



SERVICES FOR INTERNATIONAL EDUCATION MARKETING CONFERENCE 2012

Student visas: let's talk Tier 4

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IELTS™

Points Based System

Immigration changes – latest news and updates

- UKBA website visas & policy (9 July 2012) and links to Tier 4 students and British Council safety brochures:
- <http://www.ukba.homeoffice.gov.uk/visas-immigration/studying/>
- <http://www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/pbs/Tier4migrantguidance.pdf>
- Go to UKCISA website:
- http://www.ukcisa.org.uk/files/docs/student/ec_flowchart.doc
- British Council immigration website:
- <http://www.britishcouncil.org/eumd-immigration.htm>

Points Based System

- UKBA Joint Education Taskforce (JET) meets to develop and share research, resources and insights which support the aims and objectives of the Taskforce and the Points Based System.
- British Council – strong representation - Jet Member since 2005 and now member of the Core JET Group
- Active Contribution to Consultations and Round Tables
- Dedicated Immigration Adviser – over 15 years of experience advising staff overseas and in the UK on sponsor compliance matters, UKBA changes, and liaises with senior UKBA officials on behalf of British Council staff with regard to Tier 4 and 5.
- Dedicated pre-departure, orientation and immigration & safety publications and training. Regular press releases.

Points Based System

- **Five Tiers** – have different conditions, entitlements & entry clearance checks:
 - Tier 1: Graduate Entrepreneur/Exceptional Talent
 - Tier 2: Skilled workers with a job offer
 - Tier 3: Limited numbers of low skilled workers
 - **Tier 4: Students**
 - **Tier 5: Youth mobility and temporary workers/GAE.**
- Policy Guidance on applying for a licence, SMS, CoS/CaS, record keeping duties, reporting duties, audit.

Latest news and updates

Student Visa Requirements from 1 Oct 2012

- New rules now apply for extending a student visa
- New streamlined UK visa application process for students from Botswana and Malaysia
- Changes to application from overstayers
- Switching from study to Tier 2
- New forms for applications under the points based system to be used from 1 October 2012
- Changes to Tier 1 (Exceptional Talent) route

Latest news and updates

Student Visa – From December 2012

- Changes to the requirements for biometric residence permits
- Warning about fake UK Border agency websites and calls
- Changes to the Immigration Rules – come in force 13 December 2012
- Criminality
- Temporary concession for Syrians under the Immigration Rules

Immigration in the press

UK Immigration in the news

- 1. The Guardian: Chief Inspector of Immigration, John Vine:
- *'UK Border Agency has let thousands of overseas students overstay'*
- 2. *'Biggest Fall in immigration for 20 years – success thanks to a blitz on bogus colleges and a cut in student visas'* Daily Mail Friday November 30
- 3. Boris Johnson - Tighter visa restrictions are sending the "wrong signal"
- 4. *British Council response to UK net migration figures* Dr Jo Beall
- 5. *Message to British Council Education UK Marketing Managers*



SECURING
OUR BORDER
CONTROLLING
MIGRATION

Let's talk Tier 4!

Erica Thurbon

10 December 2012

Points to be covered

- **An overview of our International Operations**
- **Commercial Partners**
- **The entry clearance visa application process**
- **Credibility testing**
- **The tuberculosis rollout**
- **In country Tier 4 visas**
- **The student journey**
- **Student batch line**
- **Temporary migration restructure**
- **Restrictions placed on time spent studying in the UK**
- **Work routes**
- **Sponsorship operations**
- **Sponsorship renewals**
- **Tier 4 sponsor**
- **Tier 4 sponsor account management system**

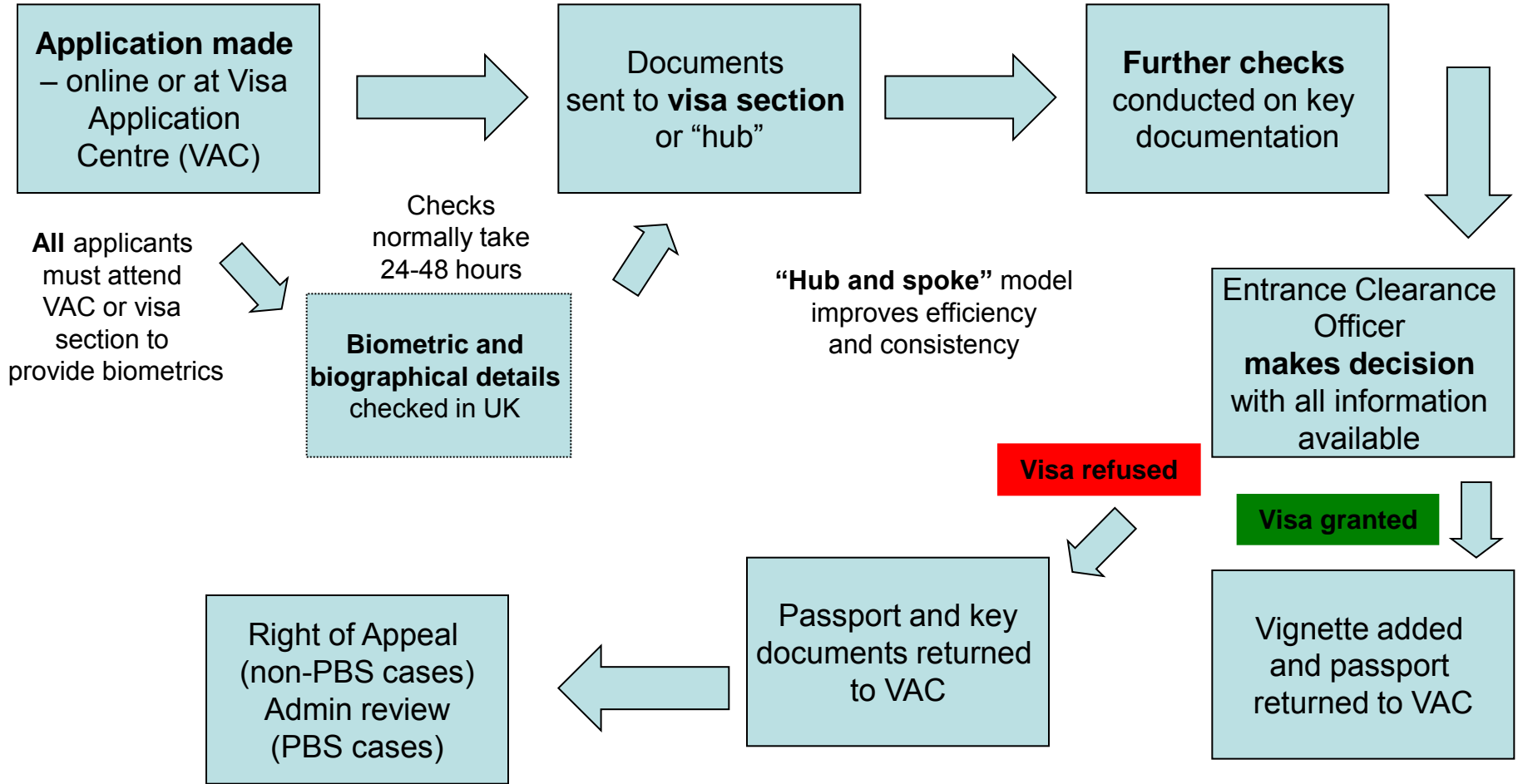


UK Border Agency International Operations and Visas (background)

- International Operations and visas is the department responsible for visa issues overseas at diplomatic missions.
- 2,400 staff in 130 countries around the world
- Over 100 nationalities require visas
- Over 300 places to enrol biometrics
- 162 VACs in 106 countries and overseas territories
- 59 decision making centres in 54 countries and overseas territories.

- Globally we work with VFS and CSC (World bridge) who run our visa application centres (VACs).
- The VACs play no part in the decision making process
- The VACs collect fees and input the applicant data, including the enrolment of biometrics
- They also deliver applications to the visa office and collect them when the decision has been made.

Visa application process



Credibility Testing

From 30 July, a Tier 4 student applying from outside the UK may be asked to undertake an interview, either in person, or on the telephone.

- The Entry Clearance Officer (ECO) will take into account:
 - applicant's immigration history, in the UK and other countries
 - applicant's education history, study and post study plans
 - financial circumstances of the applicant
 - course provider and agents
- No appeal right but a review of the decision can be requested
- A large number of ECOs are already trained and experienced in interviewing visa applicants. Any remaining staff will receive the training they need before carrying out interviews.

Tuberculosis Screening

The UK Border Agency are proposing to extend pre-entry screening of applicants to an additional 67 countries.

- Applicants from these countries who apply for a visa of more than 6 months will be subject to the TB screening.
- 15 countries currently covered by pre-entry screening for non-EEA migrants.
- Changes will be implemented on a phased basis and roll out will be completed by the end of 2013.
- Pre-entry TB screening is carried out by a large number of countries worldwide, including the US, Canada, Australia and New Zealand

The Student Journey

Apply

- In-Country, Overseas, On-line, In Person
- Pay appropriate consideration fee
- Enrol Biometric Data – via Post Offices or PEOs.

Consider

- Assessment of Points criteria
- Additional evidence requested where necessary

Decide

- Decision to Grant where meet rules or Refuse if do not
- Appeal process available
- Biometric Residence Permit issued

Student Batchline



Sheffield took responsibility for the student batch line in October 2011 as part of the move to consolidate all TM and Tier 4 work in Sheffield.

The line is staffed 8am – 4pm daily.

7 AO caseworkers cover the line and then conclude any follow up work resulting from a call/fax received.

The batch only deals with calls/faxes from student advisors who's institution is a member of UK Council for International Student Affairs (UKCISA).

Peak times of year are Oct-Jan.

Most common query relates to case progress (36%) followed by BRP issues (15%)

From Oct-11 to date, we have received 4207 calls and 118 faxes

Temporary Migration Restructure

In June 2012, Temporary Migration in Sheffield underwent a command restructure. The impacts of this structure are as follows:

Tier 4 Postal Operations now consists of 8 case working teams, all of the same size.

Dual role HEO Team Leaders who possess both technical knowledge, and knowledge of leading an operational team.

**Temporary
Migration
Restructure**

HEO Leads exist in the areas of Policy, Quality and Intelligence, to name just a few.

Team Leaders have access to a suite of Performance and Work in Progress management tools in pursuit of increased productivity.

Restrictions

New policy changes in 2012 that affect Tier 4 students:

- Maximum periods of study allowed; 3yrs below degree level, 5yrs above degree level
- Any application where the applicant has overstayed in the United Kingdom for 28 days or more will be automatically refused

Working in the UK after Tier 4 studies

If Tier 4 students wish to stay on and work in the UK they may qualify under Tier 2 (General) of the points based system

Eligible graduates must have an offer of a skilled job, paying no less than £20,000 per annum, from an employer who is a licensed Tier 2 sponsor. There will be no limit on the number of Tier 2 visas issued to graduates who meet the criteria.

Students may also be eligible for a 'graduate entrepreneur' visa - a new scheme under Tier 1 of the points based system. Find out more at www.ukba.homeoffice.gov.uk

Other routes are Tier 1 Investor and Tier 1 Entrepreneur

Looking ahead

In Spring 2013, we will launch the Integrated Case Work system (ICW) which will enable the application, consideration and decision procedures to all be fulfilled on-line.

A Tier 4 Desk Aide is being tested which will provide caseworkers with a hand-held guide which displays guidance on the most common case working themes.

Sponsorship Operations

Sponsorship Casework Operations

- Pre-licence
- Post-licence
- HTS
- Premium
- Renewals

Sponsorship Compliance

- Visits
- Compliance casework
- Litigation

Sponsorship Support

- System development
- Support functions
- Guidance

Sponsor Renewals – when and how?

sponsor licence \equiv valid for 4 years \rightarrow must be renewed



Failure to renew:

- \rightarrow No longer able to sponsor overseas workers or students under PBS
- \rightarrow Curtailment of the leave of workers or students
- \rightarrow 60 days to find a new sponsor or leave the UK

Between 27 November 2012 and 31 March 2013 about 9,000 sponsor licences will expire:

- ✓ 4 months before expiry we send a series of notifications with actions
- ✓ Simple 5 min process to renew
- ✓ Sponsor Licensing Unit: 1. validates by checking sponsor's licence & fee
2. review of sponsor and suitability to hold licence for further 4 years

Sponsor Renewals – progress

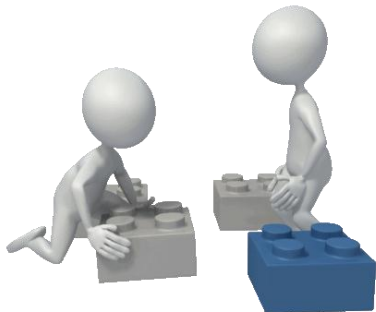
By 12 November 2012 - received 3,701 licence renewal applications

- 3492 accepted as valid
- 40 rejections
- 54 sponsors notified us no renewal required
- fully reviewed 233 and notified sponsors of outcome

We have 6 months from date of validation to complete the reviews and we are confident that we will do so!

!!! Risk = last minute surge of renewal applications:

- ✓ “early invitation” to group of sponsors to apply to renew their licence 3 months before it expires
- ✓ using our resources flexibly & training caseworkers in all aspects of licence renewals
- ✓ designing the renewal process so, once validated, a sponsor’s licence end date is extended until we have completed our review



T4 Sponsors' duties include informing us if:

- students do not arrive for their course
- students are absent without permission for a significant period
- students leave course earlier than expected

UKBA monitor behaviour and compliance:

- set a limit on number of CAS and review performance
- make visits
- issue civil penalties if we find a breach of illegal working regulations
- can revoke/suspend licences or reduce CAS allowance

Highly Trusted Sponsor Status (HTS)

- ❖ recognises sponsors with good history of compliance & whose students meet the standards of compliance
- ❖ after 12 months sponsors must successfully apply for HTS – if do not meet the HTS criteria licence is revoked



Pilot scheme for Universities: July 2012 – April 2013



Designed for our Universities with our Universities:

- ❖ dedicated account manager
- ❖ advice and support
- ❖ training events throughout the year led by UUK supported by UKBA
- ❖ monthly reports specific to the university

Success  Implementation as an optional chargeable service available to all Tier 4 sponsors



Any Questions?

