Loughborough College Group
Student Sponsor Compliance Policy

1. Scope and Purpose

Loughborough College has Student Sponsor Status, approved by the Home Office / UK Visas and Immigration (**UKVI**) (Sponsor Licence number: **R30J3D7K1**). As a licensed student sponsor, Loughborough College is able to benefit from recruiting international students and therefore has an obligation to comply with the sponsor duties and responsibilities as prescribed by, but not limited to, the following Home Office / UKVI guidance:

Student Sponsor Guidance (four documents):

- [Student sponsor guidance - GOV.UK (www.gov.uk)](https://www.gov.uk)
- Document 1: Applying for a Student Sponsor Licence
- Document 2: Sponsorship Duties
- Document 3: Student Sponsor Compliance
- Document 4: Higher Education Regulatory Reform

2. Policy/Procedure Statement

Loughborough College Group has an inclusive culture and will ensure that all applications are dealt with on an individual basis and are considered fairly in line with the college's Equality and Diversity Policy and Equal Opportunities legislation.

The College Group has strong links with local authorities and complies with current SEND (Special Educational Needs and Disabilities) legislation to ensure best endeavours are applied throughout a learner's journey. Reasonable adjustments will be made at any stage of the recruitment process as appropriate, to ensure equality of access for all. These reasonable adjustments may be necessary at various stages to include advertisement, information, invitation, open day, interview and enrolment.

International Student Sponsorship Policy: Currently, within the Loughborough College Group, only Loughborough College is authorized to sponsor international students. As a result, international students are not eligible to enrol in courses offered at Brooksby College, Melton College, or Stephenson's College.

For the duration of this policy, all references will apply to Loughborough College specifically, rather than the wider Loughborough College Group.

3. Impact Assessments

The Executive member of the 'document owning area' is happy that impact has been sufficiently assessed for the following.

3.1. This policy/procedure has been assessed for its impact on equal opportunities and will be informed by the aim to eliminate all forms of discrimination in all strands of the equal opportunities' legislation.

3.2. This policy/procedure has been assessed for potential risk on data subjects due to the processing of personally identifiable information. All processing has been reviewed and is in line with all current Data protection laws and appropriate safeguards implemented to ensure that the policy has privacy by design as its underlying approach.

3.3. This policy has been impact assessed where appropriate for Safeguarding, Health and Safety and Sustainability Factors to ensure that all potential risks are identified and mitigated, and that the policy supports a safe, inclusive, and environmentally responsible learning and working environment.

4. Policy/Procedure

SUMMARY OF UKVI / STUDENT SPONSOR GUIDANCE – SPONSOR DUTIES

As a licensed student sponsor, Loughborough College takes its sponsorship duties seriously. This includes a general duty to take steps to ensure that all enrolling students subject to UK immigration control have the right to study at Loughborough College throughout the whole period of their study. Loughborough College also has various record keeping and reporting duties in relation to its sponsored students as well as a duty to report to the UKVI any significant changes in its own circumstances. These duties are set out in further detail below.

A: RIGHT TO STUDY

As a licensed student sponsor, Loughborough College has a duty to support UK immigration control and this includes taking steps to ensure that every student who is subject to immigration control has the permission to study in the UK throughout the whole period of their study.

Loughborough College takes the following steps pre-enrolment to ensure that all students have the right to study their chosen course:

- Application Form asks students for details of their residence for the last 3 years and therefore identifies students where a Fees Status assessment is required.
- Fees Status assessments checks identify those students who are subject to UK immigration control and evidence of their UK immigration permission is checked

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- All enrolling students must provide a form of Identification/proof of right to study as a condition of enrolment. For students who are British Citizens but do not hold a British passport, Loughborough College accepts an alternative form of ID such as a UK Birth Certificate
- All enrolling students (including non-sponsored) who are UK visa holders are requested to bring a copy of their UKVI decision notification to their enrolment event.

Recording Right to Study

Copies of all enrolling student's UK immigration permission are retained on the student's electronic file on ProSolution, Loughborough College's electronic student records database – this includes downloading a pdf copy of the Immigration Status Check Results from the View and Prove Service where the student holds digital immigration status [View and prove your immigration status: get a share code - GOV.UK (www.gov.uk).](#)

Loughborough College records the student's UK visa type and UK visa expiry date on ProSolution. Where the student only holds a Biometric Residence Permit with an expiry date of 31 December 2024, Loughborough College will take the following steps to determine whether the student has the right to study for the entirety of their course at Loughborough College:

- Check the student's actual UK immigration permission expiry date from the UKVI decision notification; or
- Where the student does not hold a UKVI account to use the View and Prove Service, Loughborough College may conduct an online Right to Work Check to confirm the student's actual UK immigration expiry date [Prove your right to work to an employer: Get a share code online - GOV.UK (www.gov.uk);](#) or
- Diarise a follow up Right to Study Check before 31 December 2024 (see procedure below)

Follow Up Right to Study Checks

Where the right to study checks above identify that a student's immigration permission will expire before their course end date, Loughborough College will diarise to conduct a follow up right to study check at least two months before their UK immigration permission expiry date.

The follow up right to study reminder is recorded in Prosolution and Outlook and accessible by all relevant personnel in Loughborough College's Student Recruitment and International Teams. An enrolled student with time limited immigration permission is then sent an email which asks if the student will be:
- Extending their visa
- Applying to change their UK immigration status
- Ending their studies with the College

Where the student has not already been granted new UK immigration permission, the student is requested to provide copies of any application made to extend their UK immigration permission. Receipt of such evidence will allow Loughborough College to be satisfied that there is a pending UK immigration application and this was submitted before the expiry of their current immigration permission. Loughborough College will then diarise further right to study checks to ensure that copies are taken of the student's new UK immigration permission, once granted by the UKVI.

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Right to Study Checks and EEA Nationals

For EEA national students enrolled at Loughborough College before 1 July 2021, the UKVI does not require Loughborough College to retrospectively check such students have an immigration status that allows them to study.

For all EEA national students enrolled after 1 July 2021, Loughborough College will check such students hold a UK immigration permission that allows them to study their chosen course at the College. For those students that hold pre settled status or settled status under the EU Settlement Scheme, Loughborough College will carry out the right to study check using the View and prove your immigration status: get a share code - GOV.UK (www.gov.uk). Loughborough College will download a pdf copy of the Immigration Status Check Results from the View and Prove Service.

Where a student holds Pre-Settled Status under the EU Settlement Scheme, it is not necessary for Loughborough College to diarise a follow up right to study check. Further to a High Court judgment on the lawfulness of the EU Settlement Scheme regime, the UKVI is now in the process of automatically either extending PSS for a further five years or, where five years' continuous residence can be confirmed by way of national insurance records, upgrading to Settled Status. As a result, PSS holders will no longer have a UK immigration expiry date recorded on their digital immigration status. Consistent with updated Right to Work guidance for employers, student sponsors now only need to carry out **one** right to study check on students with PSS, to be completed at or prior to enrolment.

Right to Study Checks: Enrolment as Visitors

Loughborough College only allows non-UK students to enrol as visitors in narrowly defined circumstances as permitted by the Visitor Visa Rules and for no longer than 6 months.

Under the UK's Visitor Visa rules, an individual can visit the UK for up to 6 months to study at an 'accredited institution.' This includes English language courses. As a licensed student sponsor with educational oversight from the Office for Students and Ofsted, Loughborough College is an 'accredited institution' for these purposes.

The UKVI's Visit Guidance confirms that the following forms of study are permitted for up to six months under the Visitor Route: Study abroad programmes as part of an overseas course, entrance exams, re-sits and repeats. Please refer to our *International Student Recruitment Policy* for further details regarding enrolment as Visitors or on the Short-Term Student Visa Route for English Language courses.

B. SPONSOR RECORD KEEPING DUTIES

Loughborough College has a duty to retain the following records for all sponsored students in accordance with **Appendix D, Guidance for Sponsors on Keeping Documents**: Sponsor guidance appendix D: keeping records for sponsorship - GOV.UK (www.gov.uk)

Appendix D Document (Mandatory)	Loughborough College record keeping location and process

Copy of current passport	The International Team will check a student's original passport at enrolment and a scanned copy is retained in the student's electronic Appendix D file. If any Covid-19 or similar restrictions mean the original cannot be checked and scanned, Loughborough College will accept an emailed copy until the original can be checked Passport expiry dates will be logged in Prosolution, so reminders can be sent to students to provide Loughborough College with an up to date current passport. Sponsors have a duty to retain a current passport to comply with Appendix D record keeping
Copy of '90 day' Entry Clearance Vignette - including visa entry stamp	Where issued, Loughborough College will take a copy of this vignette plus entry stamp as evidence of the sponsored student's UK arrival. Loughborough College will also check that it shows the student's entitlement to study with us. A copy is retained in the student's electronic Appendix D file.
UK Arrival Date	Where a sponsored student does not have a vignette and landing stamp in their passport, Loughborough College records the student's UK arrival date *in the Prosolution record,* from their eticket/boarding pass
Copy of Biometric Residence Permit	Where issued, Loughborough College will make a copy of the front and back of a sponsored student's BRP. A copy is retained in the student's electronic Appendix D file. However, as all BRP's are short dated to 31 December 2024, Loughborough College will also take a copy of the student's eVisa (if issued), their UKVI decision notification or carry out an online Right to Work Check. These further steps will allow Loughborough College to confirm their actual UK immigration permission expiry date.
Digital Immigration Status/ eVisa	For those sponsored students holding a UKVI account and therefore with digital immigration status, their immigration status will be checked online using: **www.gov.uk/view-prove-immigration-status.** Once the student has provided a share code, the View and Prove Immigration Status Check result will be downloaded and saved as a pdf document in the student's electronic Appendix D file.
UK Contact details (residential address, telephone number and mobile telephone number)	These are captured at application stage and checked again at enrolment. These details are recorded on Pro Solution. Contact details are also checked during the International Student Census, conducted periodically throughout the academic year.

	A history of a sponsored student's UK contact details are retained on Pro Solution, Loughborough College's electronic student records data base
Educational qualifications detailed on CAS	This includes all documents used to assess each student's application and includes evidence of the sponsored student meeting the English Language requirement. Where it is possible to verify the authenticity of qualifications (e.g IELTS online check), Loughborough College will also retain this evidence on file. Copies are retained in the student's electronic Appendix D file.
Signed Letter of Parental Consent for sponsored students U18	This is retained on file in accordance with Loughborough College's additional record keeping duties in respect of sponsored students under 18, as set out in Document 2, Student Sponsor Guidance. A copy is retained in the student's electronic Appendix D file.
Attendance record	Registers are taken by Curriculum staff which are then recorded on Loughborough College's student database, Pro Solution. Further details of Loughborough College's attendance and engagement monitoring of sponsored students is available in our Attendance and Engagement Monitoring (International Students) Policy available on the College website.
Appendix D Document (Best Practice)	**Loughborough College record keeping location and process**
UKVI Student visa decision notification	This is requested so Loughborough College can record the expiry date of the student's immigration permission where they hold a BRP and also to check any visa condition errors for eVisa holders.
Copy of USED CAS (including Sponsor Notes)	Please see sections below on CAS Usage Monitoring and adding Sponsor Notes (such as where enrolment is delayed)
Copies of any SMS reports to UKVI against sponsored student's CAS	Please see below the situations where an SMS Report is made by Loughborough College about a sponsored student

ATAS is a mandatory Appendix D document where relevant however Loughborough College does not sponsor students on courses where an ATAS Academic Technology Approval Scheme (ATAS) applies.

Sponsored Student Record Keeping Duties and Document Retention

The Appendix D documents detailed above are kept in an electronic format only in dedicated electronic Appendix D folders for each sponsored student. These records can be made available to UKVI on request. All documents relating to sponsored students are kept throughout the period that Loughborough College sponsors the student, and until:

- one year has passed from the date on which Loughborough College ends sponsorship of the student, or
- the date on which a UKVI Compliance Officer has examined and approved them, if this is less than one year after Loughborough College ended sponsorship of the student.

C. SPONSOR REPORTING DUTIES

Loughborough College will use its account on the Sponsor Management System (**SMS**) to report all relevant information regarding any changes to sponsored student circumstances or its own circumstances in accordance with the Student Sponsor Guidance: Document 2: Sponsorship Duties:

https://www.gov.uk/government/publications/student-sponsor-guidance

The International Recruitment Manager is the Key Contact. The Senior International Officer (Compliance Officer) is a Level 1 User for the Student Sponsor licence, and is responsible for monitoring and identifying where an SMS Report is required in accordance with the Sponsor Guidance.

Reporting Duties – Change in Loughborough College's Circumstances

Certain changes in Loughborough College's own circumstances must be reported to UK Visas and Immigration via the SMS within 20 working days of the change. Reportable changes include the following:

- Change in main site address (currently Radmoor Road LE11 3BT)
- New Teaching Sites and Teaching Partnerships
- Any changes to Loughborough College's educational oversight rating with Office for Students and Ofsted
- Changes to Key Personnel.

Any reported changes to Loughborough College's circumstances will saved in the electronic UKVI Compliance folder, accessible by the International Team.

Reporting Changes to Sponsored Students Circumstances

Loughborough College will report the following changes to sponsored student circumstances via the SMS within 10 working days:

- Students who do not enrol within the enrolment period, including reporting visa refusals
- Students with incorrect visa conditions such as length of permission or work right errors
- Students who stop academically engaging in accordance with Loughborough College's *Attendance and Engagement Policy (International Students)* and are therefore withdrawn from their studies
- Students who finish their studies 2 weeks earlier or later than the course end date on their CAS
- Work Placement information (where not stated on CAS)
- Significant change in student circumstances (including change of course or teaching site)
- Students who wish to defer their studies for more than 60 days
- Successful course completion for the purposes of eligibility for the Graduate Route (where relevant)
- Students whose sponsorship is being withdrawn for any other reason, for example transferring to another institution
- Students who move to another UK immigration category and so are no longer sponsored under the Student route
- Anything that suggests the student is in breach of their visa conditions or where Loughborough College suspects that they are not a genuine student.

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As information reported is only partially accessible via SMS at a later date, a full screenshot of the SMS Report will be kept on Loughborough College's Applicant SMS Reporting spreadsheet and the Student SMS Reporting spreadsheet and a copy of the SMS Report will also be saved on the sponsored student's electronic Appendix D file.

D. COMPLIANCE WITH REPORTING DUTIES

CAS Usage Monitoring

To ensure that sponsor duties are fulfilled, CAS data will be exported from the SMS and all arrivals will be monitored. Any student who fails to enrol on time will be contacted for an explanation. In the instance of visa refusal or other reasons for non-enrolment (e.g. acceptance at an alternative institution), evidence will be requested and kept on file. Appropriate reports will be made via the SMS as set out above. Where students have not yet received a decision on their visa application, any possible enrolment extensions will be reported or added to unused CAS in the form of a sponsor note. Unused CAS will be withdrawn if the final enrolment deadline has passed.

Late Enrolment/Failure to Enrol

The latest course acceptance date is stated on each CAS that is assigned, and is usually 19 days (i.e. three weeks less the final weekend) after the course start date, but may vary for different programmes. The latest course acceptance date is to allow students a grace period should their visa application or travel plans be delayed. The later start date should not have a negative impact on the student's ability to successfully complete the course within the period of their student immigration permission, once granted.

If the International Office receives notification that a student will be delayed beyond the latest course acceptance date on their CAS, Loughborough College may, at its discretion:

- Extend this date via a Sponsor Note or report on the student's CAS on the SMS; or
- The student will be advised not to travel to the UK and their offer will be withdrawn.

If the student has already arrived in the UK, the Senior International Officer will make an assessment on an individual, case by case basis – to determine whether the student can be enrolled. If it is decided that the student cannot enrol, they will be considered as a 'Failure to Enrol' and the UKVI informed via the SMS.

If a student fails to enrol after obtaining a CAS from Loughborough College, but is yet to receive a visa, Loughborough College will either withdraw the CAS (if possible) or inform the UKVI that the student has missed the latest course acceptance date.

Students Taught at Other Sites

Currently, no sponsored students are taught anywhere other than the main campus site at Radmoor Road. If a new site were added to Loughborough College's Student Sponsor licence, all of the same sponsor duties and processes shall apply, including attendance monitoring. This will ensure that Loughborough College can fulfil its Student Sponsor responsibilities for all sponsored students, regardless of their study location.

Absence, Attendance And Engagement Monitoring

To prevent abuse of the Student Visa system and in accordance with its duties as a licensed student sponsor, Loughborough College records and monitors the attendance, absence and academic engagement of all its sponsored students in line with *the Attendance and Academic Engagement Monitoring Policy (International Students)* which is available on the website. This policy reflects the UKVI's Academic Engagement Policy for Higher Education Providers which differentiates between different levels of study – with sponsored students studying below degree level falling within Band 1 and sponsored students studying at degree level and above falling within Band 2. Accordingly, Loughborough College has separate academic engagement requirements for its Further Education students (Band 1) and its Higher Education students (Band 2), as detailed in the policy.

Responsibilities – Students

Pre-Enrolment

If, after obtaining a CAS from Loughborough College and the Student Route visa application is refused, the student must notify the International Team immediately.

If, after obtaining a CAS from Loughborough College, the student's visa application or travel plans are delayed beyond the final date of course acceptance, the student must notify the International Team immediately.

Induction

All new international students will attend a meeting with the International Office staff, to explain the importance of complying with the terms of their visa, with particular reference to work restrictions and attendance.

Learners are reminded that they are in the UK to study and must engage with their studies and attend all timetabled lessons plus any other contact points, e.g. non-timetabled meetings, exams. If they are due to be absent for any reason then they must report this using the ILP without fail.

Information will be provided in the International Student Handbook regarding responsibilities for students to ensure compliance with the terms of their Student Visa, and a copy of the handbook will be provided to all international students at the start of each academic year.

1. **Changes to Personal Circumstances**

If a student's circumstances change, such as their name, address etc, they must inform the International team, who will update the central student record system.

The student must also inform UKVI of such changes by completing the appropriate forms. For name change, students should complete the migrant change of circumstances form available from the UKVI website and for address change, an online form is available from the UKVI website. The International Officer will remind the student of this requirement at their Induction.

Some wider changes to circumstances must be declared by the College on the UKVI SMS as part of the Student Route reporting duties: for example, a change in immigration status, course of study, where the

student studies or undertakes their work placement.

The College's Student Records System will maintain a record of all students' addresses and immigration status – previous addresses must not be deleted.

Students Sponsored by another Institution

If a student is sponsored by another institution, and is applying to Loughborough College to undertake supplementary study, then written confirmation must be received from that institution, giving their consent for their sponsored student to undertake supplementary study with Loughborough College.

Absence due to Illness

Any student who will not be attending college due to illness must report the absence as soon as possible through the ILP system, which will then notify the relevant teacher(s) and the International Office. Evidence to support any absence may be requested by the International Office, if deemed necessary.

Absence for Other Reasons

Authorisation for absence during term-time will not usually be granted. If the need arises for a student on a Student Visa to be absent during term-time, a request for absence must be submitted in advance. This should be done by email to international@loucoll.ac.uk and any relevant evidence also submitted. The request will be considered in line with the college's Attendance and Punctuality Policy, which details acceptable reasons for Authorised Absence. The decision will be communicated to the student by return email, and a copy of the correspondence kept on file. If authorisation is granted, a comment will be logged on the ILP, so that all relevant curriculum staff are aware, and registers can be marked accordingly.

Responsibilities - Curriculum Staff

Registers for all classes will be marked in accordance with the Attendance Marks and Register Marking Rules, to ensure that accurate and up-to-date registers are maintained for all learners.

In addition to the monitoring of attendance by the International Team in accordance with the *Attendance and Engagement Monitoring Policy*, Academic Tutors will monitor attendance and discuss below-target attendance with their students. If there are any concerns regarding an international student's attendance, the International Office should be contacted.

The International Office will work with curriculum staff, to ensure that all relevant staff are aware of the Loughborough College's student sponsor duties, and through staff training, ensure they know how they can support Loughborough College's sponsor compliance.

Responsibilities - International Office

Resits and repeating students

If a student is required to retake exams or re-submit work during their valid visa period, no reporting to the UKVI is required, save for the continuation of the College's general Student Route duties.

If a student is required to retake exams or re-submit work after their visa has expired, each student will be

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considered on a case-by-case basis in liaison with the Curriculum department and in accordance with the UKVI's academic progression rules. This consideration can have the following possible outcomes:

- A CAS may be issued for a visa extension;

- The student may be advised to return home and re-submit work from home. Should travel to the UK be required, this may be done under the study provisions of the Visitor Route, if appropriate;

- The student may have a visa in another immigration category in the UK, in which case the UKVI will be informed via the SMS.

Withdrawal of Student Visa Sponsorship

Students on a Student Visa who leave the College before the course end date on their CAS will be reported to the UKVI in accordance with the Student Sponsor Guidance.

If a student cannot study, the student is withdrawn, or if the student decides to cease studying with Loughborough College, a withdrawal form must be completed and processed by the Curriculum Manager and forwarded to the International Team. They will review and take forward with the MIS department for processing.

Once the withdrawal form has been received by the International Team, the student may be invited to meet and discuss the implications and options available to them. The withdrawal form will then be processed, the Student Record System will be updated, and the student's withdrawal will be reported to the UKVI in line with UKVI requirements.

The International Team will request information on the student's next steps and request evidence to support this; this will include evidence of return tickets to their home country and / or a copy of their visa linked to a new Student Route sponsor. This will be recorded on their file and details provided on the SMS reporting screens. The Student Reporting spreadsheet will also be updated and a copy of the SMS report saved on their electronic Appendix D folder.

In all cases where a student has decided to withdraw, the International Team will offer advice and guidance to ensure the student can make an informed decision.

ADMISSIONS

Recruitment Agents

Loughborough College will thoroughly vet all third parties (such as agencies) that it works with to recruit students, and third-party information will be reported to the Home Office / UKVI when required. The source of a student's application will be recorded on ProSolution to facilitate monitoring of recruitment sources. Please refer to the *International Student Recruitment Policy* for further details.

General Admissions Procedures

Please refer to Loughborough College's *International Student Recruitment Policy* which sets out in detail the recruitment and admissions procedure.

5. Location and Access to the Policy/Procedure
    This document can be found on:
    - The Loughborough College Group's Website
    - The Loughborough College Group's SharePoint

6. Linked Policies and Procedures
    - International Student Recruitment Policy
    - Attendance and Engagement Monitoring Policy (International Students)
    - Safeguarding Policy
    - Equality & Diversity Policy
    - Data Protection Policy
    - Fees Policy

7. Change log

Date	Version	Details of change	Review / Revision by	
			Name	Title