

## **Guidance - International Students' Visa and Immigration Responsibilities**

## Contents

Contents .....	1
Introduction.....	4
1. Points Based System - Tier 4 (General) Student .....	4
1.1. University obligations .....	4
1.2. University Compliance Service.....	4
2. University International Student Support .....	5
3. Tier 4 Student Obligations .....	5
3.1. Basic Principles.....	5
4. Before you travel to the UK .....	6
4.1. Academic Technology Approval Scheme (ATAS) .....	6
4.2. Time Limits – how long can I study in the UK? .....	6
4.3. Using your CAS.....	6
4.4. Your Entry clearance visa (visa applications made outside the UK) .....	6
4.5. Visas that have been granted .....	6
4.6. Your Biometric Residence Permit (BRP).....	7
4.7. Checking your own visa.....	7
4.8. Visas that have been refused.....	7
4.9. Late Arrival .....	7
5. Arriving at the University of Birmingham.....	8
5.1. Your Biometric Residence Permit (BRP).....	8
5.2. Checking your BRP .....	8
6. Right to Study Check.....	8
7. Police Registration .....	9
8. Safety of your immigration documents.....	10
8.1. What if I lose my passport or BRP? .....	10
8.2. New immigration documents .....	10
9. Continuing your studies at the University of Birmingham.....	11
9.1. Extending your visa .....	11
9.2. Evidence that you have made an application to extend your visa .....	11
9.3. Address details.....	11

9.4.	New immigration documents .....	12
9.5.	Checking your own visa.....	12
9.6.	Visa Refusal .....	12
<b>10.</b>	<b>Overstaying your visa.....</b>	<b>12</b>
<b>11.</b>	<b>Absence and Attendance Monitoring .....</b>	<b>13</b>
11.1.	Short Term Sickness .....	13
11.2.	Long Term Sickness.....	13
11.3.	Maternity Leave .....	14
11.3.1.	Paternity/Students whose partner is pregnant or adopting.....	14
11.4.	Attendance monitoring for students on work placement or who are studying at another University inside or outside the UK .....	14
11.4.1.	Study at another Institution in the UK.....	14
11.4.2.	Study at another Institution outside the UK.....	15
11.4.3.	Work placement/placement.....	15
11.4.4.	Writing up/Thesis Awaited.....	15
<b>12.</b>	<b>Taking a period of absence from your studies .....</b>	<b>15</b>
12.1.	Leave of Absence .....	15
12.2.	Authorised Absence .....	16
12.2.1.	Can I have an absence for travel/tourism purposes? .....	16
<b>13.</b>	<b>Working.....</b>	<b>16</b>
13.1.	University's working restrictions.....	17
13.2.	Working outside the university.....	17
13.3.	Working for the University of Birmingham.....	17
13.4.	Working - Term time and vacation dates.....	17
13.5.	Volunteering and voluntary work .....	18
13.6.	Working after course completion .....	18
13.7.	Working if there are changes to your academic engagement.....	19
13.8.	Working and Part Time Tier 4 .....	19
13.9.	Further working responsibilities .....	19
<b>14.</b>	<b>Can I claim public funds? .....</b>	<b>19</b>
<b>15.</b>	<b>Academic Technology Approval Scheme (ATAS) .....</b>	<b>19</b>
<b>16.</b>	<b>Address and mobile telephone contact details .....</b>	<b>20</b>
<b>17.</b>	<b>Change in circumstances .....</b>	<b>20</b>

17.1.	Withdrawing from your course before you travel to the UK.....	20
17.2.	What if my start date is delayed? .....	20
17.3.	What happens if I have not been able to enrol within the enrolment period?.....	21
17.4.	Deferring your studies.....	21
17.4.1.	An undergraduate, or taught masters students .....	21
17.4.2.	Postgraduate research students .....	21
18.	Withdrawing from your studies .....	21
19.	Changing your course .....	22
20.	Completing your studies .....	22
21.	Change of immigration status.....	22
22.	Change of sponsor .....	22
23.	Other change of circumstance .....	23
24.	Other changes that you must report.....	23
25.	Contacting the International Student Advisory Service.....	23
26.	Glossary .....	24

## Introduction

This Guide explains your responsibilities as a student at the University of Birmingham, to whom a Confirmation of Acceptance for Studies (CAS) certificate has been assigned and provides guidance on protecting your immigration status in the UK.

It is important that you understand and comply with the responsibilities of your Tier 4 (General) student visa and cooperate with the University in fulfilling our shared Tier 4 duties. Any breach in the conditions of your visa, could have serious implications on your studies and your continued stay in the UK.

By using the University's CAS to apply for your Tier 4 student visa, you agree to the requirements outlined in this document.

## 1. Points Based System - Tier 4 (General) Student

An international student is a person who is subject to immigration control in the United Kingdom (UK) and who would normally require a visa in order to study in the UK – that includes a visa applied for before you left your home country or obtained as a stamp when you arrived in a UK Port of Arrival. This Guidance is specific to a Tier 4 (General) student visa applied for before you arrived in the UK.

### 1.1. University obligations

In order to recruit and retain international students, the University of Birmingham holds a UK Visas and Immigration (UKVI) Tier 4 Sponsor Licence. When a university is granted a Tier 4 Licence it means that it can assign CAS to new and continuing students and be their immigration Sponsor. In order to be a Tier 4 Sponsor, the University must meet a number of duties:

- a. To only assign a CAS certificate to a genuine student who has the ability and intention to study their course and who can meet the criteria for making a visa application;
- b. To keep a copy of admission-related documents as part of the offer including any certificates a student must provide, evidence of English Language qualifications, immigration status and copies of ATAS certificates (if appropriate);
- c. To check that a student has the correct immigration status before they can commence their studies and to take copies of all immigration documents and monitor the student's immigration status throughout their studies and ensure it remains valid and appropriate;
- d. To ensure that the student's UK contact details, address and telephone numbers, are held on the student's record and that they are kept up to date;
- e. To keep all details of the student's absence and attendance records and report to UKVI if a student fails to meet agreed contact points;
- f. To report to UKVI if the student fails to arrive for their studies or arrives late;
- g. To report to UKVI if the student leaves their course of study;
- h. To notify UKVI of any significant changes in a student's circumstances, this includes if a student works in breach of the conditions of their stay;

The University takes its duties as a Tier 4 Sponsor very seriously and provides advice and guidance to its staff, students and visitors that is in accordance with the Immigration Rules, Tier 4 Guidance, and appropriate UK Laws. The University will always act in accordance with the Law.

The University is not lawfully obliged to assign a CAS to any applicant or student and reserves the right to assign or withdraw a CAS.

Furthermore, the University reserves the right to withdraw sponsorship from any applicant or student whose activities are not in accordance with the Immigration Rules, Tier 4 Guidance, and/or UK Laws.

### 1.2. University Compliance Service

Management of Tier 4 compliance activity is centrally co-ordinated by the ISAS Training and Compliance Team (T&C Team) who are based in University Centre, 3<sup>rd</sup> floor. The T&C Team liaise with other areas of the University to ensure that they are meeting Tier 4 duties and will ensure that each Tier 4 student's case-file is kept up-to-date with required

information such as copies of admission and immigration documents, evidence of monthly absence and attendance records, and contact details.

The T&C Team will maintain regular contact with you throughout each academic year when they will email you to check:

- a. if there has been any change to your circumstances for example you have a new or different visa; and That your contact details are up to date.

An initial email will be sent to you which will then be followed by reminders. If you fail to respond to our email, you will be sent further emails providing deadline dates for the return of information. If you still fail to respond, the University reserves the right to withdraw immigration sponsorship from you, and inform UKVI. If this occurs you would be required to stop your studies and return home.

It is your responsibility to check your @bham.ac.uk student email address and to respond to any emails from the T&C Team.

## 2. University International Student Support

The University provides support through the International Students Advisory Service (ISAS), to applicants, visitors and students where they can access lawful advice on visa matters. The ISAS work in accordance with the Office of the Immigration Services Commissioner (OISC). **You can contact the ISAS at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)**

## 3. Tier 4 Student Obligations

As a Tier 4 (General) student, it is important that you are aware that **you** have certain responsibilities regarding your attendance at the University of Birmingham and for some other activities that you can do in the UK, such as working.

Failure to abide by these rules may put your immigration status at risk and your visa may be curtailed.

### 3.1. Basic Principles

As a student who holds a Tier 4 (General) student visa obtained using the CAS assigned to you by the University of Birmingham, you are required to:

- a. Provide evidence to the University, on arrival and throughout your studies, that you hold a visa that permits you to undertake academic engagement. If you do not hold an appropriate visa that permits you to carry out your activity, the University of Birmingham will unfortunately be unable to permit you to start or continue your academic engagement and will ask you to leave and return with appropriate immigration permissions;
- b. Engage fully with your studies as applicable to your programme of study;
- c. Ensure that your studies will not be interrupted due to any employment, health issues or because of family or child-care issues. If you are not able to meet the conditions of your Tier 4 visa as a full time student, you are expected to advise your School and/or the ISAS immediately;
- d. Reside in the UK in accordance with the Immigration Rules and Tier 4 guidance.
- e. Cooperate with the University as it undertakes compliance duties for its Tier 4 licence.

**You must monitor your University email account – emails from the University will only go to this account.**

**You are required to read this guidance and save a copy of it for future reference.**

## 4. Before you travel to the UK

There are a number of important things you must consider when applying for your visa to come to the UK.

### 4.1. Academic Technology Approval Scheme (ATAS)

If you are undertaking a Postgraduate Research degree, Masters Course or Undergraduate Master's degree in certain science and technology subjects in the UK you must obtain ATAS approval before you will be assigned a CAS. The University will not assign a CAS until it has been provided with a copy of your current ATAS clearance. Admissions will inform you if you need ATAS clearance.

ATAS is managed by the Foreign and Commonwealth Office (FCO) to help stop the spread of knowledge and skills that could be used in the proliferation of Weapons of Mass Destruction (WMD) and their means of delivery. An application for ATAS usually takes 20 working days to be processed. You should note that during busy periods this can take much longer. You are therefore encouraged to apply for ATAS as early as you can and in enough time to then apply for your Tier 4 (General) student visa.

### 4.2. Time Limits – how long can I study in the UK?

You are only permitted to study for a certain period of time in the UK. Any delays you may experience in your studies can affect your future studies in the UK and in particular extending your Tier 4 (General) student visa. If your course is below degree level, the limit is 2 years. For study at degree level the limit is 5 years and if studying for a second research qualification the limit is 8 years. A research qualification refers to an MRes, MPhil, PhD and any other doctorate qualification.

Calculations by the Home Office include all previous Tier 4 visas. If the amount of time you have previously spent studying in the UK exceeds the time limits, future visas will be refused and the University will not be able to assign you a CAS.

When an application for admission to study is made to the University of Birmingham, you will be asked if you have had any prior study in the UK. It is very important that you declare any previous study so as the ISAS can check relevant time limits.

If you are a continuing student, please note that the Home Office will count all time spent in the UK on a visa that permits study as time spent studying.

If you have any concerns, please contact the ISAS for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### 4.3. Using your CAS

You must ensure that you do not use your CAS any earlier than 3 months before the start date of your course. If you make an application earlier than this your visa will be refused and you will need a new CAS to make a further visa application. The start date is shown in your CAS email. If you are in doubt about your start date you can contact the ISAS at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)

You can only use your CAS once. If you make a visa application that is refused, you must inform the ISAS at [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk) and a review will be made of your refusal before a second CAS is assigned. Do not use a CAS reference number on more than one visa application.

### 4.4. Your Entry clearance visa (visa applications made outside the UK)

If you are making a visa application outside the UK it will be for an Entry Clearance visa as a Tier 4 (General) student.

### 4.5. Visas that have been granted

When you have been granted an entry clearance visa using your University of Birmingham CAS, you will be given a vignette (sticker in your passport) which is a 30-day entry permit. You must ensure that you arrive and enter the UK during this 30-day period. If you do not, then the 30-day permit will expire and you will need to apply for a new permit from outside the UK at additional cost, you will need a new CAS and it may mean you are not able to arrive for your studies on time and will have to defer your studies.

#### 4.6. Your Biometric Residence Permit (BRP)

When your passport is returned with your vignette, you will also receive a letter confirming the dates of your visa and where you are to collect your Biometric Residence Permit (BRP). When you travel to the UK you will be expected to collect your Biometric Residence Permit (BRP) within 10 days of arriving in the UK and prior to commencing your course. A BRP confirms your immigration permission in the UK.

When you are making your Tier 4 application, you will have a choice to enter an Alternative Collection Location (ACL) code [2HE322] which means that you will be able to collect your BRP card from the University of Birmingham.

We would strongly recommend that you use our code [2HE322] to collect your BRP on campus.

Further information on collecting your BRP is available at [https://intranet.birmingham.ac.uk/as/student services/international/visas/biometric-immigration-documents-\(brps\).aspx](https://intranet.birmingham.ac.uk/as/student services/international/visas/biometric-immigration-documents-(brps).aspx)

#### 4.7. Checking your own visa

If your visa is granted, you **must** check that the study dates are correct and that the visa you hold is for study at the University of Birmingham. Tier 4 students are only allowed to study at the University whose CAS they used to apply for their visa. If your visa has been granted for the University of Birmingham it will have the University Sponsor Licence Number (SLN) on it. The University of Birmingham SLN is T7N18X2X1.

**If the SLN is not for the University of Birmingham you must NOT start (or continue) your studies, you MUST contact the ISAS Training & Compliance Team [visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk) immediately and attach a copy of your passport biometric page and your visa. They will provide you with the help you need to obtain a correct visa.**

For more information, go to:

<https://intranet.birmingham.ac.uk/as/student services/international/visas/index.aspx>

You should also check your visa to ensure that the details about you on it are correct. If there are any errors, you must inform the ISAS immediately ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk) - preferably before you travel to the UK) and they will help you to correct errors. **For other queries or issues, you should contact the ISAS at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).**

You should check that the start and end dates of your visa are correct. Your visa will be granted for the duration of your studies and is normally given a longer period than the course end date on your CAS, if appropriate. You are entitled to this time as it allows you to either make plans to apply for another visa in the UK or to give you time to leave the UK:

Length of study	Additional time	Example
Courses longer than 12 months	Four months	Course start - 25.09.2017. Course end – 30.09.2018 Your visa should have an end date of 31.01.2018
Courses from 6 to 12 months	Two months	Course start – 08.01.2018 Course end – 24.09.2018 Your visa should have an end date of 24.11.2018
Courses less than 6 months	Seven (7) days	Course start - 07.08.2017. Course end – 28.08.2017 Your visa should have an end date of 04.09.2017

#### 4.8. Visas that have been refused

If your visa has been refused you **must** send a scan of your refusal notice to the ISAS **immediately**. You can email this to the ISAS at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)

The ISAS will advise you on your right to Administrative Review. If you have no right to Administrative Review you will need a new CAS to make a fresh visa application. You must NOT use your previous CAS number to make a fresh application as it will be refused.

#### 4.9. Late Arrival

You should always plan to arrive at the University of Birmingham before the start date of your course. However, if you are not going to be able to arrive on time you must inform your School who will advise you whether or not, you can



arrive late. This is then agreed between your School and Admissions who will notify Registry. If you are granted permission to arrive late, the University is obliged to report this to UKVI and to then inform them if you do not arrive.

If you are unable to arrive at the University of Birmingham by the latest date of enrolment, as stated on your CAS, and you are not permitted to start your course late, the University will then withdraw immigration sponsorship and inform UKVI and your visa will be curtailed (shortened). You will be advised of this by UKVI and you must **not** travel to the UK using your visa.

## 5. Arriving at the University of Birmingham

When you arrive at the University of Birmingham you will need to undertake a number of specific activities with your visa and with the University.

### 5.1. Your Biometric Residence Permit (BRP)

When you arrive in the UK you must collect your Biometric Residence Permit (BRP) within 10 days of arriving in the UK and prior to commencing your course. A BRP confirms your immigration permission in the UK. You will either be collecting your BRP from a Post Office or from the University.

**Further information on collecting your BRP is available at**

[https://intranet.birmingham.ac.uk/as/studentservices/international/visas/biometric-immigration-documents-\(brps\).aspx](https://intranet.birmingham.ac.uk/as/studentservices/international/visas/biometric-immigration-documents-(brps).aspx)

### 5.2. Checking your BRP

You should check your BRP to ensure that the details about you on it are correct. If there are any errors, you must inform the ISAS Training & Compliance Team immediately ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) and they will help you to correct errors. **For other queries or issues, you should contact the ISAS at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)**

You should check that the start and end dates of your BRP are correct. Your visa will be granted for the duration of your studies and is normally given a longer period than the course end date on your CAS, if appropriate. You are entitled to this time as it allows you to either make plans to apply for another visa in the UK or to give you time to leave the UK:

Length of study	Additional time	Example
Courses longer than 12 months	Four months	Course start - 25.09.2017. Course end – 30.09.2018 Your visa should have an end date of 31.01.2018
Courses from 6 to 12 months	Two months	Course start – 08.01.2018 Course end – 24.09.2018 Your visa should have an end date of 24.11.2018
Courses less than 6 months	Seven (7) days	Course start - 07.08.2017. Course end – 28.08.2017 Your visa should have an end date of 04.09.2017

Your BRP should also confirm the following information:

- a. Type of Permit: T4 GENERAL STUDENT
- a. WORK 20HRS MAX IN TERM-TIME
- b. T7N18X2X1 - University of Birmingham sponsor licence number

If this information is missing or any other information is missing or is wrong, please contact the ISAS Compliance Team **immediately** ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) and they will be able to advise you on having your visa corrected.

## 6. Right to Study Check

If you are a new student arriving to start your studies, or a returning student who is continuing their studies, you will be expected to attend a Right to Study Check on campus. Details of where this occurs and opening times will be provided in pre-arrival information sent to new students and is available on the University Website <http://www.birmingham.ac.uk/welcome/international/index.aspx>

If you are a new or a returning student who is arriving at another time in the academic year, you will be expected to bring your immigration documents to the Student Hub in Aston Webb Building ([map reference R7](#)).

In **ALL** cases, you must not start your studies until you have provided your immigration documents to be checked by the ISAS so as they can ensure that you hold the correct visa.

If you are a student who has applied for a new visa to continue your studies at the University of Birmingham, you will be expected bring your passport and new Biometric Residence Permit (BRP) as soon as it has been sent to you by the UKVI.

## 7. Police Registration

Nationals from the following countries are required to register with the police after arrival in the UK:

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-2-police-registration>

A  
Afghanistan, Algeria, Argentina, Armenia, Azerbaijan  
B  
Bahrain, Belarus, Bolivia, Brazil  
C  
China, Colombia, Cuba  
E  
Egypt  
G  
Georgia  
I  
Iran, Iraq, Israel  
J  
Jordan  
K  
Kazakhstan, Kuwait, Kyrgyzstan  
L  
Lebanon, Libya  
M  
Moldova, Morocco  
N  
North Korea  
O  
Oman  
P  
Palestine, Peru  
Q  
Qatar  
R  
Russia  
S  
Saudi Arabia, Sudan, Syria  
T  
Tajikistan, Tunisia, Turkey, Turkmenistan  
U  
United Arab Emirates, Ukraine, Uzbekistan  
Y  
Yemen

Stateless or travelling on a non-national document (i.e. Travel Document).

If you are required to register with the Police it will be printed on your visa/BRP. You must register within 7 days of entering the UK. You **must** also re-register with the police if you extend your Tier 4 leave to remain (and therefore receive a new visa).

When you have registered with the Police you will receive a Police Registration Certificate, which you must keep safe as it will be required if you need to make another Tier 4 application. If any of the details on your certificate are wrong or

need to be changed (for example your home address), you will need to get this updated. This can be done at your local police station.

To register with the Police, you will need:

- a. your passport;
- b. your Biometric Residence Permit (BRP);
- c. The decision letter notifying you of your successful visa application and two passport size photographs.

There is a charge of £34 which must be paid in cash. You will need to complete a Registration Form which you should complete before registering on the day.

You must also ensure that you update the Police within 7 days if you:

- a. change address during your studies;
- b. extend your Tier 4 leave;
- c. renew your passport;
- d. get married; or
- e. If any of the other details on your Police Registration Certificate change.

You do need an appointment to complete the Police Registration process.

**Further Information about Police Registration go to:**

- [UKCISA - Police Registration](#)
- **West Midlands Police: The local Police for students studying at the University of Birmingham**

## 8. Safety of your immigration documents

You must keep your passport and BRP card safe and secure. There is no reason for you to carry your passport or BRP around with you in the UK. If you need to prove your age in the UK, you can use a driver's license or ID card with the "PASS" hologram. <http://www.pass-scheme.org.uk/>

If you travel outside the UK, you will be required to take **both** your passport and BRP with you as you will require them **both** to re-enter the UK. When you are outside the UK it is very important that you do not lose your passport and/or BRP. Please keep them safe. If you lose your passport you will need to apply to the Embassy of your country for a new passport so as you can return to the UK.

**Please keep these document safe at all times.**

### 8.1. What if I lose my passport or BRP?

If you lose your BRP in the UK you must contact the ISAS Training & Compliance Team ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) immediately.

If you are outside the UK and you lose your BRP you will need to apply for single use entry clearance from the nearest British Embassy before you can return to the UK. Once in the UK, you should apply for a replacement BRP. Details of how to do this can be found at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)

Please note – if you are a non-visa national who was required to have a Tier 4 visa to study in the UK you still need to reapply for a new Tier 4 and re-enter the UK using that visa – please do not enter the UK by obtaining a student visitor stamp at the airport – this will not be acceptable to the University and you will be asked to leave the UK, obtain a fresh Tier 4 visa and then return to resume your studies.

### 8.2. New immigration documents

If you lose your passport or BRP and obtain a new one you **MUST** come to the Aston Webb Student Hub and give the ISAS the original of the new documents so as they can be copied.

If you lose any of your immigration documents, you must inform the ISAS who will provide you with further advice at: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)

## 9. Continuing your studies at the University of Birmingham

The ISAS will email you at least 90 days before your visa expires to check if you wish to continue studying at the University of Birmingham.

### 9.1. Extending your visa

The University expects you to complete your course within the dates stated on your CAS. If you need more time to complete your studies, there must be clear academic grounds for approving additional time.

If you are in the UK with a Tier 4 (General) student visa, you can only apply to extend your visa from inside the UK if you have obtained the qualification for which your current immigration permission was granted (and you meet the further conditions below). If you have not obtained the qualification, you will need to apply for your new visa from outside the UK.

If additional time is approved, whether you can apply for further leave to remain and extend your visa in the UK depends on your level of study:

- a. If you are a PhD student you can extend your Tier 4 visa in the UK. You will be required to make a new Tier 4 visa application prior to your current visa expiring. Contact the ISAS at least three months before your visa expires;
- b. If you are studying an Undergraduate or Masters Course you cannot extend your Tier 4 visa from inside the UK. You would be required to apply for a fresh entry clearance visa from outside the UK. This is because you would be considered not to meet the requirements for "academic progression";
- c. If you are a Pre-sessional student you will have workshops and support scheduled into your course to help you with extending your visa in country.

**Full information about making an extension to your visa can be found at <https://intranet.birmingham.ac.uk/as/studentervices/international/visas/index.aspx>.**

If you need to extend your visa to begin a new course at the University of Birmingham, you will need to apply to extend your Tier 4 (General) student visa. You must ensure that:

- a. You do not use your CAS any earlier than 3 months before the start date of your course. If you make an application earlier than this your visa application will be refused and you will need a new CAS to make a further visa application. The start date is shown in your CAS email. If you are in doubt about your start date you can contact the ISAS via: **[www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)**
- b. You apply for a new Tier 4 visa within 6 weeks of your new course start date or before your leave expires, whichever is earlier - You can only submit your application inside the UK if your new course start date is less than 28 days after your current visa expiry date. For instance, if your visa for your Masters course ends on 30 August, and you are starting a PhD which begins on 1 October, this gap exceeds 28 days and you will need to submit your new visa application from your home country.
- c. If you start your course after 1 November 2018, you will need to make a new visa application prior to starting your next course even if your current Tier 4 visa is valid after this date.

### 9.2. Evidence that you have made an application to extend your visa

You are required to provide evidence to the ISAS which confirms you have submitted your new visa application by emailing a copy of your UKVI application coversheet to the ISAS at: **[www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)** or by bringing a copy in person to the Aston Webb Student Hub where a copy will be taken.

If you are not sure please ask the ISAS immediately.

### 9.3. Address details

If your visa is granted, your new Biometric Residence Permit (BRP) will be posted to you in the UK. You **MUST** ensure that you give UKVI your current address to ensure that you receive your BRP without problems. While you are waiting for the outcome of your visa application, you can start/continue your studies at your own risk based on evidence of applying for a new Tier 4 visa; however, you must inform the ISAS of the progress of your visa application. The ISAS

emails all students who are extending their leave to remain and continue studies. You will receive regular emails and you will be expected to reply to them.

#### 9.4. New immigration documents

When your new immigration documents have been sent to you, please bring the original documents to the Aston Webb Student Hub as soon as you receive them. Copies will be taken and your student record updated so that you can continue to study with the University.

#### 9.5. Checking your own visa

Before you bring your visa to be scanned and checked, you must check that the BRP visa you hold is for study at the University of Birmingham. Tier 4 students are only allowed to study at the university whose CAS they used to apply for their visa. If your visa has been granted for the University of Birmingham it will have the University Sponsor Licence Number (SLN) on it. The University of Birmingham SLN is **T7N18X2X1**.

If the SLN is not for the University of Birmingham you must NOT start (or continue) your studies, you MUST contact the ISAS Training & Compliance Team ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) immediately and attach a copy of your passport biometric page and your visa. They will provide you with the help you need to obtain a correct visa.

**For more information, go to:**

**<https://intranet.birmingham.ac.uk/as/studentservices/international/visas/index.aspx>**

Your BRP will show:

- a. Type of Permit: T4 GENERAL STUDENT
- b. WORK 20HRS MAX IN TERM-TIME
- c. T7N18X2X1 - University of Birmingham sponsor licence number

If this information is missing or any other information is missing or is wrong, please contact the ISAS Training & Compliance Team ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) who will be able to advise you on having the visa corrected. You should also check your visa to ensure that the details about you on it are correct. If there are any errors, you must inform the ISAS immediately and they will help you correct the errors.

You should check that the start and end dates of your visa is correct. Each visa granted is given a longer period than the end date on your CAS. You are entitled to this time as it allows you to either make plans to apply for another visa in the UK or to give you time to leave the UK:

Length of study	Additional time	Example
Courses longer than 12 months	Four months	Course start - 25.09.2017. Course end – 30.09.2018 Your visa should have an end date of 31.01.2018
Courses from 6 to 12 months	Two months	Course start – 08.01.2018 Course end – 24.09.2018 Your visa should have an end date of 24.11.2018
Courses less than 6 months	Seven (7) days	Course start - 07.08.2017. Course end – 28.08.2017 Your visa should have an end date of 04.09.2017

#### 9.6. Visa Refusal

If you have made a visa application in the UK and it is subsequently refused you should contact the ISAS Visa Refusals inbox ([visarefusals@contacts.bham.ac.uk](mailto:visarefusals@contacts.bham.ac.uk)) immediately so as they can advise you of what you need to do. If your Administrative Review date lapses or if any review of your refusal is not successful, you will no longer have 'lawful leave' (permission to stay) in the UK and you will be expected to leave the UK as quickly as possible and will be supported by the ISAS in making a fresh entry clearance application from your home country.

### 10. Overstaying your visa

**YOU MUST NOT OVERSTAY THE EXPIRY DATE OF YOUR VISA**

It is a criminal offence to remain in the UK after the date your Tier 4 student visa has expired, unless you have applied to extend your visa before the expiry of your Tier 4 student visa, or you have applied for a visa under another immigration category before your Tier 4 student visa expired.

**There is no 'grace period' following the expiry date of your visa. You will become an 'over stayer' if you are in the UK the day after your visa expires without having submitted a valid application for further leave or having obtained other valid immigration permission and you will have no lawful basis to remain in the UK.**

If you are in the UK and your visa expires before you have made a new visa application, you will not be permitted to continue your studies.

Your studies will be suspended.

The University of Birmingham does not assign CAS to students whose visas have expired and you will be advised to leave the UK as quickly as possible to make a fresh entry clearance visa application.

You will not be permitted to work.

Any overstay period would also need to be declared on any future visa application to the UK and many other countries.

## 11. Absence and Attendance Monitoring

The University monitors the absence and attendance for all its students. If you are a Tier 4 student, UKVI expects the University to keep a record of all your absence and attendance. In addition, the University is expected to identify contact points to record the attendance of Tier 4 students. Your School will be able to tell you when these are. In addition to attending their contact points, Tier 4 students, and all other students at the University of Birmingham, are expected to attend all lectures and classes and complete all of the requirements for their course.

See [Code of Practice on Student Attendance and Reasonable Diligence](#).

This applies to Tier 4 students because the University must inform UKVI if any students fail to engage with their course of study.

Your School will monitor your attendance on your course. If it is not possible for you to attend for any reason, for example if you are suffering from ill health or you need to temporarily withdraw from your course, you must inform your School immediately. Some examples of these situations include:

### 11.1. Short Term Sickness

If you cannot attend because you are feeling ill, you must ring your School on the first day you are absent and/or follow your School or Programme's absence procedures as there may be forms to fill in or specific email addresses to contact. They will advise you if they need any further evidence from you such as a medical certificate.

### 11.2. Long Term Sickness

If you are ill and require hospital or specialist treatment you must inform your School immediately. You will be required to provide medical evidence.

You may also wish to access welfare services including those provided by the Guild of Students: <https://www.guildofstudents.com/support/welfare/>

If you are unable to attend due to longer term medical issues, the University may have no alternative but to defer your studies until you are able to study full time. In these circumstances you will be required to complete a Leave of Absence request form. This means that the University will withdraw immigration sponsorship and report this to UKVI. You will then need to consider if you need a different visa to remain in the UK or if you will go home and return to resume your studies at a later time. You should always seek advice from the ISAS, who will provide you with advice and guidance on your specific circumstances.

**For further information, please go to:**

Taught students:

<https://intranet.birmingham.ac.uk/as/registry/studentrecords/services/leave-of-absence.aspx>

Research students:

<https://intranet.birmingham.ac.uk/as/student-services/graduateschool/rsa/leavesofabsence.aspx>

### **11.3. Maternity Leave**

If you are pregnant you should advise your School as soon as possible. This will allow them to carry out any relevant health and safety assessments and also allow them to help you plan how you will complete your studies or if you will need to take a leave of absence from your studies. Students are required by law in the UK to take a minimum of two weeks' maternity leave immediately following childbirth. If you are a taught student (e.g. Undergraduate or Masters) it is possible that you will not be able to take a break in your studies and return during the same academic year, as it will result in you losing too much teaching time. In these circumstances you may be asked to defer your studies until the following academic year.

You should note that the University will only provide you with immigration sponsorship for a maximum of eight weeks for the purposes of maternity leave. If you wish to take longer than 8 weeks you can, however after 8 weeks the University will withdraw immigration sponsorship and will inform UKVI. You will need a new Tier 4 visa (or visa that permits study) before you can resume your studies. You will be able to decide if you are returning home for the remainder of your maternity leave or, if you will change your visa category to stay in the UK. If you decide to change your visa category you must inform the ISAS as the University has a duty to inform the UKVI.

#### **11.3.1. Paternity/Students whose partner is pregnant or adopting**

Any student whose partner is expecting a child or who expects to be involved in co-parenting a child will be entitled to request a Leave of Absence. This is likely to include time off for medical appointments prior to, and after the birth, as well as a period of parental support leave immediately following the birth. A student in this situation should contact their tutor or supervisor to discuss this. For students receiving research funding, it may be possible for a period of maternity support leave to be allowed, and students should contact their sponsor or provider prior to arranging leave.

If you are a Postgraduate Research Student, you can, in consultation with your School, take as long as you wish for your maternity leave, up to a maximum of 12 months. You should note that the University will only provide you with immigration sponsorship for a maximum of eight weeks. If you wish to take longer than 8 weeks you can, however after 8 weeks the University will withdraw immigration sponsorship and will inform UKVI. You will need a new Tier 4 visa (or visa that permits study) before you can resume your studies. You will be able to decide if you are returning home for the remainder of your paternity/adoption leave, or, if you will change your visa category to stay in the UK. If you decide to change your visa category you must inform the ISAS as the University has a duty to inform UKVI.

**For further information, please go to:**

<https://intranet.birmingham.ac.uk/student/student-hub/solution.aspx?nodeId=365>

### **11.4. Attendance monitoring for students on work placement or who are studying at another University inside or outside the UK**

The University has obligations to monitor your studies if you are undertaking a work placement, or studying at another institution, inside or outside the UK.

#### **11.4.1. Study at another Institution in the UK**

The University is required to monitor your absence and attendance while you are undertaking any period of study at another institution. Usually study at another institution will contribute to your studies and it must be agreed in advance with your School. If you wish to undertake studies that are not part of your current studies you must inform the ISAS before you agree the study with the other institution.

If the University approves the period of study or research, you can continue to be sponsored by the University of Birmingham under Tier 4 during this period on the basis that the University of Birmingham continues to monitor your absence and attendance. If the University is unable to do this for any reason, it will withdraw sponsorship and inform UKVI which means that your visa will be curtailed and you will need to apply to the other Institution to be your Tier 4 sponsor. In all such cases you should contact the ISAS as quickly as possible via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

#### 11.4.2. Study at another Institution outside the UK

The University is required to monitor your absence and attendance while you are undertaking any period of study at another institution outside the UK e.g. study abroad. Usually study at another institution will contribute to your studies and it must be agreed in advance with your School. If you wish to undertake studies that are not part of your current studies you must inform the ISAS before you agree the study with the other institution.

If the University approves the period of study or research, you can continue to have your immigration status sponsored by the University of Birmingham under Tier 4 during this period on the basis that the University of Birmingham continues to monitor your absence and attendance which will require the collaboration of the other institution. If the University is unable to agree this with them for any reason, you will either need to find an alternative institution that will support absence and attendance monitoring or you can attend the institution and the University of Birmingham will withdraw sponsorship and inform UKVI which means that your visa will be curtailed and you will need to apply for a fresh entry clearance under a Tier 4 student visa before returning to the UK. In all such cases you should contact the ISAS as quickly as possible via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

#### 11.4.3. Work placement/placement

A work placement/placement is only possible while being sponsored under Tier 4 if it is an integral and assessed part of your studies or if it will directly contribute to your research. If you are studying at RQF 6 (Bachelor's level) or above, your work placement must not be more than 50% of the total length of your programme of study.

If the University approves the work placement/placement inside the UK, you can continue to be sponsored by the University of Birmingham under Tier 4 during this period on the basis that the University continues to monitor your absence and attendance which will require the collaboration of the work placement/placement provider. If the University is unable to agree this with the work placement/placement provider for any reason, it will withdraw sponsorship and inform UKVI which means that your visa will be curtailed and you will need to apply to the other institution to be your Tier 4 sponsor. In all such cases you should contact the ISAS as quickly as possible via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk). If your work placement/placement is outside the UK and the provider will not support absence and attendance monitoring, the University will withdraw immigration sponsorship and you will need to apply for a fresh entry clearance under a Tier 4 student visa before returning to the UK.

If there are changes to where you are undertaking your work placement/placement, if it is suspected that you are working in breach of your visa conditions, or if the University suspects that you are not a genuine student, the University is required to report this to UKVI.

#### 11.4.4. Writing up/Thesis Awaited

If you are a Postgraduate Research student and your student status is "thesis awaited" the University is expected to monitor your absence and attendance while it remains your immigration sponsor e.g. while you have a valid visa. This applies if you are in the UK or if you are outside the UK. If you are writing up your thesis outside the UK, see section 12.2 below "Authorised Absence". Your School or Supervisor will confirm how they wish to maintain contact with you during this time.

## 12. Taking a period of absence from your studies

There are certain times when you may need to take an absence from your studies. You must apply for either Leave of Absence or Authorised Absence, depending on the circumstances. These must be applied for before they are taken as the University will not approve a retrospective Leave of Absence or Authorised Absence. It is your responsibility to speak to your School immediately should there be circumstances (e.g. health, child care, financial, etc.) that are impacting on your studies and may require you to take an absence.

### 12.1. Leave of Absence

A Leave of Absence ([Code of Practice on Leave of Absence Procedures](#)) will normally only be given for periods of absence exceeding 1 calendar month and not exceeding 12 calendar months. During this period the student's registration status will be changed to Leave of Absence.

Students cannot engage with their studies during a period of Leave of Absence and immigration sponsorship will be withdrawn.



Further information on Leave of Absence, and the request form, can be found here:

Taught students:

<https://intranet.birmingham.ac.uk/as/registry/studentrecords/services/leave-of-absence.aspx>

Research students:

<https://intranet.birmingham.ac.uk/as/student-services/graduateschool/rsa/leavesofabsence.aspx>

## 12.2. Authorised Absence

In instances where you need to take a short break from your studies, the University may approve a period of authorised absence for a maximum period of 8 weeks without the withdrawal of immigration sponsorship. For example, if you suffer a family bereavement, you may choose to request a short absence to return to your home country for the funeral.

Where you are continuing to engage with your studies, the University must fulfil its Sponsor Licence obligations and continue to monitor your academic engagement, progress with your fieldwork, thesis, or dissertation. Acceptable methods of contact during this period include email and Skype or other agreed mechanism for keeping in touch with you.

Further information on authorised absence, and the request form, can be found here:

<https://intranet.birmingham.ac.uk/as/registry/studentrecords/services/authorised-absence-international-students.aspx>

### 12.2.1. Can I have an absence for travel/tourism purposes?

Undergraduate or Postgraduate Taught Students: Undergraduate or Masters Students are not expected to ask their School for time off to travel during term time. You can travel as much as you are able during vacation period but during term time you are expected to be in attendance and engaging fully with your studies.

Students on Masters Programme are normally expected to work on their dissertation during the summer – whilst this is outside the University's [Term Dates](#), as a Masters' student you are expected to continue academic engagement. Therefore you are not normally expected to take an absence for holiday during this time.

Postgraduate Research Students: PGR students have up to 8 weeks per year (including Bank Holidays and University closed days) which they can use as holiday, during which time they can work or travel. This period will not be exceeded. PGR students must have prior permission to be absent.

## 13. Working

UKVI restricts the number of hours a student can work in the UK on a Tier 4 visa, and the type of work that can be undertaken. The University also restricts these hours further and so may your School, so please read this entire section carefully. It is very important you understand the working conditions under Tier 4 and check with the ISAS if you are unsure prior to commencing any work. Your visa contains details of any permission to work in the UK.

These are normally restricted to:

- a. 20 hours per week for students studying at an Undergraduate level and above
- b. 10 hours per week for students studying below Undergraduate level

Working permissions are also dependent on how long you will be in the UK. If your visa does not permit work or if you think the working hours are wrong, you must contact the ISAS Training & Compliance Team ([visacompliance@contacts.bham.ac.uk](mailto:visacompliance@contacts.bham.ac.uk)) as soon as possible.

The immigration restrictions to working hours (10 or 20 hours) apply during term-time.

During official vacation periods you can work full-time. Please see sections 13.1- 13.3 for more information dependent on your level of study.

During term time **you must not** exceed the total hours permitted on your visa in any one week. This includes both paid and unpaid work. You are responsible for ensuring that you do not exceed this working time limit.

A 'week' is defined by UKVI as Monday to Sunday. For further information, you should contact work link and read this document - <https://www.worklink.bham.ac.uk/downloads/WorkingHourRestrictions.pdf>

### 13.1. University's working restrictions

The University can impose tighter restrictions on work and you are expected to abide by the University's Regulations. It is recommended that you check if your School has any particular restrictions on its students. You should adhere to the University restrictions on working during your studies.

### 13.2. Working outside the university

If you find work outside the University, you should be given a formal document by the employer such as a 'contract of employment', a 'worker's agreement', or some other written statement confirming your employment status.

You have personal responsibility to ensure you **DO NOT** exceed your work restrictions each week for all the work you do whether with the University or an external employer or both.

### 13.3. Working for the University of Birmingham

Working in the University, you must have registered with Work link or HR **before** you start any employment at the University. Dependant on your level of study, you must also ensure that you have followed any applicable requirements (see Section 13.4 below). During term-time you have personal responsibility to ensure you **DO NOT** work more than 20 hours per week.

### 13.4. Working - Term time and vacation dates

The University academic calendar can be found <https://intranet.birmingham.ac.uk/student/diary.aspx>

'Term-time' and vacation dates will differ depending on your level of study:

a. Pre-sessional Student

*Study under six months* - if your course is under six months you will not be permitted to work in the UK. If your visa shows working permissions you must contact the ISAS via **www.studenthelp.bham.ac.uk** including a scan of your visa as quickly as possible. You must NOT undertake employment if you do not have permission on your visa.

*Study over six months* – you would normally be permitted to work 10 hours per week. If your visa shows something different to this - either no working permissions or more than 10 hours you must you must contact the ISAS via **www.studenthelp.bham.ac.uk** including a scan of your visa as quickly as possible. During term-time you have personal responsibility to ensure you **DO NOT** work more than 20hrs per week.

b. Undergraduate Students - Your visa should show that during term time you can work a maximum of 20 hours per week. As noted in 13.1 above, your School can impose restriction on how many hours their students can work – before you start working you must first check if your School has any restrictions. You are eligible to work up to full time hours outside of term time. Term and vacation dates are outlined at: <https://intranet.birmingham.ac.uk/student/diary.aspx>

**Please note:** - some programmes, for example MBChB (Medicine), have different term dates and shorter vacation periods than the vacation periods set out in the University calendar - you are therefore responsible for ensuring that you check vacation dates for your particular programme of study before you start working.

c. Taught Masters Students should consult with their School on vacation dates for their specific course. These are normally similar to normal University vacations - limited to short breaks between terms with continuous study during the summer until the end of the course;

i. One year Postgraduate Taught students - whilst your visa may state that you can work up to 20 hours per week during term time, you must check if your School has placed restrictions on how many hours

you can work. It is likely that your School has restricted its students working hours to 15 hours per week in term time. However you would be eligible to work full time during Christmas and Easter vacations but restricted to term-time hours during summer vacation as you will be expected to be working full time on your dissertation.

- ii. Two year Postgraduate Taught students - whilst your visa may state that you can work up to 20 hours per week during term time, you must check if your School has placed restrictions on how many hours you can work. You are eligible to work full time during the Christmas and Easter vacations but are restricted to term-time hours during summer vacation in Year 2 as you will be expected to be working full time on your dissertation.
- d. Postgraduate Research Students – you are expected to study full-time throughout the duration of your course. Whilst your visa permissions may state you can work up to 20 hours per week during term time, the University restricts this to working 15 hours per week all year round except for vacation period in which you can work up to full time hours. You must speak to your School before you start any work.

Although you do not have a set vacation period, you may have up to 8 weeks' holiday. If you wish to use any of that time to work full time you MUST:

- o Seek approval from your Supervisor in advance by applying for an "Authorised Absence" <https://intranet.birmingham.ac.uk/as/registry/studentrecords/services/authorised-absence-international-students.aspx>
- o Your request for approval must be received by the University at least 10 (ten) working days before you start any full time work. You must NOT start work until you have received approval to do so from the University. It is your responsibility to submit the Authorised Absence in good time – the University will not 'fast track' working requests.

**The University will not process a retrospective request and the work will be deemed as 'working in breach' of the conditions of your visa and as part of its Sponsor Duties. The University is required to report the breach to UKVI. This could have a serious impact on your visa and ability to remain in the UK. It is your responsibility to prepare in advance and seek permission from your Supervisor.**

More information about the Authorised Absence procedure and a copy of the form is available on the [Authorised Absence for International Students](#) web page.

### 13.5. Volunteering and voluntary work

During your studies you may wish to do some volunteering or voluntary work to help you get more experience and skills. You should be aware of the differences between what 'volunteering' is and what 'voluntary work' is and whether your visa permits you to carry out voluntary work.

- a. Voluntary work/workers: this is unpaid employment and usually has contractual obligations to perform the work, for example, to attend at specific times and carry out specific tasks. The contract does not have to be written. Tier 4 visa holders can carry out voluntary work. Any voluntary hours worked should be included when calculating the total hours permitted under your Tier 4 visa.
- b. Volunteering: students who are volunteering do not have a contract, are not a substitute for an employee and must not be doing unpaid work or receiving payment in kind. Students who are volunteering are sometimes reimbursed reasonable travel and subsistence expenses and usually help a charity, voluntary or public sector organisation. Volunteering is usually considered an additional beneficial extra to support work done by employees, if there were no volunteers the work would still be carried out. Tier 4 visa holders can volunteer.

Please contact the ISAS via for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### 13.6. Working after course completion

Once you have **completed** your course and while your visa remains valid, UKVI allows you to work full-time but the restrictions on the type of work, as outlined above, continue to apply.

Please contact the ISAS for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### 13.7. Working if there are changes to your academic engagement

If you are on a leave of absence, deferring your studies, withdrawn as a student, or if you are not attending for any other reason (with the exception of an authorised absence) then, regardless of how much time you have left on your visa or any working permissions, your right to work ends immediately. Your right to work is wholly dependent on you being a full time student who is in attendance and engaging proactively with their studies.

If you are in doubt as to whether you can work, you MUST contact the ISAS for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### 13.8. Working and Part Time Tier 4

As a Part Time Tier 4 student you are not allowed to undertake any form of employment. This extends to paid work, unpaid work, placements, and voluntary work. If you are in doubt as to whether you can work, you MUST contact the ISAS for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### 13.9. Further working responsibilities

Working during your studies MUST not interfere with your ability to engage fully with your course. You would not be granted additional time to complete your studies if the reason you could not finish on time was because you were working.

It is your responsibility to ensure that you note the restrictions on the number of hours you can work per week. You must not exceed the working hours for ANY reason. The University is obliged to inform UKVI of any students found to be working more hours than allowed. This is known as 'working in breach' and has serious implications for you.

You should also note that 'work' can be paid, unpaid/voluntary. You must therefore ensure that you keep a note of any hours you work (whether it is paid or not) and ensure that you do NOT work longer than the hours on your visa.

You must also not undertake certain types of work, you must not:

- a. be self-employed
- b. be employed as a professional sportsperson or sports coach
- c. be employed as an entertainer
- d. take a permanent full-time job

A Tier 4 visa does not allow you to engage in business activity. UKVI defines this as working for a business in a capacity other than an employee in which you have a financial or other significant beneficial interest. In addition, the relevant Tier 4 work restrictions also apply to any work that you might undertake for an overseas company here in the UK. Regardless of where you are paid, i.e. to a foreign bank account.

You would not be permitted, for example, to set up a business that is trading or has a trading presence, be employed by a company in which you hold shares of 10% or more, or work for a company where you hold a statutory role, such as a Director. These are only examples, not an exhaustive list, of the types of circumstance in which you would be considered to be engaged in business activity. Please contact the ISAS for further information via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

If you violate the terms of your visa through work, you are putting your place on your course and your immigration status in the UK at risk.

## 14. Can I claim public funds?

No, on a Tier 4 visa you are not eligible to claim access to public funds; this includes local authority housing benefits and welfare benefits.

## 15. Academic Technology Approval Scheme (ATAS)

If you are undertaking a Postgraduate Research degree, Masters course or Undergraduate Master's degree in certain science and technology subjects in the UK you must obtain ATAS approval before you will be assigned a CAS to extend your visa to continue your studies. ATAS is managed by the Foreign and Commonwealth Office (FCO) to help stop the

spread of knowledge and skills that could be used in the proliferation of Weapons of Mass Destruction (WMD) and their means of delivery. An application for ATAS usually takes 20 working days to be processed. You should note that during busy periods this can take much longer. You are therefore encouraged to apply for ATAS as early as you can.

You should note that even if you did not need ATAS clearance as part of your original admission to your programme, you are required to apply for a new certificate if:

- There are any changes to the course content or research proposal. Changes are those other than minor changes to the areas of research or the use of any new research technique;
- your course end date is postponed by more than 3 calendar months;
- You wish to start a new course that requires ATAS clearance.

If ATAS clearance is needed, the University will not assign a CAS until you have provided a copy of your current ATAS clearance.

If you are an existing student, the ISAS will email you a number of months before your visa expires to check if you will need extra time to complete your studies. If you need ATAS clearance you should apply for it as soon as possible. For further information please go to:

<https://intranet.birmingham.ac.uk/as/student-services/international/visas/studentvisas/atas.aspx>

Please note – if you have not obtained ATAS clearance before your visa expires, you will not be assigned a CAS but will instead be required to return home, await the outcome of your ATAS application and then make a fresh entry clearance application. The ISAS will be able to support you.

## 16. Address and mobile telephone contact details

You are required to keep your UK contact details up-to-date. This includes your residential address, and mobile telephone number. You are able to update this information through the online registration pages. Log onto your my.bham portal and access the registration pages through the my.programme tab. The University now requires you to complete a mid-year check to confirm that your term-time (UK) contact details (address and telephone number) are correct and up to date. You will receive an email from Registry when you need to do this with instructions about how to complete this process.

## 17. Change in circumstances

The University has a number of duties if there are changes to a Tier 4 student's circumstances. The following changes of circumstances are likely to have implications for your Tier 4 visa:

### 17.1. Withdrawing from your course before you travel to the UK

If you decide to withdraw from your course and you have not yet travelled to the UK, you must inform the ISAS and your school. The University will withdraw your CAS and inform UKVI. You must not use the visa for travel as you could be refused entry at port of arrival and you would be required to declare the refusal on any future visa applications, not just to the UK but to the European Economic Area, the United States of America and other countries.

### 17.2. What if my start date is delayed?

If your start date is delayed before you enter the UK but after you have been granted entry clearance, you must inform the ISAS and your School.

You will receive a reply to your email which will tell you if you can or cannot arrive later. If you are not permitted to start later the University will inform UKVI and withdraw immigration sponsorship - you must not travel to the UK if you have not received a reply or if you have been told that you cannot start at a later date.

If it is not possible for you to delay your studies you have the following options:

- a. Taught Programmes – defer your studies and the university can assign you a new CAS the following year so you can apply for a new visa for the next academic year. The University will inform UKVI and withdraw your CAS which means your visa will not be valid & must not be used to travel.

- b. Postgraduate Research – your existing CAS will be withdrawn which means your visa will not be valid and must not be used for travel. You will be assigned a new CAS and be required to make a new visa application with the new start and end dates. If you travel using the original visa we expect that you will be refused entry at the airport, however, if you are granted entry you may not be permitted to study at the University of Birmingham and may be asked to return home and apply for fresh entry clearance.

### **17.3. What happens if I have not been able to enrol within the enrolment period?**

The University is required to report to UKVI any student who does not enrol within the enrolment period. This means that your visa may be curtailed. You must ensure that if you are not able (or will not be able) to enrol on time you contact your School and department and the ISAS team via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk).

### **17.4. Deferring your studies**

If you are not able to start your studies on time or if you need to stop your studies for any reason but are able to resume your studies in the next academic year, you should contact the ISAS team via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk) and speak to your School about deferring your studies.

A deferral of your studies will mean that the University will inform UKVI and will withdraw your immigration sponsorship.

#### **17.4.1. An undergraduate, or taught masters students**

If you defer your studies you will normally be given leave for a complete academic year. On approval of this deferral the University is required to cease Tier 4 sponsorship and report the change in circumstances to UKVI.

When the report is made, your visa will be curtailed to 60 days within which time you must leave the UK or switch to an alternative visa category to remain in the UK. You must NOT overstay your visa. You should not use the visa to travel back to the UK as we expect that you will not be permitted to re-enter the UK on your Tier 4 visa.

When you are ready to return to resume your studies you will need a new CAS to make a fresh entry clearance application. You must contact the ISAS via [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk) and you will be provided advice and guidance to support your visa application. When the ISAS are satisfied that you are ready to make a visa application, the University will assign a new CAS.

#### **17.4.2. Postgraduate research students**

The implications of a deferral on your Tier 4 visa will depend on the length of time the deferral has been approved for: If a deferral is granted for more than 60 days, the University is required to cease Tier 4 sponsorship and report the change of circumstances to UKVI. UKVI will then curtail your visa to 60 days within which time you must leave the UK. When you leave the UK after your visa has been curtailed, you may not be permitted re-entry to the UK on your Tier 4 visa.

When you are ready to return to your studies, the University will assign a new CAS to support a fresh entry clearance application for a Tier 4 visa.

For a deferral of up to 60 days, the University is able to continue your Tier 4 visa sponsorship on the basis that you can still complete your course within the validity of your current visa. If your enrolment is delayed at the start of your studies, the university can normally move your start date and will report this to UKVI. During your programme, you would have to take an authorised absence (See Section 12.2) or leave of absence before you embark on any break in your studies.

## **18. Withdrawing from your studies**

If you want to stop your studies at the University of Birmingham or if the University decides to withdraw you from your studies, the University must inform UKVI and withdraw immigration sponsorship.

If you decide you want to withdraw you are strongly advised to meet with your Personal Tutor for advice and guidance before making a final decision. More information about withdrawals is available here: <https://intranet.birmingham.ac.uk/as/registry/studentrecords/services/permanent-withdrawal.aspx>

The University is required to report this change in circumstances to UKVI. UKVI will subsequently curtail your visa to 60 days within which time you will be required to leave the UK or apply for a new visa in the UK under a different visa category or sponsor. When you leave the UK after your visa has been curtailed, you may not be permitted re-entry to the UK on your Tier 4 visa.

## 19. Changing your course

You can change course using your Tier 4 visa if you meet the following requirements:

- the new course is at the same or a higher level as the course for which your visa was granted;
- the new course is at degree level or above;
- the course can be completed within the existing validity of your current visa;
- if you have previously studied in the UK, the new course fulfils Tier 4 academic progression requirements.

Please see this link for information about how to change course –

<https://intranet.birmingham.ac.uk/as/student-services/projects/support/changing-course.aspx#decide>.

If the University approves a change of course, and the new course meets the conditions outlined above, this will be reported to UKVI by the University.

If your new course is at a lower level or your visa expires prior to the new course completion date, you will need to apply for a new visa for the new course from outside the UK. You will not be able to change courses until you have obtained the new visa.

Tier 4 academic progression rules do not permit you to apply for the visa for the new course from inside the UK so you will need to return overseas to apply for fresh entry clearance. More information about academic progression is available here:

<https://intranet.birmingham.ac.uk/as/student-services/international/visas/student-visas/academic-progression.aspx>

## 20. Completing your studies

If you complete your course at the expected date, as stated on your CAS, then your visa expiry does not change.

If you complete your course earlier than stated on your CAS, the University is required to report this to the Home Office. The Home Office will then curtail your leave so that you have the same period of leave after the new course end date as you were originally given for your original course end date (see below).

Length of study	Additional time	Example
Courses longer than 12 months	Four months	Course start - 25.09.2017. Course end – 30.09.2018 Your visa should have an end date of 31.01.2018
Courses from 6 to 12 months	Two months	Course start – 08.01.2018 Course end – 24.09.2018 Your visa should have an end date of 24.11.2018
Courses less than 6 months	Seven (7) days	Course start - 07.08.2017. Course end – 28.08.2017 Your visa should have an end date of 04.09.2017

If your course finishes early for any other reason, UKVI will limit your permission to stay to 60 days or however many days you already have remaining on your visa, whichever is the smaller.

## 21. Change of immigration status

If you switch to another visa category, you must inform the ISAS within 7 working days of the change. The University is required to report this change to UKVI.

## 22. Change of sponsor

If you wish to change to another education provider, you must receive a CAS from that institution and make a new Tier 4 application before starting your studies with them. You must speak to your new Sponsor so as they can advise you on your immigration matters. The University of Birmingham will not be able to give advice on behalf of another Sponsor. The University is required to report this change to UKVI.

### 23. Other change of circumstance

If you are on work placement and there are changes to where you are undertaking your work placement or if it is suspected that you are working in breach of your visa conditions or if the University suspects that you are not a genuine student, the University is required to report this to UKVI.

### 24. Other changes that you must report

You must keep your address up-to-date on the University system and you should tell UKVI by using an online form: <https://eforms.homeoffice.gov.uk/outreach/AddressUpdate.ofml>

If you have a BRP you are required to apply for a new BRP in the following circumstances:

- Change of name, e.g. if you have got married
- Change of nationality
- Change of gender
- Change of appearance

If you have a visa vignette (yellow sticker granted when you apply for a visa outside the UK) in your passport, you will need to update UKVI on these changes by using:

[www.gov.uk/change-circumstances-visa-brp/youre-in-the-ukand-dont-have-a-brp](http://www.gov.uk/change-circumstances-visa-brp/youre-in-the-ukand-dont-have-a-brp)

Whether you have a BRP or visa sticker in your passport, you are required to report the following changes to the Home Office using [www.gov.uk/change-circumstances-visa-brp](http://www.gov.uk/change-circumstances-visa-brp):

- Criminal convictions
- Change of Passport number
- Dependants' details, for example if your relationship breaks down you must inform UKVI

### 25. Contacting the International Student Advisory Service

For all queries, first read the Visas and Immigration section in: [www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk) thoroughly.

If the answers in this section do not help, there is a "contact us" link at the bottom of each answer page which you can use to send a query to the ISAS.

You can also call us on 0121 414 8464 between 09:00 and 17:00 but be aware, we cannot give out advice on the phone and will direct you to submit a query as above for most requests or will make an appointment for you to come and see an Advisor.

Please note, this number will be unavailable during peak-activity periods such as Welcome Week when the ISAS will be facilitating events around the University; for example, conducting Right to Study checks in the International Marquee.

The query system above ([www.studenthelp.bham.ac.uk](http://www.studenthelp.bham.ac.uk)) will continue to be active at these times and should remain the primary point of contact for all queries.



## 26. Glossary

### **Academic Technology Approval Scheme**

Academic Technology Approval Scheme (ATAS) approval is required by people who are subject to UK immigration control, studying for a postgraduate qualification in certain subjects. Ownership of ATAS rests with the Foreign and Commonwealth Office and is required for subjects that could lead to develop weapons of mass destruction or their means of delivery. Students studying subjects with specific JACS coding must apply for approval before they will be assigned a confirmation of acceptance for studies certificate and must present evidence of their approval with their visa application. The University is required to keep a copy of the student ATAS certificate.

### **Administrative Review**

When a visa application is refused, the applicant can submit a request for administrative review (AR) of the decision. The refusal notice, sent to the applicant, will detail the reason for refusal and whether they have the right to submit a request for AR. Usually this will require the applicant to demonstrate that the Home Office made a material error in law. At the University, staff in the International Student Advisory Service (ISAS) are the only staff permitted to provide advice and guidance to students whose visa has been refused.

### **Biometric Residence Permit**

A Biometric Residence Permit (BRP) is a small credit card sized identity card that is proof of the holder's right to stay, work, and/or study in the UK. Students making a visa application outside the UK can collect their BRP card from the University. The University must keep a copy of both sides of the students BRP card.

### **Confirmation of Acceptance for Studies**

Confirmation of Acceptance for Studies (CAS) is a virtual document with a unique reference number allocated by the University using the Home Office Sponsor Management System. A CAS is assigned when a student has met the conditions of their offer of a place to study and is 'UA'. A University is not legally obliged to assign a CAS and should only assign a CAS to a student who meets the criteria for making a visa application. The University has very strict Policy including when it will/will not assign a CAS.

### **Entry Clearance Visa Vignette**

A vignette is a 'sticker' that is inserted in to the immigration documents of a person making a visa application outside the UK which contains information about the type of visa and which grants entry to the UK. People coming to the UK for less than 6 months will be given a vignette for the duration of the stay. People coming to the UK for more than 6 months will have a vignette granted for 30-days. When they arrive in the UK they will be required to collect their BRP within the 30-day period.

### **Office of the Immigration Services Commissioner**

Office of the Immigration Services Commissioner (OISC) is the office that regulates immigration advisors in the UK. Universities have Ministerial Exemption from registering with the OISC; however, its advisors (who are OISC trained) must act in accordance with OISC codes of practice. Staff in the International Students Advisory Service are the only staff in the University of Birmingham permitted to provide immigration services e.g. advice and guidance to staff, students and visitors.

### **Sponsor Licence Number**

Each University is given its own unique Sponsor Licence Number (SLN). The University SLN is: T7N18X2X1  
Confirmation of Acceptance for Studies certificate (CAS) assigned by the University of Birmingham, contain its SLN and applicants and student use it when making their visa application.

### **Tier 4**

Tier 4 is the immigration category for UK-based educators which allow the University to assign CAS for students to study in the UK. The University has a separate licence for Tier 4 which is managed by Academic Services.

### **Tier 4 (General) Sponsor Licence**

In order to recruit and retain non-EEA students to study, the University must hold a Tier 4 (General) sponsor licence.

**UK Visas and Immigration (UKVI)**

The section of the Home Office responsible for immigration to the UK is known as UK Visas and Immigration (UKVI). UKVI decide who can come to and remain in the UK. UKVI monitor Tier 2, 4 and 5 licence holders to ensure that they remain compliant with their sponsor duties.