



Policy on Student visa compliance

Policy owner:	Conservatoire Quality Team
Lead contact:	Deputy Academic Registrar
Audience:	Staff; students; applicants to Conservatoire programmes of study
Approving body:	Conservatoire Executive Committee
Date approved:	
Policy Implementation date:	1 October 2020
Supersedes:	N/A
Previous approved version(s) dates:	N/A
Review cycle:	Review after one year in light of Covid19 special arrangements; thereafter review every 3 years or as required.
Next review due date:	July 2022
Related Statutes, Ordinances, General Regulations	https://www.gov.uk/government/publications/student-sponsor-guidance ; Data Protection Act 2018; General Data Protection Regulations 2018; Equality Act 2010
Related Policies, Procedures and Guidance:	Admissions Policies; School Attendance Policies; Conservatoire Data Processing Statement; School Data Processing Statements; Non-Academic Misconduct Policy; Support Through Studies Policy and Procedures
UK Quality Code reference:	Quality Code Expectations for Quality; Advice and Guidance: Admissions, Recruitment and Widening Access; Concerns, Complaints and Appeals; Enabling Student Achievement
OfS Conditions reference:	Conditions B1, B2, B3, C1, C2, C3, E2, E3
Equality and Diversity Considerations:	Policy should be available in accessible format for all students. This policy impacts international students in particular; Schools should ensure appropriate support and guidance is in place for international students to enable them to meet the terms and conditions of their Tier 4 visas.
Date Equality and Diversity Assessment Completed:	25 August 2020
Further information:	

September 2020

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1. Introduction and scope of policy

1.1 This policy sets out the Conservatoire's institutional arrangements for complying with the UK Home Office's Student visa requirements, in accordance with the Home Office Student Academic Engagement Policy for Higher Education Providers (2020-21) or equivalent subsequent published Home Office policy.

2. How the institution manages and monitors Student visa compliance

2.1 Each Member School of the Conservatoire holds its own Student sponsorship licence, and is fully responsible for monitoring the engagement of all its own students (both international and home students). As the registered HEI with the Office for Students, the Conservatoire for Dance and Drama has an overall responsibility to ensure that Member Schools comply with Student visa requirements for higher education providers.

2.2 In addition to general monitoring of student engagement, Member Schools monitor the engagement of international students to ensure they meet the requirements of the Student visa. An annual report is submitted to the Conservatoire by Schools reporting on Student visa compliance and any corresponding issues.

2.3 Member Schools are responsible for keeping up to date^{1 2} with any changes to terms and conditions concerning Student visas and ensuring that they meet their Student Sponsor responsibilities.

2.4 Whilst each Member School holds an individual Student Sponsorship licence, there is a collective responsibility and a compromise or mismanagement any School's licence may have wider institutional ramifications. Should any issues arise regarding a Member School's Student sponsorship licence, the Principal of the School must notify the CEO of the Conservatoire at their earliest convenience and normally within 24 hours of the issue coming to their attention.

3. Conservatoire principles for monitoring student engagement

3.1 The following principles set out the agreed mechanisms in place across all Member Schools for monitoring and managing Student engagement:

- a) Member Schools all publish clear information for international students that sets out their responsibilities for meeting the Student visa requirements. This information must include a clear policy on when non-engagement will lead to withdrawal of sponsorship;

¹ Member Schools should regularly check the UK government publications and guidance to ensure they stay up to date: <https://www.gov.uk/government/publications/sponsor-a-tier-4-student-guidance-for-educators>
Additional guidance can be found at UKCISA's website: <https://www.ukcisa.org.uk/Information--Advice/Visas-and-Immigration/Tier-4-eligibility-and-requirements>

² For 2020-21, Member Schools should note that specific provisions relating to the Covid19 coronavirus pandemic may be in place and may be adjusted/updated as circumstances change: <https://www.gov.uk/government/publications/coronavirus-covid-19-tier-4-sponsors-migrants-and-short-term-students>

- b) Member Schools all have an attendance policy, which is drawn to students' attention at the start of their programme;
- c) Member Schools monitor student attendance and engagement, including engagement with online delivery;
- d) Member Schools will have systems in place that record the following to confirm that students are academically engaging:
 - i. Student on-site attendance
 - ii. Student online attendance
- e) Where student attendance and/or engagement falls below the expectations of the School, Member Schools use the Support Through Studies procedures (either informal or formal, as appropriate) to initiate, track and record discussions and agreed actions of both parties;
- f) Member Schools use an appropriate stage of the **formal** Support Through Studies procedures where any student has a period of non-engagement which exceeds 20 days in duration, and implements a Support Through Studies Action Plan that sets out the action to be taken by both the student and the School, to support the student to re-engage;
- g) Member Schools report to the Home Office on an individual student basis if there is a change in a Student visa holder's circumstances, or if a student fails to meet the terms and conditions of their Student visa;
- h) Member Schools report annually to the Conservatoire on Student visa compliance. A subsequent summary report will be made to the Conservatoire Board of Governors;
- i) Where any Student sponsorship licence issues come to light for a Member School, the Principal of the relevant Member School reports this to the CEO of the Conservatoire as soon as possible and normally within 24 hours. The Principal of the relevant Member School must agree an appropriate course of action with the CEO before proceeding to take action in respect of the particular issues to ensure no other Member School is inadvertently compromised by such action.

4. Withdrawal of Student visa sponsorship of a student

4.1 A Member School may withdraw Student visa sponsorship of a student in one or more of the following circumstances:

- 4.1.1 Failure by the student to complete their programme of study;
- 4.1.2 Unauthorised absence;
- 4.1.3 If a student stops engaging with their distance learning for more than 30 days, whether overseas or in the UK, except in exceptional circumstances³;
- 4.1.4 If a student stops engaging with their on-site delivery for more than 60 days, except in exceptional circumstances⁴;
- 4.1.5 If a student breaches the general conditions and/or any terms of their Student visa by failing to inform the UK government of requisite information (e.g. a change of address, a change of programme of study; failing to register with the Police if required to do so);
- 4.1.6 If a student breaches the general conditions and/or any terms of their Student visa by working in excess of the hours permitted by the UK Government, or undertaking work not permitted under the terms of the visa;
- 4.1.7 Failure by a student to provide the documentation necessary for the School to ensure it meets the UK Government's Student visa requirements;
- 4.1.8 Fraudulent claims of public funds (state benefits) by a student to which they are not entitled;
- 4.1.9 Any other breach of the Student visa conditions of stay.

³ For guidance on the Home Office definition of Exceptional Circumstances, please see the Home Office Academic Engagement Policy 2020-21 **Changes to student circumstances table Section F**.

⁴ For guidance on the Home Office definition of Exceptional Circumstances, please see the Home Office Academic Engagement Policy 2020-21 **Changes to student circumstances table Section F**.