



## REGULATION A1: VISA AND IMMIGRATION

(formerly Regulation 6: Visas and Immigration)

### 1. ABBREVIATIONS AND DEFINITIONS

- Academic Engagement: UK Visas and Immigration (UKVI) consider you to be academically engaging if you are actively and consistently following your course of study. Academic engagement is indicated by activities such as:
  - Attending required lectures, seminars or tutorials
  - Undertaking required laboratory work
  - Undertaking research or fieldwork
  - Submitting essays, assignments, and attending examinations

This is not an exhaustive list and not all courses will contain all these elements.

- CAS: Confirmation of Acceptance for Studies, an electronic document sent from the University to UK Visas and Immigration containing information about you and your chosen course, required for a Student Visa application.
- ICA: Immigration, Compliance & Advice.
- KDA: Keele Doctoral Academy.
- Procedural Irregularity: where University procedures have not been followed correctly.
- Programme of Study: This is the course or degree you are studying.
- UKVI: United Kingdom Visas and Immigration.

### 2. VISA COMPLIANCE AND SPONSORSHIP

#### 2.1 Keele University as Student Visa Sponsor

Keele's designated UKVI "Authorising Officer" is responsible for students sponsored by the University. They must ensure that students and staff comply with United Kingdom Immigration Law, and meet the requirements set out in [UKVI Sponsor Guidance](#).

## 2.2 Applicants' Suitability to Study

**2.2.1** In order for Keele university to provide Student Visa sponsorship, you, as an applicant must provide evidence that you are suitable for sponsorship and are able to fund your studies. If you are a new applicant you will have to pay a tuition fee deposit. If you are extending your current programme you might have to pay a proportion of your tuition fee for the next or current academic year (as appropriate) before sponsorship is confirmed.

**2.2.2** The University will not sponsor you if you are or have been an overstayer in the UK, or may fall under the "general grounds" for refusal in [part 9 of the UK Immigration Rules](#). It is your responsibility to provide independently verifiable evidence that you are eligible for sponsorship.

## 2.3 Right to Study checks

You must evidence your right to study in the UK by providing one or more (as required) of the following documents:

1. Passport;
2. Valid visa;
3. Academic Technology Approval Scheme (ATAS) Certificate
4. Any other documentation as requested by the University.

## 2.4 Student Engagement

**2.4.1** Keele university, as a Student Visa sponsor, has an obligation to UKVI to monitor and record Student Visa holders' academic engagement with their course and will do so in line with the University's [Student Attendance and Engagement Policy](#) and [Attendance Policy and Procedure for Student Route Visa Holders](#). Additionally, UKVI specify that students should have their studies terminated if they have not re-engaged with their studies for a period of 60 calendar days following the first contact from their sponsor regarding their lack of academic engagement.

**2.4.2** You should live within a reasonable travelling distance of the University. Travelling distance is not an acceptable reason for failing to engage with your studies. The maximum travel time to the University should be no more than ninety minutes by public transport.

**2.4.3** You must respond to communication from the University promptly and within the time frame specified. Communications regarding immigration status and visas will be sent to your Keele University email account in the first instance.

## 2.5 Length of Student Visa Sponsorship

**2.5.1** Keele University Student Visa sponsorship will last for your expected period of study, as defined when admitted, plus an additional period granted by UKVI, as defined in the [Immigration Rules Appendix: Student](#), paragraph ST25.3.

You must comply with all UK Immigration rules for the length of your visa and while enrolled at Keele University.

**2.5.2** Your eligibility for a Student Visa extension will be considered if you:

- change your programme of study and need a longer visa to complete the new programme. The ICA team will advise you whether the application can be submitted inside the UK or not.
- need to repeat modules and / or assessments with attendance. Following an Exam Board, Student Records will inform ICA of any Undergraduate or Postgraduate Taught students who have the opportunity to repeat modules or assessments so that your eligibility for a Student Visa extension (in line with [UK Immigration Rules Appendix: Student](#)) can be determined
- are a Postgraduate Research (PhD) student who needs longer to complete your studies. The length of your visa extension will be determined by the KDA within UKVI rules.
- add a permitted work placement or study abroad period to your course which will mean you need longer to complete your course.
- are elected as a Students' Union Sabbatical Officer.

No other extensions will be considered.

If a new CAS is required for any reason e.g. extension, refusal, LOA etc, a charge of £100 will apply to cover the cost of the new CAS and the associated administrative costs.

**2.5.3** The request for an extension does not automatically guarantee Student Visa Route sponsorship. Requests are subject to UKVI requirements and are granted at the discretion of the University.

**2.5.4** If you need to return to the University to complete your studies outside of your Student Visa sponsorship period, you will be supported to apply for a Standard Visitor Visa if appropriate (subject to UKVI requirements).

## **2.6 Visa Refusals**

If your Student Visa application is refused by UKVI, there will be a £100 charge for a new CAS if you would like to reapply. Alternatively, if you are an applicant, you can request a refund of your deposit, unless the visa was refused because of fraudulent documents or any other instance of fraud. You will need to provide the UKVI decision letter to ICA.

### 3. UKVI REQUIREMENTS AND CANCELLATION OF VISAS

#### 3.1 Withdrawal of Sponsorship

**3.1.1** If your Student Visa is sponsored by Keele University, you will have your sponsorship withdrawn, resulting in a cancellation of your visa, if you:

- withdraw yourself from the University
- take a Leave of Absence ([Regulation B4](#)). When returning from a Leave of Absence you will need a new visa before returning to the University
- have your studies terminated by the University
- complete your studies more than four months earlier than the expected end date stated on your CAS. This will be reported to UKVI as early completion
- change your immigration status and / or programme of study and are consequently no longer eligible for University sponsorship under the Student Visa Route
- do not have a valid and in date Academic Technology Approval Scheme (ATAS) Certificate (if one is required).

#### 3.2 Breach of Student Visa Conditions

**3.2.1** If your Student Visa is sponsored by Keele University, you are required to adhere to the [UK Immigration Rules](#) at all times and must academically engage with your course. The University has a duty to notify UKVI if you fail to academically engage with your programme of study. Keele University can terminate your studies if your attendance remains below the level required in the [Attendance Policy & Procedure for Student Route Visa holders](#) or by UKVI. In this instance you can be removed from your course and your Student Visa sponsorship will be withdrawn.

**3.2.2** If the University finds, or the University is informed by UKVI, that you have breached your immigration conditions, your studies can be terminated. For example, working more than the number of permitted hours per week.

**3.2.3** If UKVI inform the University that you do not have permission to study, Keele University will terminate your studies and cancel your visa.

#### 3.3 Tuition Fee / Accommodation Fee Debt

If you are in debt to the University, having failed to pay for tuition fees or University Accommodation costs within the required period, in accordance with the [Charging and Payment of Student Fees Policy](#) you can be terminated from your studies.

#### **4. THE GRADUATE ROUTE**

**4.1** Upon successful completion of your course, ICA will check whether you meet the eligibility criteria for the Graduate Route and if satisfied, will report your successful completion to UKVI.

**4.2** ICA will notify you via your University email address once this report has been made.

**4.3** It is then your responsibility to apply for the Graduate Route if you want to switch to that immigration category.

**4.4** ICA cannot advise on the Graduate Route but can provide information.

**4.5** Keele University reserves the right to refuse to report your successful completion to UKVI if you have outstanding debt (tuition fees, accommodation, other) to the University.

#### **5. APPEALS**

##### **5.1 Appeals against denial of sponsorship**

**5.1.1** Applicants and students can appeal the decision to deny their sponsorship if there is evidence of procedural irregularity in the decision-making process

**5.1.2** Appeals must be submitted to the Head of ICA within 5 calendar days of being informed that sponsorship has been denied.

**5.1.3** The Head of ICA will decide the result of any appeal within 15 working days. This communication will be sent to the email address provided with the appeal.

##### **5.2 Appeals concerning potential cancellation of visas**

**5.2.1** Students can appeal against the University's decision to terminate their studies if there is evidence of procedural irregularity in the decision-making process. The appeal form and further information is available [here](#).

**5.2.2** Appeals must be submitted within 5 calendar days of being informed of the termination of studies.

**5.2.3** The Deputy Academic Registrar or nominee will decide the result of any appeal within 5 working days. This communication will be sent to the email address provided with the appeal.

**5.2.4** If your appeal is rejected, ICA will contact UKVI to report termination of your studies and cancellation of your visa.

### **5.3 Grievances against appeal decisions**

**5.3.1** Once the appeal procedure is complete, it is possible to submit a grievance to the University Council. A grievance can be submitted if there is evidence of procedural irregularity in the conduct of the appeal process. Further grievance information can be found [here](#).

**5.3.2** A grievance must be submitted in writing to the Secretary to Council within 14 calendar days of receiving the outcome of the appeal.

**5.3.3** Students must comply with the requirements of UKVI and will not be sponsored during the grievance proceedings.