Addendum

Before making an application, you should consider the additional guidance at Annex 6 of this document. This appendix updates some of the existing guidance elsewhere in this document and should be considered in addition to the existing guidance.

Areas covered are:

1. **Arrangements for Students using the Pearson Test of English Academic (PTE Academic)**

   If you are a Tier 4 (General) student, using the Pearson Test of English Academic (PTE Academic) to demonstrate your English language ability, this section will explain how you should make your application.

2. **Arrangements allowing 18 and 19 year olds to apply for additional permission to stay as a Tier 4 (Child) Student.**

   If you are an 18 or 19 year old student, this section explains how you can apply for additional permission to stay as a Tier 4 (Child) Student if you are currently studying in the UK as:

   - a Tier 4 (Child) student; or
   - as a student under the student rules that were in force before 31 March 2009, where you were granted permission to stay whilst you were under 18 years old.

3. **Introduction of credibility testing**

   This section explains how you will be affected by the rules on credibility testing which came into effect on 30 July 2012.

4. **Post-Graduate Research courses exempt from 5 year study limit**

   This section lists a number of Post-Graduate research courses which are exempt from the limit on the length of time you may spend studying in the UK, as explained in detail at paragraph 87 of this Guidance.
Tier 4 of the Points Based System – Policy Guidance

This guidance is to be used for all Tier 4 applications made on or after 13 December 2012.
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INTRODUCTION

1. This document provides policy guidance if you are a student coming to the UK under Tier 4 of the points based system, and should be read with paragraphs 245ZT to 245ZZD of the Immigration Rules (these can be found on our website at: www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/). It is correct at the time of publication but some sections may change, so you should always check that you have the right version by going to our website.

2. Whether you are making an application from either inside the UK (leave to remain) or outside the UK (Entry Clearance) you should go to the UK Border Agency website to find the application form at: www.ukba.homeoffice.gov.uk/studyingintheuk/.

3. For the Immigration Rules in full and more information on how to apply, go to our website which can be found at: www.ukba.homeoffice.gov.uk/studyingintheuk/.

4. A full glossary of terms used in this guidance can be found at Annex 1.
KEY PRINCIPLES

5. There are two student categories under Tier 4 of the points-based system:
   
   o Tier 4 (General) student – This category is for students coming to the UK for post-16 education. A Tier 4 (General) student must be at least 16 years old.
   
   o Tier 4 (Child) student – This category is for children between 4 and 17 years old coming to the UK for their education. Children between 4 and 15 years old can only be educated at independent fee paying schools.
   
6. You must meet the full requirements of the Immigration Rules and have 40 points in total as shown in the table below:

<table>
<thead>
<tr>
<th>Points required: 40</th>
</tr>
</thead>
<tbody>
<tr>
<td>You must have a valid Confirmation of Acceptance for Studies from a fully licensed Tier 4 sponsor.</td>
</tr>
<tr>
<td>You must have enough money to cover course fees and monthly living costs (also known as maintenance or funds)</td>
</tr>
</tbody>
</table>

7. Your application under Tier 4 can be refused under the general grounds for refusal listed in the Immigration Rules. This means that even if you meet the requirements of the category you are applying under, there may be other reasons why we will refuse your application. For example, this could be because of your previous immigration history. Further information about general grounds for refusal can be found on our website at: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDIs/idischapter9/.

8. All students making a Tier 4 application will have to submit their biometrics details and information. An application can only be assessed and processed once these have been received.

Documents you will need to send with your application

9. To claim points, you must send the documents required by the Immigration Rules that are applicable to you. We will only accept the documents specified in the Immigration Rules as evidence.

10. If you qualify for our differentiation arrangements because you are considered to be “low risk” you will normally be required to provide fewer evidential documents. If you are exempted from having to provide a document - or a group of documents - under our differentiation arrangements, this will be specifically stated in this guidance. Notwithstanding the differentiation arrangements, the UK Border Agency reserves the right to request the full range of documents from you in all cases.

   The UK Border Agency will refuse any application where a request is made for the supporting documents to be submitted, if the specified documents are not provided to the Agency within the period specified in that request.
11. You qualify for our differentiation arrangements if:

- you are sponsored by a Highly Trusted Sponsor; and
- you are applying for entry clearance in your country of nationality or for leave to remain in the UK; and
- you are a national of one of the countries listed at Appendix H of the Immigration Rules:

http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/appendixh/

We will confirm your nationality using your passport. The list of low risk nationalities will normally be reviewed on an annual basis.

12. Documents must be issued by an authorised official of the issuing organisation and be:

- original (unless we say otherwise); and
- on the official letter-headed paper or stationery of the organisation.

13. If you are already in the UK, where a document is not in English or Welsh, the original must be accompanied by a fully certified translation by a professional translator/translation company. This translation must include:

- details of the translator/translation company’s credentials; and
- confirmation that it is an accurate translation of the original document; and
- the translator/translation company’s contact details.

It must also be dated and include the original signature of the translator or an authorised official of the translation company.

14. If you are overseas, any documents that have to be submitted in support of points you are claiming, which are not in English or Welsh must be accompanied by a full translation that can be independently verified by the UK Border Agency. The original translation must contain confirmation from the translator/translation company that it is an accurate translation of the original document, the date of the translation, the translator/an authorised official of the translation company’s full name and signature, and the translator/translation company’s contact details.

15. Where a translation of an overseas qualification or award certificate is submitted, we will not take it as a direct translation of the academic level of that award. We will always use UK NARIC to assess the equivalency of overseas qualifications.

16. If you have submitted:

- A sequence of documents, and some of the documents in the sequence have been omitted (for example, if one bank statement from a series is missing);
- A document in the wrong format;
- A document that is a copy and not an original document.

we may contact you or your representative in writing, and request the correct documents. We must receive the requested documents at the address specified in the request within 7 working days of the date of the request. We will not ask for further information where we do not anticipate that a correction of minor errors or omissions will lead to an approval.
If you have submitted a specified document that is:
  • in the wrong format, or
  • a copy and not an original document,
we may approve your application exceptionally if we are satisfied that the specified documents are genuine and that you meet all the other requirements. We reserve the right to request the original documents in the correct format and to refuse applications if the specified documents are not provided.

TIER 4 SPONSORS

17. To apply under Tier 4, you must have a Tier 4 sponsor. All Tier 4 sponsors who want to provide courses for international students need a licence from the UK Border Agency. Once they get a licence, they are added to the Tier 4 register of sponsors.

18. The register of sponsors has the name, location and rating of the organisation. You should check whether your sponsor has a licence by looking at the Tier 4 register of sponsors on our website at: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pointsbasedsystem/registerofsponsorseducation

19. A student’s Tier 4 sponsor will assign the student a Confirmation of Acceptance for Studies (CAS) reference number, which is an official and unconditional offer of a place on a course of study. More information on the role of approved Tier 4 sponsors can be found in Annex 2.

Current requirements for Tier 4 Sponsors

20. On 21 April 2011 we made some changes to the sponsor licence requirements. On that date we:
   • changed the requirements for educational oversight; and
   • introduced a requirement for all Tier 4 sponsors to become Highly Trusted Sponsors; and
   • introduced an interim limit on the number of CASs that certain existing sponsors can assign.

21. If sponsors had a licence that was granted under the guidance that was in place before 21 April 2011 and they were not a Highly Trusted Sponsor or did not meet the new educational oversight requirements, or both, they were allowed to stay on the Tier 4 sponsor register but we limited the number of CASs they could assign.

22. Highly Trusted Sponsor status (which we call HTS) is designed to ensure that all education providers are taking their obligations on immigration compliance seriously. It recognises sponsors who show a good history of compliance with their sponsor duties and whose students comply with the terms of their visa or permission to stay in the UK (known as ‘leave to remain’).

23. ‘A’ rating is reserved for new licence holders as a transitional rating before being able to apply for HTS. After 12 months sponsors must apply for HTS and must meet all of the criteria we have set out for Highly Trusted Sponsors.

24. Under the sponsor ratings system in place before 05 September 2011 it was possible for
some sponsors to be B rated. The Tier 4 sponsor guidance details the requirements for sponsors who are currently B-rated, sets out what sponsors must now do to keep their sponsor licence and provides information on transitional arrangements.

25. Legacy sponsors are Tier 4 sponsors who either:

- do not try to meet the requirements for educational oversight by the deadlines set out in the sponsor guidance; or
- do try to meet the new requirements for educational oversight by the deadlines set out in the sponsor guidance, but fail; or
- meet the mandatory requirements for Highly Trusted Sponsor but score a ‘near miss’ on the core measurable requirements and when they re-apply, score a second near miss.

If sponsors become legacy sponsors they will retain their original sponsor rating however they may not sponsor any new students or any existing students for a new course.

Full details of these requirements and all the Tier 4 sponsorship changes are available in the Tier 4 sponsor guidance, which is available on our website at: [http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/)

THE CONFIRMATION OF ACCEPTANCE FOR STUDIES

What is a Confirmation of Acceptance for Studies?

26. The Confirmation of Acceptance for Studies (CAS) is not an actual certificate or paper document but is a virtual document similar to a database record. Each CAS has a unique reference number and contains information about the course of study for which it has been issued and the student’s personal details. The information that the sponsor will include in a CAS can be found on our website: [http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pointsbasedsystem/sp](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pointsbasedsystem/sponsor-prep-phase-4).

27. We will not provide you with your CAS reference number as it is your Tier 4 sponsor’s responsibility to do so.

28. Your Tier 4 sponsor will also need you to provide you with some of the information they used when they assigned the CAS to you, for example your course details, the documents they used to assess you and any fees due for the appropriate period of study. You will need this information to accurately complete your application and to make sure that you know which documents to submit to us when you apply.

29. You cannot make your Tier 4 application more than three months before the start of your course.

When is a CAS valid?

30. A valid CAS is one that:

- has the same details on it as in your passport; and
- was assigned no more than six months before the date of your application; and
• has not been withdrawn or cancelled by your Tier 4 sponsor or us.

The Immigration Rules and Tier 4 Sponsor Guidance contain full details of the information a CAS must contain in order to be valid.

31. Your CAS will expire if it is not used for a leave application within six months of it being issued. If you make an application using a CAS that has expired, your application will be refused. You must ensure that your CAS is valid when your application is submitted - you can check this with your Tier 4 sponsor.

32. A CAS cannot be used more than once. If your Tier 4 application is refused, and you wish to make another application, you will need to get a new CAS from your sponsor.

33. Having a valid CAS does not guarantee that your application will be successful. You must meet all of the requirements of the category and any other requirements of the Immigration Rules.

34. Your CAS can be withdrawn or cancelled at any time by either us or by your Tier 4 sponsor. Where your CAS has been withdrawn or cancelled, the same procedures apply as where a CAS becomes invalid. These procedures are explained in more detail in Annex 2 of this document.

MONEY (ALSO KNOWN AS MAINTENANCE OR FUNDS)

Money you will need

35. You will not have access to most state benefits (known as public funds) and you must have enough money to support yourself so that you do not face financial difficulties whilst studying in the UK. The money that you need will depend on the length of your course and where you will study it.

36. The money you will need to show must be enough to cover the course fees for your first period of study or, if you are continuing a course, for the next period of study, and living costs for up to a maximum of nine months. Your living costs might include payments towards the costs of your accommodation or purchasing study materials such as books or stationery. A maximum of £1,000 paid to your sponsor in advance for your accommodation can be deducted from the amount of maintenance you must show that you have, even if you have paid more than £1,000 in advance.

37. The amount you will need to show for course fees will be given by your Tier 4 sponsor on your CAS.

38. If you are starting out on a new course, your Tier 4 sponsor must give the fees for the first year of the course, or for the entire course if the course is less than a year long, on your CAS.

39. If you are continuing on an existing course and are applying for an extension to continue to study the course, your Tier 4 sponsor must give either:

• the fees you still need to pay as stated on your CAS – if you are part way through the year; or
• the fees that you need to pay for the next academic year of your course, if you will
continue the course at the start of the next academic year.

40. If you are coming to the UK as part of a Study Abroad Programme, your Tier 4 sponsor must only include any fees that must be paid to them for the first year of the course or for the entire course if it is less than a year long. If you have no fees to pay to your Tier 4 sponsor, then your CAS must confirm that there are no fees due, for example, if these have been paid to an overseas Higher Education provider.

41. The amount you will need to show for living costs will depend on your individual circumstances.

Money needed for Dependants (partners and children)

42. Any partners or children (also known as dependants) that you want to bring to the UK with you must have money in place to support them. The points based system dependants’ guidance provides more information on this and can be found at: http://www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/pbs/dependants.

43. You are only permitted to bring dependants with you to the UK if you are a Tier 4 (General) student.

RESTRICTIONS ON SOME STUDENTS WITH OFFICIAL FINANCIAL SPONSORSHIP

44. You may be sponsored by an official financial sponsor. An official financial sponsor is Her Majesty’s Government, your home government, the British Council or any international organisation, international company, university or UK independent school.

45. Within the last 12 months, you may have been financially sponsored to be in the UK by a government or an international scholarship agency in one of the following categories:

- student; or
- Tier 4 (General); or
- Tier 4 (Child) student; or
- student nurse; or
- student re-sitting an examination; or
- student writing up a thesis; or
- postgraduate doctors and dentists.

46. For the purposes of this section of the guidance ‘sponsored’ means wholly supported by an award which covers both fees and living costs.

47. If you are currently financially sponsored by a government or an international scholarship agency, or your financial sponsorship ended within 12 months of your application being made, you will need your sponsor’s permission to stay in or re-enter the UK. You must provide us with your financial sponsor’s unconditional consent in writing. This must confirm that your sponsor has no objection to you continuing your studies in the UK. If your financial sponsor does not give consent, we will refuse the application.

Protecting Children
48. Under Section 55 of the Borders, Citizenship and Immigration Act 2009, the UK Border Agency must have regard to the need to safeguard children and to promote their welfare. All children studying in the UK must have suitable care arrangements in place for their travel, reception on arrival in the UK and living arrangements while here. Children are all students under 18 years old.

49. If you are 16 or 17 years old and applying as a Tier 4 (General) student, you must have your parent(s) or legal guardian(s) written consent that you can live and travel independently.

50. All arrangements for children’s care and accommodation in the UK must comply with relevant UK legislation and regulations. More information can be found on the Department of Health website:


Private foster care arrangement

51. If you are under 16 years old, or under 18 years old if you are disabled, you are privately fostered when you are cared for on a full-time basis by adults, who are not your parents or a close relative, for a period of more than 28 days. It is the responsibility of your parent, carer, and anyone else involved in making the private fostering arrangement (including your Tier 4 sponsor), to notify the UK local authority of the private fostering arrangement.

52. In the UK local authorities are responsible for safeguarding and protecting children. They must make sure that private foster carers are suitable and that they get any support and guidance that they may need to help them care for the child.

53. If a close relative, parent or legal guardian is caring for you, they are not considered to be a private foster carer and so will not need to register with a UK local authority. A close relative is a grandparent, brother, sister, step-parent, uncle (brother or half-brother of your parent) or aunt (sister or half-sister of your parent) who is aged 18 or over.

TIER 4 (GENERAL STUDENTS)

Specific guidance for Tier 4 (General) students

54. See paragraphs 245ZT to 245ZY of the Immigration Rules for full details of the requirements of the Tier 4 (General) student category.

What is the Tier 4 (General) student category?
55. The Tier 4 (General) student category is for people coming to the UK for post-16 education.

56. If you are 16 or 17 years old and studying a course at or above National Qualification Framework level 3, you and your Tier 4 sponsor can agree whether you apply as a Tier 4 (General) student or Tier 4 (Child) student. If you are 16 or 17 years old, then you should apply as a Tier 4 (General) Student if you wish to study English as a foreign language.

**Who can switch into the Tier 4 (General) student category?**

57. You can apply under the Tier 4 (General) student category if you currently have, or you were last given, permission to stay in any of the following categories:

- Tier 4 (General) Student,
- Tier 4 (Child) Student,
- Tier 1 (Post-study Work) Migrant,
- Tier 2 Migrant,
- Participant in the International Graduates Scheme (or its predecessor, the Science and Engineering Graduates Scheme),
- Participant in the Fresh Talent: Working in Scotland Scheme,
- Postgraduate Doctor or Dentist,
- Prospective Student,
- Student,
- Student Nurse,
- Student Re-sitting an Examination,
- Student Writing-Up a Thesis,
- Student Union Sabbatical Officer,
- Work Permit Holder.

**What type of study can a Tier 4 (General) student do?**

58. You must either be doing full-time study in the UK on:

- a full-time course of study that leads to a qualification at Level 6 or above of the revised National Qualification Framework (NQF) or its equivalents; or
- an overseas course of degree level study that is recognised as being equivalent to a UK Higher Education course and is being provided by an overseas HEI; or
- a full time course involving a minimum of 15 hours per week organised daytime study (daytime study is 8am - 6pm, Monday to Friday) and (except in the case of a pre-sessional course) leading to a qualification below degree level but which must be at a minimum of NQF Level 3 or its equivalents; or
- undertaking a recognised Foundation Programme as a postgraduate doctor or dentist in the UK; or
- undertaking work as a student union sabbatical officer at your Tier 4 sponsoring institution.

**What are the acceptable levels of courses that a Tier 4 (General) student can do?**

59. If you are studying with a Tier 4 sponsor that has a Highly Trusted Sponsor licence, you can obtain a CAS for a course that leads to an approved qualification for UKBA purposes and is:

- Approved at level 3 or above on the National Qualifications Framework (NQF)
or Qualifications and Credits Framework (QCF) in England, Wales and Northern Ireland; or

• Accredited at level 6 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority; or

• A short-term Study Abroad programme in the UK as part of the Tier 4 (General) student’s qualification at an overseas university, as long as the qualification is confirmed as being at the same level as a UK degree by UK NARIC. Contact details for UK NARIC can be found on their website at: www.naric.org.uk;/ or

• An English language course at level B2 or above of the Common European Framework of Reference for Languages.

Please note that in addition to the above, Highly Trusted Sponsors can offer courses which include work placements.

60. If you are studying with a Tier 4 sponsor that has a standard licence and is rated either A (Trusted) or B (Sponsor), then you can obtain a CAS for a course that leads to an approved qualification for UKBA purposes which is:

• Approved at level 4 or above on the National Qualifications Framework (NQF) or Qualifications and Credits Framework (QCF) in England, Wales and Northern Ireland; or

• Accredited at level 7 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority; or

• A short-term Study Abroad Programme in the UK as part of the Tier 4 (General) student’s qualification at an overseas university, as long as the qualification is confirmed as being at the same level as a UK degree by UK NARIC. Contact details for UK NARIC can be found on their website at: www.naric.org.uk;/ or

• An English language course at level B2 or above of the Common European Framework of Reference for Languages.

Sponsors with a standard Tier 4 sponsor licence rated either A (Trusted) or B (Sponsor) cannot offer courses below degree level that contain work placements.

Academic Progress

61. If you have a CAS and you previously had permission to stay as a Student or a Tier 4 (General) Student then your Tier 4 Sponsor can only give you a CAS for a new course, if your new course represents academic progress from your previous studies.

The only exception to this is where you are:

• re-sitting examinations or repeating modules, or

• making a first application to move to a new institution to complete a course commenced elsewhere, for example, you began a Bachelor’s degree course at a Sponsor whose licence was revoked and you wish to move to a new fully licensed Tier 4 sponsor to complete the same degree course.”

In order for your new course to represent academic progress from your previous studies, it must:

• be above the level of your previous course for which you were granted leave as a Tier 4 (General) Student or as a Student, or

• involve further study at the same level, which your Tier 4 Sponsor confirms that it complements your previous course for which you were granted leave as a Tier 4
(General) Student or as a Student, for example, you may be moving from a taught masters degree to an MBA or research-based masters degree.

An example of academic progress would be a Tier 4 student who completes a one year Higher National Diploma at a HEI (NQF Level 5) and who then moves on to study a 3 year Bachelors Degree programme (NQF Level 6).

**English language courses**

62. You can come to the UK to study an English language course. The minimum level of English language study, other than for those exceptions detailed above, is set at Common European Framework of Reference for Languages (CEFR) Level B2.

63. You are studying an English language course if you are studying English as a foreign language.

64. If you want to do another English language course after your first course, you will need to show the formal assessment of the English language level you achieved from your first course.

**Higher education courses at overseas institutions**

65. If you are enrolled on a higher education course at an overseas HEI, you can do a short-term Study Abroad Programme in the UK as part of your qualification. This is as long as the qualification is validated as the same level or above as a UK degree by UK NARIC. Contact details for UK NARIC can be found on their website at [http://www.naric.org.uk/](http://www.naric.org.uk/).

66. You do not need to provide us with evidence that your overseas course is at the right level as your Tier 4 sponsor will check this before they assign you a CAS.

**Post-graduate doctors and dentists**

67. You are allowed to do a recognised Foundation Programme as a postgraduate doctor or dentist in the UK in the Tier 4 (General) student category, as long as you meet all the requirements for the category and you are being sponsored by the UK Foundation Programme Office.

68. You must have successfully completed a recognised UK degree in medicine or dentistry from:

   - a Tier 4 sponsor who has a licence to bring in students; or
   - a UK publicly funded institution of further or higher education; or
   - an institution on the Department for Innovation, Universities and Skills list of recognised bodies or listed bodies list, which keeps satisfactory records of enrolment and attendance. These lists can be found at the following website: [http://www.dcsf.gov.uk/recognisedukdegrees/](http://www.dcsf.gov.uk/recognisedukdegrees/)

69. You must have been given permission to stay in the UK as a student under the rules in place before 31 March 2009 or as a Tier 4 (General) student. This permission must have covered your final academic year and at least one other academic year of your studies leading to the
above degree.

70. You can get a maximum period of three years permission to stay as a Tier 4 (General) student to do a recognised Foundation Programme as a postgraduate doctor or dentist.

**Student union sabbatical officer**

71. A Tier 4 (General) Student union sabbatical job is a full-time, salaried, elected executive union position. The job may be either at your Tier 4 sponsor’s institution or with the National Union of Students of the UK. You may take this job during your studies or in the academic year immediately after you graduate.

72. If you take the job while you still have time left in your permission to stay as a Tier 4 (General) student, your Tier 4 sponsor must let us know as they are responsible for you until your permission to stay (known as leave to remain) runs out.

73. If you want to do the job at the end of your course, and you have no more time left in your permission to stay as a Tier 4 (General) Student, you must apply again and meet the requirements of the category.

74. A sabbatical job is normally for one academic year and you may be given permission to stay to cover this time. If you are re-elected after one year, you will have to apply again for further leave in this category. You can only have a student union sabbatical job for a maximum of two years.

75. The time that you spend with leave to work in a student union sabbatical job will not count towards the maximum period that you are permitted to spend in this category. For example, it will be acceptable for a Tier 4 student to spend 5 years studying at or above degree level in as well as spending 1 year working in a student union sabbatical role.

76. The requirement that a work placement be no more than 50% or 33% (depending upon the course/sponsor) of your course in the UK does not include any period that you are in post as a student union sabbatical officer.

77. You are permitted to do additional work but it is restricted to part-time work during term-time (of no more than 20 hours a week) and full-time work during vacations, if you are not working full-time for the Students’ Union in the vacations.

**At what point can a Tier 4 (General) student come to the UK?**

78. Your course start date is the date given by your Tier 4 sponsor on your CAS.

79. If you are doing a course that is six months or longer, or for a pre-sessional course that is less than six months, you will be able to come to the UK up to one month before the start date of your course.

80. If you are doing a course that is less than six months and is not a course to prepare you for study, you will only be able to come to the UK up to seven days before the start date of your course.
How long can a Tier 4 (General) student come to the UK for?

81. The table below explains how much time a Tier 4 (General) Student can come to the UK for:

<table>
<thead>
<tr>
<th>Type of course</th>
<th>Length of course</th>
<th>Length of stay allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main course of Study (including Sabbatical Officers)</td>
<td>12 months or more</td>
<td>The full length of the course plus four months after the end of the course</td>
</tr>
<tr>
<td></td>
<td>Six months or more, but less than 12 months</td>
<td>The full length of the course plus two months after the end of the course</td>
</tr>
<tr>
<td></td>
<td>Less than six months</td>
<td>The full length of the course plus seven days after the end of the course</td>
</tr>
<tr>
<td>Pre-sessional courses</td>
<td>12 months or more</td>
<td>The full length of the course plus four months after the end of the course</td>
</tr>
<tr>
<td></td>
<td>Six months or more, but less than 12 months</td>
<td>The full length of the course plus two months after the end of the course</td>
</tr>
<tr>
<td></td>
<td>Less than six months</td>
<td>The full length of the course plus one month after the end of the course</td>
</tr>
<tr>
<td>Postgraduate doctors and dentists on a recognised Foundation programme</td>
<td></td>
<td>The full length of the course (up to a maximum of three years) plus one month after the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>end of the course</td>
</tr>
</tbody>
</table>

82. The CAS issued by your Tier 4 sponsor will include the start and end dates of your course. A course will be considered to be 12 months long if it lasts a full calendar year. For example, a course starting on 1 January 2011 and ending on 31 December 2011 will be considered to be 12 months long.

83. If you are 18 years old or over, you are allowed to spend no more than three years in the UK studying below UK Bachelors degree level in your lifetime. We cannot approve new leave for you to study below UK Bachelors degree level, if you have already been studying below UK Bachelors degree level for three years.

84. These three years can be spent studying one course or a number of courses.

85. This three year limit does not include any time that you spend studying below UK Bachelors
86. If you have official financial sponsorship which wholly covers your fees and living costs, and your financial sponsor limits the time you may study in the UK, your permission to stay will be limited to that length of time plus the usual post-course period allowed.

87. In addition to the 3 years of permitted study below degree level as a Tier 4 (General) student and any time spent in the Tier 4 (Child) category, the time that you can spend studying at or above degree level will be limited to 5 years. However, the following courses are exempt from the 5 year study limit and will not be included when the amount of time you have spent studying at or above degree level is calculated, regardless of when they were studied:

- where you are studying a course at or above degree level in one of the following subject areas:
  - Architecture;
  - Medicine;
  - Dentistry;
  - Law, where the applicant has completed a course at degree level in the UK and is progressing to:
    - a law conversion course validated by the Joint Academic Stage Board;
    - the Legal Practice Course; or
    - the Bar Professional Training Course.
  - Veterinary Medicine & Science; or
  - Music at a Conservatoire.

- where you are studying for Master’s degrees at a Recognised Body or at a HEI, following completion of an undergraduate degree where the duration of that degree course was 4 or 5 academic years. If this applies to you, the limit will be set at 6 years in total instead of 5.

- where you are studying an acceptable Post-Graduate research qualification which is being studied at and awarded by a Recognised Body or an HEI, providing that on completion of this course, the time spent studying in the UK at or above degree level will not exceed 8 years. If, by the time you complete your Post-Graduate Research qualification, the time you have spent studying in the UK at or above degree level exceeds 8 years, then we will not grant you any further leave in this category. The list of acceptable Post-Graduate research qualifications appears at part 4 of Annex 6 of this guidance.

In calculating the maximum amount of time that you spend studying at or above degree level, we will only include the length of the course and will not take into account the additional periods of leave granted before or after your main course of study that are referred to in the table at paragraph 83.

Unless the above listed exceptions apply to you, we cannot approve new leave for you to study at or above UK Bachelors degree level, if you have already been studying at or above UK Bachelors degree level for five years.

88. The following scenarios are examples of course combinations that would be acceptable:
• A Tier 4 migrant spends 1 year studying a foundation degree programme, followed by 4 years studying a Bachelor’s degree, followed by 2 years studying a Master’s degree at an HEI.

• A Tier 4 migrant spends 2 years studying a Scottish HND, followed by 2 years studying a Scottish Honours degree, followed by 2 years studying a Master’s degree at a Recognised.

• A Tier 4 migrant spends 2 years studying A levels (as an adult student), followed by 4 years studying a Bachelor’s degree in Engineering, followed by 2 years studying a research or professional Master’s degree at an HEI.

• A Tier 4 migrant spends 3 years studying a university validated degree at a private college, followed by a one or two year master’s at a Recognised Body or private college.

• A Tier 4 migrant spends 4 years studying an undergraduate course, followed by a 1 year post graduate diploma at an HEI, followed by a 1 year MBA at an HEI.

• A Tier 4 migrant spends 4 years studying an integrated Master’s course at an HEI, followed by a two year MPhil at Recognised Body, would be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant spends 5 years studying an integrated masters degree, followed by a 1 year MBA.

• A Tier 4 migrant spends 5 years studying an undergraduate degree followed by a three year Masters degree in music.

89. The following scenarios are examples of course combinations that would not be acceptable:

• A Tier 4 migrant who spends 2 years studying at NQF 3, followed by more than 1 years studying at NQF 5 would not be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant who spends 3 years studying at NQF 3, followed by 3 years on an NQF 6 course, followed by a further three year course at NQF 6 would not be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant who spends 3 years studying an undergraduate degree at an HEI, followed by a doctorate at a private college validated by a university would not be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant who spends 4 years studying an undergraduate degree, followed by a 2 year post graduate management qualification at a private college would not be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant who spends 5 years studying an integrated masters degree with sandwich year at an HEI, followed by a 2 year research masters at an HEI would not be able to meet this requirement of the Immigration Rules.

• A Tier 4 migrant who studies spends more than 5 years studying an NQF6 accountancy course would not be able to meet this requirement of the Immigration Rules.

Students applying from inside the UK

89a. If you are applying to continue your studies in the UK, your new course must start within 28 days of the expiry of your permission to say or, if you have overstayed, within 28 days of when that period of overstaying began.

90. From 1 October 2012, all applications for further leave to remain will fall for refusal if a student has overstayed for more than 28 days, unless there were exceptional circumstances which prevented them from applying within the 28 day period. The 28 day period of overstaying is calculated from the latest of:
• the end of the last period of leave to enter or remain granted, or
• the end of any extension of leave under sections 3C or 3D of the Immigration Act 1971, or
• the point a written notice of invalidity is deemed to have been received, in accordance with paragraph 34C or 34CA of the Immigration Rules, in relation to an in-time application for further leave to remain.

If there are exceptional circumstances which prevent you from applying in time, you must submit evidence of the exceptional circumstances with your application. The threshold for what constitutes ‘exceptional circumstances’ is high and will depend on the individual circumstances of your case, but for example, may include delays resulting from unexpected or unforeseeable circumstances such as the following:

• serious illness which meant that you or your representative were unable to submit the application in time (where supported by appropriate medical documentation).
• travel or postal delays which meant that you or your representative were unable to submit the application in time.
• inability to provide necessary documents.

This would only apply to exceptional or unavoidable circumstances beyond your control, such as UK Border Agency being at fault in the loss of, or delay in returning, travel documents, or delay in obtaining replacement documents following loss as a result of theft, fire or flood (where supported by evidence of the date of loss and the date replacement documents were sought).

91. We suggest that if your course has ended and you are applying from inside the UK to extend your stay, you should apply in the last three months of your permission to stay if possible. This is because as soon as we give permission to stay (if the application is approved), your new Tier 4 sponsor becomes responsible for you.

ENGLISH LANGUAGE ABILITY

92. Your Tier 4 Sponsor will assess your level of English language competence as part of their academic assessment of your ability to follow a particular course.

93. The level of English language ability that you must have and how your Tier 4 sponsor is allowed to assess that you are competent in English will depend on:

• when your CAS was assigned;
• the type of course you are following; and
• the type of institution at which you will be studying.

94. You may sometimes be required to attend an interview with UK Border Agency officials, either as part of your Tier 4 application overseas, or when arriving in the UK (for example at the airport). If you are required to attend an interview and cannot show at that interview that your English language ability is at the standard required by the Immigration Rules, your entry clearance application may be refused or you may be refused permission to enter the UK.

95. A list of the approved English language tests for Tier 4, including the time period tests are valid for, and the scores you must achieve all four components (reading, writing, speaking and listening), is available on our website via this link: www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/new-approved-english-tests.pdf
96. Where your sponsor has used an approved English language test to check that you are competent in English language, they must include information about this test on your CAS.

97. Where your sponsor has used a course that you successfully completed as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where the student was granted permission stay whilst you were under 18 years old) to prove that you are competent in English language at a minimum of CEFR level B1, they must include information about this course on your CAS.

**All Tier 4 (General) students assigned a CAS**

98. If you are to be assigned a CAS for a course at NQF 6/QCF 6/SCQF 9 or above, your Tier 4 sponsor must ensure that you are competent in English language at a minimum of CEFR level B2 before issuing you with a CAS. The only exception to this is where you are a gifted student studying at a HEI.

99. If you are to be assigned a CAS for a course at NQF 3, 4 or 5/QCF 3, 4 or 5/SCQF 6, 7 or 8, your Tier 4 sponsor must ensure that you are competent in English language at a minimum of CEFR level B1 before issuing you with a CAS.

**Tier 4 (General) Students following a course at NQF 6/QCF 6/SCQF 9 or above at a HEI**

100. If you are not a gifted student, and you will be following a course at NQF6/QCF 6/SCQF 9 and above at a HEI, your Tier 4 sponsor must check your English language proficiency is at B2 by ensuring that you:

- are from a majority English-speaking country; or
- has completed an academic* qualification at least equivalent to a UK Bachelors degree which was taught in a majority English-speaking country; or
- has successfully completed a course as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where you were granted permission stay whilst you were under 18 years old) which was:
  - at least six months in length; and
  - ended within two years of the date the sponsor assigned the CAS; or
- are proficient at CEFR level B2 in each of the four components of language learning, (reading, writing, speaking and listening) by choosing its own method of assessing your English language ability.

* - The Immigration Rules specify that only academic qualifications are acceptable. We will only consider a qualification to be an academic qualification if the body that awarded it consider it to be an academic qualification. Professional or vocational qualifications, regardless of whether or not they are equivalent to a UK Bachelors degree, are not acceptable. If you are unsure whether or not a qualification is acceptable then you should check this with the body that awarded it.

101. If you are considered by your Tier 4 Sponsor to be a gifted Student, and you will be enrolling on a course at NQF 6/QCF 6/SCQF 9 or above at a HEI, the English language requirement can be waived. The Academic Registrar at the HEI will need to personally authorise the issue of your CAS, which must confirm that the Academic Registrar has approved the waiving of the language requirement.
Tier 4 (General) Students following a course at NQF 6 or QCF 6 or SCQF 9 or above at a non-HEI

102. If you will be following a course at NQF 6 or QCF 6 or SCQF 9 with a Tier 4 sponsor who is not a HEI, your Tier 4 Sponsor must check your English language ability is at CEFR level B2 by ensuring that you:

• are from a majority English-speaking country; or
• have completed an academic qualification at least equivalent to a UK Bachelors degree taught in a majority English-speaking country
• have passed an English language test from the list of approved tests for Tier 4 that is still within its validity date, and has achieved at least CEFR level B2 in all four components (reading, writing, speaking and listening) unless exempted from sitting a component by a test provider on the basis of your disability; or
• have successfully completed a course as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where you were granted permission to stay whilst you were under 18 years old) which was:
  • at least six months in length; and
  • ended within two years of the date the sponsor assigned the CAS.

All Tier 4 (General) students following a course at NQF 3/4/5 or QCF 3/4/5 or SCQF 6/7/8

103. If you will be following a course at NQF 3/4/5 or QCF 3/4/5 or SCQF 6/7/8, your Tier 4 Sponsor must check your English language ability is at CEFR level B1 by ensuring that you:

• are from a majority English-speaking country; or
• have completed an academic qualification at least equivalent to a UK Bachelors degree which was taught in English in a majority English-speaking country
• have passed an English language test from the list of approved tests for Tier 4 that is still within its validity date, and has achieved at least CEFR level B1 in all four components (reading, writing, speaking and listening) unless exempted from sitting a component by a test provider on the basis of your disability; or
• have successfully completed a course as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where you were granted permission to stay whilst you were under 18 years old) which was:
  • at least six months in length; and
  • ended within two years of the date the sponsor assigned the CAS.

How we will confirm a Tier 4 (General) Student’s English language ability

104. You are from a majority English language speaking country if you are a national of:

• Antigua and Barbuda;
• Australia;
• The Bahamas;
• Barbados;
• Belize;
• Canada;
• Dominica;
We will confirm your nationality using your passport.

105. You have completed an academic qualification at least equivalent to a UK Bachelors degree which was taught in a majority English-speaking country if the qualification was taught in one of the following countries:

- Antigua and Barbuda;
- Australia;
- The Bahamas;
- Barbados;
- Belize;
- Dominica;
- Grenada;
- Guyana;
- Ireland;
- Jamaica;
- New Zealand;
- St Kitts and Nevis;
- St Lucia;
- St Vincent and the Grenadines;
- Trinidad and Tobago;
- The UK;
- United States of America.

Where your sponsor has used such a qualification to check that you are competent in English language, they must include information about this qualification on your CAS. You must include your course certificate with your application. We will check that your qualification is at least equivalent to a UK degree using UK NARIC.

106. Where you are following a course of study below NQF 6 or QCF 6 or SCQF 9, your sponsor must use an approved English language test to check that you are competent in English language at a minimum of CEFR level B1 in each of the four components. Your Tier 4 Sponsor must include information about your test on your CAS. A list of the approved English language tests for Tier 4, including the time period for which tests are valid, and the scores a Tier 4 (General) must achieve, is available on our website via this link: http://www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/new-approved-english-tests.pdf. You must include your test certificate with your application.

107. Where you are following a course of study at NQF 6 or QCF 6 or SCQF 9 or above with a Tier 4 sponsor that is not a UK HEI, your sponsor must use an approved English language test to check that you are competent in English language at a minimum of CEFR level B2 in each of the four components. Your Tier 4 sponsor must include information about this test in your CAS. A list of the approved English language tests for Tier 4, including the time period for which tests are valid, and the scores you must achieve, is available on our website via
108. Where you are following a course of study at NQF 6 or QCF 6 or SCQF 9 or above with a Tier 4 sponsor that is a UK HEI, your sponsor may choose its own method to check that you are competent in English language at a minimum of CEFR level B2 in each of the four components. Your Tier 4 sponsor must confirm that you are proficient to the required level on your CAS. You do not need to send in any documents to support this.

109. Where your sponsor has used a course that you successfully completed as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where you were granted permission stay whilst you were under 18 years old) to prove that you are competent in English language, they must include information about this course on your CAS. You must include your course certificate with your application.

110. If you are considered by your Tier 4 Sponsor to be a gifted Student, your Tier 4 sponsor will explain this on your CAS. Your Tier 4 sponsor will also give you a letter confirming that the Academic Registrar has approved the waiving of the English language requirement. If you are applying from overseas, you should ensure that you have the letter with you when you enter the UK.

**Claiming points for a CAS**

111. To claim 30 points for a valid CAS, you must send us the CAS reference number you have been assigned by your Tier 4 sponsor. This number must be written on your application form.

**Documents used to obtain a Tier 4 (General) CAS**

*Please note, this does not apply if you are studying English Language Courses at level B2 of the CEFR or if you are taking a recognised Foundation Programme for Postgraduate Doctors/Dentists.

112. Where you qualify for our differentiation arrangements, you are not required to include the evidential documents from this section with your application. You must however confirm on your application form that you meet the requirements set out in this section, and that you hold documentary evidence in the manner required. We reserve the right to request any or all of the evidential documents from this section from you even where you qualify for our differentiation arrangements.

113. If your Tier 4 sponsor has assessed your qualifications in order to assign your CAS, you must send us these qualifications with your application. For each qualification listed, you must provide either:

i. The original certificate(s) of qualification. Each document must be the original (not a copy) and must clearly show:

   - your name; and
   - the title of the award; and
   - the date of the award; and
   - the name of the awarding institution.

(We will not accept original provisional certificates whether original or a copy).
Do I require an Academic Technology Approval Scheme (ATAS) Clearance Certificate?

120. You must obtain an Academic ATAS clearance certificate if you are applying for leave to take one of the following:
• postgraduate studies leading to a Doctorate or Masters degree by research in one of the subjects listed in paragraph 1 of Appendix 6 of the Immigration Rules; or
• postgraduate studies leading to a taught Masters degree in one of the subjects listed in paragraph 2 of Appendix 6 of the Immigration Rules; or
• study or research in the UK of longer than six months which is part of an overseas postgraduate level course, in any subject listed in Appendix 6 of the Immigration Rules.

121. Applications for an ATAS clearance certificate must be made online on the Foreign and Commonwealth Office website at www.fco.gov.uk/atas. This site also contains information about the scheme and the list of designated subjects.

122. An ATAS clearance certificate is issued for a specific course with a named Tier 4 sponsor and remains valid as long as the Tier 4 sponsor and/or course details do not change, including the length of the course.

123. You will need to apply for a new ATAS certificate if:

• you change your course; or
• you apply for an extension of leave in order to continue on and complete a course; or
• the area of research/modules change for the course you originally applied to; or
• you move to another institution; or
• your Visa was issued on or after 30 November 2007, and you need further permission to stay for writing up a thesis.

124. If you are applying for further permission to stay to write up your thesis and your previous visa did not require an ATAS clearance certificate as it was issued before 30 November 2007, an ATAS clearance certificate is not required. If you are applying to study a course which required an ATAS clearance certificate, you must provide a print-out of your ATAS clearance certificate.

DOCUMENTS USED TO OBTAIN A TIER 4 (GENERAL) CAS ASSIGNED FOR ENGLISH LANGUAGE COURSES AT LEVEL B2 OF THE COMMON EUROPEAN FRAMEWORK FOR REFERENCE (CEFR)

125. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

126. If your Tier 4 sponsor has assessed your qualifications in order to assign your CAS, you must send us these qualifications with your application. For each qualification listed, you must provide either:

i. Your original certificate(s) of qualification. Each document must be the original (not a copy) and must clearly show:

• your name; and
• the title of the award; and
• the date of the award; and  
• the name of the awarding institution.

We will not accept original provisional certificates

Or

Your original transcript of results. Each document must be the original (not a copy) and must clearly show:

• your name; and  
• the name if the academic institution; and  
• the course title; and  
• confirmation of the award.

127. You must get this information directly from the Tier 4 sponsor before making your application. We will not provide this information to you.

128. If your Tier 4 sponsor has assessed you by using one or more references, your Tier 4 sponsor must include details of the references assessed on your CAS.

129. For each reference assessed, you must send your original reference(s) which must contain:

• your name; and  
• confirmation of the type and level of course or previous experience; and  
• dates of study or previous experience; and  
• date of the letter; and  
• contact details of the referee.

If you cannot provide the original reference(s), you can provide a copy, together with a letter from your Tier 4 sponsor confirming it is a true copy of the reference they assessed.

130. If you have been offered a place because of the progress you have made on an existing course, your Tier 4 sponsor must include this information on your CAS. You will not need to send any documents if this is how you have been assessed.

DOCUMENTS USED TO GET A CAS FOR TIER 4 (GENERAL) STUDENTS TAKING A RECOGNISED FOUNDATION PROGRAMME FOR POSTGRADUATE DOCTORS AND DENTISTS

131. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

132. If you are applying to take a recognised Foundation Programme as a Postgraduate Doctor or Dentist, the qualification(s) you send with your application must include your original certificate and/or original transcript of results of the UK recognised degree in Medicine or Dentistry that you completed whilst in the UK as a student.
Funds or Maintenance

What Money does a Tier 4 (General) Student Need?

133. In order to claim 10 points for your Maintenance (funds), you must show that you have enough money to cover the course fees and living costs.

Course fees

134. If you are starting a new course, you must show that you have enough money to pay for your course fees for the first year of your course or for the entire course, if it is less than a year long.

135. If you have already started your course and you are applying for new permission to stay to continue that course, you must show that you have enough money to pay for your course fees to the end of the current academic year; or for the next academic year if you will continue on your course at the start of the next academic year.

136. If you are in the UK as part of a Study Abroad Programme you must show that you have enough money to pay for any fees you are required to pay to your Tier 4 sponsor for the first year of your course or for the entire course, if it is less than a year long.

137. The amount you will need to show for course fees will be stated by your Tier 4 sponsor on your CAS.

138. Your Tier 4 sponsor will provide us with details of the cost of the course fees once the CAS has been issued. If you do not know what these fees are, you will need to check this with your Tier 4 sponsor.

139. If you have no fees to pay to your Tier 4 sponsor, your CAS, must confirm that there are no fees due (for example, if these have been paid to an overseas Higher Education provider).

Living Costs

140. The amount of money you must show for living costs will depend on where you are studying in the UK. You may also have to show a lower amount of money if you already have an established presence studying in the UK.

Where you will be studying

141. The monthly living costs that you will need to show will depend on where you will be studying in the UK.

142. You must show that you have:

- £1000 per month for living costs if you are studying in inner London for the majority of your study (more than 50% of your study time);
• £800 per month for living costs if you are studying in outer London or anywhere else in the UK, for the majority of your study (more than 50% of your study time).

143. You will be studying in inner London if the majority of your study (more than 50% of your study time) is in any of the following London boroughs:


144. If you want to check whether the address of your main site of study is in inner London, you can put your Tier 4 sponsor’s postcode in to the ‘About my vote website’ which can be found at (www.aboutmyvote.co.uk).

145. If you are unsure as to the address of your main study site, you will need to get this address from your Tier 4 sponsor.

How many months money must I have?

146. You must show that you have enough money to cover your monthly living costs whilst you are studying in the UK. The amount of money you have to show will depend on whether you already have an established presence studying in the UK. If you have an established presence studying in the UK, you will need to show less money for living costs.

147. If you have an established presence studying in the UK (including Post-graduate Doctors and Sabbatical Officers) if you have current entry clearance, leave to enter or leave to remain as a Tier 4 migrant, as a student, or as a Post-graduate Doctor or Dentist when applying for further leave and on the date of your application:

- you have finished a single course that was at least six months long within your last period of entry clearance, leave to enter or leave to remain, or
- you are applying for a continued study on a single course where you have completed at least six months of that course

You can qualify for the reduced maintenance levels whether you are applying from inside the UK or from overseas.

148. If you do not have an established presence studying in the UK, you must show that you have money for your living costs for each month of your course up, to a maximum of 9 months.

149. If you have an established presence studying in the UK, you must show that you have money for your living costs for each month of your course up to a maximum of 2 months.

How much money must I have?

150. If you do not have an established presence studying in the UK, you must show that you have money for your course fees plus:

- **Inner London**, £1000 for living costs for each month of your course up, to a maximum of 9 months.

- **Outer London or anywhere else in the UK**, £800 for living costs for each month of your course, up to a maximum of 9 months.
151. If you have an established presence studying in the UK, you must show that you have money for your course fees plus:

- **Inner London** £1000 for living costs for each month of your course, up to a maximum of 2 months.

- **Outer London or anywhere else in the UK** £800 for living costs for each month of your course up to a maximum of 2 months.

152. If the length of your course includes a part of a month, we will round the time up to the next month. For example, if a course is seven months and two weeks, you must show that you have enough money for eight months.

153. Examples of the money required are given in Annex 5.

**Money that can be used**

154. You can use money held in an account owned by you or by your parents. If you are using funds held by your parent(s)/legal guardian(s), you will need to show us evidence that you are related to your parent(s)/legal guardian(s) and that you have their permission to use this money.

155. The evidence of money that you use must be of cash funds in the bank (this includes savings accounts and current accounts even when notice must be given), as a loan letter or official financial or government sponsorship available to you. Other accounts or financial instruments such as shares, bonds, overdrafts, credit cards and pension funds are not acceptable, regardless of notice period.

156. The money you show us must be for your use for studying and living in the UK. The full amount of this money – which should be held in the manner specified in this guidance - must continue to be available to you after your application is made, except for any money you have to pay for course fees and living costs.

For example, you should retain the full amount of money you have shown us in your bank account, minus the balance you have paid for your course fees.

157. If you are using overseas currency, we will expect you to show (in writing on your application form) the closing balance in pounds sterling. We use the official exchange rate on the OANDA website, which can be found at [www.oanda.com/convert/classic](http://www.oanda.com/convert/classic).

158. Where your funds are in a currency other than pounds sterling, the amount we consider will be based on the exchange rate for the relevant currency on the date of your application, taken from the rates published on [www.oanda.com](http://www.oanda.com).

159. You will not be awarded points for maintenance where the money you are showing us is held in a financial institution with which the UK Border Agency is unable to make satisfactory verification checks. This will be considered using the list in use on the date of your application. A list of financial institutions which do not satisfactorily verify financial statements will be published on our website at [http://www.ukba.homeoffice.gov.uk/sitecontent/documents/studying/financial-institutions/](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/studying/financial-institutions/).

160. We will not consider money earned during a time when you or your parent(s)/Legal
Guardian was in breach of the UK’s immigration laws as evidence of maintenance funds.

For example: Earnings made from UK employment will only be considered if you had leave to enter or remain in the UK at the time the money was earned, and in a category which permitted you to take that employment.

Money already paid to the Tier 4 sponsor

161. If you can show that you have already paid all or some of your course fees to your Tier 4 sponsor before making your application, this amount can be taken away from the total amount of money you will need to show.

162. If you can show that you have already paid all or some of your accommodation fees to your Tier 4 sponsor before making your application, this amount will also be taken away from the total amount of money you will need to show for living costs, however, the amount taken away cannot exceed a maximum of £1,000, even if you have paid more than £1,000 in advance for accommodation.

For example, if you are studying inside Inner London, you are on a course of more than 12 months, and you have paid your course fees in full and you have an established presence.

The amount of maintenance you would need to show would be £2,000 (£1,000 for 2 months), however, as you have already paid £1,000 to your University as a contribution towards your accommodation, the amount you need to show is reduced to £1,000:

Amount of Maintenance - £2,000
Amount paid to Sponsor for accommodation - £1,000
Total maintenance they are required to show - £1,000.

This only applies if you will be staying in university or college arranged accommodation.

Official Financial Sponsorship or Government Sponsor

163. Financial sponsorship is where you are given money to cover some or all of your course fees and/or living costs. This financial sponsorship can be used as evidence of money you have.

164. You can receive official financial sponsor from Her Majesty’s Government, your home government, the British Council or any international organisation, international company, university or an Independent School.

165. If your financial sponsor is only covering some of your course fees or living costs, you must show that you have the rest of the money needed.

Documents Needed to Claim Points for Maintenance (funds)

166. To claim 10 points for Maintenance (funds) you must show evidence that:

• you have paid all or part of your course fees and up to £1,000 towards accommodation fees to your Tier 4 sponsor; and/or
• you are receiving official financial sponsorship; and/or
• you have enough money to cover your remaining course fees and living costs, if any.
Documents needed to show money already paid to the Tier 4 Sponsor

167. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

168. Your sponsor can include details of the money you have already paid to them on your CAS. If your Tier 4 sponsor has included details of money paid to them on your CAS, no further documents are needed to show that this money has been paid. If you do not know if your Tier 4 sponsor has included this information you will need to check this with your Tier 4 sponsor. Any money for fees and maintenance that are not shown on your CAS must be shown in a different manner by you.

169. If your Tier 4 sponsor has not included details of the money you have already paid on your CAS, you must send an original paper receipt issued by your UK Tier 4 sponsor confirming that you have paid:

- all of your fees; or
- the amount that you have paid.

Documents needed to show official financial sponsorship or government sponsor

170. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

171. Your sponsor can include details of the Official Financial Sponsorship that they are giving to you on your CAS. No further documents are needed to show this Official Financial Sponsorship. If you do not know if your Tier 4 sponsor has included this information, you will need to check this with them.

172. In all other circumstances if you are being given Official Financial Sponsorship, you must provide a letter of confirmation from your Official Financial Sponsor on official letter-headed paper or stationery of the organisation of the official financial sponsor which must have the official stamp of that organisation on it. The letter must show:

- your name;
- the name and contact details of your official financial sponsor;
- the date of the letter;
- the length of your sponsorship; and
- the amount of money the sponsor is giving to you or a statement that your official financial sponsor will cover all of your fees and living costs.
Documents needed to show money available to you

173. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

174. You must show that you have held the required money for a consecutive 28 day period (finishing on the date of the closing balance) ending no more than 31 days before your application.

175. If you are providing evidence of maintenance from a single account, we will always assess the funds available to you from the closing balance given on the document provided as evidence.

176. Where two or more pieces of evidence from a single account are used (for example two consecutive bank statements) we will assess the funds available to you from the closing balance of the most recent document.

177. Where evidence from two or more accounts is submitted, we will assess the funds available to you as being:
   - the closing balance of one account, plus
   - any additional money available to you on the date of that closing balance, for which you have provided the required evidence.

178. We will always use the closing balance date from the account that most favours you.

179. If you are providing evidence of Official Financial Sponsorship, in addition to evidence of your own personal funds, any money paid to you by your Official Financial Sponsor will not be considered as available personal funds. Money cannot be counted twice as evidence of maintenance.

180. The following documents can be used to show money available to you:

i. Personal bank or building society statements covering a consecutive 28 day period ending no more than 31 days before the date of your application. Your personal bank or building society statements must show:
   - your name or your parent(s)/legal guardians name; and
   - the account number; and
   - the date of the statement; and
   - the financial institution’s name and logo; and
   - the amount of money available.

Ad hoc bank statements printed on the bank’s letterhead are acceptable as evidence (this excludes mini-statements from cash points).

If you wish to submit electronic bank statements from an online account these must contain all of the details listed above. In addition, you will need to provide a supporting
letter from your bank on company headed paper, confirming the authenticity of the statements provided.

Alternatively an electronic bank statement bearing the official stamp of the bank in question will be accepted. This stamp must appear on every page of the statement.

We will not accept statements which show the balance in the account on a particular day as these documents do not show that you hold enough funds for the full period needed.

If you want to use a joint account as proof of your money, you must be named on the account along with one or more other person.

ii. Building society pass book covering a consecutive 28 day period ending no more than 31 days before the date of your application. Your building society pass book must show:

- your name or your parents(s)/legal guardians name; and
- the account number; and
- the financial institution’s name and logo; and
- the amount of money available.

iii. Letter from your bank confirming funds have been held for a consecutive 28 day period ending no more than 31 days before the date of your application. Your letter from a bank or building society must show:

- your name or your parents(s)/legal guardians name; and
- the account number; and
- the date of the letter; and
- the financial institution’s name and logo; and
- the money in your account; and
- that there is enough money in the account (to cover your course fees and living costs).

iv. Letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the home regulator (official regulatory body for the country the institution is in and where the money is held) confirming funds have been held for a consecutive 28 day period ending no more than 31 days before the date of the application. Your letter from the financial institution regulated by the Financial Services Authority or home regulator must show:

- your name or your parents(s)/legal guardians name; and
- the account number; and
- the date of the letter; and
- the financial institution’s name and logo; and
- the money in your account.

v. Letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the home regulator (official regulatory body for the country the institution is in and where the money is held) confirming the loan. The loan letter must be dated no more than 6 months before the date of your application. Your letter from the financial institution regulated by the Financial Services Authority or home regulator must show:

- your name; and
- the date of the letter; and
- the financial institution’s name and logo; and
• the money (or funds) available as a loan; and
• Loans held in your parents(s)/legal guardians name cannot be used as evidence of money held by you.

If you are applying from overseas, the loan funds must be available to you before you travel to the UK, unless that loan will be an academic/student loan from your country’s national government and the loan will be released to you by your national government or via your Tier 4 sponsor on arrival in the UK.

There must be no conditions placed upon the release of the loan funds to you, other than the student making a successful Tier 4 application.

If you are using money held by your parent(s) or legal guardian(s)

181. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

182. If you are relying on money held by your parents(s)/legal guardian(s), you must show that you are related to your parent(s)/legal guardian(s). You must provide one of the following:

i. your birth certificate showing the names of your parent(s)/legal guardian(s); or

ii. your certificate of adoption showing names of both parent(s) or legal guardian(s); or

iii. a Court document naming your legal guardian(s). The document use must be the original legal document or a notarised copy.

183. If you are relying on money held by your parents(s)/legal guardian, you must also show that your parent(s)/legal guardian have given their permission for you to use this money. You must provide: a letter from your parent(s) or legal guardian(s). The letter must confirm:

• the relationship between you and your parent(s) or legal guardian(s); and
• that your parent(s) or legal guardian(s) have given their consent to you using their funds to study in the UK.

Letter of parental consent (Tier 4 (General) students under the age of 18 only)

184. If you are a 16 or 17 year old Tier 4 (General) student, you have the legal right to live independently in the UK, and so may make your own arrangements for accommodation. However you require the consent of your parent(s)/legal guardian(s) to do this and to travel to the UK (if you are applying from overseas).

185. If you are 16 or 17 years old and living independently, you must provide a letter from your parent(s) or legal guardian(s), confirming:

• the relationship between you and your parent(s) or legal guardian(s);
• that your parent(s) or legal guardian(s) have given their consent to your application;
• that your parent(s) or legal guardian(s) have given their consent to you living independently in the UK;
that your parent(s) or legal guardian(s) have given their consent to your independent travel to the UK.

186. The letter must confirm if your parent(s) or legal guardian(s) have legal custody or sole responsibility for you. If they have sole custody then they must sign the letter. If they do not, the letter must confirm that each of your parent(s) or legal guardian(s) agree to the contents of the letter and it must be signed by each parent or legal guardian.

TIER 4 (CHILD) STUDENTS - SPECIFIC GUIDANCE

187. Paragraph 245ZZ to 245ZZD of the Immigration Rules contain full details of the requirements of the Tier 4 (Child) student category and you should ensure that you are familiar with the requirements of the rules.

What is the Tier 4 (Child) student category?

188. The Tier 4 (Child) student category is for children coming to the UK to be educated between four and 17 years old. Children between four and 15 years old must be educated at independent fee-paying schools.

189. It is not possible for a Tier 4 (Child) student to study at a publicly funded school. Tier 4 (Child) students may only study at a publicly funded Further Education College which is able to charge for International Students, and then only once they are aged 16 or 17 years old.

190. You and your Tier 4 sponsor can agree whether you apply as a Tier 4 (General) or Tier 4 (Child) student if you are 16 or 17 years old and you will be studying a course at or above level 3 of the National Qualification Framework.

191. You must apply as a Tier 4 (Child) student if you want to study at or below level 2 of the National Qualifications Framework.

Can I switch in to the Tier 4 (Child) student category?

192. You can switch into the Tier 4 (Child) student category if you have, or were last given, permission to stay as:

- A Tier 4 (General) student; or
- A Tier 4 (Child) student; or
- a prospective student, or
- as a student under the Immigration Rules in place before 31 March 2009.

What are the acceptable levels of courses I can do?

193. You can do a course that is:

- taught in line with the National Curriculum; or
- taught in line with the National Qualification Framework (NQF); or
- accepted as being the same academic level as the National Curriculum or the National Qualification Framework by Ofsted (England), the Education and Training
Inspectorate (Northern Ireland), Her Majesty's Inspectorate of Education (Scotland) or Estyn (Wales); or

- taught in line with existing (also known as prevailing) independent school education inspection standards; or
- pre-sessional courses to prepare you for your main course of study. The main course of study must meet the conditions above.

When can I come to the UK?

194. Your course start date is the date given by your Tier 4 sponsor on your CAS.

195. You can come to the UK up to one month before the start date of your course.

How long can I come to the UK for?

196. The length of stay you can be given will depend on your age. If you are under 16 years old, you can be given:

- the length of stay that you ask for; or
- the length of your course; or
- six years;

You will also be given an additional four months after the end of your course.

197. If you are aged 16 or 17 years old can be given whichever is the shortest of:

- the length of stay that you ask for; or
- the length of your course; or
- three years;

You will also be given an additional four months after the end of the course.

198. If you turn 18 years old, you can carry on with your course until your permission to stay ends. If you want to do further study in the UK, you will have to apply under another category, for example, as a Tier 4 (General) student.

199. If you have official financial sponsorship which wholly covers your fees and living costs, and your financial sponsor limits the time you may study in the UK, then your permission to stay will be limited to the same length of time plus the usual additional period allowed.

Tier 4 (Child) Students applying from inside the UK

200. From 1 October 2012, all applications for further leave to remain will fall for refusal if a student has overstayed for more than 28 days, unless there were exceptional circumstances which prevented them from applying within the 28 day period. The 28 day period of overstaying is calculated from the latest of:

- the end of the last period of leave to enter or remain granted, or
- the end of any extension of leave under sections 3C or 3D of the Immigration Act 1971, or
• the point a written notice of invalidity is deemed to have been received, in accordance with paragraph 34C or 34CA of the Immigration Rules, in relation to an in-time application for further leave to remain.

If there are exceptional circumstances which prevent you from applying in time, you must submit evidence of the exceptional circumstances with your application. The threshold for what constitutes ‘exceptional circumstances’ is high and will depend on the individual circumstances of your case, but for example, may include delays resulting from unexpected or unforeseeable circumstances such as the following:

• serious illness which meant that you or your representative were unable to submit the application in time (where supported by appropriate medical documentation).
• travel or postal delays which meant that you or your representative were unable to submit the application in time.
• inability to provide necessary documents.

This would only apply to exceptional or unavoidable circumstances beyond your control, such as UK Border Agency being at fault in the loss of, or delay in returning, travel documents, or delay in obtaining replacement documents following loss as a result of theft, fire or flood (where supported by evidence of the date of loss and the date replacement documents were sought).

We suggest that if your course has ended and you are applying from inside the UK to extend your stay, you should apply in the last three months of your permission to stay if possible. This is because as soon as we give permission to stay (if the application is approved), your new Tier 4 sponsor becomes responsible for you.

Claiming points for a CAS

201. To claim 30 points for a valid CAS, you must send us the CAS reference number that you have been assigned by your Tier 4 sponsor. This number must be written on your application form.

202. You will only be given 30 points if your sponsor has assigned you a CAS and you meet all the requirements of the Immigration Rules.

Documents used to get a CAS for Tier 4 (Child) students under 16 years old

203. If you are under the age of 16, you will only have to provide the CAS reference number. You will not need to send any documents if this is how you have been assessed.

Documents used to get a CAS for Tier 4 (Child) students who are 16 or 17 years old

204. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.
205. If you are 16 or 17 year old and your Tier 4 sponsor has assessed your qualifications in order to assign the CAS, you must send us these qualifications with your application. For each qualification listed, you must provide either:

i. your original certificate(s) of qualification;

Each document must be the original (not a copy) and must clearly show:

• applicant’s name; and
• the title of the award; and
• the date of the award; and
• the name of the awarding institution.

We will not accept original provisional certificates or

ii. The original transcript of results.

Each document must be the original (not a copy) and must clearly show:

• your name; and
• name of the academic institution; and
• the course title; and
• the confirmation of the award.

206. You will need to know what evidence your sponsor has included on your CAS so that you can include it with your application. You must get this information directly from your Tier 4 sponsor before making your application. The UK Border Agency will not provide this information to you.

207. If you have been assessed by other means (for example, references or a portfolio of artwork, interview or your Tier 4 sponsor’s own test or entrance exam), you do not have to include these documents with your application, but your Tier 4 sponsor must still include details of how they assessed you on your CAS.

208. If you have been offered a place because of the progress you have made on an existing course, your Tier 4 sponsor must include this information on your CAS. You will not need to send any documents if this is how you have been assessed.

What money do I need if I am a boarding student?

209. To claim 10 points for your maintenance (funds), you must show you have the money available to pay your school fees (course fees and board or lodging fees) for the first year of your course or for the entire course, if it is less than a year long.

210. If you have already started your course and you are applying for new permission to continue that course, you must show that you have enough money to pay for your school fees to the end of the current academic year; or for the next academic year if you will continue on your course at the start of the next academic year.

211. If you are in the UK as part of a Study Abroad Programme, you must show that you have
enough money to pay for any school fees that you are required to pay to your Tier 4 sponsor for the first year of your course or for the entire course, if it is less than a year long.

212. The amount you will need to show for course fees will be given by your Tier 4 sponsor on your CAS.

213. If you have been assigned a CAS, your Tier 4 sponsor will already have given us details of the cost of your course fees. If you do not know what these fees are, you will need to check this with your Tier 4 sponsor.

214. If you have no fees to pay to your Tier 4 sponsor, your CAS, must confirm that there are no fees due (for example, if these have been paid to an overseas Higher Education provider).

215. If the length of your course includes a part of a month, we will round the time up to the next month. For example, if a course is seven months and two weeks, you will need to show that you have enough money for eight months.

What money do I need if I am a non-boarding student?

216. To claim 10 points for your maintenance (funds), if you are a non-boarding student then you must show that you have enough money to cover your course fees and living costs. You are a non-boarding student you are not being accommodated by your Tier 4 Sponsor.

217. The money that you will need for living costs depends on your care arrangements while in the UK. These may be that:

- you will be staying in the UK with a carer who is a resident British citizen or other UK resident; or
- you will be staying with a parent or a legal guardian who will be accompanying you to the UK (under 12 year olds only); or
- you are 16 or 17 years old and will be living independently in the UK.

Course fees

218. If you are starting a new course, you must show that you have enough money to pay for your course fees for the first year of your course or for the entire course, if it is less than a year long.

219. If you have already started your course and you are applying for new permission to continue it, you must show that you have enough money to pay for your course fees to the end of the current academic year; or for the next academic year if you will continue on your course at the start of the next academic year.

220. If you are in the UK as part of a Study Abroad Programme, you must show that you have enough money to pay for any fees that you are required to pay to your Tier 4 sponsor for the first year of your course or for the entire course, if it is less than a year long.

221. The amount that you will need to show for course fees will be given by your Tier 4 sponsor on your CAS.

222. Your Tier 4 sponsor will provide us with details of the cost of the course fees once your
CAS has been issued. If you do not know what these fees are, you will need to check this with your Tier 4 sponsor.

223. If you have no fees to pay to your Tier 4 sponsor, your CAS must confirm that there are no fees due, for example, if these have been paid to an overseas Higher Education provider.

**What money for living costs do I need if I am staying with a carer who is a resident British citizen or other UK resident?**

224. If you are staying with a carer who is a resident British citizen or other UK resident, you must show that you have money for your course fees. You will also need to show that:

- your intended carer has agreed to look after and accommodate you in the UK for the length of your course; and
- your intended carer has at least £550 per month to look after and accommodate you in the UK for each month of your course, up to a maximum of 9 months; and
- confirmation that the intended carer is a resident British citizen or other UK resident.

225. If the length of your course includes a part of a month, we will round the time up to the next month, for example, if your course is seven months and two weeks, you must show that they have enough money for eight months.

**What money do I need to show for living costs if I am under 12 years old and I am being accompanied to the UK by my parent or legal guardian?**

226. If you are under 12 years old, you can be accompanied to the UK by your parent or legal guardian. Your parent or legal Guardian must apply as a special visitor. The money you will need to show will depend on whether there will be additional Tier 4 (Child) students coming with your parent or legal guardian.

227. If you are under 12 and you are being accompanied to the UK by a parent or legal guardian, you must show that you have money for your course fees plus £1500 for living costs for each month of your course, up to a maximum of 9 months.

228. If your parent or legal guardian is accompanying two or more of their children to the UK as Tier 4 (Child) students, if you are the first or main Tier 4 (Child) student, then you must show that you have the money for your course fees plus:

- £1500 for living costs for every month of your course, up to a maximum of 9 months; and

  Each additional Tier 4 (Child) student that your parent or legal guardian are accompanying must show that they have the money for their course fees plus:

- £600 for living costs for each month of their course, up to a maximum of 9 months.

229. If the length of your course includes a part of a month, we will round the time up to the next month. For example, if your course is seven months and two weeks, you must show that you have enough money for eight months.
What money do I need to show if I am a 16 or 17 year old living independently?

230. The amount of money you must show for living costs will depend on where you are studying in the UK. As a 16 or 17 year Tier 4 (Child) student living independently, you may also have to show a lower amount of money if you already have an established presence studying in the UK.

Where a Tier 4 (Child) student is studying

231. The monthly living costs that a 16 or 17 year Tier 4 (Child) student living independently will need to show will depend on where he/she will be studying in the UK.

232. As a 16 or 17 year Tier 4 (Child) student living independently, you must show that you have:
   - £900 per month for living costs if you are studying in inner London for the majority of your study (more than 50% of your study time);
   - £700 per month for living costs if you are studying in outer London or anywhere else in the UK, for the majority of your study (more than 50% of your study time).

233. As a 16 or 17 year Tier 4 (Child) student living independently, you will be studying in inner London if the majority of your study (more than 50% of your study time) is in any of the following London boroughs:

234. If you want to check whether the address of your main site of study is in inner London, you can put your Tier 4 sponsor’s postcode in to the ‘About my vote website’ which can be found at [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk).

235. If you are unsure as to the address of your main study site, you will need to get this address from your Tier 4 sponsor.

How many months money must I show I have?

236. If you are a 16 or 17 year Tier 4 (Child) student living independently, you must show that you have enough money to cover your monthly living costs whilst you are studying in the UK.

237. The amount of money you have to show will depend on whether you already have an established presence studying in the UK. If you have an established presence studying in the UK, you will need to show less money for living costs.

238. You have an established presence studying in the UK if you have current entry clearance, leave to enter or leave to remain as a Tier 4 migrant, as a student, or as a Post-graduate Doctor or Dentist and when applying for further leave, on the date of your application you:
   - have finished a single course that was at least six months long within your last period of entry clearance, leave to enter or leave to remain, or
• are applying for a continued study on a single course where you have completed at least six months of that course.

You cannot amalgamate two or more courses to make up the six months study.

239. You can qualify for the reduced maintenance levels whether you are applying from inside the UK or from overseas.

240. If you do not have an established presence studying in the UK, you must show that you have money for your living costs for each month of your course up, to a maximum of 9 months.

241. If you have an established presence studying in the UK, you must show that you have money for your living costs for each month of your course up, to a maximum of 2 months.

How much money must I show I have?

242. If you do not have an established presence studying in the UK, you must show that you have money for your course fees plus:

- **Inner London** - £900 for living costs for each month of your course up, to a maximum of 9 months.

- **Outer London or anywhere else in the UK** - £700 for living costs for each month of your course, up to a maximum of 9 months.

243. If you have an established presence studying in the UK, then you must show that you have money for your course fees plus:

- **Inner London** - £900 for living costs for each month of your course, up to a maximum of 2 months.

- **Outer London or anywhere else in the UK** - £700 for living costs for each month of your course up to a maximum of 2 months.

244. If the length of your course includes a part of a month, we will round the time up to the next month. For example, if your course is seven months and two weeks, you must show that you have enough money for eight months.

245. Examples of the money you require are given in Annex 5.

Money that can be used by a Tier 4 (Child) Student

246. You can use money held in an account owned by you or by your parents. No additional evidence of this relationship is required.

247. The evidence you are using must be of cash funds in the bank (this includes savings accounts and current accounts even when notice must be given), as a loan letter or official financial or government sponsorship available to you. Other accounts or financial instruments such as shares, bonds, overdrafts, credit cards and pension funds are not acceptable, regardless of notice period.
248. The money you show us must be for your use for studying and living in the UK. The full amount of this money - which should be held in the manner specified in this guidance - must continue to be available to you after your application is made, except for any money you have had to pay for course fees and living costs. For example, you should retain the full amount of money you have shown us in your bank account, minus the balance you have paid for your course fees.

249. If you are using overseas currency, we will expect you to show (in writing on your application form) the closing balance in pounds sterling. We use the official exchange rate on the OANDA website, which can be found at www.oanda.com/convert/classic.

250. Where your funds are in a currency other than pounds sterling, the amount we consider will be based on the exchange rate for the relevant currency on the date of your application, taken from the rates published on www.oanda.com.

251. You will not be awarded points for maintenance where the money you are showing us is held in a financial institution with which the UK Border Agency is unable to make satisfactory verification checks. This will be considered using the list in use on the date of your application. A list of financial institutions which do not satisfactorily verify financial statements will be published on our website at: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/studying/financial-institutions/

252. We will not consider money earned during a time when you or your parent(s)/Legal Guardian was in breach of the UK’s immigration laws as evidence of maintenance funds. For example: Earnings made from UK employment will only be considered if you had leave to enter or remain in the UK at the time they were earned, and in a category which permitted you to take that employment.

Money already paid to the Tier 4 sponsor

253. If you can show that you have already paid all or some of your course fees to your Tier 4 sponsor before making your Tier 4 application, this amount can be taken away from the total amount of money you will need to show.

254. If you have already paid some money to your Tier 4 sponsor for your accommodation fees before making your application, this money can be deducted from the total amount of money you will need to show for living costs, however the amount deducted cannot exceed £1,000, even if you have paid more than £1,000 in advance for accommodation. This applies if you will be staying in school or college arranged accommodation except where you are a Tier 4 (Child) boarding student at a residential independent school.

Official Financial Sponsorship or Government Sponsor

255. You are financially sponsored if you are given money to cover some or all of your course fees and/or living costs. This financial sponsorship can be used as evidence of money you have.

256. You can receive official financial sponsor from Her Majesty’s Government, your home
government, the British Council or any international organisation, international company, university or UK independent school.

257. If your financial sponsor is only covering some of your course fees or living costs, you must show that you have the rest of the money needed.

DOCUMENTS NEEDED TO CLAIM POINTS FOR MAINTENANCE

258. To claim 10 points for Maintenance, you must show evidence that you:

• have paid all or part of your school fees, or course fees and up to £1,000 towards your accommodation fees to your Tier 4 sponsor; and/or
• are receiving official financial sponsorship; and/or
• have enough money to cover your remaining course fees and living costs, if any.

Documents needed to show money already paid to the Tier 4 sponsor

259. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

260. Your Tier 4 sponsor can include details of the money you have already paid to them on your CAS. If your Tier 4 sponsor has included details of money paid to them on your CAS, no further documents are needed to show that this money has been paid. If you do not know if your Tier 4 sponsor has included this information then you will need to check this with your Tier 4 sponsor. Any money for fees and maintenance that are not shown your CAS must be separately shown by you in the evidence or documents that you submit with your application.

261. If your Tier 4 sponsor has not included details of the money you have already paid on your CAS, you must send an original paper receipt issued by your UK Tier 4 sponsor confirming that you have paid:

• all of your fees; or
• the amount that has been paid.

Documents needed to show official financial sponsorship or government sponsorship

262. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

263. Your Tier 4 sponsor can include details of Official Financial Sponsorship that they are giving to you on your CAS. No further documents are needed to show this Official Financial
Sponsorship. If you do not know if your Tier 4 sponsor has included this information, you will need to check this with your Tier 4 sponsor.

264. In all other circumstances, if you are being given Official Financial Sponsorship, you must provide a letter of confirmation from your Official Financial Sponsor on official letter-headed paper or stationery of the organisation of the official financial sponsor and have the official stamp of that organisation on it. The letter must show:

- your name; and
- the name and contact details of your official financial sponsor; and
- the date of the letter; and
- the length of the sponsorship; and
- the amount of money your sponsor is giving to you or a statement that your official financial sponsor will cover all of your fees and living costs.

Documents needed to show money available to the Tier 4 (Child) student

265. If you qualify for our differentiation arrangements because you are considered to be “low risk”, you are not required to include the evidential documents from this section with your application. You must, however, confirm on your application form that you meet the requirements set out in this section and that you hold documentary evidence in the manner required. We will sometimes ask a “low risk” student to send us these documents and we reserve the right to request any or all the evidential documents from this section from you.

266. When submitting your application, you must show that you have held the required money for a consecutive 28 day period (finishing on the date of the closing balance) ending no more than 31 days before your application.

267. Where you are providing evidence of maintenance from a single account, we will always assess the funds available to you from the closing balance given on the document provided as evidence.

268. Where two or more pieces of evidence from a single account are used (for example two bank consecutive bank statements) we will assess the funds available to you from the closing balance of the most recent document.

269. Where evidence from two or more accounts is submitted, we will assess the funds available to you as being:

- the closing balance of one account, plus
- any additional money available to you on the date of that closing balance, for which you have provided the required evidence.

We will always use the closing balance date from the account that most favours you.

270. Where you are providing evidence of Official Financial Sponsorship, in addition to evidence of your own personal funds, any money paid to you by your Official Financial Sponsor will not be considered as available personal funds. Money cannot be counted twice as evidence of maintenance.

271. The following documents can be used to show money available to you:
i. **Personal bank or building society statements covering a consecutive 28 day period ending no more than 31 days before the date of your application.** Your personal bank or building society statements must show:

- your name or your parent(s) or legal guardian(s); **and**
- the account number; **and**
- the date of the statement; **and**
- the financial institution’s name and logo; **and**
- the amount of money available.

Ad hoc bank statements printed on the bank’s letterhead are admissible as evidence (this excludes mini-statements from cash points).

If you wish to submit electronic bank statements from an online account these must contain all of the details listed above. In addition, you will need to provide a supporting letter from your bank, on company headed paper, confirming the authenticity of the statements provided.

Alternatively an electronic bank statement bearing the official stamp of the bank in question will be accepted. This stamp must appear on every page of the statement.

We will not accept statements which only show the balance in the account on a particular day as these documents do not show that you hold enough funds for the full period needed.

If you want to use a joint account as proof of your money, you must be named on the account along with one or more other person.

ii. **Building society pass book covering a consecutive 28 day period ending no more than 31 days before the date of your application.** Your building society pass book must show:

- your name or your parent(s) or legal guardian(s) name; **and**
- the account number; **and**
- the financial institution’s name and logo; **and**
- the amount of money available.

iii. **Letter from the student’s bank confirming funds have been held for a consecutive 28 day period ending no more than 31 days before the date of your application.** Your letter from a bank or building society must show:

- your name or your parent(s) or legal guardian(s) name; **and**
- the account number; **and**
- the date of the letter; **and**
- the financial institution’s name and logo; **and**
- the money in the student’s account; **and**
- that there is enough money in the account (to cover your course fees and living costs).

iv. **Letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the home regulator (official regulatory body for the country the institution is in and where the money is held) confirming funds have been held for a consecutive 28 day period ending no more than 31 days before the date of the application.**

Your letter from the financial institution regulated by the Financial Services Authority or home regulator must show:
• your name or your parent(s) or legal guardian(s) name; and
• the account number; and
• the date of the letter; and
• the financial institution’s name and logo; and
• the money in your account.

v. Letter from a financial institution regulated by either the Financial Services Authority or, in the case of overseas accounts, the home regulator (official regulatory body for the country the institution is in and where the money is held) confirming the loan.

The loan letter must be dated no more than 6 months before the date of your application. Your letter from the financial institution regulated by the Financial Services Authority or home regulator must show:

• your name; and
• the date of the letter; and
• the financial institution’s name and logo; and
• the money (or funds) available as a loan.

Loans held in your parents(s)/legal guardian(s) name cannot be used as evidence of money held by you.

If you are applying from overseas, the loan funds must be available to you before you travel to the UK, unless that loan will be an academic/student loan from your country’s national government and the loan will be released to you by your national government or via your Tier 4 sponsor on arrival in the UK.

There must be no conditions placed upon the release of the loan funds to you, other than you making a successful Tier 4 application.

PARENTAL CONSENT

272. If you require the consent of your parent(s)/Legal guardians to travel to the UK, you must provide a letter from their parent(s) or legal guardian, confirming:

• the relationship between your parent(s) or legal guardian and you;
• that your parent(s) or legal guardian have given their consent to your application;
• that your parent(s) or legal guardian agrees to your living arrangements in the UK;
• that your parent(s) or legal guardian agrees to the arrangements made for your travel to and reception in the UK (for people applying from outside the UK only);

The letter must confirm if your parent(s) or legal guardian have legal custody or sole responsibility for you. If they have sole custody they must sign the letter. If they do not, the letter must confirm that each parent or legal guardian agrees to the contents of the letter and it must be signed by each parent or legal guardian.

Additional evidence if you are a 16 or 17 year old and you are living independently

273. If you are 16 or 17 years old, then you have the legal right to live independently in the UK, and so you may make your own arrangements for accommodation.
274. You must provide a letter from your parent(s) or legal guardian, confirming their consent to:

- you living independently in the UK;
- your independent travel to the UK.

This information can also be included in the parental consent letter.

**Additional evidence if you are staying with a resident British citizen or other UK resident who is a close relative or in a private foster care arrangement**

275. If you are living with a resident British citizen or other UK resident who is a close relative or in a private foster care arrangement, you must show that you have suitable arrangements in place for your care. You must show us all the below evidence:

i. A written (undertaking) letter from the intended carer confirming the care arrangement which must show:

   - the name, current address and contact details of the intended carer; **and**
   - the address where the carer and you will be living in the UK if different from the intended carer’s current address; **and**
   - confirmation that the accommodation offered to you is a private address, **and** not operated as a commercial enterprise, like a hotel or a youth hostel; **and**
   - the nature of the relationship between your parent(s) or legal guardian and your intended carer; **and**
   - that your intended carer agrees to the care arrangements for you; **and**
   - that they have at least £550 per month (up to a maximum of nine months) available to look after and accommodate you for the length of your course; **and**
   - a list of any other people that your intended carer has offered support to; **and**
   - their signature and date of the undertaking.

ii. A letter from your parent(s) or legal guardian confirming the care arrangement which must show:

   - the nature of their relationship with the intended carer; **and**
   - the address in the UK where you and your intended carer will be living; **and**
   - that your parent(s) or legal guardian support the application, and authorise the intended carer to take responsibility for the care of you during your stay in the UK.

iii. Proof to confirm the intended carer is allowed to be in the UK which must be either:

   - their current UK or European Union passport; **or**
   - their current passport or travel document to confirm that they are allowed to stay in the UK; **or**
   - their certificate of naturalisation.

(We will accept a notarised copy of the original passport or travel document, but reserve the right to request the original.)

276. If you are living with a close relative, no further documentation is required.

277. If you are staying in a private foster care arrangement, you must receive permission from your private foster carer’s UK local authority. This is explained in the ‘Children (Private Arrangements for Fostering) Regulations 2005’. Details of the act can be viewed at: http://
278. If you are staying in a private foster care arrangement and you are under 16 years old, you must provide both:

i. A copy of the letter of notification from your parent(s), legal guardian or intended carer to the UK local authority. This must confirm that you will be in the care of a private foster carer while in the UK.

and

ii. The UK local authority’s confirmation of receipt. This must confirm that the local authority has received notification of the foster care arrangement.

FURTHER POLICY GUIDANCE– FOR ALL STUDENTS

What do we mean by ‘Date of Application’?

279. If you are applying from inside the UK, the date of your application will be taken to be the following:

- where your application form is sent by post, the date of posting; or
- where your application form is sent by courier, the date on which it is delivered to the UK Border Agency

280. If you are applying from outside of the UK, the date of your application will be taken to be the date that the fee associated with the application is paid. This means the date shown on your payment receipt, which depends on how you paid for your visa application, for example, at a British Diplomatic Post, visa application centre or online.

281. For the purposes of submitting a Tier 4 application, your age will be considered to be the age you are on the date that you apply to us.

Can I bring my partner and/or children with me?

282. Only new students sponsored by a HEI on a course at NQF level 7 or above lasting 12 months or more, and new Government sponsored students following a course that is longer than six months, will be able to bring their partners and/or children (also known as dependants) to the UK with them.

283. Dependants with existing permission wishing to extend their stay in the UK will be allowed to extend provided they apply at the same time as you apply to undertake a course of study that is longer than six months in duration. Any partners or children who want to come to the UK must make an application under the points based system dependants’ rules. The points based system dependants’ guidance provides more information on this and can be found on our website at http://www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/pbs/pbsdependantspolicy1.pdf

284. If you are a Tier 4 (Child) student, then you are not allowed to bring partners to the UK with you as dependants. If you have any children under the age of 18 who are living with you or who you are financially responsible for then you are not able to come to the UK as a Tier 4
(Child) student.

285. If you are married or you have a partner who wants to come with you, the only way you can do so is if they make an application of their own, rather than as your dependant. This could be in another immigration category.

286. A parent accompanying a child under 12 must apply as a special visitor using the special visitors provision. More details can be found on the UK Border Agency website at: [http://www.ukba.homeoffice.gov.uk/visas-immigration/visiting/parent/](http://www.ukba.homeoffice.gov.uk/visas-immigration/visiting/parent/)

**What general conditions will be attached to my stay in the UK?**

287. Whilst in the UK you must:

- not claim any state benefits (known as public funds) that you are not entitled to;
- register with the police, if this is needed by paragraph 326 of the Immigration Rules.

**Can I work whilst in the UK?**

288. If you are following a course at NQF 6 or QCF 6 or SCQF 9 or above with a sponsor which is a Recognised Body or a UK HEI, or you are undertaking a short-term study abroad degree programme at an overseas Recognised Body or HEI the following work is allowed:

- part-time during term-time, which is no more than 20 hours a week;
- full-time during vacations;
- on a work placement as part of the course, providing the work placement does not amount to more than 50% of the course;
- as a postgraduate doctor or dentist on a recognised Foundation Programme, providing you are being sponsored by the UK Foundation Programme Office or as a postgraduate dentist if you are being sponsored by the Yorkshire and Humber Strategic Health Authority;
- as a student union sabbatical officer for up to two years.

289. If you are following a course at NQF 3/4/5 or QCF 3/4/5 or SCQF 6/7/8, with a sponsor which is a UK HEI, the following work is allowed:

- part-time during term-time, which is no more than 10 hours a week;
- full-time during vacations;
- on a work placement as part of the course, providing the work placement does not amount to more than 33% of the course;
- as a student union sabbatical officer for up to two years.

290. If you are following a course at any level with a sponsor which is a publicly funded further education college, the following work is allowed:

- part-time during term-time, which is no more than 10 hours a week;
• full-time during vacations;
• on a work placement as part of a course, providing the work placement does not amount to more than 33% of the course;
• as a student union sabbatical officer for up to two years.

291. If you are following a course at any level with a Tier 4 sponsor which is not a UK HEI, a short-term study abroad degree programme at an overseas HEI or a publicly funded further education college, you are not allowed to work whilst in the UK.

292. If you are allowed to work, you must not be employed as a doctor in training (unless the course that you are being sponsored to do, as recorded on your CAS, is a recognised Foundation Programme) or as a professional sportsperson (including coach) or entertainer. This restriction does not apply where you are undertaking a course of study in music or dance at NQF/QCF 6 or SCQF 9 or above, as you are able to undertake work placements which involve professional performance, where the performance has been arranged by your sponsoring education provider and is an assessed part of your course.

293. If you are allowed to work, you must not be self-employed unless you:

• have successfully completed a course at degree level or above at a Sponsor that is a Recognised Body or a body in receipt of public funding as a HEI from the Department of Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales or the Scottish Funding Council; and

• have made an application for leave to remain as a Tier 1 (Graduate Entrepreneur) Migrant which is supported by an endorsement from a qualifying Higher Education Institution before your Tier 4 leave has ended (and any appeal against that decision has been determined); and

• have yet to receive a decision on your Tier 1 (Graduate Entrepreneur) Migrant application.

294. If you are allowed to work, you must not fill a full-time permanent vacancy (other than on a recognised Foundation Programme) unless you:

• have successfully completed of course at degree level or above at a Sponsor that is a Recognised Body or a body in receipt of public funding as a HEI from the Department of Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales or the Scottish Funding Council; and

• have made a Tier 2 application supported by a Certificate of Sponsorship assigned by a licensed Tier 2 Sponsor before your Tier 4 leave has ended (and any appeal against that decision has been determined) and

• will be employed in the role for which that Certificate of Sponsorship was assigned; and

• you have yet to receive a decision on your Tier 2 application.

295. If you are a Tier 4 (Child) student under the age of 16 years old, you cannot work at all during your time in the UK.
296. If you are a Tier 4 (Child) student who is over the age of 16 years old, you are allowed to work if it is:

- part-time during term-time, which is no more than 10 hours a week;
- full-time during vacations;
- on a work placement as part of the course, providing the work placement does not exceed 50% of the course;
- as a student union sabbatical officer for up to two years.

297. If you are a Tier 4 (Child) Student who is permitted to work, you must not fill a full-time permanent vacancy and you must not be self-employed, employed as a doctor in training or as a professional sportsperson (including coach) or entertainer.

298. If you are allowed to work, you can work full-time during vacation periods, within the limits detailed above. If, having fully completed the course for which your CAS was assigned, you make an application for leave under the Points-Based System before your existing leave expires, you will be permitted to work full-time, within the limits described above, until your application is decided.

What types of work placements am I permitted to take?

299. If you are a Tier 4 (General) student or a Tier 4 (Child) student, then in certain circumstances, you will be permitted to undertake a work placement as part of your course, providing it is an integral and assessed part of the course. If you are permitted to have a work placement as part of your course, then the time you spend on it must not exceed 33% of the total length of your course, unless:

- your course is at NQF/QCF 6 or SCQF 9 or above and will be studied at a Recognised Body or a HEI. In these circumstances, your work placement must not be more than 50 per cent of the total length of the course; or
- your course is at NQF/QCF 6 or SCQF 9 and forms part of a study abroad programme. In these circumstances, your work placement must not be more than 50 percent of the total length of the course; or
- you are a Tier 4 (Child) aged 16 or above. In this instance, your work placement must not be more than 50 percent of the total length of the course; or
- there is a UK statutory requirement for the course to contain a specific period of work placement which exceeds this limit. The work placement must also be an integral and assessed part of the course.

300. If you are undertaking a course of study in music or dance at NQF/QCF 6 or SCQF 9 or above, then you are able to undertake a work placement as part of the course which involves a professional performance, where the performance has been arranged by your Tier 4 sponsor and it is an integral and assessed part of the course.

301. If you will be studying at Tier 4 Sponsor who is not a HTS sponsor and your course is below degree level your course cannot include a work placement.

302. If you are under 16 years old, then you are not allowed to work in the UK, and so you cannot do a work placement as part of your course of study here.
303. If you are enrolled on a higher education course at an overseas HEI and you are coming to the UK to do part of your course, you may also do a work placement as part of your course as long as it is no more than 50% of your study in the UK.

304. If you have a CAS for a course which involves a work placement, your Tier 4 sponsor will remain responsible for you throughout your work placement.

Can I take a Pre-sessional course to prepare me for my main course of study in the UK?

305. A pre-sessional course is a preparatory course which will directly precede your main course of study in the UK. It is designed to enable you to acquire the ancillary skills or knowledge necessary to adjust to study in the UK. Usually this will be supplementary English language training or some instruction in the British education system. Courses which are designed to give you fundamental training in the subject area as a stepping stone to higher study – e.g. a Foundation degree – or courses which form an integral part of your main course of study but which are administered separately will not be considered as pre-sessionals. The pre-sessional course will be studied prior to your main course of study and may in some cases lead to a recognised qualification.

If you are a Tier 4 (General) student, then you can be given permission to stay to cover both your pre-sessional course and your main course where your CAS is:

- issued by a UK HEI to cover both a pre-sessional course of no longer than three months’ duration; and
- you have an unconditional offer of a place on a course of degree level study at that UK HEI, except in cases where the pre-sessional course is to allow you to reach B2 level in English language. In these cases the offer may be conditional; and
- your course of degree level study commences no later than one month after the end date of your pre-sessional course.

306. If you are a Tier 4 (Child) Student, then you can be given permission to stay to cover both your pre-sessional course and your main course where your CAS is:

- issued by an independent school to cover both a pre-sessional course and a course at an independent school; and
- you have an unconditional offer of a place on a course at an independent school; and
- the duration of your pre-sessional course and your main course does not exceed maximum length of permission to stay that you can be given as a Tier 4 (Child) student.

307. All other Tier 4 students wishing to do a pre-sessional course before their main course must make a separate Tier 4 application for each course. Both courses must satisfy the full criteria of Tier 4, including the English language testing requirements (where they apply) and the minimum course level.

Can I do extra studies whilst in the UK?

308. You are allowed to do a supplementary course, for example, an evening class, as well as your main course of study. This supplementary course can be in any subject, and does
not have to relate to your main course of study. You do not need permission from us to undertake a supplementary course and you are not required to tell your Tier 4 sponsor. However, you must make sure that your supplementary course does not in any way hinder your progress on your main course of studies.

What do I do if I want to take the same or a different course of study in the UK with a new Tier 4 Sponsor?

309. The type of permission you need if you want to study with a new Tier 4 sponsor will depend on the sponsor rating of your Tier 4 Sponsor and when you applied for your last grant of leave. There are different rules for students studying with a highly trusted sponsor and for students who made their last Tier 4 application on or after 5 October 2009.

Students who applied on or after 5 October 2009

310. If you want to study with a new Tier 4 sponsor and you made your last Tier 4 application on or after 5 October 2009, you must apply for new permission to stay.

311. You can start your new course before your new Tier 4 application has been approved if:

• you have applied for permission to stay to study with a Tier 4 sponsor that has a highly trusted sponsor rating; and
• you have existing leave to study in the UK; and
• your Tier 4 sponsor has assigned a CAS to you for your new course.

You do this at your own risk as it is possible that your application will be refused.

312. If you are applying to study with a Tier 4 sponsor that has an A (Trusted) or B (Sponsor) sponsor rating, you cannot start your new course until your new Tier 4 application has been approved.

313. If you are applying to study with a Tier 4 sponsor that is not HTS you cannot start your new course until your new Tier 4 application has been approved.

314. You can leave your current Tier 4 sponsor before your new Tier 4 application has been decided. However, you do this at his/her own risk, as if your new Tier 4 application is refused, you may not be able to go back to your old course.

Students who have valid permission to stay following an application made before 5 October 2009

315. If you want to study with a new Tier 4 sponsor and you made your last Tier 4 application before 5 October 2009, you must get permission from us if you have time left in your permission to stay, and want to do the same or a different course of study with a new Tier 4 sponsor. You should apply using the Tier 4 (Permission to Switch) application form which is available on our website: http://www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/changes/

316. We will consider the application and write to you saying whether or not you are allowed to use your existing permission to stay to study with the new Tier 4 sponsor if:
• the Tier 4 sponsor is approved by us and on our Tier 4 register of sponsors (which can be found on our website); and
• we can confirm the Tier 4 sponsor wants to act as your new Tier 4 sponsor; and
• the course meets the requirements for the Tier 4 (General) or Tier 4 (Child) student category, although you may continue to study an English language course at CEFR level A2, or above.

317. If you have told us about changing your Tier 4 sponsor, you can start the new course before you get permission from us, but you do so at your own risk as we could refuse the permission. We will write to you to confirm that we have received your request to change Tier 4 sponsor.

318. Under the Immigration Rules, we may limit your remaining permission to stay if you change your Tier 4 sponsor without getting our permission. Further information on this can be found in Annex 2.

319. If you want to take up a new course of study, either with your existing Tier 4 sponsor or with a new Tier 4 sponsor, and the length of your new course goes beyond your current permission to stay, you will need to submit a new application to us.

What do I do if I want to do a different course of study with my Tier 4 sponsor?

320. You do not need to get permission from us if you have enough time left in your permission to stay and want to do a different course of study with your Tier 4 sponsor. Your Tier 4 sponsor will tell us this once you have changed course.

321. If your course is shorter than the course you got permission to stay for, you must tell us by emailing us. The email address you should send this to is: migrantreporting@ukba.gsi.gov.uk

322. If your new course is longer than the course you got permission to stay for, you must make a new application for extra permission to stay to finish your new course. You can make this application at any time during your permission to stay, although we recommend that you make your application as soon as possible.

What happens if my course ends early?

323. If you have at least 60 days leave remaining, then we will limit your permission to stay to 60 days if your course ends earlier than expected. This may be, for example, if your Tier 4 sponsor cancels your place on the course, or if you finish your course early.

What checks will you make on the documents I send with my application?

324. Annex 3 provides full details of the verification and other checks that we may make when we consider the documents sent with your application.

What can I do if my application is refused?
325. Even if you meet the requirements for the category you are applying under, there may be other reasons that may mean we refuse the application, for example, your previous immigration history. More information on general grounds for refusal can be found on our website at: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDIs/idischapter9/.

**Appeal Rights - applications from inside the UK**

326. If we refuse your application for permission to stay and you want to challenge the decision, you may be able to submit an appeal. Details on how and if you can appeal against our decision will be included with the reasons for refusal letter.

**Administrative review - applications from outside the UK only**

327. If we refuse your application for entry clearance and you want to challenge the decision, you can ask us to check our decision. This is known as an ‘administrative review’. Full guidance on the administrative reviews can be found at Annex 4. Please note, if you are already in the UK, you cannot apply for an administrative review.
### Annex 1: Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier 4 sponsor/licensed sponsor</td>
<td>A Tier 4 sponsor that is approved by us and has been given a licence to bring students to the UK under tier 4 of the points-based system. This can be as Tier 4 (General) student or as a Tier 4 (Child) student, or both.</td>
</tr>
<tr>
<td>Care arrangements</td>
<td>Suitable arrangements for any children for their travel to the UK, reception at port and living arrangements while in the UK</td>
</tr>
<tr>
<td>Close relative</td>
<td>A grandparent, brother, sister, step parent, uncle (brother or half brother of the child’s father or mother) or aunt (sister or half sister of the child’s parent) who is aged 18 years or over.</td>
</tr>
</tbody>
</table>
| Confirmation of Acceptance for Studies    | This is not an actual certificate or paper document but is a virtual document similar to a database record. This record will be generated by the Tier 4 sponsor for each student they will be sponsoring.  
Each Confirmation of Acceptance for Studies has a unique reference number and contains information about the course of study for which it has been issued and the student’s personal details. |
| Course                                    | Course at an acceptable level – the levels are different for tier 4 (general) and tier 4 (child) students                                                                                                       |
| English language course                   | For PBS this means a course where a student is studying English as a Foreign Language.                                                                                                                     |
| Foundation degree                         | A programme of study which leads to a qualification awarded by an English higher education institution with degree awarding powers which is at a minimum of level 5 on the revised National Qualifications Framework, or awarded on a directly equivalent basis in the devolved administrations.  
In Scotland, a Higher National Diploma at level 8 on the Scottish Credit and Qualifications Framework, awarded by the Scottish Qualifications Authority is equivalent to a foundation degree. |
| Intended carer                            | A resident British citizen or other UK resident who is a close relative or in a private foster care arrangement                                                                                               |
| Maintenance/funds money                   | Money for course fees and living costs                                                                                                                                                                     |
| Parent(s) or legal guardian               | The child’s parent(s) or legal guardian, or just one parent who has the sole legal responsibility for the child                                                                                            |
| Partners or children dependants           | Married, civil, unmarried or same-sex partners or children of the student applying.                                                                                                                                 |
| Private foster care                       | Where children (under 16 years old or 18 years old if disabled) are cared for on a full-time basis by adults, who are not their parents or a close relative for more than 28 days                                         |
| Pre-sessional course                      | Course to prepare a student for his/her main course of studies                                                                                                                                              |
| Tier 4 register of sponsors               | The register that all Tier 4 sponsors appear on once we have given them a licence to bring students to the UK.                                                                                                |
| UK Higher Education Institution | A recognised body, or a body that receives public funding as a higher education institution from the Department for Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales, or the Scottish Funding Council. We also accept:
• Richmond, the American International University in London, as an HEI because it is recognised in statute in the Education (Recognised Awards) (Richmond The American International University in London) Order 2006. You can find more information on our website at http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/sponsoring-students/sponsoring-general-students/  
• The UK Foundation Programme Office as an HEI for sponsored students undertaking a recognised Foundation Programme for post graduate doctors.
• The Yorkshire and Humber Strategic Health Authority, as an HEI for sponsored students undertaking a recognised Foundation Programme for post graduate dentists. |
| We/us/our | UK Border Agency |
Annex 2: Tier 4 Sponsor Duties and Licence Status

The duties of the Tier 4 sponsor

1. Tier 4 sponsor is your licensed sponsor while you are in the UK and they have a number of duties that they must comply with.

Record keeping duties

2. Your Tier 4 sponsor must keep a copy of your passport, Biometric Residence Permit (BRP) or UK immigration status document (the student must keep the original) and your contact details.

Reporting duties

3. If you got your Tier 4 visa using a CAS, your sponsor will report on:
   - if you fail to enrol on your course within the enrolment period;
   - if you miss 10 expected contacts without your Tier 4 sponsor’s permission;
   - if your Tier 4 sponsor stops being your sponsor for any other reason, for example, if you move in to an immigration category that does not need an Tier 4 sponsor;
   - if there are any significant changes in your circumstances, for example, if the length of a course of study becomes shorter;
   - any suspicions they may have that you are breaking the conditions of your permission to stay.

4. You must give your Tier 4 sponsor all the information they need to be able to meet the duties above. If you do not, we may investigate you and take action against the Tier 4 sponsor which may affect your status.

5. If you got your Tier 4 visa using a visa letter before 5 October 2009, these sponsor duties are voluntary, but we encourage sponsors to report.

What should I do if I think my Tier 4 sponsor is not complying with their duties?

6. If you think your Tier 4 sponsor is not complying with their duties or has given false information to us to you, you must tell us your concerns.

7. We treat any allegation of abuse of the Tier 4 sponsor’s duties (known as the sponsorship arrangements) in the strictest confidence. Anyone with information about abuse of the sponsorship arrangements can contact us on 0300123 4699 or at sponsorshippbsenquiries@ukba.gsi.gov.uk.
**Account manager or compliance officer visits**

8. Your Tier 4 sponsor can get a visit from our visiting officers at any time to check they are complying with their duties. During the visit, our teams may want to speak to you and any other students they are sponsoring.

**Changes to the Tier 4 sponsor’s licence**

9. There are certain circumstances where the status of your Tier 4 sponsor’s licence may have an effect on you and your application.

**If the Tier 4 sponsor’s licence is suspended**

10. If your Tier 4 sponsor’s licence is suspended, they cannot assign any new CAS’.

<table>
<thead>
<tr>
<th>Licence suspended</th>
<th>What will happen</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Before you apply to come</strong></td>
<td>We will not consider any applications for leave, if you have a CAS which has been issued by a sponsor whose licence is suspended. We will not consider any applications for leave where your CAS shows that you will be undertaking a pre-sessional course with a partner institution and that partner institution's own licence has been suspended.</td>
</tr>
<tr>
<td><strong>Before you travel to the UK</strong></td>
<td>If you have a CAS that you got before your approved education provider’s licence was suspended and you have already been granted permission to enter the UK but you have not yet travelled, you are strongly advised not to attempt to travel to the UK until we have resolved the suspension. You are advised to check the sponsor’s register before you travel in case there has been a change in your sponsor’s circumstances.</td>
</tr>
<tr>
<td><strong>If you do travel to the UK</strong></td>
<td>If you travel to the UK, you will be allowed to enter (subject to satisfactorily meeting all immigration requirements) and start studying with the Tier 4 sponsor.</td>
</tr>
<tr>
<td><strong>If you are already in the UK studying</strong></td>
<td>If you are already in the UK and studying with the Tier 4 sponsor, we will not tell you if we suspend their licence. However, if the result of the suspension is that the Tier 4 sponsor loses their licence, we will tell you and your permission to stay may be limited.</td>
</tr>
<tr>
<td><strong>If you are extending your stay</strong></td>
<td>You can still apply to extend your permission to stay if it runs out when the Tier 4 sponsor’s licence is suspended, as long as you already have a CAS, however, we will hold the application until the suspension is resolved.</td>
</tr>
</tbody>
</table>
### If their licence expires, is revoked or is surrendered

If your Tier 4 sponsor’s licence is revoked, all confirmations of acceptance for studies will become invalid.

<table>
<thead>
<tr>
<th>If the Tier 4 sponsor’s licence expires, is revoked or surrendered</th>
<th>What will happen</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Before you apply to come</strong></td>
<td>If your Tier 4 sponsor’s licence expires, is revoked or surrendered, your CAS will become invalid and you will not be able to use it to apply for a student visa to come to the United Kingdom. Any applications made using an invalid CAS will be refused.</td>
</tr>
<tr>
<td><strong>Before you travel to the UK</strong></td>
<td>If you have been given permission to come but have not travelled yet, your permission to come is cancelled. If you travel to the UK you will not be allowed to enter.</td>
</tr>
</tbody>
</table>
| **If you are already in the UK studying and do not have an application under consideration with the UK Border Agency** | We will limit your existing permission to stay:  
- to 60 days if you were not involved in the reasons why the Tier 4 sponsor had their licence revoked or why it was surrendered. We will not limit your permission to stay if you have less than 60 days left. You may want to apply for permission to stay with another Tier 4 sponsor during this time.  
- immediately if we think you were involved in the reasons why the Tier 4 sponsor’s licence was revoked or surrendered. |
<table>
<thead>
<tr>
<th>If you have an application under consideration with the UK Border Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the Tier 4 sponsor’s licence is revoked, your CAS will become invalid and your application may be refused, however, if you were not involved in the reasons why the Tier 4 sponsor had their licence revoked or why it was surrendered we will delay the refusal of your application for 60 days to allow you to regularise your stay or leave the UK. The action you can take to regularise your stay in the UK depends on what leave you have:</td>
</tr>
</tbody>
</table>

- If you still have at least 60 days permission to stay remaining, your remaining leave will be curtailed to 0 days once the period of 60 days has expired. During this 60 days you can obtain a new CAS from a different sponsor and either vary your application, make a new application or leave the UK.

- If your permission to stay has expired whilst you were awaiting a decision on your application we will delay the refusal of your application for 60 days to allow you to obtain a new CAS from a different sponsor and vary your application or leave the UK.

- If your permission to stay will expire in less than 60 days, we will delay the refusal of your application for 60 days to allow you to obtain a new CAS from a different sponsor and vary your application or leave the UK. You will also be able to make a new application while your leave, as granted under the Immigration Rules, remains current.

In all cases we will write to you informing you of the date by which you should provide a new CAS. If you fail to provide a new CAS within the specified period your application will be considered on the basis of the evidence submitted with your application.

If we think you were involved in the reasons why the Tier 4 sponsor’s licence was revoked or why it was surrendered, we will refuse your application immediately and limit any existing permission to stay that you may have.
If they are taken over

<table>
<thead>
<tr>
<th>If your Tier 4 sponsor is taken over</th>
<th>What will happen</th>
</tr>
</thead>
<tbody>
<tr>
<td>If you are inside or outside the UK</td>
<td>If the Tier 4 sponsor is taken over by another organisation, the new organisation must apply to become a Tier 4 sponsor within 28 calendar days of them taking over the business (if they are not already licensed by us). If they do not already have a licence or do not apply for one within 28 days, we will limit your permission to stay to 60 days. You may want to apply for permission to stay with another Tier 4 sponsor. We will not limit your permission to stay if you have less than 60 days left. If the new Tier 4 sponsor does not get a licence, you cannot study with them.</td>
</tr>
</tbody>
</table>

If they become a legacy sponsor

A Tier 4 sponsor can in certain circumstances become a legacy sponsor. If you would like more information on this, please see the Tier 4 Sponsor Guidance which is available on our website: [http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/)

Please see the table below which explains the impact this will have on Tier 4 students in further detail:

<table>
<thead>
<tr>
<th>If your Tier 4 sponsor becomes a legacy sponsor:</th>
<th>What will happen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before you make an application to the UK Border Agency</td>
<td>Legacy sponsors are not allowed to sponsor any new students or offer any new courses to existing students. If your sponsor becomes a legacy sponsor and you were assigned a CAS before the sponsor became a legacy sponsor which has not yet been used to support an application for leave to enter the UK, you will still be able to apply for leave using the assigned CAS.</td>
</tr>
<tr>
<td>Before you travel to the UK</td>
<td>We will process any application for leave to enter the UK, supported by a CAS that your sponsor has assigned before it became a legacy sponsor, which has been made but not yet been decided at the point your sponsor has become a legacy sponsor. You will be allowed to enter the UK (subject to satisfactorily meeting all immigration requirements) and to study your course with your Tier 4 sponsor for the rest of your current permission to stay.</td>
</tr>
<tr>
<td>If you are already in the UK studying</td>
<td>Legacy sponsors can continue to sponsor students who are already studying with them until either they finish their course or until their legacy sponsor’s licence expires, whichever happens first. If you need to extend your leave so that you can complete your course, re-sit exams or repeat periods in order to complete your course, your legacy sponsor will be able to apply to us for a CAS to assign to them.</td>
</tr>
<tr>
<td>If you have an application under consideration with the UK Border Agency</td>
<td>We will process any application for leave to remain, supported by a CAS that your sponsor has assigned before becoming a legacy sponsor, which has been made but not yet been decided at the point your sponsor has become a legacy sponsor.</td>
</tr>
</tbody>
</table>
Annex 3: Verification and other Checks

1. We will ask for a number of verifiable documents to allow us to consider the application.

2. We may want to check the supporting documents you send with your application, therefore you must ensure that all the evidence comes from a source that can be clearly identified and that it can be independently confirmed as being genuine.

When we will do a check?

3. There are two situations in which we will undertake a check:
   - verification checks – where we have reasonable doubts that the documents are genuine; or
   - other checks – where we carry out further checks, for example, where we have doubts about an application or the documents sent with the application but the doubts are not serious enough for us to make a verification check.

Verification checks

4. Where we have reasonable doubts that a specified document is genuine we may want to verify the document with an independent person or government agency.

5. The purpose of these checks is to make sure that the document provided is genuine and accurately reflects statements made in the application. If the document is being used as evidence to score points, we also want to ensure that it entitles the applicant to claim those points.

6. Verification may delay our decision on an application so we will only do it when there are clear reasons for it.

Reasonable doubt

7. There are many reasons why we may doubt that specified document is genuine and what we consider to be a reasonable doubt will depend on each individual application. However, our judgments will be based on the facts we have.

Outcome of verification check

8. There are three possible outcomes of a verification check:
   - Document confirmed as genuine - if we can conclude the document is genuine, we will consider the application as normal.
   - Document confirmed as false - if we can conclude the document is false, we will refuse the application, whether or not the document is essential to the application. If a document is confirmed as false, we will normally refuse the application for more than one reason. For example, if you have provided us with a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse the application because you do not meet the funds requirement and because you have sent a false document. Where we confirm that a document is false it will be retained by the UK Border Agency and is likely to jeopardise any future application.
   - Verification check inconclusive - if we cannot verify that the document is either
genuine or false, we will ignore it as evidence for scoring points. If you have sent other specified documents as evidence for scoring the relevant points, we will consider these as normal. If you have not sent any other documents, we will give zero points in that area.

Refusing applications without making verification checks

9. We may refuse an application without making verification checks in two circumstances:

   • where we are concerned about a piece of evidence but would in any event refuse the application for other reasons, those reasons will form the basis of the refusal. We will always verify passports if we doubt they are genuine.

   • where there is evidence that proves a particular document is false. If we can confirm that a document is false we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse the application because the applicant does not meet the funds requirement and because you have sent a false document.

Other checks

10. We will make other checks where, for example, we have doubts about an application or the documents sent with the application but these are not serious enough for us to make a verification check.

11. These checks may delay our decision on an application, so we will only make them when we have clear reasons to.

Extra checks

12. Sometimes we will have suspicions about a document, but they will not be enough to make us doubt that it is genuine. For example, this may be because previous verification checks have found that some supporting evidence is invalid and some is genuine, or where evidence provided contradicts information we already have. In these cases we may carry out more checks.

Outcome of other checks

13. There are four possible outcomes of these checks:

   • Document confirmed as genuine – if we can conclude the document is genuine, we will consider the application as normal.

   • Document confirmed as false – if we can conclude the document is false, we will refuse the application, whether or not the document is essential to the application. If a document is confirmed as false, we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse your application because you do not meet the funds requirement and because you have sent a false document. Where we confirm that a document is false it will be retained by the UK Border Agency and is likely to jeopardise any future application.

   • Check inconclusive - if we cannot verify that the document is either genuine or false then we will consider the application as if the document is genuine.

   • Check gives us cause to have reasonable doubt about the genuineness of a specified
document. – if we cannot verify the document is either genuine or false but as a result of checks we find other reasons to doubt the genuineness of a particular specified document, we may decide to make a verification check.

Procedure for verification and other checks

14. The procedures for both verification checks and other checks will usually be similar and will vary from case-to-case, but they may involve:

• checking the details or genuineness of documents with employers, the relevant embassy or high commission, other government departments (in the UK and overseas); and
• checking the accuracy and authenticity of documents with banks, universities and professional bodies.

Standard procedure

15. We will use a standard form to record the results of our enquiries, to make sure that we record any feedback consistently.

16. If we cannot get an immediate answer to enquiries, we will normally wait for up to a maximum of four weeks for the necessary information.

17. Our compliance team may visit the applicant’s sponsor before we make a decision on the application.
Annex 4: Administrative Review - Entry clearance applications only

What is Administrative Review?

1. Administrative Review is the mechanism for reviewing refusal decisions made under the Points Based System where an applicant believes an error has been made in the decision. The Administrative Review is free of charge.

2. Administrative Review is an entitlement but the request must be made within 28 days from the date the refusal notice is received by the applicant. For time limits for making a request, see further paragraphs 6 and 7 below.

3. Administrative Review is a non-statutory scheme; that is there is no legislation setting out what it covers or who is eligible to apply. The policy is contained in this guidance.

What if the Administrative Review request refers to matters outside the scope of the Administrative Review?

4. Where this occurs the matters should be dealt with under the normal complaints procedure. In such cases the applicant will be advised in writing.

Who conducts the Administrative Review?

5. An Entry Clearance Manager will conduct the administrative review. This may mean that in some cases, an Entry Clearance Manager from another Post will conduct the Administrative Review. The applicant may receive the result of the Administrative Review from an entry clearance post that is different to the one that considered the original entry clearance application.

Who can apply for Administrative Review?

6. Anyone refused entry clearance under Points Based System, where they believe the Entry Clearance Officer has made an incorrect decision.

How does the applicant apply?

7. The applicant will receive the Administrative Review Request Notice with the entry clearance refusal notice.

8. The applicant must complete the Request Notice in full and send it directly to the address stated on the Request Notice.

9. Applicants must not send any additional documents such as passport or supporting documents with the Administrative Review request notice. If the refusal is subsequently overturned, the applicant will be asked to send in their passport.

What is the deadline for applying for Administrative Review?

10. The applicant has 28 days from the date of receipt of the refusal notice, to submit a request for Administrative Review.

What if an application is submitted late?

11. Where an Administrative Review request is received outside the 28-day period, the administrative reviewer will consider if there are exceptional circumstances to accept the application outside of the deadline.

12. If the Administrative Review request is late and the administrative reviewer decides not
to perform the Administrative Review, the request notice will be returned to the applicant with a letter explaining why it is not being accepted.

How many times can an applicant request an Administrative Review?

13. Applicants may request only one Administrative Review per refusal decision. Any further review requests received for the same refusal decision will not be accepted. They will be returned to the applicant.

14. However, where the Administrative Review upholds a refusal but with different refusal grounds, the applicant may request an administrative review of these new refusal grounds.

15. If the applicant has new or further information, documents or other paperwork that they failed to submit with their original application, they will need to make a new application and pay the appropriate fee.

How long will the Administrative Review take?

16. The administrative reviewer will complete their review and notify the applicant in writing of their decision within 28 days from the date of receipt of the Administrative Review request notice.

17. If, in exceptional circumstances, the administrative reviewer is unable to complete the Administrative Review within the 28 days, they will notify the applicant in writing as to when to expect a decision.

What will the administrative reviewer look at?

18. The administrative reviewer will examine the evidence submitted with the original application, copies of which will be kept at the refusal post.

19. The applicant is not allowed to provide new evidence. Any new evidence must be disregarded unless the applicant was refused under paragraph 320 (7A) or 320 (7B) of the Immigration Rules on General Grounds for Refusal (see paragraph 12).

20. Any new evidence submitted by the applicant must be returned to them together with the outcome of the Administrative Review.

How are Administrative Review decisions made?

21. The administrative reviewer must review all aspects of the refusal not just the part of the refusal, which the applicant has asked to be reviewed. They will check that:
   - points have been correctly awarded;
   - documents have been correctly assessed; and
   - verification checks have been properly carried out.

22. The administrative reviewer may recommend that the reason for refusal should be overturned, if they find that the Entry Clearance Officer:
   - failed to properly consider evidence submitted with the original application;
   - failed to apply the Immigration Rules correctly;
   - made a mistake in processing the application;
• failed to give adequate reasons for refusing entry clearance. In this case, the administrative reviewer will recommend the Entry Clearance Officer revoke the original refusal and serve a new refusal notice giving a full explanation for the refusal.

23. Where the administrative reviewer recommends in line with the above, that the reasons for refusal should be revoked, the applicant may still be refused but with new grounds for refusal.

24. The administrative reviewer will not recommend that the original decision is overturned simply because the applicant claims there is a fault with UK Border Agency’s underlying processes or policies.

Does Administrative Review cover General Grounds for Refusal?

25. Yes. Administrative Review will also look at refusals on the basis of paragraph 320 of the Immigration Rules on “General Grounds for Refusal.”

Reviews of refusals made under paragraphs 320(7A) and 320(7B) of the Immigration Rules

26. The applicant may submit further information with the Administrative Review request, if the refusal is based on paragraph 320 (7A) or 320 (7B) of the Immigration Rules on General Grounds for Refusal.

27. If an application has been refused because a false document was used or a false representation was made, the applicant may claim that they were unaware of the false documents or false representations. The refusal will still stand but the applicant would have to prove that they did not know that false documents or false representations were used, if they are not to have any future applications automatically refused for 10 years. Where the documents related directly to the applicant (for example, employment references, qualifications or financial details), such a claim would be likely to fail unless the applicant has clear evidence that an error has been made (for example, written confirmation from an employer, financial institution or educational establishment that they had supplied us with incorrect information at the time we verified the original documentation).

28. If the administrative reviewer does accept that the applicant did not knowingly use false documents or false representations, the refusal will still stand, but the applicant will not automatically have any future applications refused under the rules (paragraph 320 (7B) where false documents or false representations were used.

Does Administrative Review cover verification?

29. Yes. As part of the administrative review process the administrative reviewer will ensure that the Entry Clearance Officer has followed the correct verification procedures.

What are the possible outcomes of Administrative Review?

30. There are three possible outcomes of Administrative Review:

- Uphold decision, reasons for refusal remain the same;
- Uphold decision, with revised reasons for refusal;
- Overturn decision and issue entry clearance.
How is the applicant informed of the result of the Administrative Review?

31. Decision upheld and the reasons for refusal remain the same:
   - the administrative reviewer will notify the applicant by letter. The applicant will not be entitled to a further Administrative Review as the grounds for refusal has not changed.

32. Decision upheld but with revised reasons for refusal:
   - A new refusal notice (GV51) will be served along with the Administrative Review letter from the administrative reviewer stating why the refusal has still been upheld. If there are fresh reasons for refusal which were not notified originally, the applicant will be able to submit a further Administrative Review request limited to those fresh reasons.

33. Decision overturned and entry clearance to issue:
   - The administrative reviewer will notify the applicant by letter and request the applicant’s passport.

Limited Right of Appeal

34. The applicant can only appeal on any or all of the grounds referred to in section 84 (1) (b) and (c) of the Nationality, Immigration and Asylum Act 2002. These are that the decision is unlawful by virtue of section 19B of the Race Relations Act 1976 (discrimination by public authorities), and/or that the decision is unlawful under section 6 of the Human Rights Act 1998 (public authority not to act contrary to Human Rights Convention) as being incompatible with the appellant’s Convention rights.

35. All entry clearance applicants under the Points Based System who are refused will be limited to residual grounds of appeal stated above.

36. The process for dealing with limited rights of appeal remains unchanged.
## Annex 5 (How much money must I show that I have?)

### How much money do students who do not have established presence studying in the UK will need to show?

<table>
<thead>
<tr>
<th>Length of course</th>
<th>Where the student will be studying</th>
<th>Maintenance (funds) needed</th>
</tr>
</thead>
</table>
| Nine months or less | Inner London | Course fees  
and  
£1000 to cover living costs for each calendar month of the course up to nine months |
| | Outer London or anywhere else in the UK | Course fees  
and  
£800 to cover living costs for each calendar month of the course up to nine months |
| More than nine months | Inner London | First year of fees or, for continuing students, fees for next period of study  
and  
£9,000 to cover living costs for nine months in the UK |
| | Outer London or anywhere else in the UK | First year of fees or, for continuing students, fees for next period of study  
and  
£7,200 to cover living costs for nine months in the UK |
### HOW MUCH MONEY DO STUDENTS WHO HAVE AN ESTABLISHED PRESENCE STUDYING IN THE UK NEED TO SHOW?

<table>
<thead>
<tr>
<th>Where the student will be studying</th>
<th>Maintenance (funds) needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inner London</td>
<td>Course fees</td>
</tr>
<tr>
<td></td>
<td>and</td>
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<tr>
<td></td>
<td>£1000 to cover living costs for each calendar month of the course up to two months</td>
</tr>
<tr>
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<td>Course fees</td>
</tr>
<tr>
<td></td>
<td>and</td>
</tr>
<tr>
<td></td>
<td>£800 to cover living costs for each calendar month of the course up to two months</td>
</tr>
</tbody>
</table>
Annex 6 Addendum Further Information

1. Pearson Test of English Academic (PTE Academic)

If a student is using PTE Academic test to prove that he/she is competent in English language at a minimum of CEFR level B1, he/she will not receive a physical paper certificate. Students must instead provide:

1.a print out of their online score report.

Tier 4 (General) students will also need to ensure that they have made their online results available to the UK Border Agency listing on the Pearson verification service on the Pearson website. Where a Tier 4 General student fails to do this we will not be able to accept this English language test.

The UK Border Agency will verify all these score reports through the Pearson Language Tests online verification service.

This provision only applies to the PTE Academic test as no physical paper certificate is produced by the test provider for this test. Where an applicant undertakes an English language course which results in an official paper certificate, this certificate must always be submitted in support of their application.

2. Arrangements to allow 18 and 19 year olds to apply for an additional 12 months permission to stay as a Tier 4 (Child) Student.

On 6 April 2010 we extended the maximum amount of time that a 16 or 17 year old could apply for as a Tier 4 (Child) student from 2 to 3 years.

To ensure that students given permission to stay before 6 April 2010 receive the same opportunity to stay for this longer period, we will allow 18 and 19 year old students to apply for additional permission to stay as a Tier 4 (Child) Student if they are currently studying in the UK as:

• a Tier 4 (Child) student; or
• as a student under the student rules that were in force before 31 March 2009, where the student was granted permission stay whilst he/she was under 18 years old.

The student must have a valid Confirmation of Acceptance for Studies from his/her Tier 4 Sponsor for this additional period of study. The maximum amount of new permission to stay that can be given to the student is three years, minus the length of their last permission to stay. For example: If a students last permission to stay was for two years, the student can be given 1 year’s extra permission to stay.

3. Introduction of credibility testing

From 30 July, a Tier 4 student applying from outside the UK may be asked to undertake an interview, either in person, or on the telephone. If as a result of this interview the UK Border Agency is not satisfied that the applicant is a genuine student, or the applicant cannot speak English to the required standard (judged as set out at paragraph 94 of this guidance), or the
application is shown to fall for refusal under the General Grounds for Refusal, the application will be refused.

If a Tier 4 student is asked to undertake an interview but does not attend without reasonable explanation being given, his/her application will be refused.

The genuine student requirement will not be applied where the applicant is a national of one of the low risk countries specified at Appendix H of the Immigration Rules. Appendix H can be viewed on our website at: www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/appendixh/

The application of the genuine student requirement will only be considered at interview in order to provide the applicant with every opportunity to demonstrate how he or she satisfies it, other than in certain limited circumstances set out in separate entry clearance guidance. The entry clearance guidance can be viewed on our website at: www.ukba.homeoffice.gov.uk/policyandlaw/guidance/ecg/sty/

Where an application has been refused following an interview (under paragraph 245 ZV(k)), the applicant can request that the decision is reviewed by an Entry Clearance Manager (ECM). The applicant has 28 days from the date of the refusal notice to submit a request for an ECM review. The request should be made in writing and should include full details of the reasons why the applicant believes they meet paragraph 245 ZV(k) and why the visa should have been issued. The ECM will review the decision to ensure that the decision has been made in accordance with the Immigration Rules. The section of the Immigration Rules containing paragraph 245 ZV(k) can be viewed on our website at: www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/part6a/

Detailed entry clearance guidance available on the UK Border Agency website provides further information about the operation of this requirement.

4. Exemptions to the Tier 4 Study Limit

Below is a list of acceptable Post-graduate Research qualifications.

Doctorates:

- ArtsD or D.Arts - Doctor of Arts
- DAppEdPsy - Doctor of Applied Educational Psychology
- DAppPsych - Doctor of Applied Psychology
- DASS - Doctor of Applied Social Science
- DBA - Doctor of Business Administration
- DBM – Doctor of Business and Management
- DClin - Doctor of Clinical Psychology,
- DClinDent – Doctor of Clinical Dentistry
- DClinPsy - Doctor of Clinical Psychology
- EdD - Doctor of Education
- EngD - Doctor of Engineering
- DHealth - Doctor of Health
- DHealthPsy - Doctor of Health Psychology
- DHSci - Doctor of Health Sciences
- DJourn - Doctor of Journalism
DM or MD - Doctor of Medicine
DMus - Doctor of Music
AMusD - Doctor of Musical Arts
DMA - Doctor of Musical Arts
NurseD - Doctor of Nursing
PhD - Doctor of Philosophy
DPP - Doctor of Professional Practice
DrPS - Doctor of Professional Studies
DPsd - Doctor of Practice and Services Development
DHSC – Doctor of Health and Social Care,
DPsych - Doctor of Psychology
DrPH - Doctor of Public Health
DPM - Doctor of Public Management
DPP - Doctor of Public Policy
DSc - Doctor of Science
DSW – Doctor of Social Work
DVM - Doctor of Veterinary Medicine
DVS - Doctor of Veterinary Surgery
DocEuro - European Doctorate
DForenPsy - Professional Doctorate in Forensic Psychology

Research Masters Degrees:

MSc(Res) - Master of Science by Research
MMA - Master of Musical Arts
MRes - Master of Research
MPhil - Master of Philosophy
MLitt - Master of Letters