



Tier 4 Sponsorship and CAS Issuing Policy for applicants

1. Purpose

- 1.1 This document sets out the University's policy regarding the sponsorship of overseas *applicants* requiring a Tier 4 visa. This policy is specific to the admission of new students to Swansea University and does not represent a full statement of immigration or Tier 4 sponsor requirements across the whole student lifecycle. This policy is subject to change and the University is entitled to revise its policies or procedures relating to compliance with its Tier 4 sponsor duties at any time. The Immigration Rules and Tier 4 guidance will at all times supersede and override the content of this policy. The University is under no legal obligation to sponsor any individual and exercises caution with respect to issuing a Confirmation of Acceptance for Studies (CAS) so as not to risk its status as a Tier 4 sponsor.
- 1.2 A CAS is an electronic document that the University issues to enable the sponsorship of a student under Tier 4. Each student requires a CAS before making a Tier 4 visa application and the cost of the CAS is paid by the University. A student can only study at the institution which issued the CAS. The issue of a CAS does not guarantee that a student will receive a visa since the decision to issue the visa lies with the Entry Clearance Officer. By making a request for a CAS, the student gives the University permission to share and discuss their information with the Home Office from the date of application onwards, in order to support compliance with immigration regulations.

2. Key Responsibilities

- 2.1 Oversight for the management and implementation of this policy and any accompanying procedures lies with the Recruitment and Admissions Committee.
- 2.2 All staff working with applicants and students covered by the points-based immigration system must ensure the policy is adhered to and will receive the necessary training for their role. A list of training and procedure documents can be found in appendix 9.
- 2.3 A list of current Admissions Office staff with the authority to upload and create CAS is held and monitored by the central Compliance Team.

3. Tier 4 Sponsorship and CAS Assignment

- 3.1 The Admissions Office is responsible for assigning CASs to applicants starting a new course at the University. CASs issued to existing Tier 4 students who wish to change programmes or further extend their leave in order to complete a course will be issued by Academic Services.
- 3.2 The University will only assign a CAS to an applicant if they hold an unconditional place and have met all the conditions of this policy.
- 3.3 CASs will be assigned no more than six months prior to course start date for any applicant starting studies at the University. For example, CASs will be assigned no earlier than April for any courses beginning in September.

- 3.4 The University will make appropriate checks to ensure any applicant or student already in the UK has valid permission to be in the country prior to issuing a CAS. This may include an Immigration History Check conducted through the University's UKVI Premium Licence Manager. If it is found that an applicant or student does not have valid leave to be in the UK then the University will not issue a CAS. The University may request evidence from individuals to ensure they are no longer in the UK.
- 3.5 The University may make any additional checks it deems necessary to ensure it only sponsors genuine applicants or students who will successfully obtain a visa. These checks may include but are not limited to conducting an immigration history check via the Home Office, reviewing bank statements and financial documents or requesting previous CASs from former institutions.
- 3.6 The University will not sponsor applicants or students in the following situations:
- 3.6.1 The course the applicant or student intends to study will not comply with Tier 4 requirements.
- 3.6.2 There is any reason to believe an applicant or student will not comply with the conditions of their Tier 4 leave (e.g. intention to work or past history of working more than 20 hours per week) or if a student is in breach of their visa conditions.
- 3.6.3 An applicant or student has submitted documents which are proven or suspected to be fraudulent.
- 3.6.4 An applicant or student has outstanding tuition and accommodation fee debts with the University and/or the University has concerns about the student's ability to pay tuition and accommodation fees
- 3.6.5 The duration of an applicant's course (including any previous relevant study in the UK) will result in the applicant exceeding the maximum allowable time studying as a Tier 4 student.
- 3.6.6 The University believes sponsoring an applicant or student will put its sponsor licence at risk or has concerns about the applicant's or student's intention to study and genuineness.
- 3.6.7 An applicant will not arrive in time for their course's latest start date.
- 3.6.8 The course does not represent academic progression in accordance with the Tier 4 Sponsor Guidance and Immigration Rules and section of this policy.
- 3.7 The University will only sponsor an applicant or student where it believes the visa application will be successful and is not likely to be refused, and reserves the right not to sponsor any applicant or student if there are reasonable grounds for suspecting otherwise, including:
- A history of visa refusals
 - Insufficient maintenance funds
 - Criminal convictions or involvement with terrorist activity
 - Any behaviour or evidence which would lead the University to believe the student is not genuine or does not truly intend to study
 - Any evidence to suggest a student has broken immigration laws
 - The student is in the UK and does not hold valid immigration permission to be in the country
 - The student's course does not represent academic progression and there is no academic justification to support sponsorship
 - Poor English language ability

- Poor attendance on a previous course in the UK
- The student has provided false information to the University, presented fraudulent documentation or omitted relevant information from their application
- If a student who must leave the UK to apply for a visa refuses to do so.

3.8 The University will not normally sponsor an applicant or student who has overstayed by more than 14 days unless there are exceptional circumstances preventing the applicant or student from making an in-time application. The University applies a high threshold for what constitutes 'exceptional circumstances' including:

- Serious illness which prevents the applicant or student or their representative from making an in-time application (supported by appropriate medical documentation)
- Travel or postal delays beyond the applicant's or student's control (e.g. unforeseen postal strike or travel delays due to natural disaster or war)
- Inability to provide necessary documents due to unavoidable circumstances such as the Home Office being at fault of losing or delaying the return of documents

3.9 Before assigning a CAS staff undertake an assessment of an applicant's credibility and genuine intention to study. This would include an assessment of one or more of the following: reference, personal statement, "Intention to study questionnaire", notes of credibility interviews (for high risk countries and/or where alternative evidence is limited), selection interview for the programme of study (e.g. Medicine) etc.

3.9.1 The credibility assessments for students progressing from one level of study to another within the University (e.g. undergraduate to postgraduate) or from The College to the University (e.g. RQF3 foundation to undergraduate RQF6 level) will be lighter touch, as students will have already proved their genuine intention to study by engagement and academic success on their previous programme, therefore they would not be expected to produce all of the documents listed in 3.9.

3.9.2 Assessments for applicants for Pre-sessional English Language programmes will be based on their intention to study the main academic programme unless they have not applied for an academic programme at Swansea University, in which case the assessment will be based on personal study goals and entry qualifications for the English programme.

3.9.3 The credibility assessment and intention to study for Exchange students will be based on the rigorous application process undertaken by their current institution before they are allowed to submit an application. The majority of the agreements are with American, Canadian and Australian institutions and considered lower risk. Therefore, the students will not be expected to produce all of the documents listed in 3.9.

3.9.4 The University's assessment of applicants' genuine intention to study was reviewed during the 16/17 academic year and made more robust. Prior to May 2017 credibility assessments had been supplemented by telephone and in-person assessments where personal statements and/or references had not been received, but this additional information would not have been documented on the CAS file.

3.10.1 The Admissions Office will question any 'gaps' of 18 months or more in an applicant's academic history since their last period of academic study or request an explanation as to why they have decided to return to study following a significant unexplained gap. There is a need for an explanation of the gap, rather than concern over the gap itself.

3.10.2 An applicant may evidence this information in the form of an email, Curriculum Vitae, Reference, Personal Statement or completion of the specific Gaps in Study Questionnaire.

3.10.3 Where an explanation is not sufficient, the Admissions Office will liaise with the student to ensure accuracy of the explanation. For example, the student may not have understood exactly what was required of them. If no further resolution is possible then the applicant will be refused a CAS.

3.10.4 Once the Admissions Office has received an explanation regarding the gap, a holistic assessment of the applicant's previous study history, current career and future plans will take place to ensure that the applicant's reason for returning to study makes sense; noting that financial only reasons are not acceptable on their own.

3.10.5 Where the Admissions Office is not able to holistically assess a student's credibility sufficiently (as in 3.10.4) then the applicant will be refused a CAS.

4 Academic qualifications

4.1 Academic entry requirements are reviewed and agreed on an annual basis with the relevant Academic College. It should be noted that the published "typical offer" for a programme of study will usually be higher than the minimum requirement thresholds for programmes, which are also agreed by the Pro Vice Chancellor with responsibility for Admissions, also on an annual basis. Where an academic college wishes to admit a student whose qualifications fall below the agreed minimum, the academic justification for the decision should be recorded on the application form or admissions database.

4.10 Postgraduate programmes

4.10.1 The typical offer for postgraduate taught programmes is usually a bachelor degree with upper second or lower second class, or equivalent.

4.10.2 The University accepts degree and postgraduate qualifications from any UK institution with degree awarding powers.

4.10.3 The Admissions Office undertakes an annual review of the "equivalency" of non-UK qualifications and recommends the class, percentage, GPA etc for each non-UK country which should be considered equivalent to a UK first, upper second or lower second class degree. These are considered and agreed by the Recruitment and Admissions Committee on an annual basis. (see appendix 1)

4.10.4 In addition, if an applicant holds a qualification from a non-UK institution, this will be checked against the UK NARIC database at the application stage to ensure that it meets entry requirements and is from an approved institution, and the application annotated accordingly. Applicants whose qualifications fall below the third class level or are from an institution which is not approved by UK NARIC are referred to the Matriculation Sub-Committee panel of the Recruitment and Admissions Committee for approval as a "special case". (see example at appendix 2)

4.10.5 Applicants who do not hold an approved qualification but who have significant and relevant work experience can also be accepted through the "non-graduate" route following an assessment of their work experience by the relevant academic Admissions Tutor or Admissions Selector.

4.11 Undergraduate Programmes

- 4.11.1 Academic entry requirements vary by programme and are usually expressed in terms of A-level grades “or equivalent”. The Admissions Office undertakes a regular assessment of non-UK school leaving qualifications to agree the minimum threshold for entry. However, because of the wide range of qualifications, including foundation programmes, offered outside the UK, applicants’ qualifications are considered on a case-by-case basis upon the receipt of the application (by checking against the list of approved qualifications, UK NARIC, websites for syllabuses etc). Once a qualification, such as a foundation programme, has been approved for entry, it is added to the list of approved qualifications (see appendix 3)
- 4.11.2 Applicants whose qualifications fall below the minimum threshold can be accepted based on an academic justification by the relevant Admissions Tutor or Selector. Alternatively students with non-standard or lower qualifications could be accepted to one of the foundation programmes offered by the University or The College (previously ICWS, an affiliate college of Swansea University).

4.12 Programmes delivered by The College

- 4.12.1 Entry requirements for programmes delivered by The College are agreed annually by The College and Swansea University Link Tutors, including “equivalencies” for the main qualifications. A list of current requirements can be found in appendix 4
- 4.12.2 Applicants for the Pre-masters pathways must hold a relevant qualification from an institution approved by UK NARIC. As there is no field on the application to store the information, the NARIC approval statement is appended to the application documents.
- 4.12.3 Applicants whose qualifications fall slightly short of the minimum entry requirements are considered by the The College Academic Board and, if approved for admission, their progress is monitored throughout their studies with The College.
- 4.12.4 Students who successfully complete an RQF3 foundation programme at The College will automatically meet the academic and English Language entry requirements for progression to the relevant RQF6 degree programme at Swansea University;
- 4.12.5 Students who complete the RQF5 or 6 premasters programme at The College will automatically meet the academic and English Language entry requirements for progression to the relevant RQF7 Masters’ programme at Swansea University

4.13 Collaborative agreements

- 4.13.1 The University has agreements with a number of International universities and colleges recognising relevant qualifications for entry to undergraduate or postgraduate study at the University and indicating the entry requirements which would apply in each case.
 - 4.13.2 Agreements are reviewed every 3 years, including a review of the progress of students admitted via the agreement. Agreements are subject to cancellation by either party with 90 days’ notice on either side. Lapsed agreements will be honoured whilst the programme or activity is underway until it is deemed that an agreement should be cancelled or renewed.
 - 4.13.3 An example agreement and a list of current agreements can be found in appendix 5
- 4.14 The University will accept provisional qualifications during the application stage. If the final certificate has not been issued by the time the CAS is ready to be issued, the University will list the document as provisional on the CAS statement. The University where possible will verify all provisional results.

4.15 International students are normally required to provide the original versions of any relevant documents, including translations where appropriate, for verification by the University within 6 weeks of enrolling, such as:

- School leaving qualifications
- Degree certificate
- Full academic transcript
- Proof of English Language, where this has not been verified as part of the admissions process

4.15 As a result of the direct submission of qualifications and/or results to the University via UCAS or the applicable institution, the following groups of international students are exempt from supplying original academic qualification documentation upon enrolling with the University:

- Students entering on the basis of qualifications achieved at Swansea University;
- Undergraduate students applying via UCAS where the results are provided to universities via the Academic Board Linkage (ABL) scheme. These include, but are not restricted to, A-levels, AS-levels, BTEC and OCR nationals, International Baccalaureate, Welsh Baccalaureate, Irish Leaving Certificate and Access Diploma;
- Postgraduate students where the award of the bachelor or other qualification has been verified by the awarding university either direct to Swansea University or via the Higher Education Degree Datacheck (HEDD) service.

4.16 For students starting from 17/18 the student record will be annotated to indicate that the qualifications have been verified, and by what method. Prior to that date, copies of the original transcript/certificate were annotated and attached to the application file.

5 English Language Entry Requirements

5.1 The University accepts only those Secure English Language Tests (SELT) as determined by UKVI, which are designed to test academic English. The most commonly accepted English language test is the International English Testing System (IELTS) certificate. Sometimes a higher level of English Language is required than the minimum specified by UKVI for undergraduate and postgraduate study

5.10 The University also uses other tests and qualifications to assess the English Language competence of students for degree or postgraduate level study. The alternative tests and qualifications have been benchmarked against IELTS or CEFR Level B2 on the basis of testing of students' English language ability upon arrival and progression statistics showing that students admitted on the basis of the alternative tests or qualifications perform the same as, or often better, than students admitted on the basis of a SELT. Full details of the English Language Entry Requirements Policy can be found in appendix 6

5.11 Applicants for English Language training or for academic programmes below RQF level 6 will require a SELT at B1 or above to meet the requirements of a Tier 4 Visa. Alternatively, students for short programmes may be admitted via an approved alternative English Language test or qualification (see appendix 6) on the understanding that they would enter the UK on a Short-Term Study Visa and not Tier 4 visa

5.12 Applicants who achieve an overall B2 score in their English Language Test but a component score of B1, will be listed on the CAS as having an overall English Language ability of CEFR B1. Such students will not be issued a CAS to study programmes of RQF level 6 or above.

6 Academic Progression

- 6.1 The University will only sponsor applicants or students who meet academic progression requirements set out in the Immigration Rules and Tier 4 Sponsor Guidance, where appropriate.
- 6.2 In order to meet the academic progression requirement, a Tier 4 student should normally study at a level above the previous course taken in the UK. This condition does not apply to students applying for their first course of study in the UK.
- 6.3 A CAS may be assigned to a student who:
- 6.3.1 has applied to study a course at a higher RQF academic level than a course previously studied in the UK, for example from a BA (level 6) to MA (level 7);
 - 6.3.2 has previously completed a course in the UK at the same academic level as the course applied for where further study at the same level is connected to the previous course and where the student's previous and new course combined, support the student's genuine career aspirations.
- 6.4 Exceptionally, where a student does not meet the requirements of 6.3 above and wishes to commence a same- or lower-level programme at the University, the Admissions Team would assess the application on a case by case basis, and if an academic justification could be made, the University would issue a CAS on the understanding that the applicant would make a visa application from outside the UK. The Admissions Office will arrange for the rationale for the decision to be recorded on the student file.
- 6.5 Following guidance from the UKVI Policy Team in September 2015, allowance has been made for the University to sponsor Law training programmes such as the Graduate Diploma in Law (RQF6) and Legal Practice Course (RQF7) when they have previously studied at the same or higher level in the UK. Students would not meet academic progression requirements and would be therefore expected to apply for their visa from outside the UK.
- 6.6 Where an applicant wishes to undertake a period of English Language Training at CEFR B2 following a previous period of study in the UK at RQF3 or above we will not sponsor them as a Tier 4 student for the English Language programme. Instead, an assessment will be made as to whether they would meet academic progression guidelines for their future academic programme. If they meet guidelines or academic justification could be made, they will be advised to apply for a Short Term Study Visa for the ELTS programme.

7 Length of Sponsorship

- 7.1 The University will sponsor a student for the duration of their course, subject to any compliance requirements of the University or the UKVI which would result in sponsorship being withdrawn. The University may withdraw sponsorship if it is not necessary to continue sponsorship or if the University cannot fulfil its sponsor duties.
- 7.1 The course start date on the CAS will correspond with the date of enrolment in person on the course or induction, whichever is earlier.
- 7.2 The course end date on the CAS will correspond with the course end date of the applicant's or student's programme of study and is the date by which an applicant or student has completed all academic elements of the course including taught sessions, examinations, assessments and writing and submitting dissertations and theses unless these can be completed from afar and there is no substantial reason to remain on campus. If, for whatever reason, the student's course end date on their CAS/visa is more than 14 days after the formal completion of the academic elements of the course, the University will report the student to the UKVI as an "early finisher".
- 7.3 The course end date for research programmes covers the full period where the student is undertaking full-time study as an enrolled student (including the writing up period/continuation year for PhD and MPhil students; but only the standard enrolment period for Master's by research programmes).

8 Academic Course levels

- 8.1 The appropriate RQF level of programmes are recorded on the CAS statement; e.g. Undergraduate degree: RQF6; Postgraduate taught: RQF7; Postgraduate Research: RQF8.
- 8.1 Programmes which consist of integrated foundation or pre-masters study will be assigned as the RQF level of the final programme award (e.g. an undergraduate degree with integrated foundation will be assigned as RQF6)
- 8.2 From September 2017 Advanced Initial Degrees (e.g. MEng, MPhys, MSci) have been assigned as RQF7 in recognition of the level of the final award. Prior to this date, they were assigned as RQF6.

9 Academic Technology Approval Scheme

- 9.1 Certain postgraduate and Undergraduate Advanced Initial degree students in science, engineering and technology subjects require an Academic Technology Approval Scheme (ATAS) certificate prior to applying for a Tier 4 visa or, since 2015 any other type of visa.
- 9.1 ATAS subject areas studied at UK universities are identified by a HECoS code. The course records of University programmes which require ATAS clearance are annotated accordingly and a list of current programmes can be found in appendix 7.
- 9.2 The Admissions Office will issue supporting documentation to the student to assist with their application to the Foreign and Commonwealth Office for ATAS. The requirement for ATAS clearance is also identified on the CAS.
- 9.3 The student must obtain an ATAS certificate within the 6-month period before applying for a visa and will need to provide evidence of ATAS clearance before they will be allowed to enrol at the University.

9.4 The Admissions Office will arrange for a copy of the ATAS clearance to be retained against the student record.

10 Pre-sessional Courses and Integrated Foundation Programmes

10.1 The University will only assign one CAS to cover a pre-sessional course and main course of study if the applicant has received an unconditional offer on their main course of study and the pre-sessional English course is less than 3 months duration. The University currently only issues a combined CAS for the Level 2 and Level 3 pre-sessional programmes where the applicant has already reached CEFR B2 and needs to improve their English to meet programme requirements.

10.1 In all other cases a separate CAS will be issued for the pre-sessional course and a new CAS will be assigned for the main course when the student successfully completes the pre-sessional course, meets all conditions of their offer on the main course of study as well as meeting the conditions of this policy.

10.2 Applicants studying an undergraduate course with an Integrated Foundation Year will be issued a single CAS to cover the entire period of study including both the foundation level and main degree level portion of the course, as the entire programme consists of four continuous years at RQF Level 6. Similarly applicants undertaking an integrated Pre-Masters programme will be issued a single CAS to cover the entire study period (Pre-Masters and Masters) at RQF level 7.

11 CAS Withdrawal

11.1 When a CAS has already been issued and information emerges that a CAS should not normally have been issued, the Admissions Office may have no alternative than to withdraw the CAS, taking reasonable action to inform the student in advance.

12 Visa Refusals

12.1 The University will *normally* only consider assigning one additional CAS following a visa refusal and only if the applicant or student can provide evidence to show there is minimal or no chance of their visa being refused a subsequent time, such as bank statements, academic certificates etc.

12.1 Where an applicant's or student's first visa application was refused due to failing a credibility interview, consideration would be given to issuing a further CAS on a case-by-case basis.

12.2 Any applicant or student with a visa refusal will be reported to UK Visas & Immigration and any sponsorship will be withdrawn.

12.3 Any applicant or student with a visa refusal who requests a new CAS must provide to the University all pages of their Home Office refusal notice.

12.4 If a visa is refused a second time the University will not normally issue a further CAS unless it is felt that there are very strong grounds to do so.

12.5 The University reserves the right not to issue a further CAS to any applicant or student who has had their visa refused.

13 Sending a CAS to an Applicant or Student

13.1 A CAS will be sent directly to an applicant or student. A CAS will not be sent to any other party without the applicant's or student's consent. In all cases where an applicant or student has provided consent to send their CAS to a third party, such as an agent, the CAS will be sent to the applicant or student and copied to the third party.

13.2 Should the information on the CAS subsequently require amendment due to additional tuition fee payment, the identification of minor errors, or because the student's information has changed, the CAS will be annotated using the Sponsor Note facility within the UKVI SMS. If the change is significant, the CAS may be withdrawn and a new one issued.

14 Terms and Conditions of Tier 4 Sponsorship

14.1 All students sponsored by the University are expected to abide by the University's Terms and Conditions, including the sections which relate to Tier 4 Sponsorship. The University reserves the right to withdraw sponsorship at its discretion.

15 Record-keeping

15.1 Once a CAS has been issued, the Admissions Office will retain and upload all relevant, supporting documents and a coversheet to the student database (see appendix 8). Relevant documents may include:

- Application form
- Reference(s)
- Personal statement and/or Intention to Study questionnaire
- Additional supporting information such as CV, research proposal etc
- Notes of any credibility interviews
- Previous study questionnaire
- Copies of certificates, transcripts or record of results provided via the UCAS ABL process, the HEDD verification process and/or record of Swansea University results
- Copies of English Language test or qualification (verified with the awarding body as appropriate)
- Academic justification where an applicant does not meet the standard minimum entry requirements for the programme
- Justification of same level study

16 Late arrival for enrolment

16.1 For most programmes of study there is a period within which new students are permitted to arrive and enrol because of difficulties in obtaining ATAS clearance, a Tier 4 visa and/or travelling in time for the start of the programme. This date is listed on the CAS as the latest enrolment date for the programme.

16.2 Tier 4 students must inform the University of any changes in their plans, including when they are unable to enrol within the enrolment period, unable to travel to the UK or they wish to postpone their studies. The UKVI will be notified of any students who have been given permission to arrive and enrol just outside the latest enrolment date.

17 Deferral process

17.1 If a student requests to defer their studies to the next intake point, the Admissions Office will first check whether a CAS has been issued and used to apply for a visa.

17.1 If a CAS has been issued but not yet Used or withdrawn and the next intake point for the programme is within 6 months of the date the CAS was issued, a sponsor note will be added to the UKVI SMS to indicate the new programme start and end dates.

17.2 If the CAS has been *Used*, the Admissions Office will notify the UKVI /withdraw the sponsorship.

17.3 Once the above actions have been taken or if no CAS has been issued, the offer will be deferred to the next intake point. If the deferral places the applicant's English Language test/qualification outside the validity period, the offer may become conditional upon submission of new evidence.

17.4 Before issuing the CAS in advance of the new start date, the student would be asked to complete a new "Previous Study Questionnaire" including Intention to study questions and provide an updated CV covering the intervening period.

18 Policy Review

18.1 This policy will be reviewed on a regular basis to ensure it remains compliant with the Tier 4 Sponsor Guidance and Immigration Rules as well as good sector practice.

List of appendices:

1. Postgraduate Overseas Academic Entry Requirements
2. Report of Postgraduate "Special cases"
3. Undergraduate Overseas Academic Entry Requirements
4. The College Academic Entry Requirements
5. Current Collaborative Agreements and
- 5a. Example MOU/Collaborative agreement
6. English Language Entry Requirements Policy
 - a. The College ILSC Benchmarking
7. List of Programmes Requiring ATAS
8. CAS Admissions File Checklist
9. List of Tier 4 Training and Procedure documents for Admissions Compliance staff

	Version	Name	Date	Role
Reviewed	5	Keran Williams	Nov 2018	Head of Admissions
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