



UKVI Tier 4 Compliance Policy

This document has been created in line with Version 07/2016 of Tier 4 of the Points Based System: Guidance for Sponsors Document 2: Sponsorship Duties which ELC Bristol adheres to

Up-to-date Tier 4 Guidance Documents as Issued by the Home Office are saved on the ELC S Drive in Admin Docs – Tier 4 Guidance Docs for staff reference

Sponsorship Duties

Reporting changes to student circumstances

Student Attendance

Students with a General Student Visa (GSV) meet the Registrar (level 1 SMS user) on their first day at school. The regulations regarding attendance and compliance are explained to the students making sure that they understand their obligations. The students are asked to sign a copy of the GSV compliance form. We keep this in the student's record and also give a copy to the student.

Students who are studying at the school with a GSV must sign-in every morning. The Registrar generates a personalised sign-in sheet for each GSV students that includes their full dates of study as per the information provided to UKVI on their CAS. The student must sign in each day at the school office, their contact point. If the student does not sign in the Registrar checks with the Director of Study to see if the student has been in contact to authorise their absence (eg. for sickness) in line with our attendance policy. If the student has not contacted the Director of Studies the Registrar contacts the student to find out why they are not in school. If the student has not made contact by the next day, the Registrar will try to contact their emergency contact.

Although the school's responsibility is to report to UKVI if a student misses 10 consecutive expected contact points, in order to encourage good attendance, we inform GSV students that if they miss any 10 complete days without authorisation, we will inform UKVI.

In addition to this, at the end of each week, the Directors of Study at both Abon and Pembroke input into our database the attendance of every student in the school that week. The database calculates their percentage attendance and will automatically email the Principal, Directors of Study and Registrar when a student's attendance falls below 90% and then again if it falls below



85%. This system ensures that we are vigilant with students' attendance and by inputting the attendance for the week the Directors of Study are aware of which students have missed lessons.

Teachers are aware that attendance is particularly important for visa students and so keep a close eye on these students in their class. By following this procedure, we are aware of when a GSV student is absent from school and can take necessary action.

If for any reason the student misses 10 consecutive contact points, Clare Hutton, the Registrar and level 1 SMS user, will report this student to UKVI via the Sponsor Management System (SMS) within 10 working days of the last expected contact point that we intend to withdraw sponsorship of the student. If we know the name and address of any other sponsor the student has moved to we will provide it at this point also.

Students who withdraw from their course before they travel to the UK

As soon as we know that a student has withdrawn from their planned course of study with us before they have travelled to the UK, the Registrar will report this via the SMS. This will be reported as soon as the school knows, and within 10 working days of us finding out about it. If we know the student is joining another institution we will report the name and address of this institution via the SMS also.

A student's start date is delayed before they enter the UK but after they have been granted entry clearance

As soon as we know that a student has delayed their start date for their planned course of study with us before they have travelled to the UK but after they have been granted entry clearance, the Registrar will agree with the student whether or not they can still complete the course within the dates given on their visa. If they can, we do not need to report anything via the SMS. If they can't, we must:

- Assign a new CAS
- Advise the student to apply to vary their leave to include a later finish date.

Students who fail to enrol within the enrolment period

We are fully aware of our duties to report a GSV student to UKVI if they fail to enrol on their course. To avoid this happening, we have in place a 'GSV student recruitment policy'. GSV students cannot enrol directly, they must enrol through an ELC Bristol GSV authorised representative or prove that they are sponsored by their embassy. All students must pay full tuition fees and at least 4 weeks of accommodation fees before we issue a CAS as well as



presenting all of the other required documents. Embassy sponsored students must pay a £300 deposit and provide proof of a financial guarantee from their embassy.

We understand that sometimes students have a significant change in their circumstance before they arrive which may delay them from starting their course and in these instances we will always notify UKVI immediately through the SMS, and certainly within 10 working days of the enrolment period ending, including the reasons for non-enrolment, for example;

- a) they missed their flight;
- b) they decided not to come to the UK;
- c) they delayed their enrolment;
- d) they are doing a course with a different sponsor; or
- e) we have refused them permission to come to, or stay in, the UK.

Students who discontinue their studies

To discourage students from ceasing their studies early and using the refund money to stay in the UK, ELC Bristol will not refund any tuition fees to a student who ceases their studies earlier than planned. Students must provide us with proof that they are either leaving the country (in the form of a boarding pass) or enrolling at a different institution. All of this information is recorded on our database and we can produce reports with the information for all GSV students who finished their courses early upon request. Clare Hutton, the Registrar and level 1 SMS user, will report students who discontinue their studies to UKVI through the SMS sponsorship duties section and will keep a record of the information inputted and when it was reported.

As we only recruit GSV students through trusted representatives or embassies, as a follow up measure once the student has arrived, we conduct an interview with them about how they were recruited if they came to us via a representative – please see ‘GSV Representative Recruitment Procedure’. This enables us to ensure that our representatives are offering students sound visa advice and are fully informed on both UKVI procedures and ELC’s procedures. If we discover that the advice has been inaccurate or they the student felt that they were not well informed then next time they wish to send us a GSV student, we will go through the recruitment procedures again and highlight areas that the student felt needed improving.



Record Keeping – Appendix D

During the enrolment process of potential Tier 4 students the SMS Level 1 User or Level 2 User collects the following required documents:

- Completed 'ELC Bristol Tier 4 GSV Sponsorship Application Form'. If this shows the student has studied in UK before, we need a report from relevant institution showing progress and attendance.
- Copy of passport.
- Copy of SELT (eg IELTS, min 4 all bands) Check UKVI list <https://www.gov.uk/government/publications/guidance-on-applying-for-uk-visa-approved-english-language-tests> to be sure and verify document is from an approved SELT provider and was taken within 2 years of the students application to ELC Bristol.
- Copy of Education Certificate (eg Uni or high school cert) in English.
- Full tuition fees plus minimum of 4 weeks' accommodation fees or if embassy sponsored a letter proving the student is Government sponsored plus a £300 deposit from student.
- CAS fee £21

Copies (or originals where possible) of all these documents and any supporting documents used as evidence to make an offer to a student must be retained in the student's booking file.

When the student arrives we take a copy of their current passport pages showing all personal identity details (including biometric details), leave stamps, or immigration status document including their period of leave to remain (permission to stay) in the UK. This must show the student's entitlement to study with a licensed sponsor in the UK. In the absence of an entry stamp, other evidence such as the travel ticket to the UK or boarding card should be kept. We also take a copy of the student's Biometric Residence Permit.

Records of the student's GSV Sign-In Sheet (as referenced in section 'Student Attendance' of this document) are retained with the students booking file after the student has left. Digital copies of the students attendance stays on the student's entry page on the database.

Every other Thursday morning the Administration Assistant performs a 'Checking Data' report from our database. This document is issued confidentially by the class teacher to each student, so the student can check the contact information we have recorded for them on our database is correct. We then record any updated information (including address/phone number/mobile phone number) on the student's entry page on the database so that we have a complete historical record of their contact details.



Maintaining Educational Oversight

ELC Bristol is a Private Provider and must have a Tier 4 Educational Oversight inspection when their circumstances change significantly or at least every four years. ISI (Independent Schools Inspectorate) are our Educational Oversight Body. To meet the Tier 4 Educational Oversight requirement we must achieve a rating of 'meets expectations' or 'exceeds expectations'. We are inspected regularly by ISI, with our last inspection taking place in July 2015. Our next inspection is scheduled to take place in October 2016.

Monitoring Students Working Conditions

The school is aware of the restrictions on working rights of students on both Tier 4 and Short-Term Study Visas. The school does not employ in any capacity students who do not have permission to work in the UK.

Reporting Changes to an Institution

ELC Bristol will report any changes that may affect our Tier 4 Sponsor Licence as per section 5 of Version 11/2015 of Tier 4 of the Points Based System: Guidance for Sponsors, Document 2: Sponsorship Duties.

Annual Tier 4 Activities

ELC Bristol must apply for its annual allocation of CASs via the SMS. When we do so we must take into account and carefully review the number of CASs we have issued in the preceding year to use as evidence to support our request. We must also renew our Tier 4 Sponsor Status annually and undergo a Basic Compliance Assessment and pay the applicable fee. The Level 1 SMS User will undertake both of these annual Tier 4 activities.

Renewing our Tier 4 Licence

Our Tier 4 Sponsor Licence lasts 4 years, after which it will expire. The SMS will allow us to make a renewal application from three months before the expiry date of our licence. Our licence start and end date, and the date that we can make our application to renew our licence, can be viewed using the 'Licence summary' function in SMS. Our licence end date is the last day that we will be able to make a renewal application before our licence expires.



Data Monitoring of Tier 4 Students

The Level 1 SMS user produces monthly reports in order to monitor our Tier 4 student data on a regular basis. These reports include data on:

- Information on current GSV students in the school
- CASs issues over the last 12 months
- Current students in the school with a visa
- GSV non-arrivals over the last 12 months
- GSV early departures over the last 12 months
- Monthly summary of GSV non-arrivals and early departures over the last year outlining whether they were UKVI compliant or non-compliant

In order to maintain our Tier 4 Sponsor Licence we must ensure we have a refusal rate at less than 10%, and enrolment rate of 90%+ and course completion rate of 85%+. The course completion rate does not include early departures who are UKVI compliant. To be UKVI compliant the school must obtain evidence that:

- The student has left the UK (on a temporary or permanent basis). This evidence must include a copy of the flight boarding pass out of the UK.
- The student has switched institutions (a letter from the new institution confirming they have offered the student a place and from what date. We must see the original letter and retain a copy).
- The student has switched immigration category (the school must see any original documents confirming this and retain copies).

For our Tier 4 recruitment procedure please see document '**Student Recruitment Procedures for GSV Students**'.