



IMMIGRATION COMPLIANCE

TIER 4 Student & Sponsor Responsibilities

Last updated: September 2019

IMMIGRATION COMPLIANCE

TIER 4 Student & Sponsor Responsibilities

This guide has been created to provide UCL students with an overview of Tier 4 student visa responsibilities. It will explain the reporting and record-keeping duties of UCL and also states your responsibilities to the University as your Tier 4 sponsor. If you fail to meet these responsibilities it may affect your permission to stay in the UK.

UCL Student Immigration Compliance Team

This guidance has been created by the UCL Student Immigration Compliance Team. If you have any queries relating to the information contained in this document, please contact us at visacompliance@ucl.ac.uk

Tier 4 students should ensure that they understand the immigration rules that apply to them and keep up to date with changes throughout the duration of their visa.

UK Visas and Immigration (UKVI) requirements change frequently and therefore you are advised to check the UKVI website for the most up to date information:

[gov.uk/government/organisations/uk-visas-and-immigration](https://www.gov.uk/government/organisations/uk-visas-and-immigration)

The requirements set by UKVI are subject to change. Failure to comply with Home Office regulations will have severe penalties for UCL including the removal of our Sponsor Licence. UCL will ensure that its sponsorship duties are met.

Biometric Residence Permit

When applying for your Tier 4 visa, you have the opportunity to request that your BRP is sent to UCL. If you choose this option, UCL will contact you when your BRP has arrived and is ready to collect.

Police Registration

Some Tier 4 students are required to register with the police as part of their visa. Guidance can be found at:

[ucl.ac.uk/students/international/your-first-weeks/police-registration](https://www.ucl.ac.uk/students/international/your-first-weeks/police-registration)

Enrolment

When you first enrol at UCL scans will be taken of your passport, 30 day travel vignette and Biometric Residence Permit (BRP) and added to your student file.

We may also need to take copies of previous visas and your flight details so students should bring all immigration documents with them to enrol.

Failing to enrol at UCL

Tier 4 rules state that a Tier 4 sponsor must report to UKVI if a student fails to enrol or delays their enrolment on a programme of study.

If your enrolment is delayed, you must contact the Student Immigration Compliance Team (visacompliance@ucl.ac.uk) to request late enrolment. Please note that it may not be possible for you to enrol after the latest date of enrolment as stated on your CAS.

If you have decided not to re-enrol at UCL for the next academic year and intend not to return to the University, you must inform your department and contact the Student Immigration Compliance Team and provide a reason as to why you will not be re-enrolling. If you have decided to leave UCL to study at a new institution in the UK, you must contact the Student Immigration Compliance Team and provide the name and address of your new education provider.

If you do not enrol or re-enrol at UCL, you will be reported to UKVI and your Tier 4 visa will be curtailed. If you are in the UK, you will need to make arrangements to leave within 60 days of the report to UKVI. If you are out of the country, you will not be able to travel to the UK using your Tier 4 visa once UCL has reported your failure to enrol on the programme.



Copies of immigration documents

UKVI rules state that a Tier 4 sponsor must keep copies of all non-EEA student immigration documents; this includes your passport and visa.

If you apply for a new visa at any point during your studies, you must take your passport and new BRP to the Student Enquiries Centre to be updated on your student record.

It is your responsibility to update UCL on a regular basis regarding your immigration status. If you do not submit a copy of your visa or evidence that your visa application is still being considered by UKVI, UCL must assume you do not have permission to stay in the UK and this may affect your registration status.

Visa application refusal

If you receive a visa application refusal from UKVI, you must contact the Student Immigration Compliance Team

(visacompliance@ucl.ac.uk) as soon as possible with an email containing scans of all the pages of the refusal notice. You should also contact the Student Immigration Advice Team (ucl.ac.uk/students/immigration-visas/tier-4-visas/tier-4-immigration-advice) as soon as possible as there are strict deadlines for submitting a new application or applying for an Administrative Review. UCL will report the visa application refusal to UKVI, except where you have indicated that you have the opportunity and intention to submit an Administrative Review. If you have made a mistake with your visa application and/or you decide not to submit an Administrative Review, you will need to submit a new visa application. Please read the refusal notice carefully to ensure that you have the necessary documents to meet UKVI regulations. You may also be asked to provide copies of the documents you intend to submit to UKVI in order to obtain a new CAS.

Attendance

UKVI rules state that a Tier 4 sponsor must report if a student fails to attend their programme without being granted authorised absence.

Engagement monitoring is undertaken by academic departments at regular points during a student's registration at UCL. This is to ensure that students are engaging with their studies; to identify problems as early as possible to ensure that action can be taken to advise and/or assist; and to meet the requirements set by UKVI for students with Tier 4 visas.

You must maintain attendance on your programme and continue to engage with all aspects of your studies. If you are absent from UCL, you must tell your department the reason for your absence immediately. Please note that if failure to engage with your programme is in breach of your visa conditions and as such UCL may be required to withdraw sponsorship of your Tier 4 visa.

ATAS

UKVI rules state that a Tier 4 sponsor must keep copies of the Academic Technology Approval Scheme (ATAS) certificate. Please note that the ATAS requirement applies regardless of programme length. A full list of courses that require ATAS clearance can be found on our website. ucl.ac.uk/students/immigration-and-visas/academic-technology-approval-scheme-atas

If you intend to enrol on a Master's degree or Doctorate in any of the ATAS required

subjects, you will be required to obtain ATAS clearance. If you are applying for a Tier 4 visa you will be required to provide an ATAS certificate as part of the application process. This is for both new students applying for entry clearance to the UK and existing students applying for an extension in the UK. If you will be studying at UCL using a visa that was not obtained specifically for study you will be required to show your ATAS certificate at enrolment. If you do not have a certificate we will not allow you to enrol on your programme of study.

An ATAS certificate takes up to 20 days to be issued so you need to apply for this well in advance of your enrolment date.

To find out the subjects which require ATAS clearance, please go to:

www.academic-technology-approval.service.gov.uk

Your ATAS certificate will remain valid for as long as your programme of study, provided that your subject area does not change. If you wish to switch to a programme which requires ATAS clearance you must obtain an ATAS certificate before you can transfer to that new programme. If your area of research or programme is likely to change to one still affected by the requirement to have ATAS clearance, then you should not register on the new programme or start the new area of research until a new ATAS certificate has been obtained.

If your programme end date is postponed by more than three months, you will need to apply for fresh ATAS clearance within 28 days.

Working during study

You may wish to work while you are studying at UCL, however it is very important that Tier 4 visa holders adhere to the strict rules set out by the UK Home Office. Failure to do so can have severe consequences for both you and for UCL.

Undergraduate Tier 4 students:

Undergraduate students are only permitted to work (paid or unpaid) up to 20 hours during term time (see UCL official term dates). This information can also be found on your Tier 4 visa. You are permitted to work full-time during University vacations only; students should refer to the vacation periods as stated on the UCL term dates website (for postgraduate students, there are no official University vacations). Once the course end date on your Confirmation of Acceptance for Studies (CAS) has passed, you are permitted to work full-time until your visa expiry date, but cannot fill a permanent vacancy.

Postgraduate Taught Tier 4 students:

Postgraduate Taught Masters students are required to be in continuous attendance as the standard University term dates do not apply to them. Please note that although it will be stated on your Tier 4 visa that you are permitted to work 20 hours per week during term time, this applies to the entire duration of your programme until the programme end date has passed. For Tier 4 students this end date is the course end date stated on the CAS which was used to obtain the current Tier 4 visa. This **includes** the period following the end of formal teaching when students are writing the dissertation. Following the course end

date stated on the CAS you are permitted to work full-time until your visa expiry date, but cannot fill a permanent vacancy.

Postgraduate Research

Tier 4 students:

Postgraduate Research students are required to be in continuous attendance as the standard University term dates do not apply to them. Please note that although it will be stated on your Tier 4 visa that you are permitted to work 20 hours per week during term time, this applies to the entire duration of your programme until your registration end date has passed. This will be from the date that the degree is officially conferred by UCL and not from the thesis submission date or viva date. Following this date you are permitted to work full-time until your visa expiry date, but cannot fill a permanent vacancy.

Please note that PhD students cannot undertake a work placement or internship that exceeds 20 hours per week until after your registration end date has passed. In addition you are not permitted to take annual leave from your PhD programme in order to undertake full time work.

Studying below degree level:

Please note if the programme of study is below degree level you will be permitted to work 10 hours per week during term time and full-time during vacations. Please check your Tier 4 visa for your permitted working hours.



Work restrictions

Please note that your maximum working hours are stated on your visa and the 7 day working week is defined by the Home Office as Monday to Sunday.

You are permitted to do voluntary work but this and any other work you do must not exceed 20 hours per week (for degree level and above students). You will be considered a voluntary worker if you have contractual obligations to perform the work. The worker is usually remunerated in kind.

Tier 4 students are permitted to volunteer while they are studying (please note that voluntary work is distinct from volunteering). Volunteers do not have a contract, they must not be a substitute for an employee and must not be doing unpaid work (i.e. receive work in kind other than reimbursement for reasonable travel and subsistence expenses).

Tier 4 students:

- can only be employed on a temporary basis, they cannot be employed on a permanent contract.

- cannot be self-employed or set up a business
- cannot be employed as a professional sportsperson or as an entertainer.

If you require further guidance on how many hours you are permitted to work, please contact the UCL Student Immigration Compliance Team: visacompliance@ucl.ac.uk.

Please refer to the UCL Immigration and Visas website for the most up-to-date information on Tier 4 students working in the UK: ucl.ac.uk/students/immigration-visas/working-uk

Tier 4 students and working at UCL

Tier 4 students undertaking any work at UCL will be required to complete a UCL HR Tier 4 timesheet. Timesheets should be completed on a daily basis to ensure you are not allocated working hours that may lead you to exceed the maximum working limit as defined by your Tier 4 visa work restrictions. Further guidance on the use of the UCL timesheet system can be found here: ucl.ac.uk/human-resources/working-ucl/hr-services/immigration

Doctorate Extension Scheme

UKVI rules state that a Tier 4 sponsor must maintain contact with students who have obtained a UCL sponsored Doctorate Extension Scheme visa.

Once you have obtained your new Tier 4 Doctorate Extension Scheme visa, you will need to take it to the Student Enquiries Centre (located at 27-28 Gordon Square) so scans can be taken for our records.

As your sponsor, we are required to hold copies of your DES visa.

If you obtain further Tier 4 sponsorship from UCL under the DES, you must comply with the conditions of your visa and maintain contact with UCL throughout the duration of this visa. You must also inform the Student Immigration Compliance Team if you decide to leave the UK permanently or if you obtain a new type of visa:

visacompliance@ucl.ac.uk

Changes in your circumstances

UKVI rules state that a Tier 4 sponsor must report any significant changes to a student's circumstance within 10 working days of the change.

These changes include, change in programme of study at UCL, change in study location, if the length of programme becomes shorter or you will complete a work placement.

If there is a change in your circumstances, please read the boxes on the right to see how this may affect your immigration status:

▶ Change in programme

If you would like to change your programme at UCL you should discuss the matter with your Personal Tutor/Postgraduate tutor/Supervisor. Once amended on your student record, the programme change and new programme end date (if applicable) will be reported to UKVI.

If your programme will become longer, you will need to apply to extend your Tier 4 (General) visa to remain in the UK to complete your programme. You will need another CAS which can be obtained by completing the CAS request form.

If due to the change in programme your study duration becomes shorter, UCL must report this to UKVI. Upon reporting your visa will be curtailed to the new course end date plus 4 months and so you must make arrangements to leave the UK before the new visa expiry date. Further information about changing programmes under Tier 4 can be found at **ucl.ac.uk/students/immigration-and-visas/tier-4-visas/tier-4-responsibilities**

▶ Change in study location

If you change study location, an example of which may be returning home to write up your thesis, UCL must report the new address to UKVI. You must contact the Student Immigration Compliance Team (**visacompliance@ucl.ac.uk**) to report your new study location address. You must also update your new contact address on the Portal.

▶ Complete a work placement

If you will complete a work placement in the UK that is an integral and assessed part of your programme, UCL must report the location and duration of the work placement to UKVI.

The percentage of work being undertaken must not be more than 50% of the total length of the programme and UCL is responsible for you throughout the period of your work placement as your Tier 4 sponsor.

▶ Early course completion

If you complete your programme earlier than expected, this means that you have been awarded your degree before the course end date stated on your CAS. UCL is required to report early course completions to UKVI. Once this report has been sent to UKVI, your visa will be curtailed to a new expiry date. UCL will email you to confirm when your early course completion has been reported to UKVI. This email will also contain information regarding your new visa expiry date.

▶ Contact details

UKVI rules state that a Tier 4 sponsor must keep on file each student's current contact details and update them as necessary.

You must keep UCL updated with your UK contact details including your address, mobile number and email address. This includes if you are away from UCL on authorised Study Leave or if you are writing up from your home country. You can update your contact details by logging into Portico.

▶ Changing immigration category

UKVI rules state that a Tier 4 sponsor must report if a student changes to a different immigration category.

If you change your immigration status while studying at UCL, for example if you change from a Tier 4 to a Tier 2 visa, you must notify the Student Immigration Compliance Team and bring your passport and new visa to the Student Centre so scans can be taken and added to your student record.

If you no longer require Tier 4 sponsorship due to an immigration change, UCL will report this to UKVI and your Tier 4 visa will be curtailed.



Interruptions, withdrawals and repeat studies

UKVI rules state that a Tier 4 sponsor must report if a student withdraws or interrupts their studies.

▶ Interruptions

If you decide to take a temporary break from your studies and resume at a later date, UCL will report to UKVI that it wishes to withdraw sponsorship of your Tier 4 visa, your visa will be curtailed and you will be required to leave the UK. You will receive an email to confirm that sponsorship has been withdrawn and you should make arrangements to leave the UK within 60 days of UCL's report to UKVI. When you are due to return to your programme, you will need another CAS which can be obtained by completing the CAS request form.

▶ Withdrawals

If you decide to withdraw from your programme at UCL, we will report this to UKVI, your visa will be curtailed and you will be required to leave the UK or apply for a new visa to change your purpose of stay in the UK. If you leave UCL because you intend to enrol on a programme at a different University, you must email the Visa Compliance Team (visacompliance@ucl.ac.uk) with your new institution's name and address.

▶ Repeat studies

If you have not passed the year and can repeat failed assessments without attendance, your current Tier 4 visa will be curtailed. You cannot remain in the UK unless you are attending classes, therefore you must leave the UK while you are not required to be at UCL. If you need to return to UCL to sit an exam or hand in coursework, you can do so by obtaining a short-term student visa.

Tier 4 Student and Sponsor Responsibilities

UKVI requirements	UCL responsibilities	Tier 4 student responsibilities
Notify UKVI of any Tier 4 students who fail to enrol at UCL.	UCL must report to UKVI within 10 working days of the enrolment period ending including the reasons for non-enrolment.	Enrol with UCL by the latest arrival date stated on your CAS. If you are not able to join the programme, please provide a reason why you are unable to join the programme to visacompliance@ucl.ac.uk .
Notify UKVI if a student receives a visa application refusal.	UCL must report when a student's visa application has been refused within 10 days of receiving this information.	If you receive a visa refusal you must submit copies of all the pages to visacompliance@ucl.ac.uk as soon as possible. The Visa Compliance Team will then decide whether you can be sponsored for a further CAS. You will be referred to Student Immigration Advice Team who will review your personal situation and assist accordingly. You may have to interrupt your studies depending on your case.
Keep a copy of immigration documents.	UCL must keep a copy of your current passport pages showing your personal identity details and a copy of your current valid visa.	If you are a new student at the University, you will be required to bring your passport and visa when you enrol in person at UCL. Here UCL staff will check that you are eligible to study at the University. If you have a pending visa application when you enrol at UCL, you must keep the Student Immigration Compliance Team updated with any developments relating to your application. If your visa application is successful, you must take your passport and visa to the Student Enquiries Centre so that scans can be taken and added to your student record.

UKVI requirements	UCL responsibilities	Tier 4 student responsibilities
<p>Keep a copy of the Academic Technology Approval Scheme (ATAS) certificate.</p> <p>Please note that the ATAS requirement applies regardless of programme length.</p>	<p>Must keep a copy of the ATAS certificate.</p>	<p>If you require an ATAS certificate, your offer letter and CAS statement will state this.</p> <p>A copy of your approved ATAS certificate should have been emailed to UCL by the ATAS team. However, if UCL has not received one or it is missing from your file, you will be contacted.</p>
<p>Notify UKVI if a student fails to attend their programme without being granted authorised absence.</p>	<p>UCL must report to UKVI within 10 working days if a student is withdrawn from their programme as a result of an unauthorised absence.</p>	<p>Maintain attendance on your programme and continue to engage with all aspects of your studies.</p> <p>If you are absent from UCL, you must tell the appropriate UCL Administrator in your department the reason for your absence.</p>
<p>Notify UKVI if there are any significant changes in a student's circumstances.</p>	<p>UCL must inform UKVI of any significant changes to a student's circumstance, e.g. change in programme, change in study location, or if you start a work placement within 10 working days of the change.</p>	<p>You must keep UCL updated with any changes to your programme or study location.</p> <p>You must also notify UCL if you change your place of study to do a work placement. Your department will outline the engagement duties you must adhere to during your placement.</p> <p>If the location of your study changes because you intend to write up from abroad, you must notify the Visa Compliance Team and update your contact address via Portico.</p>
<p>Notify UKVI if a student withdraws or interrupts their studies.</p>	<p>UCL must inform UKVI if a student interrupts or withdraws from their studies within 10 working days of the change.</p> <p>UCL will email the student to confirm they have been reported to UKVI.</p>	<p>Once UCL has withdrawn its sponsorship, you will no longer have permission to stay in the UK and will have to return home. You must provide flight details of your intended departure back to your home country to the Visa Compliance Team.</p> <p>If you have interrupted your studies and intend to return to UCL, you will need to apply for a new CAS from the Visa Compliance Team 3 months before you are due to return.</p>

UKVI requirements	UCL responsibilities	Tier 4 student responsibilities
<p>Notify UKVI if a student's immigration status changes to a different category.</p>	<p>UCL must report to UKVI within 10 working days of the change taking place.</p>	<p>Inform the Visa Compliance Team of any change in your immigration status and provide a copy of your passport and new visa to the Student Enquiries Centre. This must be done as soon as you receive your new immigration document.</p>
<p>Keep each student's UK contact details and update them as necessary.</p>	<p>Maintain students' historic and current contact details at least for the period of Tier 4 sponsorship.</p>	<p>You must keep UCL updated with your current contact details including your address, mobile number and email address.</p> <p>This includes if you are away from UCL on authorised Study Leave or if you are writing up from your home country.</p>
<p>Maintain contact with students who have obtained a UCL sponsored Doctorate Extension Scheme visa.</p>	<p>Inform UKVI if a Tier 4 student no longer requires sponsorship for the Doctorate Extension Scheme visa or if the student is breaching the conditions of their leave.</p>	<p>You must comply with the conditions of your DES visa and maintain contact with UCL throughout the duration of this visa.</p> <p>Also inform the Visa Compliance Team if you decide to leave the UK permanently or if you obtain a new type of visa: visacompliance@ucl.ac.uk.</p>



UK Visas and Immigration Visit

In order to ensure that UCL remains compliant and retains its Tier 4 Sponsor status, we will be subject to an audit visit from the Home Office. These visits will be conducted by UKVI staff and will involve an audit of UCL policies and procedures.

UKVI will review UCL's current policies and procedures, interview staff associated with Tier 4 practices, and may also select a number of Tier 4 students to interview. These interviews will take place so UKVI can ensure that UCL has sponsored your Tier 4 visa correctly and maintained its responsibility for you. You should note that if you are called to meet with UKVI you will be expected to attend.

UKVI may only give one week's notice for an audit visit. Therefore you may be asked to attend an interview with a UKVI representative at a moment's notice. If you have any concerns about this, please email the Student Immigration Compliance Team at visacompliance@ucl.ac.uk



UCL Student Immigration Compliance Team

This guidance has been created by the UCL Student Immigration Compliance Team. If you have any queries relating to the information contained in this document, please contact us at visacompliance@ucl.ac.uk.

ucl.ac.uk/students/immigration-and-visas

