

Next Steps

Senate Review

You can appeal against the decision of the Academic Appeals Committee to the Senate Review in writing on one or both of the following grounds:

- (a) that there is evidence that a procedural irregularity has occurred in the handling of the appeal at that level;
- (b) that relevant new material has come to light that was not available for a good reason at the time of the Academic Appeal submission.

If you believe that one or both of the above grounds are applicable, you should complete and return the Senate Review form within **fifteen University working days** of the date of your outcome letter.

Information about the Senate Review process and the submission form are available at <https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/appeals/index.aspx>. Senate Reviews should be sent by email to appeals@contacts.bham.ac.uk.

Completion of Procedures letter

- If your appeal submission has been deemed ineligible, or
- Following receipt of the outcome of your appeal you do not have grounds to submit a Senate Review or Grievance, or
- Following receipt of the outcome of your Senate Review or Grievance,

you remain dissatisfied then you may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) providing that your complaint is eligible under its Rules; in order to do so you will require a Completion of Procedures letter from the University. Under the Higher Education Act 2004 the University subscribes to the independent scheme for the review of student complaints. Guidance for submitting a complaint to the OIA can be found on its website www.oiahe.org.uk.

You can request a Completion of Procedures letter, by email to appeals@contacts.bham.ac.uk. This should ideally be done within one month of the date of your final outcome. Should you decide to make a complaint to the OIA, your Scheme Application Form **must be received by the OIA** within **12 months** of the date of the Completion of Procedures letter.

Grievance to Council

If you do not have grounds to submit a Senate Review, you may raise a grievance to the University Council regarding an issue or issues which, in the opinion of the Registrar and Secretary, concerns matters of University governance. If you choose to do so, a written submission form should be sent by email to appeals@contacts.bham.ac.uk, within one month of the date of your outcome letter.

Details of the Grievance procedure and the submission form can be found at: <https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/grievance.aspx>.

International students

If you are a student who requires a visa in order to study in the UK, your immigration status might be affected by the outcome from your appeal or if you are to engage with the above processes. You are strongly advised to contact the International Students Advisory Service as soon as possible: <https://intranet.birmingham.ac.uk/as/studentservices/international/index.aspx>.

Tier 4 Student visa holders: Please refer to the attached leaflet regarding reporting withdrawal of immigration sponsorship. Please note: Submission of a Senate Appeal/Appeal to a University Misconduct Hearing will not affect the withdrawal of your immigration sponsorship.

Non-academic issues

If following the outcome of your appeal, there are issues unrelated to the appeals process, that you wish to raise with the University then you should consult the [Code of Practice on Student Concerns and Complaints](#) in order to assess if you are eligible to engage with that process.

Reporting a withdrawal of immigration sponsorship to UK Visas and Immigration (the Home Office). Code Ref (WTHD)

Why am I receiving this leaflet?

You have received this leaflet as there has been a change to your academic status at the University which means that the University will report withdrawal of your immigration sponsorship to the Home Office.

The purpose of this leaflet is to summarise:

- (1) Responsibilities of the University of Birmingham; and
- (2) Responsibilities of Home Office; and
- (3) Your responsibilities.

The purpose of this leaflet is **NOT** to explain the academic changes.

Who is this information applicable to?

This is only for students holding a Tier 4 (General) student visa.

What are the responsibilities of the University of Birmingham?

The Certificate of Acceptance for studies assigned to you by the University was evidence to UK Visas and Immigration that you would be a student at the University. The Home Office granted you a visa on the basis that you meet the conditions of your stay under Tier 4 (General) student rules.

- (1) As you are no longer able to meet the conditions of stay as a student the University is legally responsible for withdrawing immigration sponsorship and informing the Home Office; and
- (2) The University is procedurally responsible for informing you, via your letter and this leaflet, that immigration sponsorship is being withdrawn.

What are the responsibilities of the Home Office?

When immigration sponsorship is withdrawn the Home Office will take the following action:

- (1) If you have more than 60 days remaining on your current visa, they will curtail (shorten) your visa;

- (2) You will receive a letter from them confirming curtailment of your current visa and they will give you a date by which you must leave the UK;
- (3) If you have less than 60 days remaining on your current visa they will expect you to leave the UK before the end of the visa or seek alternative visa permissions to remain in the UK (see next section);
- (4) Details of your curtailment will be updated onto Home Office computer systems *used by immigration control officers at United Kingdom ports of arrival (airports, ferry terminals etc) databases;*

What are your responsibilities?

You are responsible for ensuring that you meet the [visa conditions of stay](#) granted to you as a student in the UK. When the University withdraws immigration sponsorship:

- (1) You are responsible for providing the University and the Home Office with your correct postal address. You can check and update your current postal address in Online Registration at www.my.bham.ac.uk. You can inform the Home Office by completing a [change of circumstances](#) form;
- (2) If, after the University has withdrawn immigration sponsorship, you decide to remain in the UK, you are responsible for meeting a specialist immigration solicitor to switch your visa category from Tier 4 (general) student to another visa category.
- (3) If, after the University has withdrawn immigration sponsorship, you leave the UK, you are responsible for checking the status of your previous visa before you return to the UK and to the University. To do this you can either:

- Contact your nearest British Embassy/High Commission visa section and ask them to check the status of your previous visa. If it has been curtailed you will need to apply for a new entry clearance visa to return to the University of Birmingham;
- Contact the ISAS as shown below, and they will check the status of your visa.

We would *strongly* recommend that you contact the ISAS 2-3 months before you are due to return to your studies and they will advise you on all your visa options. When you email the ISAS you

should always include a scan of your visa and any letters you received from UK Visas and immigration

Please note:

If you return to the UK and your visa has been curtailed, we expect that the Immigration Officer will not allow you to enter the UK and you will be returned home. This refusal to allow you to enter the UK will form a permanent part of your immigration history and you will have to disclose it on all future visa applications to the UK.

If you arrive and are refused entry, the University will not be able to intervene but we will be able to offer you support and guidance to apply for a new visa to re-enter the UK.

If you are granted entry you **MUST** contact the ISAS *immediately* as an advisor will need to assess if you are able to meet the criteria for making an extension to your visa in the UK. If you are not able to meet the criteria the University will not normally be able to intervene with the Home Office on your behalf and you may have to return home and make a new entry clearance application. If you have any queries please contact us at the email address shown below and in the subject box type CODE REF WTHD

We therefore repeat that we *strongly* recommend that you contact the ISAS 2-3 months before you are due to return to your studies and they will advise you on all your visa options.

Useful Contacts

International Student Advisory Service:

www.studenthelp.bham.ac.uk

British Embassies, High Commissions and Consulates overseas:

<https://www.gov.uk/government/world/organisations>

UK Council for International Student Affairs (UKCISA):

<http://www.ukcisa.org.uk/>

UKBA – making a Tier 4 (general) student visa application:

<http://www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/>