masters degree programmes. This category does not include postgraduate courses or sub-degree courses such as HNDs.
- 4 <https://www.lse.ac.uk/european-institute/study/Double-Degree-Programmes>
- 5 <https://www.bath.ac.uk/courses/postgraduate-2020/taught-postgraduate-courses/ma-contemporary-european-studies-politics-policy-and-society-euromasters/>
- 6 Lack of flexibility on this point would particularly disadvantage students in Scotland who typically follow a four year degree programme, designed to provide a broader and more flexible education, and in which students specialise in years 3-4 so often end up with a qualification that is different from the one specified on their CAS.

UK Council  
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Student Affairs

**UKCISA**

The UK Council for International Student Affairs is the UK's national advisory body serving the interests of international students and those who work with them.

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UKCISA  
Noble House  
1st Floor  
3-5 Islington High Street  
London N1 9LQ

T +44 (0)20 7288 4330  
F +44 (0)20 7288 4360

[www.ukcisa.org.uk](http://www.ukcisa.org.uk)  
[@ukcisa](https://twitter.com/ukcisa)

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