

# Tier 4 and International Students Admissions Policy

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## INTRODUCTION

1. This policy sets out New College of the Humanities (the College) aims for the recruitment and admission of international students. It describes the principles and processes which are used to select and admit international students to undergraduate and postgraduate programmes, while adhering to UK Visa and Immigration (UKVI) rules and regulations.
2. This policy is consistent with good admissions practice for international students in higher education, as defined by the UKVI Tier 4 Sponsorship policy guidance documents:
  - 2.1. **Sponsor a Tier 4 Student: Guidance for Educators:**
    - Document 1: Applying for a Tier 4 licence
    - Document 2: Sponsorship duties
    - Document 3: Tier 4 compliance
    - Document 4: Higher education regulatory reform
  - 2.2. **Creating a CAS**
  - 2.3. **Immigration Rules**
  - 2.4. **Tier 4 of the Points Based System - Policy Guidance**
3. This policy is intended to give guidance to offer holders and staff on the College's policies for admitting international students to its programmes, linking to processes that ensure that we are complying with the Immigration Rules and UK Visas and Immigration guidance.

## MAIN CONTENT

### COLLEGE (SPONSOR) DUTIES

#### General duties

4. The College must comply with a number of duties in order to be granted and retain its Tier 4 sponsor licence.

5. The College must apply for a Basic Compliance Assessment (BCA)<sup>1</sup> through the Sponsorship Management System<sup>2</sup> (SMS) every 12 months.
6. General duties include, but are not limited to, complying with all aspects of the immigration rules and sponsor guidance, co-operate with the Home Office, take responsibility for all its Tier 4 students while the College is sponsoring them, and record-keeping, monitoring and reporting in relation to any sponsored students and the College.

### Record keeping duties

7. As a sponsor, the College is required to keep copies of specific documents that demonstrate that its Tier 4 students have permission to be in the UK and to undertake studies with the College. Further information is available in the [Documents to be Retained](#).

## SPONSOR MANAGEMENT SYSTEM (SMS)

### Staff responsibilities

8. **Authorising Officer:** The authorising officer is the most senior person responsible for the recruitment of students and ensuring that the College's duties are met. At the College the authorising officer is the Chief Executive Officer (CEO).
9. **Key Contact:** The key contact is the staff member who is the main point of contact between the College and the UKVI. At the College the key contact is the Compliance and Admissions Officer (CAO).
10. **Level 1 User:** The level 1 user is the staff member who undertakes the sponsor management system activities. At the College the level 1 user is the CAO.

## CONFIRMATION OF ACCEPTANCE FOR STUDIES (CAS)

### General CAS information

11. The CAS costs the College a fee which is non-refundable.
12. The CAS is the College's confirmation to the UKVI that it has assessed the offer holder's intention and ability to study a programme that meets the Tier 4 requirements; that the offer holder has an unconditional offer to study that programme and that the offer holder will comply with all relevant requirements and conditions of their visa.
13. According to the Tier 4 of the Points Based System – Policy Guidance:
  - 13.1. *The Confirmation of Acceptance for Studies (CAS) is not an actual certificate or paper document but is a digital record. Each CAS has a unique reference number and contains information about the course of study for which it has been issued and the student's [prospective*

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<sup>1</sup> The College must apply for a Basic Compliance Assessment every 12 months. The core requirements that the College must meet are: a visa refusal rate of less than 10 per cent; an enrolment rate of at least 90 per cent; and a programme completion rate of at least 85 per cent.

<sup>2</sup> SMS is an online tool for Tier 4 sponsors to carry out day-to-day sponsorship activities and report any changes.

*student] personal details.<sup>34</sup>*

13.2. *The CAS is worth 30 points in a visa application and maintenance is worth 10 points. It must contain the information specified in the [Immigration Rules](#), the [Tier 4 of the Points Based System – Policy Guidance \(policy guidance for migrants\)](#) and the [Tier 4 of the Points Based System: Guidance for Sponsors](#).*

### **Providing a CAS statement for offer holders**

14. In order to issue a Confirmation of Acceptance for Studies (CAS), the College is required to do pre-CAS checks. As a result, offer holders must provide the following information:
  - A copy of academic certificates
  - A copy of passport
  - Copies of previous visas to the UK
  - IELTS for UKVI (Academic test) if applicable
  - Evidence of finances that meet the requirements for a Tier 4 visa
  - Valid tuberculosis test if applicable
  - Other documents required by UKVI
  - Immigration History form (see [ANNEX A](#))
  - Declaration of Criminal Convictions and Penalties for Tier 4 and Offer Holders (see [ANNEX B](#))
15. In addition, offer holders are required to pass the College's internal visa eligibility assessment (pre-CAS checks) and pay a CAS deposit which will be set off against the first term fees in the first year of study.
16. Once offer holders have successfully passed the College's pre-CAS checks, the College will provide an electronic letter in .pdf format containing their 'CAS statement' comprising of the information which the College, as the offer holder's sponsor, has used for the CAS. The offer holder can then use this as a part of their visa application and to ensure that the information matches the information that the College has provided to the UKVI.

### **Programme start and end dates**

17. The programme start date is the date of enrolment in person, or induction on the programme, whichever is earlier.
18. The programme end date is the date by which the student is expected to have completed all academic elements of the programme.
19. The latest start date is the latest possible date for enrolment, which will normally be the end of week 5 Michaelmas. This is an allowance given to international offer holders in case they have any problems travelling or

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<sup>3</sup> NCH uses 'programme' to describe its portfolio and therefore external references to 'course or courses' should be replaced by the word 'programme' by the reader.

<sup>4</sup> NCH uses 'offer holder' in this policy and therefore external references to 'prospective students' should be replaced by the word 'offer holder' by the reader.

obtaining their visa in time. The Border Force Officers (UK Immigration Officers) at all the UK airports, ports and international rail stations will refuse the offer holder entry into the UK if they arrive after the latest start date of the programme (as detailed on the CAS statement).

### **Amending a CAS after it has been assigned**

20. Offer holders should be provided with a draft CAS statement in order to ensure accuracy. After a confirmation email has been received from the offer holder, a CAS will be assigned. Exceptionally, the College will make amendments to the CAS after it has been assigned.
21. Acceptable amendments for the College to make to the CAS after it has been assigned are corrections to a mistyped forename, date of birth or updating any additional payments to fees.
22. The College will use the 'sponsor note' field on the Sponsorship Management System (SMS) to amend minor errors which have been identified after a CAS has been assigned. However, the College strongly advises offer holders to verify all information from the beginning before a CAS is issued as an UKVI caseworker may misread or overlook the 'sponsor note'.

### **When to withdraw or assign a new CAS**

23. The College will be willing to withdraw or assign a new CAS under the following circumstances:
  - 23.1. The offer holder wishes to change to a different programme, meets entry requirements of the new programme and has not applied for its Tier 4 visa.
  - 23.2. The College has given incorrect details on one or more of the following:
    - 23.2.1. The offer holder's nationality.
    - 23.2.2. The offer holder's date of birth.
    - 23.2.3. The offer holder's surname.
24. Offer holders who are refused a visa will not be issued with a second CAS (BCA)<sup>5</sup>.

## **ASSESSING A STUDENT'S ABILITY AND INTENTION TO STUDY**

### **Responsibility**

25. The College must be able to demonstrate to the UKVI it is as confident as it is reasonably possible that all its students are able and intend to undertake and complete the programme of study for which they have an unconditional offer.

### **Intention to study - academic ability**

26. Before the College sponsors an offer holder and assigns a CAS, it is required by the UKVI to assess the offer holder's ability to follow the chosen

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<sup>5</sup> The College must apply for a Basic Compliance Assessment every 12 months. The core requirements that the College must meet are: a visa refusal rate of less than 10 per cent; an enrolment rate of at least 90 per cent; and a programme completion rate of at least 85 per cent.

programme of study. The College must state on the CAS what evidence has been used to make this assessment, for example an interview or academic certificates.

### **Intention to study - funds**

27. The CAS must state the programme fees for the first year of the programme (if the programme is longer than one year). If the offer holder has already paid some or all the fees, this will be stated on the CAS.
28. If the College is offering a scholarship to the offer holder, then this must be stated on the CAS.
29. The Home Office has not stated that it is a requirement for Tier 4 sponsors to check that offer holders hold funds for the visa application and study, however the High Court has held that *"It is not unreasonable to expect a sponsor to satisfy itself that an applicant will be able to meet the maintenance criteria before issuing a CAS."*

### **Intention to study – credibility interviews**

30. As part of the Tier 4 visa application, offer holders may be asked to have an interview either in person or over the telephone in order to identify whether offer holders are genuine students and meet the English level requirements. In some cases, an offer holder may be asked to attend a second interview if required.
31. If as a result of the credibility interview the UKVI believes a student is not a genuine student and/or is unable to demonstrate the required level of English, the application will be refused.
32. The factors that are taken into consideration when assessing credibility can be found in the [Tier 4 of the Points Based System - Policy Guidance](#) based on [Immigration Rules](#).

## **FUNDING**

### **Source of funds**

33. The only acceptable ways of holding and providing evidence of funds for purposes of Tier 4 students are as stated in the [Tier 4 of the Points Based System - Policy Guidance](#).
34. Funds can be provided from any lawful source, including savings, income, loans, employers inside or outside the UK, parents, education providers, governments, or international scholarship agencies.

### **Unacceptable fund sources**

35. [The Tier 4 of the Points Based System - Policy Guidance](#) makes it clear that overdraft facilities, shares, bonds, overdrafts, pension funds and credit cards are not acceptable.
36. Although the funds can have a wide variety of sources, the ways in which those funds must be held and the ways in which they must be evidenced are very limited as stated in the [Tier 4 of the Points Based System - Policy Guidance](#).

## OTHER TIER 4 (GENERAL) REQUIREMENTS

### Academic progression

37. If an offer holder is applying to study a new programme in the UK and has previously studied in the UK using a Student or Tier 4 (General) Student visa, the new programme must represent academic progress from the previous study. [The Tier 4 of the Points Based System - Policy Guidance states:](#)
  - 37.1. The visa applicant must have successfully completed (meaning the student has achieved the qualification for which they were studying) the programme for which they were last granted Tier 4 leave or if they have changed programmes with the same sponsor, the programme they changed to.
  - 37.2. The academic progression rule is in place to ensure that visa applicants are progressing academically if they wish to study a further programme in the UK and are not merely seeking to extend their stay in the UK. Based on the above if an offer holder has previously had permission to stay as a Student or a [Tier 4 \(General\) Student](#), then the College can only give them a CAS for a new programme, if their new programme represents academic progress from their previous studies.
38. The Tier 4 of the Points Based System - Policy Guidance states in which circumstances a programme represents academic progress from previous study.

### Assessment of English language

39. The College must state in the '*evidence used to obtain offer section*' of the CAS that the offer holder has attained the minimum level of English, and how the assessment has been made. If the assessment is via the use of an IELTS for UKVI test, the score of the four standard components (writing, reading, speaking and listening) must also be stated on the CAS. The test must still be valid (IELTS expire after 2 years, from the date taken), on the date in which the CAS is assigned, even if it expires before the student applies for leave or starts the programme.

### Exceptions to the English language requirement

40. Exceptions to the English Language requirement can be found in the [Tier 4 of the Points Based System - Policy Guidance](#). If applicable, the College must then state that it is using one of these exceptions in the '*evidence used to obtain offer section*' of the CAS.

### Time limit – caps on periods of student leave at degree level

41. The cap the UKVI has put on studying at degree level or above, as a [Tier 4 \(General\) Student](#) from the age of 18, is five years. There are some exceptions, but they are not relevant to the College as they mainly include degrees in subject areas that the College does not offer and PhDs.
42. The College will calculate the period of time that an offer holder has spent studying in the UK using the information provided in the [College Immigration History Form \(ANNEX A\)](#) and copies of previous visas given to the College by the student. This also includes periods of leave (immigration permission)

before and after study. Students on programmes of 12 months or more can enter the UK one month before the programme start date and remain for four months after the programme has ended.

### **Tuberculosis tests for visa application**

43. Offer holders will need to have a tuberculosis (TB) test if they are coming to the UK for more than 6 months and are residents of a **country listed by the UKVI**.
44. As a result, offer holders must provide a valid TB certificate as part of the pre-CAS checks.

### **Translations of documents**

45. Where any required documents are not in English, the offer holder must provide the original document and a full translation that can be independently verified by the UKVI.
46. The translation must be dated and must include:
  - 46.1. Confirmation that it is an accurate translation of the original document.
  - 46.2. The full name and original signature of the translator or an authorised official of the translation company.
47. The translator or translation company's contact details. If these details are not provided on the translated document, these will need to be provided separately.

### **DOCUMENTS TO BE RETAINED**

48. As part of its Tier 4 responsibilities, the College must store copies of the documents used to assess offer holders' suitability to the programmes and make an offer to them. In addition, the College must keep copies of the documents requested as part of the pre-CAS checks:
  - 48.1. Application form to the College
  - 48.2. Academic qualifications
  - 48.3. Academic references
  - 48.4. Interview assessment form
  - 48.5. English language certificates
  - 48.6. Under 18 consent form (if applicable)
  - 48.7. Bank statements
  - 48.8. Parents consent letter to use funds (if applicable)
  - 48.9. Birth certificate (if applicable)
  - 48.10. Official translations (if applicable)
  - 48.11. **Immigration History Form (ANNEX A)**
  - 48.12. **Declaration of Criminal Conviction and Penalties for Tier 4 Offer Holders (ANNEX B)**
  - 48.13. CAS statement

- 48.14. Passport
  - 48.15. Visa (vignette)
  - 48.16. Tickets or boarding pass (for students who enter the UK through an automated e-Passport gate)
  - 48.17. Biometric Residence Permit
  - 48.18. A history of the student's contact details to include UK residential address, telephone number and mobile telephone number
  - 48.19. Records of student attendance and absences.<sup>67</sup>
49. All the above documents will be stored safely and securely in compliance with the College's [Data Protection Policy](#) and General Data Protection Regulations.

### **OFFER HOLDERS UNDER OTHER IMMIGRATION CATEGORIES**

50. [Document 2 of the Tier 4 of the Points Based System: Tier 4 policy Guidance for Sponsors](#) states that "A sponsor has a duty to ... 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 has permission to study in the UK throughout the whole period of their study..". Failure to do so may lead to the revocation of the College's Tier 4 licence.
51. As a result, the College must ensure that all offer holders with other types of visas have the right to study in the UK and they hold a valid visa for the whole duration of their programme.
52. Applicants must provide an official immigration document during the admissions process in order to receive an offer to study at the College.
53. If the immigration document does not cover the total duration of the programme, offer holders must sign a declaration stating that they will apply for a valid leave before their current permission expires.
54. Offer holders must provide to the College evidence of their visa application and once they obtain the new one, they must provide it to the College.
55. The College must retain copies of the following documents:
- 55.1. Application form to the College
  - 55.2. Academic qualifications
  - 55.3. Academic references
  - 55.4. Interview assessment form
  - 55.5. English language certificates
  - 55.6. Under 18 consent form (if applicable)
  - 55.7. Official translations (if applicable)
  - 55.8. Passport

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<sup>6</sup> See the [Undergraduate Student Attendance Policy](#) for further information.

<sup>7</sup> See the [Postgraduate Student Attendance Policy \(Tier 4\)](#) for further information.



55.9. Visa (vignette)

55.10. Biometric Residence Permit

55.11. Any other relevant documents from UKVI regarding the immigration status of the offer holder

### MONITORING AND REPORTING

56. The responsibility of this policy lies with the College's CAO, and the Head of Admissions & International Student Recruitment (HAISR).

57. The CAO and HAISR will report at least annually to the Executive Dean.

<b>Title: Tier 4 and International Student Admissions Policy</b>					
<b>Approved by: Academic Board</b>					
Version number	Date approved	Date published	Author	Location	Proposed next review date
3.1	December 2019	January 2020	Compliance and Admissions Officer	NCH Academic Handbook/ admissions	April 2021
3.0	December 2019	December 2019	Compliance and Admissions Officer	NCH Academic Handbook/ admissions	April 2021
2.2	September 2019	September 2019	Tier 4 Compliance Coordinator	NCH Academic Handbook/ admissions	April 2021
2.1	December 2017	December 2017	Tier 4 Compliance Coordinator	NCH Academic Handbook/ admissions	July 2019
Referenced documents	Undergraduate Student Attendance Policy; Postgraduate Student Attendance Policy (Tier 4); Immigration History Form; Declaration of Criminal Convictions and Penalties for Tier 4 Offer Holders				
External Reference Point(s)	UK Quality Code: Admissions, Recruitment and Widening Access; Guidance on applications for UK Tier 4 student visas; UK visas and registering with the police; Tuberculosis tests for visa offer holders; Immigration Rules; Applying for a Tier 4 licence; Sponsorship duties; Creating CAS; User manuals: Sponsorship Management System (SMS)				

## ANNEX A

## Immigration History Form

This form is intended for offer holders who require a Tier 4 visa to study at New College of the Humanities (the College). The College cannot proceed with your application until we have received this form, even if you have not studied in the UK before. Please ensure that you fully and accurately complete this form.

In order to offer you a place, the College needs to ensure you are eligible to apply for a Tier 4 visa. We need to check your academic progression and the length of your previous visas in line with UK Visas and Immigration (UKVI) requirements regarding academic progression and study time limits.

When completing the form, please ensure that you include **all study periods in the UK**, including English language and short programmes as well as programmes not completed. **Together with this form, please send the College a scan of your passport and all your visas to: [visa@nchlondon.ac.uk](mailto:visa@nchlondon.ac.uk).**

## PERSONAL INFORMATION

<b>First name</b>	
<b>Family names(s)</b>	
<b>Date of birth (dd/mm/yyyy)</b>	
<b>Nationality</b>	
<b>Programme applied for</b>	

**1.** Have you ever studied in the UK before?

- No  
 Yes

If Yes, please fill in the [Programmes Studied in the UK and Visa Information](#).

**2.** Have you ever been issued with a visa to study in the UK which you did not use?

- No  
 Yes

If Yes, please provide more information:

3. Have you ever been refused a UK visa or entry at the UK border?

- No
- Yes

If Yes, please provide a copy of the refusal notice

**PROGRAMMES STUDIED IN THE UK AND VISA INFORMATION**

Please complete the table below and continue on a separate sheet if necessary.

Name of the UK educational institution	Full programme title <sup>8</sup>	Level of study <sup>9</sup>	Did you successfully complete this programme?  Yes / No / In progress	Visa type <sup>10</sup>	Visa start date (dd/mm/yyyy)	Visa expiry date (dd/mm/yyyy)  If your visa was curtailed /cancelled inform the new end date

**DECLARATION:**

I confirm that, to the best of my knowledge, I have provided complete and accurate information and that I have declared anything that could affect my application to study in the UK. I further understand that any false statements may result in withdrawal of my offer to study at New College of the Humanities.

<b>Full name</b>	
<b>Signature</b>	
<b>Date</b>	

<sup>8</sup> e.g. GCSE, A levels, English programme, Foundation, Bachelor’s, Study Abroad, Pre-Master’s, ACCA, Master’s, Postgraduate Certificate/Diploma, PhD)

<sup>9</sup> NQF, SCQF, CEFR level (please check CAS, admissions/visa support letter, transcript to confirm the level)

<sup>10</sup> e.g. Tier 4 General, Tier 4 Child, Student visa pre-March 2009, Student Visitor, Short Term Student, C visit student. If your visa was not for study, please state the type.

### CONSENT TO UKVI

As a Tier 4 Premium Sponsor the College can check directly with the UKVI, your immigration history.

There are some instances when the College and you may not have information about your current immigration status, and therefore the UKVI would be able to clarify the situation.

To do this the College requires your written permission to contact the UKVI.

Please complete, sign and date below so that the College has your written permission and consent to check with the UKVI directly.

<b>Full name</b>	
<b>Date of birth</b>	
<b>Nationality</b>	
<b>Signature</b>	
<b>Date</b>	

**As you are subject to immigration control, please note you will not be permitted to start or return to your programme until you provide evidence of your right to study in the UK.**

<b>Title: Immigration History Form</b>					
<b>Approved by: The Quality Team</b>					
Version number	Date approved	Date published	Owner	Location	Proposed next review date
1.0	December 2019	December 2019	Compliance and Admissions Officer	VLE	June 2020
Referenced documents	Immigration History Form				
External Reference Point(s)	UK Quality Code: Admissions, Recruitment and Widening Access; UK Visa and Immigration rules and regulations.				

## ANNEX B

## Declaration of Criminal Convictions and Penalties for Tier 4 Offer Holders

All offer holders who require a Tier 4 visa to study in the United Kingdom are required to declare all criminal convictions, including traffic offences or pending court cases that have been obtained in any country and to provide details.

They must disclose unspent and spent criminal convictions, and penalties. This is because the immigration rules include provision to refuse a visa application under general grounds if someone holds certain criminal convictions. Thus, you will need to provide this information to the College and the UK Visa and Immigration.

<b>Name</b>	
<b>Address</b>	
<b>Programme</b>	
<b>Date of birth</b>	
<b>UCAS No (if applicable)</b>	

Do you have any spent and unspent convictions and penalties?

No

If No, please skip the next two tables, and complete the declaration at the end of the form.

Yes

If Yes, please fill in the [Criminal Convictions](#) table.

Having a criminal record does not prevent you from applying to study with us. Please list all spent and unspent convictions and penalties including traffic offences (e.g. disqualification for speeding or not having insurance) or pending court cases that have been obtained at any time in any country as defined [here](#), together with details of the sentencing, sentence imposed, and sentence actually served. Please provide details of any Probation Services, Police Authorities, or Social Services that you are prepared for us to contact for further information.

You will need to declare a caution, warning, reprimand or other penalty; a civil court judgment against you (for example for non-payment of debt, bankruptcy of anti-social behaviour); an arrest or charge for which you are currently on or awaiting trial, and a civil

penalty issued under UK immigration law.

**CRIMINAL CONVICTIONS**

Nature of conviction	Date of sentencing	Sentence imposed and served	Details of services involved
1.			
2.			
3.			

*Continue on a separate sheet if necessary.*

Please explain any mitigating circumstances, including any reflections on your actions that were considered by the court and that you wish the College to consider. Please also attach any letters of support that you have from Social Services, Probations Services, or other official body involved in your case.

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Type of penalty	Date	Details of the penalty	Penalty imposed
1.			
2.			
3.			
4.			

**DECLARATION**

I certify that the information submitted in this form is true and correct to the best of my knowledge. I further understand that any false statements may result in withdrawal of my offer to study at New College of the Humanities.

<b>Full name</b>	
<b>Signature</b>	
<b>Date</b>	

<b>Title: Declaration of Criminal Convictions and Penalties for Tier 4 Offer holders</b>					
<b>Approved by: Quality Manager</b>					
Version number	Date approved	Date published	Owner	Location	Proposed next review date
1.1	December 2019	January 2020	Compliance and Admissions Officer	VLE	June 2020
1.0	December 2019	December 2019	Compliance and Admissions Officer	VLE	June 2020
Referenced documents					
External Reference Point(s)	UK Quality Code: Admissions, Recruitment and Widening Access; UK Visas and Immigration				