

CERTIFICATE OF ACCEPTANCE FOR STUDIES (CAS) ISSUANCE POLICY

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The latest version of this document is always to be found at:

<http://policies.docstore.port.ac.uk/policy-224.pdf>

SUMMARY

What is this document about?

This document outlines the legal grounds in which the University will and will not issue a CAS, in line with current Tier 4 policy and University protocol. A Confirmation of Acceptance for Studies (CAS) is an electronic document that confirms to the UK Home Office that the University of Portsmouth wishes to sponsor an individual to study in the UK.

Who is this for?

This document will be of most interest to our staff, applicants and students. It will also be of interest to UK Visas and Immigration (UKVI), the UK Quality Assurance Agency (QAA), Competition and Markets Authority (CMA), Office for Students (OfS) and may also be of some interest to the wider public.

How does the University check this is followed?

The document is checked intrinsically through the areas it details, through consideration at University Global Engagement Committee (UGEC) and through Academic Standards, Quality and Partnerships (ASQP), Department of Student and Academic Administration (DSAA).

Who can you contact if you have any queries about this document?

If you have questions about this document please contact Academic Standards, Quality and Partnerships, Department of Student and Academic Administration asqp@port.ac.uk

CERTIFICATE OF ACCEPTANCE FOR STUDIES (CAS) ISSUANCE POLICY FOR APPLICANTS AND CURRENT STUDENTS AT THE UNIVERSITY OF PORTSMOUTH

1. Purpose

- 1.1 The University of Portsmouth holds a Tier 4 licence: 926WMQQ73. The licence allows the University to sponsor Non-European Economic Area applicants or students to apply for Entry Clearance or Leave to Remain under Tier 4 of the UK Government's Home Office Points-Based Immigration System. ¹ Sponsorship is issued by the University in the form of a Confirmation for Acceptance of Studies (CAS), which the applicant or student uses to apply for a Tier 4 (General Student) Visa.
- 1.2 As a Tier 4 sponsor, the University of Portsmouth is allocated an annual CAS quota which cannot be exceeded. This is set and agreed by Department of Student and Academic Administration, Academic Standards, Quality and Partnerships and the Pro-Vice Chancellor Global Engagement in line with the University's Global Engagement Strategy.

The University must ensure that each CAS is assigned in accordance with the current Tier 4 requirements, as set out by the UK Visas and Immigration (UKVI) Government policy and regulations, as well as meeting the University of Portsmouth admissions requirements.
- 1.3 This policy forms part of a suite of Tier 4 policy documents, to ensure that the University of Portsmouth is compliant with current legislation, and supports the safeguarding of the University's Tier 4 licence and delivers the best service to applicants and students. This policy should therefore be read alongside the University's Tier 4 Compliance Policy and Tier 4 English Language Policy for Tier 4 General Students.
- 1.4 This policy is for the use of University staff responsible for issuing CAS, for International Student Advisers who are responsible for advising Tier 4 applicants and students, and for Tier 4 applicants and current Tier 4 students at the University of Portsmouth.
- 1.5 All staff involved in issuing CAS or advising applicants and students on the Tier 4 process must ensure that the policy is adhered to accordingly.

2. Staff responsibilities

- 2.1. Responsibility for the management and implementation of this policy lies with the Department of Student and Academic Administration (DSAA), Academic Standards, Quality and Partnerships (ASQP), with the daily operations and delivery managed and undertaken by DSAA Student Life (for new applicants, visa extensions, and the Doctorate Extension Scheme (DES), and the University of Portsmouth Global (UoP Global) admissions team. Advice and guidance for applicants and students is provided by the International Student Advice Team in UoP Global.
- 2.2. CAS are prepared and issued in accordance with UKVI rules and guidance. Once the University has issued a CAS to an applicant or student, the University will monitor the student's journey in 1 An applicant is a person applying to study at the University of Portsmouth. A student is a person already studying at the University line with current Tier 4 regulations and the University's Tier 4 policy. If an applicant or student fails to comply with the UKVI Tier 4 regulations or University requirements, the University will be duty bound to take appropriate action in accordance with current Tier 4 legislation.
- 2.3. If an applicant or student fails to meet any conditions of the CAS issuance policy, the University of Portsmouth is not liable for any consequences of declining to issue a CAS.
- 2.4. The University shall issue a CAS within 3 working days from the point the applicant or student has met all the conditions of their offer, as outlined in point 4 of this policy.

3. Applicant and student responsibilities

- 3.1. The University will send a CAS to the applicant/student electronically via email. The University will not send a CAS to any other party without the student's consent. In all cases where a student has provided consent to send their CAS to another party, such as an agent, the University will ensure the student is copied in on the email.
- 3.2. It is the applicant's/student's responsibility to check all the information given in the CAS before a visa application is made. Any amendments should be emailed to CAScorrections@port.ac.uk and the University will aim to make the amendments within 2 working days.
- 3.3. Issuing a CAS does not guarantee that a visa application will be successful and it is the student's responsibility to check that all Home Office requirements are met. The University is not responsible for any decision made by the Home Office Visas and Immigration Government agency or the consequent losses (whether financial or otherwise) of an unsuccessful outcome.
- 3.4. Once a CAS has been issued it is the sponsored student's responsibility to maintain their immigration status while studying at the University and to inform the University of any changes to their immigration status.
- 3.5. In some circumstances a current student may require further time to complete their course of study. Students must seek advice on their visa extension process from the International Student Advice Team at least 2 months before their visa is due to expire or as soon as they are aware that a visa extension maybe required. A CAS extension is requested via www.registryhub.port.ac.uk/cas/
- 3.6. It is the student's responsibility to ensure they have valid Tier 4 General Student leave to complete their studies at the University, and to seek relevant advice and guidance from the University's International Student Advice Team.

4. Eligibility for a CAS

4.1. The University will only issue a CAS to applicants who:

- a) have been offered and accepted a place without conditions to study a full-time course at Regulated Qualification Framework (RQF) Level 6 and above or for a part-time course at Regulated Qualification Framework (RQF) level 7 or above, except where clause 9 of this policy applies;
- b) meet the Home Office and University of Portsmouth English Language ability requirements;
- c) meet the Tier 4 eligibility requirements, in line with current Tier 4 policy;
- d) have an Academic Technology Approval Scheme (ATAS) certificate, where applicable;
- e) have paid the international tuition fee deposit or provided proof of official financial sponsorship for course fees, in line with Home Office and University requirements and;
- f) provide evidence that they have left the country, if they are required to submit their application overseas.
- g) would like to supersede their current immigration application, which was applied for within the time period of their current leave in the UK.

4.2. The University will only issue a CAS to students who:

- a) have valid Tier 4 leave in the UK or appropriate leave in an immigration category that can switch to Tier 4 in the UK;
- b) can show academic progression, or are exempt from this condition in line with current Tier 4 policy;
- c) will not exceed the study cap entitlement;
- d) are not a University debtor;
- e) have not exhausted the right to repeat the same period of study at the University; and vi) provide evidence that they have left the country, if they are required to submit their application overseas.
- f) which was applied for within the period of their current leave in the UK;

where the student has a pending immigration application or appeal

5. CAS processing times

- 5.1. If an applicant is applying from their country of residence, it is essential that the application is made more than 15 working days before the latest start date for their course, in line with current Home Office's processing times www.gov.uk/visa-processingtimes. A CAS will normally be issued later than this if the applicant or student applies for the Home Priority Service, as appropriate, which assesses Tier 4 visa applications within five working days.
- 5.2. If a student is applying within the UK to further extend their Tier 4 leave at the University of Portsmouth, they will be eligible for a CAS as long as the start date of their course is no more than 28 days after their current visa expires.

6. When a CAS will not be issued

- 6.1. The University reserves the right not to issue a CAS if in its opinion the circumstance of the student is such that in its opinion is likely to lead to a refusal of a visa by the UKVI.
- 6.2. For applicants/students who have received a conditional offer, the University will normally not issue a CAS under the following grounds:
 - a) where the course the applicant/student intends to study will not comply with Tier 4 requirements (e.g. cannot complete the course as exceeds the study period cap, work placement constitutes more than 50% of the course duration, in line with the exemptions);
 - b) if an applicant or student has exceeded or will exceed by the end of their course the amount of time they are allowed on a Tier 4 (General) Student visa;
 - c) where a course requires an ATAS certificate and the applicant or student had not currently received one in time to commence their course;
 - d) where an applicant or student is studying on a course that is less than six months in duration, unless they are coming to study a pre-sessional English course and will then progress to a substantive degree course with the University of Portsmouth within a month of the pre-sessional course ending;
 - e) if there are grounds to suspect that the applicant's/student's visa application will not be successful;
 - f) where the applicant/student fails to provide evidence to support the application for a CAS, at the request of the University;
 - g) if the applicant's/student's immigration history indicates that the applicant/student has exceeded the study period. If the student has compassion and compelling grounds, this shall be referred to the UKVI Tier 4 Management Team for a final review;
 - h) if the applicant/student has not met academic progression requirements;
 - i) if an applicant/student has not declared their full UK immigration history;
 - j) if an applicant/student has submitted documents which are proven or suspected to be fraudulent;
 - k) if the University believes sponsoring a student will put its sponsor licence at risk or has concerns about the student's intention to study and authenticity;
 - l) if the latest start date of the course has already passed;
 - m) If the record of prior learning (RPL) credit exemption for an undergraduate course hinders the applicant from studying on a Tier 4 General Student Visa, as the study period for the first year is not full-time, and if the applicant is not expected to attend for a period of 60 days or more;
 - n) Where the applicant is liable to have their visa application refused to other factors for further information please see: www.gov.uk/government/collections/general-grounds-for-refusal-modernisedguidance
- 6.3. For applicants/students applying in the UK, the University will not normally issue a CAS under the following additional grounds:
 - a) where the student is applying for a new course at the same academic level as their existing course, and they are unable to justify why this represents academic progression;
 - b) where the student has no valid leave in the UK (i.e. has exhausted their appeal rights, is an overstay in the UK);
 - c) where the student has a pending immigration application or appeal;

- d) if a student is not expected to attend for a period of 60 days or more;
- e) where a student is applying for a visa extension, via the International Student Advisers, and regardless of nationality is unable to provide evidence showing sufficient funds to cover living costs and tuition fees, which meet Home Office requirements;
- f) where a student has exceeded or will exceed the amount of time permitted on a student visa by the end of their course;
- g) a student has outstanding tuition fees or accommodation fees in the current academic year/contractual agreement and does not have a payment schedule agreed with the
- h) University's Finance department;
- i) a student is suspended or expelled for breach of University rules and regulations.

7. Length of sponsorship

- 7.1. The University will issue a CAS for the duration of a student's course. As set out in the University's Approval Modification and Closure of Academic Provision policy, www2.port.ac.uk/departments/services/academicregistry/gmd/courseapproval/. The course end date given on the CAS is the date of which the student has completed all academic elements of the course, including teaching sessions, examinations, assessments and writing and submitting dissertations, projects or theses. The end date for PhD programmes will be 4 years from the student's course start date.

8. Withdrawal of sponsorship

- 8.1. Where a CAS has already been issued and information is subsequently made available to the University that falls into any of the categories where a CAS would not be issued, the University reserves the right to withdraw the CAS at any time, without prior notice. However, the University will take all reasonable steps to inform the student in advance.
- 8.2. Upon withdrawal of sponsorship, the University is required to notify the Home Office within 10 working days and the applicant or student will not be able to study at the University. The applicant or student will be informed by email and advised to contact the University's International Student Advice Team.
- 8.3. The University reserves the right to withdraw a CAS, prior to a visa being issued if the course of study is cancelled or withdrawn, if the applicant's deposit has been unsuccessful or financial sponsorship has been withdrawn or if the applicant is not going to arrive and register on time for the latest start date of the course.

9. Pre-sessional courses at University of Portsmouth

- 9.1. A CAS will be issued up to a week before the start of a pre-sessional course only if an applicant submits their Tier 4 application via UKVI Tier 4 Priority Service. The applicant must register within 2 days of the start of the course, unless there are exceptional circumstances, which will be assessed on a case by case basis by the University. Otherwise their Tier 4 General Student Visa shall be withdrawn by the University and their leave to remain shall be cancelled by the Home Office.
- 9.2. A student issued a single CAS for the pre-sessional course shall only be granted further leave to remain under Tier 4, sponsored by the University of Portsmouth, once they have passed the pre-sessional course, which will enable them to progress on to the substantive course of study.

- 9.3. If a student is issued a joint CAS to undertake the pre-sessional and main course of study and is unsuccessful in completing the pre-sessional course, their Tier 4 (General) Student leave shall be withdrawn by the University. The student shall be advised to return to their home country. The Home Office will cancel their Tier 4 leave accordingly.

10. Courses with work placements

- 10.1. If an applicant opts for a degree level course or above which incorporates a compulsory work placement, DSAA Student Life, Admissions Team will issue a CAS to cover the entire period of the course, which includes the work placement period.
- 10.2. If an applicant opts for a course with an optional work placement, DSAA Student Life, Admissions Team will require the applicant to complete a work placement declaration, which outlines the applicant's intention to undertake a work placement as part of their course. Otherwise, a three year CAS shall be issued.
- 10.3. If a student requires a CAS extension to cover an optional work placement period, the student is required to apply for a CAS extension via www.registryhub.port.ac.uk/cas/ either prior to undertaking the work placement or after the work placement is completed. Whatever period falls within the student's current Tier 4 leave. DSAA, Student Life, Student Administrative team shall issue the CAS, in line with Tier 4 eligibility requirements, directly to the International Student Advice team. This will ensure the student uses the CAS extension service to provide added value to the student and to minimise the risk of visa refusal.

11. Embedded college (International College Portsmouth) and University branches

- 11.1. The University has a recognition agreement with a private provider Navitas UK Holdings Ltd, which owns and operates International College Portsmouth (ICP) Ltd. ICP is an embedded college of the University of Portsmouth. ICP offers integrated higher education courses, which students complete at the University of Portsmouth. ICP is formally registered as an additional location for the University under the Register of Sponsors (Tier 4). An ICP applicant, who is recruited and admitted by ICP, is issued a CAS under a single University of Portsmouth Tier 4 (General) Student licence. To support the safeguarding of the University's Tier 4 licence and best practice, ICP are responsible for ensuring their CAS issuance assessments fully integrate with this policy. Academic progression is assessed by DSAA Student Life and when required ICP shall refer complicated study cap calculations to DSAA.
- 11.2. The University shall normally issue a CAS directly to ICP within 2 working days from the point the applicant or student has met all the conditions of their offer.
- 11.3. ICP outline their CAS issuance processes in a standalone document. DSAA ASQP will take responsibility for ensuring coherence and consistency across policies and processes operated by the University and ICP
- 11.4. The current Tier 4 of the sponsor licence covers the students studying at the University's campus in Portsmouth. In the event the University has branches in other parts of the UK where the University may have students undertaking a course of study who are subject to immigration control and require a Tier 4 sponsorship, the University will ensure that its branch campuses are registered as additional locations with the UKVI Register of Sponsors (Tier4).

12. CAS refusal

- 12.1. If a Tier 4 application has been refused by the Home Office the University is able to issue a second CAS for the same academic year, in line with the conditions set out below. It will not issue a further CAS if there is a second visa refusal in the same academic year.
- a) If a Tier 4 visa application is refused on maintenance grounds, the applicant will be required to provide evidence of their maintenance, (regardless if they are a low risk national) prior to a further CAS being issued, regardless of the year of application to the University. The International Student Advisers will make an assessment of whether the applicant/student meets the maintenance requirements set out by the Home Office.
 - b) If an applicant has previously been refused on grounds of credibility, the University will assess on a case by case basis whether the applicant can be issued a CAS. If the applicant is applying via a University of Portsmouth approved agent, it is more likely a further CAS will be issued, for the following academic year, unless it was refused with agent support in the first instance.
 - c) If an applicant is applying via a University of Portsmouth approved agent, it is the agent's responsibility, as outlined in their contract, as well as the applicant's responsibility to ensure the applicant's Tier 4 application meets all Tier 4 requirements. Failure to do so will prevent a further CAS being issued for the same academic cycle.
 - d) Where a visa applicant has been refused, the applicant/student may be able to ask for the Home Office to review the decision; this is known as an 'administrative review'. The student needs to inform DSAA Student Life if they are submitting this. Where an applicant or student has submitted an administrative review, the University will not issue a further CAS until the Home Office has confirmed the outcome of its review. If a student chooses not to apply for an administrative review or the visa refusal is upheld at administrative review, DSAA Student Life shall report the refusal on the Home Office Student Management System.
 - e) Any student with a visa refusal will be reported to UKVI and Tier 4 sponsorship shall be withdrawn.
 - f) Any applicant or student with a visa refusal must provide to the DSAA Student Life all pages of their Home Office refusal notice electronically.
 - g) The University reserves the right to not issue a CAS to any applicant or student who has had their visa refused.

13. Suspension, Referrals and Repeats and writing up dissertations

- 13.1. If a student wishes to return to their studies following a period of suspension the University will only sponsor the student if they meet the conditions of section 4 of this policy.
- 13.2. If a Tier 4 student is outside of the UK and is required to repeat an assessment that requires their attendance at the University, the University will not assign a CAS to a student if there is no further participation in study or intention to study after the assessment attempt. The student will be expected to obtain a student visitor visa, which will allow them to enter the UK to repeat the assessment.

- 13.3. If a student is required to repeat credits, then a CAS will be assigned if the student's continued participation is required within 60 days of the start of the next academic period. For example, if a student is required to repeat 60 credits in the autumn term and undertake exams in May, a CAS would be issued until December. The student would be required to leave the UK and return for their exams.
- 13.4. If a student is writing up their dissertation or thesis overseas, the student will no longer be sponsored. If the student requires to return to the UK to hand in their dissertation, the University will work with the student to identify appropriate electronic means of submitting the work in question, so they will not need to return to the UK. If the dissertation or thesis cannot be submitted electronically, (e.g. physical 3D artefact), the University will issue the student with a Short Term Student visa supporting letter so they can submit their final piece of work in the UK.

14. Writing Up, Vivas and Amendments

- 14.1. The University will not normally issue a CAS for a postgraduate research student who has already submitted their thesis and requires an extension to their leave to attend their viva or complete minor amendments (up to 3 months), unless the University can continue to meet its sponsorship duties.
- 14.2. Where the Examiners have recommended re-examination or referral either prior or post Viva, the student will be required to extend their studies for 12 calendar months in order to complete the course. If the study period is greater than the student's current Tier 4 leave, DSAA Student Life will issue the student with a Tier 4 visa extension to cover the re-examination period.
- 14.3. If a postgraduate research student is currently outside of the UK and is required to return to the University to attend their Viva, the University will not assign a CAS and will expect the student to obtain a Short Term Student Visa.

15. Doctorate Extension Scheme

- 15.1. The University offers this scheme via DSAA under the Tier 4 sponsor licence. The scheme provides the opportunity for University of Portsmouth students to apply to remain in the UK for a further 12 months, to undertake work in the UK, prior to almost having completed their Doctorate level or other doctoral qualifications. The 12-month period can be for any areas of employment in the UK, including the time to find work.
- 15.2. If the student has the intention to apply for DES, they are required to seek advice and guidance from the International Student Adviser's in the first instance.
- 15.3. The University will only issue a CAS to a student who is expected to successfully complete the doctorate within 60 days, which includes minor amendments and re-examination.
- 15.4. DSAA Student Life will administer the CAS. The Home Office will issue the leave period from the course completion date, as stated on the CAS.

16. Appealing a decision not to issue a CAS/withdrawal of sponsorship

- 16.1. If a student is dissatisfied with any decision not to issue a CAS, or to withdraw sponsorship, then they have the right of appeal. Any appeal against a decision needs to be made in writing to Academic Registrar and Director of DSAA² via email at ASQP@port.ac.uk within 10 working days of receipt of the decision. The University will make a decision on the appeal within 7 working days unless further investigation is needed in order to reach a decision. The decision on the appeal is final and no further appeal will be allowed.