

Student visa CAS issuing procedure – applicants

Scope and purpose

As a Student visa sponsor under the Points Based System for Immigration the University of Bath must ensure that Confirmations of Acceptance of Studies (CASs) are assigned in accordance with the Student visa requirements set by UK Visas and Immigration (UKVI) as part of the Home Office. This procedure forms part of a suite of procedure documents that have been agreed to ensure that the University of Bath remains compliant with Student visa sponsor guidance.

This procedure is primarily designed for use by the Student Immigration Service (SIS), who are responsible for issuing Confirmation of Acceptance for Studies (CASs) at the University of Bath. All staff involved in issuing CASs must ensure that the procedure is adhered to accordingly.

The issuing of a CAS is at the University's discretion and the University reserves the right not to issue a CAS.

The reference to applicants in the context of this procedure refers to individuals who have applied to study on a new programme at the University of Bath and who require a Student visa in order to study at the University. A separate procedure covers those students who have already started their programme at the University and require a CAS in order to extend their visa to continue their studies.

Key responsibilities

Responsibility for the management and implementation of these procedures lies with the Student Immigration Service.

Basic CAS eligibility requirements

The University will only issue a CAS once an applicant meets all the following requirements:

- They have met the conditions of their offer on a programme at the University of Bath and have firmly accepted their offer, and the University has formally confirmed their unconditional place.

- They meet the minimum UKVI requirements for level of English Language (equivalent to CEFR B2 level in the four components of listening, speaking, reading and writing) plus any course-specific requirements set by the University.
- They have responded in full to the pre-CAS check questions and have provided the University with all the information requested.
- They have confirmed that they can meet the financial requirements for a successful visa application. The University reserves the right to check financial documents, even if an applicant confirms they can meet the requirements. If the documents provided will not meet the Student visa requirements, the University will not issue a CAS.
- They have provided all supporting documents needed to meet the conditions of their offer and / or the visa requirements (e.g. the final degree certificate).
- Where ATAS (Academic Technology Approval Scheme) clearance is required for their programme, the University will only issue a CAS once a copy of the ATAS clearance certificate has been sent to the University by the Foreign and Commonwealth Office (FCO) and this has been uploaded to their record.
- The University considers that the applicant will have sufficient time to make a successful visa application and arrive by the latest date of acceptance on their course.
- The University can meet its Student visa sponsor duties as outlined in the Student Sponsor Guidance and Immigration Rules.

Student visa requirements

The University will not issue a CAS where there are reasonable grounds to believe that the applicant's visa application will stand for refusal. A visa application will stand for refusal where the applicant does not meet Student visa requirements or does not meet general grounds for a successful immigration application.

The University will also consider how UKVI are likely to assess an applicant's credibility as a genuine student and will not issue a CAS where there are reasonable grounds to believe that a visa application will stand for a refusal on this basis. This will include, where relevant, a consideration of the applicant's previous UK immigration and study history. Details of any previous UK visa refusals and withdrawals from study will be requested and considered as part of the process.

In all circumstances the issuing of a CAS is at the University's discretion and the University reserves the right not to issue a CAS.

See the Home Office Student visa Sponsor Guidance, document 2, for further information regarding assigning a CAS.

Time limits

The University will not issue a CAS to an applicant who has exceeded or will exceed by the end of their course the amount of time they are allowed on a Student visa. Applicants who may be in this category will be required to give the University permission to receive a report of their full immigration history from UKVI.

Academic progression

Where an applicant has previously studied in the UK at the same level as the programme they have applied for at the University, they will be required to explain how this represents academic progression, as determined by UKVI. If the University does not consider that academic progression can be justified to UKVI, it will not issue a CAS.

If the applicant has previously studied in the UK at a higher level than the course they have applied for at the University, this is not considered to represent academic progression under the Student visa requirements and the University will not issue a CAS.

For any Student visa application made in the UK following previous study in the UK, the applicant will be required to provide evidence they have successfully completed their previous course of study in order to demonstrate academic progression. As an exception to this requirement, an applicant may be able to provide a letter confirming expected successful completion of their previous course if they will not have evidence of successful completion of the course at the point they make their new visa application. Where a CAS is issued on the basis of a letter of expected successful completion, the University will be required to withdraw Student visa sponsorship if the applicant does not successfully complete the course and is not awarded the expected qualification. Making a visa application on this basis is at the risk of the applicant.

Visa refusals

If an applicant's visa application is refused, the applicant is required to provide a copy of their visa refusal letter to the Student Immigration Service (SIS). Once this has been provided, the applicant will be advised by SIS why the application was refused and how the applicant can successfully re-apply for their visa. Where appropriate, applicants may be advised to request an Administrative Review of the visa refusal.

Depending on the reasons for the visa refusal, the applicant will be required to provide certain documents. In every case SIS will expect to see evidence that the applicant meets the financial requirements for a new Student visa application. A new CAS will only be issued once SIS are satisfied that the applicant is ready to make a successful visa application.

Student visas and remote learning

Student Visa holders are not permitted to study remotely from outside the UK and must be physically present on campus for study. Failure to attend in person will result in the University withdrawing its sponsorship. UKVI will then curtail the Student Visa, preventing any following entry to the UK.

Late arrivals

All students are expected to arrive for the start date of their course. Delays to arrival are permitted for a standard period of 2 weeks after the course start date for all students, with the exception of pre-sessional students who are permitted to arrive up to 1 week late.

For international students requiring a Student visa, a latest date of arrival of 2 weeks after the course start date is always stated on their Confirmation of Acceptance of Studies (CAS), required as part of the visa application. International students experiencing exceptional circumstances which will delay their arrival beyond 2 weeks, such as visa or travel delays, must notify their department and the Student Immigration Service. The Student Immigration Service will liaise with the student's Director of Studies to confirm whether the latest date of arrival can be extended. If it cannot be extended, the department will liaise with the student and the Student Immigration Service will withdraw visa sponsorship. If a new latest date of arrival is agreed, the Student Immigration Service will notify the Home Office as appropriate. The student will not be able to commence studies until their arrival in the UK in accordance with Student visa regulations - remote study overseas is not permitted.

Any non-visa related consequences of a late arrival are the responsibility of the student and the department.

Withdrawing a CAS

- The University will withdraw sponsorship if it becomes apparent that a CAS should not have been issued or that the applicant is no longer able to meet Student visa requirements.
- If a visa has already been granted when sponsorship has been withdrawn, the University is required to notify the Home Office within 10 working days and the applicant will not be able to study at the University. The applicant will be informed by email and advised to contact the Student Immigration Service.

Appendix 1

'Before you assign a CAS, you should ensure that the student will meet the requirements for a visa or permission to extend their stay.'

(Document 2 of the Student Visa Sponsor Guidance)