

Student Visa Compliance Policy

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| **POLICY TITLE** | Student Visa Compliance Policy |
| **DATE APPROVED** | Dec 2023 |
| **APPROVING BODY** | Academic Board |
| **VERSION** | 2 |
| **PREVIOUS REVIEW DATES** | June 25 |
| **NEXT REVIEW DATE** | June 28 |
| **OUTCOME OF EQUALITY IMPACT ASSESSMENT** | No impact |
| **RELATED POLICIES / PROCEDURES / GUIDANCE** | Admissions Policy  Policy on the use of Fraudulent, False, Incorrect or Misleading Information to Gain Admission to the University,  Genuine Student Assessment Policy,  International Student Engagement Monitoring Procedure  Student Disciplinary Procedure |
| **IMPLEMENTATION DATE** | January 24 |
| **POLICY OWNER (JOB TITLE)** | Director of Global Engagement |
| **UNIT / SERVICE** | Global Engagement Directorate |
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| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 2 | 02/05/2025 | Amended review cycle in line with standard policy review timeframe. |



Student Visa Compliance Policy

# Introduction

## **Purpose**

Cardiff Metropolitan University is licenced by UK Visas and Immigration (UKVI) of the Home Office to sponsor international students to study at its campuses in Cardiff (namely Llandaff and Cyncoed). It is a Higher Education Provider (HEP) with a track record of compliance. UKVI trusts the University to exercise its responsibility to maintain immigration control by fulfilling the duties imposed in the immigration rules and policy guidance and will act against the University, upon failure to do so.

The purpose of this Policy Statement is to establish the principles prescribing how Cardiff Metropolitan University complies with its duties and obligations under the Student sponsor route to govern such processes and procedures, and in doing so retain its Student sponsor licence.

## **Scope**

The scope of the Policy Statement is both prospective and current international students at Cardiff Metropolitan University who are subject to UK immigration control.

# Key Responsibilities

## Student visa and immigration compliance activity, policy and governance are managed through the Global Engagement Directorate and reporting structures under the oversight of the Authorising Officer of the University’s Student sponsor licence.

## The University Key Contact is responsible for all communication relating to UKVI via approved channels designated by the UKVI, and through the use of the UKVI Sponsor Management System (SMS), which is managed through the Level 1 users of the system and overseen by the Key Contact.

## All Cardiff Metropolitan University staff, and third parties engaged on behalf of the University working with applicants and sponsored students covered under the Student route must note the requirements of this Policy Statement and ensure that any advice to a sponsored applicant/student is wholly in accordance with such.

# University Sponsorship Duties

## Cardiff Metropolitan University’s responsibilities in respect of sponsored students begin from the moment a CAS is assigned to the student until:

### the University withdraws sponsorship from the Student;

### the Student leaves the UK; or

### the Student is given permission to stay in the UK with a different sponsor or in another immigration category.

## **General Sponsor Duties:**

## Cardiff Metropolitan University has duty to:

### act honestly with full disclosure in all its dealings with the Home Office (UKVI);

### act with integrity as a genuine education provider;

### take responsibility for all its sponsored students while it is sponsoring them, including by doing all it can to ensure that prospective students are genuine students who can comply with the Immigration Rules, and that students enrol, comply with their conditions of leave, and see their course through to completion;

### ensure that concerns about the conduct and integrity of Students are treated consistently with other students, including taking appropriate action where students are found to have used deception to gain advantage in their studies;

### comply with all aspects of the Immigration Rules and sponsor guidance, and support immigration control, including by taking steps to ensure that every student at their institution who is subject to immigration control has permission to study in the UK throughout the whole period of their study;

### co-operate with the Home Office by allowing its staff immediate access to any of its sites on request and comply with requests for information, and

### ensure that its website and any marketing material accurately reflects its Student Sponsor status.

## **Specific Reporting Duties:**

The University’s reporting duties apply to all sponsored students including those on a pre-sessional course; a study abroad programme; or a work placement that is part of their course.

Cardiff Metropolitan University must notify UKVI if:

### it becomes aware that any of its sponsored students have been granted leave with the incorrect conditions of stay, e.g., mistakenly granted permission to work.

### anything it has reported through the SMS is incorrect, explaining why it is incorrect.

### there are any changes to a sponsored student's circumstances including:

#### A sponsored student withdraws from their course before they travel to the UK.

#### A sponsored student’s start date is delayed before they enter the UK but after they have been granted entry clearance.

#### A sponsored student does not enrol within the enrolment period.

#### A sponsored student stops academically engaging.

#### a sponsored student defers their studies after they have arrived in the UK and is no longer actively studying.

#### the University withdraws a sponsored student from their course of study.

#### the University stops sponsoring a student because they commence an overseas study programme and do not intend to return to the UK;

#### a significant change including if the length of a course of study shortens; a student completes their studies sooner than the expected end date of the course which was stated on their CAS; a student moves into a different immigration category or to a different sponsor; or the location of a study/work placement changes; or

#### there is anything that suggests a breach of conditions of permission to stay in the UK.

### A sponsored student is suspected not to be genuine.

### If a sponsored student makes a successful appeal against a refusal decision and permission is granted, the University must notify UKVI if the student’s start date is delayed and provide a new enrolment date. The University must retain records about any such appeal.

### If there are any changes that affects its student sponsor licence.

### Details of any third party in the UK or another country, which has helped it to recruit students.

### The University will collect, retain, and use such information about applicants and sponsored students necessary for the purposes of complying with its sponsor duties in accordance with [Appendix D](https://www.gov.uk/government/publications/keep-records-for-sponsorship-appendix-d) of the Student sponsor guidance, the Data Protection Act 2018, the UK General Data Protection Regulation, and the [University’s Data Protection Policy](https://www.cardiffmet.ac.uk/about/policyhub/Pages/default.aspx) in force at the time.

# Responsibilities of Student Visa Holders

## Sponsored students must:

## maintain up-to-date personal and contact details through the Student System.

## ensure that all visa documentation is valid and up-to-date, including applying for extensions to their leave to remain in good time and to provide timely copies of new/extended visa and passport information.

## inform the University immediately if their Immigration status changes at any time and provide copies of all correspondence that they receive from the Home Office in relation to their current immigration status or if they leave the UK permanently or switch into another immigration category.

## attend all compulsory elements of their programmes, including as appropriate; lectures, seminars, tutorials, laboratory sessions, examinations and other activities which form part of their programme of studies.

## submit by required deadlines all coursework and other assignments required for the programme.

## maintain the required level of academic attainment and progression throughout the duration of the programme.

## adhere with and comply to the conditions of their visa at all times.

## adhere to working restrictions throughout the duration of the programme.

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# Related Policies and Procedures

## This Policy Statement should be read in conjunction with all University policies and procedures pertaining to the international applicant and student journey, and in particular to the guidelines pertaining to the recruitment of international students, agents and overseas representatives; international admissions procedures, and international enrolment, engagement monitoring and UKVI reporting procedures.

## This Policy Statement should also be read in conjunction with the Home Office Student Sponsor Guidance [Document 2 – Sponsorship Duties](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1169179/Student_Sponsor_Guidance_-_Doc_2_-_Sponsorship_Duties_2023-07-17.pdf).

# Review and Approval

## The policy will be reviewed and updated every three years unless legislative or regulatory changes necessitate earlier review.

## UKVI’s rules are subject to change, often at short notice. The University reserves the right to revise its policies relating to compliance with its student sponsor duties at any time to reflect revised UKVI rules and guidance.

## Where there is a conflict between the immigration rules/Student sponsor route guidance and this policy, the immigration rules/student route guidance will prevail.