

CAS issuing policy

1. OVERVIEW AND PURPOSE

The purpose of this document is to outline the University's over-arching policy in relation to issuing a Confirmation of Acceptance for Studies (CAS) for Student Visas, as a Student Visa Sponsor. The policy is relevant for CASs issued for new and continuing:

- *Undergraduate students*
- *Postgraduate Taught students*
- *Postgraduate Research students*
- *English Language students studying the Sussex Centre for Language Studies (SCLS)*
- *Visiting students coming to the University on an exchange or Study Abroad scheme where relevant*

- 1.1 The University's administrative departments responsible for issuing CASs have their own implementation / processing documents outlining the steps taken prior to issuing a CAS. The below information is intended as an instructive and informative guide for departments. This policy is the only internal policy governing this at the University of Sussex.
- 1.2 This policy is specific to the University of Sussex and does not represent a full statement of immigration or Student Visa sponsor requirements. This policy is subject to change and the University is entitled to revise its policies or procedures relating to compliance with its Student Visa sponsor duties at any time.
- 1.3 The University is under no legal obligation to issue a Confirmation of Acceptance for Studies (CAS) to any individual and exercises caution with respect to issuing a CAS to not risk its status as a Student Visa sponsor.

2. SCOPE

Responsibility for the management and implementation of this policy and any accompanying procedures lies with the Student Visa Authorising Officer, with assistance of the Head of the Office for Student Complaints, Appeals and Regulations (OSCAR), the UKVI Compliance Officer Finance and offices identified in Table 1 (where applicable).¹

- 2.1 This policy is primarily designed for use by the staff responsible for issuing CASs to prospective and existing students of the University. Despite the overall key responsibilities, all staff working with students covered by the points-based immigration system must ensure the policy is adhered to accordingly.

3. RESPONSIBILITIES

¹ Refer to Table 1, see below.

CASs are issued by different departments of the University depending on the status of the student or potential student. Table 1 indicates which teams are responsible for issuing CASs to which students.

Table 1

New Undergraduate	Admissions Office
New Postgraduate Taught and Research students	Admissions Office
English Language students studying at the Sussex Centre for Language Studies (SCLS)	Sussex Centre for Language Studies (SCLS)
Visiting (V&E) students coming to the University on an exchange or Study Abroad scheme	Sussex Abroad
Existing Undergraduate students (including new students with visa refusals and transferring V&E students) and Students' Union Sabbatical Officers (if a undergraduate student)	Student Systems and Records Office with International Student Support, and Admissions where required.
Existing Postgraduate Taught students and Students' Union Sabbatical Officers (if a postgraduate taught student)	Student Systems and Records Office with International Student Support, and Admissions where required.
Existing Postgraduate Research students and Students' Union Sabbatical Officers (if a postgraduate research student)	Research Student Administration Office with International Student Support

4. POLICY

The University will only assign a CAS to a new student if they have met all the conditions of their offer, entry requirements of the University as well as the conditions of this policy.

4.1 Assigning Confirmation of Acceptance for Studies (CAS)

- 4.1.1 CASs will be assigned no more than six months prior to course start date for any new students. For continuing students, CASs will be assigned in accordance with the requirements of the course.
- 4.1.2 The University will make appropriate checks to ensure any student already in the UK has valid permission to be in the country. This may include an Immigration History Check conducted through the University's UK Visas & Immigration (UKVI) Premium Account Manager. If it is found a student does not have valid permission to be in the UK then the University will not issue a CAS unless the student returns to their home country and provides sufficient evidence they are no longer in the UK (e.g. immigration entry clearance stamp and boarding pass).
- 4.1.3 The University may make any additional checks it deems necessary to ensure it only sponsors genuine students who will successfully obtain a visa. These checks may

include but are not limited to reviewing bank statements and financial documents or requesting previous CASs from former institutions.

4.2 The University will not issue a CAS in the following situations:

- 4.2.1 Where the course the student intends to study will not comply with Student Visa requirements. For example, work placements exceeding 50% of the course duration (unless there is a UK statutory requirement for the course to contain a specific period of work placement which exceeds this limit).
 - 4.2.2 If there is any reason to believe a student will not comply with the conditions of their Student Visa permission (such examples include: intention to work, past history of working more than 20 hours per week and poor attendance / engagement history) or if a student is in breach of their visa conditions.
 - 4.2.3 If a student has submitted documents which are proven or suspected to be fraudulent.
 - 4.2.4 If a Masters (postgraduate taught) applicant has not paid their required tuition fee deposit, unless an exemption applies
 - 4.2.5 Where a continuing student has outstanding academic debts in accordance with the University's Debt Recovery Policy.
 - 4.2.6 If the duration of a student's course will result in the student exceeding the maximum allowable time studying under the Student Route. Likewise, the University will not issue a CAS to any student wishing to extend their course if the extension would result in the student exceeding the maximum length of study unless the University agrees there are compelling and compassionate circumstances which prevented the student completing the course within the given time.
 - 4.2.7 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 genuineness.
 - 4.2.8 A student will not arrive or have valid permission to study in time for their course's latest start date, unless an extension is granted by the University.
 - 4.2.9 The course does not represent academic progression in accordance with the Student Visa Sponsor Guidance and Immigration Rules.
 - 4.2.10 A student's sponsorship has previously been withdrawn but they have not provided evidence of having left the UK.
 - 4.2.11 If a student's circumstances are such that the University cannot comply with its Visa Renewal and Overstayers Policy_ <http://www.sussex.ac.uk/academicregistry/documents/tier-4-overstayers-policy-nov-15.docx>
- 4.3 The University will only issue a CAS to a student where it believes the visa application will be successful and will not fall for refusal and reserves the right to not issue a CAS if there are reasonable grounds for suspecting otherwise, including:
- 4.3.1 A history of visa refusals
 - 4.3.2 Insufficient maintenance funds
 - 4.3.3 Criminal convictions or involvement with terrorist activity
 - 4.3.4 Any behaviour or evidence which would lead the University to believe the student is not genuine or does not truly intend to study, including a history of poor attendance and engagement.
 - 4.3.5 Any evidence to suggest a student has broken immigration laws

- 4.3.6 The student has overstayed their previous visa, and that period of overstay will count against them in accordance with the guidance provided in Document 2 of the Student Visa Sponsor Guidance
 - 4.3.7 The student is in the UK and does not hold valid immigration permission to be in the country
 - 4.3.8 The student's course does not represent academic progression
 - 4.3.9 The student has not met the UKVI's minimum English Language requirements
 - 4.3.10 The student has provided false information to the University or presented fraudulent documentation
 - 4.3.11 The student has failed to disclose material facts to UKVI in previous visa applications
- 4.4 The University will only issue a CAS to a student who has overstayed their visa if this is in accordance with its Visa Renewal and Overstayers policy: <http://www.sussex.ac.uk/academicregistry/academic-registrars-office/compliance/overstayerspolicy>
- 4.5 For courses where ATAS clearance is required, the University will only issue a CAS once the Foreign & Commonwealth Office has sent a copy of the ATAS clearance certificate to the University. This is unless a student is applying for an extension to their permission in order to complete a course and has experienced a significant delay in receiving their ATAS certificate and runs the risk of having their existing permission expire. If this situation occurs, a CAS will be issued as long as the student provides evidence they applied for ATAS clearance.
- 4.6 The University will assign a CAS to an existing student in accordance with the judgement of academic and administrative staff and in accordance with UKVI guidance on Academic Progression. The University will only provide a CAS to an existing student to extend their permission if the University is satisfied the student intends to and is able to follow their current or future course of study as evidenced by past performance.
- 4.7 Any student wishing to extend their permission under the Student Route to study at the University must complete a CAS Application Form. A CAS extension will be considered once a student has signed and submitted these documents as well as any other required documentation.
- 4.8 CASs will be assigned to Doctorate Extension Scheme candidates in accordance with 4.3 (4.3 – 4.3.11), 4.6 and the guidance on the University web pages: <https://student.sussex.ac.uk/international/visas/after/doctorate-extension-scheme>
- 4.9 Students are issued a CAS on the understanding that they are aware of the responsibilities attached to their Student Visa, and are sent information on protecting their Student Visa status which is on the University's web pages here: <http://www.sussex.ac.uk/internationalsupport/immigration/protecting>
- 4.10 The University will ensure eligible Students' Union Sabbatical Officers, as defined under the Student immigration rules, are appropriately sponsored to fulfil their roles and course should Student Visa sponsorship be required. Sponsorship will take into account this policy and other relevant immigration rules.

4.11 Length of Sponsorship

The University will sponsor a student for the duration of a student's course subject to any compliance requirements of the University (relating to its Sponsor status or Charter, Statutes and Regulations) which would result in sponsorship being withdrawn.

- 4.11.1 For new entrants, the course start date declared on the CAS corresponds with the required registration period for the course in question. A student who fails to enrol by the latest enrolment date quoted on the CAS (or any extension officially granted) will be reported to UKVI and sponsorship withdrawn. In the case of CASs issued for students to extend their visas, the start date on the CAS will be the day after their current visa expires.
- 4.11.2 For taught programmes, the course end date declared on the CAS corresponds with the intended completion date, for the course in question. The completion date is when the student is no longer expected to attend teaching and/or attend examinations and/or submit assessment.
- 4.11.3 The course end date for PhD courses will be 4 years from the student's course start date and covers the registration period where the student is undertaking full-time study as a registered student including any writing up period.
- 4.11.4 If a student meets the conditions to have their permission extended to continue their course, the University will only assign a CAS for the remaining duration of the course.
- 4.11.5 If a student completes their studies sooner than expected then this will be reported to UKVI with sponsorship withdrawn.

4.12 Visa refusals

- 4.12.1 If a student's visa application is refused, the University will only consider assigning an additional CAS during the academic year if the student can provide satisfactory evidence to show there is minimal or no chance of their visa being refused a subsequent time. Students deferring their place on a course due to a visa refusal will be permitted to defer their place for one academic year only.
- 4.12.2 Further CASs will not normally be assigned where a student has had a refusal on the grounds of credibility.
- 4.12.3 Any student with a visa refusal will be reported to UKVI and will be immediately referred to International Student Support. Any student with a visa refusal who requests a new CAS must provide to the University all pages of their Home Office refusal notice.
- 4.12.4 Provided the conditions of paragraph 4.12.1 are met, the University may issue one additional CAS to a student following a visa refusal. Normally, if a visa is refused a second time the University will not issue a further CAS.
- 4.12.5 The University reserves the right to not issue a CAS to any student who has had their visa refused.

4.13 Sending a CAS to a student

A CAS will be provided to the student by email. The email address is that provided in the application (for applicants) or the student record (for registered students).

When a CAS is emailed to a student the University will provide the student with information on the qualifications and information used to assess the student in making an offer and providing sponsorship.

4.14 Intermissions, Re-sits and Repeats

4.14.1 When a student returns to their studies following a period of intermission the University will only sponsor the student if they meet the relevant conditions of Section 4 of this policy.

4.14.2 If a Student Visa holder is outside the UK and is required to re-sit an exam the University will not assign a CAS to a student if there is no further participation or intention to study after the exam. The student will be expected to return under the Visit immigration rules (with a visa where required), which will allow them to enter the UK to re-sit the exam. Consideration may be given to issuing a CAS provided all other qualifying criteria are met if the student wishes to apply to the Graduate Route.

4.14.3 If a student is required to repeat modules 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.

4.15 Writing Up, Vivas and Revisions

4.15.1 The University will not normally issue a CAS for a Postgraduate Research (PGR) student who has already submitted their thesis and requires an extension to their permission to attend their viva or complete revisions, unless that student has expressed an interest in applying for the Doctorate Extension Scheme (DES) or Graduate Route.

4.15.2 Otherwise, in the event that a student's continued participation on campus and use of University facilities is required for the purposes of carrying out revisions then the University may consider issuing a CAS provided the University can continue to meet its sponsorship duties. For example, a student may require the use of scientific laboratories to redo experiments for the purpose of completing major revisions. The University will consider requests on a case-by-case basis and reserves the right to refuse any request to issue a CAS for a student in such circumstances.

4.15.3 If a PGR student is currently outside the UK and is required to return to campus to attend their viva, the University will not assign a CAS and will expect the student to return under the Visitor route (with a visa if necessary). Consideration may be given to issuing a CAS provided all other qualifying criteria are met if the student wishes to apply to the Doctorate Extension Scheme or Graduate Route.

4.16 Pre-sessional Courses, Foundation and Preparation Programmes

4.16.1 The University will only assign one CAS to cover a pre-sessional course (of 10 weeks maximum duration) at the Sussex Centre for Language Studies (SCLS) and main course of study if the student has received an unconditional offer on their main course of study.

4.16.2 In all other cases, a separate CAS will be issued for the pre-sessional course and a new CAS will be assigned for the main course if the student successfully completes the pre-sessional course, meets all conditions of their offer on the main course of study as well as meets the conditions of this policy.

4.16.3 Students studying an undergraduate course with an integrated Foundation Year will be issued a single CAS to cover the entire period of study including both the foundation year and main degree level portion of the course.

4.16.4 If a student is studying a course on a standalone International Foundation Year Programme, International Year One Programme or Pre-Masters Programme offered through the International Study Centre (ISC), Study Group will issue a single CAS to cover these standalone programmes. Progression to any degree course and the issue of any further CAS information is subject to the satisfactory completion of the programmes and any specific conditions of entry as required by the University, which will issue the CAS as well as meeting the conditions of this policy.

5. LEGISLATION AND GOOD PRACTICE

This policy will be reviewed on a regular basis to ensure it remains compliant with the Student Visa Sponsor Guidance and Immigration Rules as well as good sector practice.

Sponsorship Guidance: <https://www.gov.uk/government/publications/sponsor-a-tier-4-student-guidance-for-educators>

UKCISA manual: <https://www.ukcisa.org.uk/>

Review / Contacts / References	
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Policy owner:	Office for Student Appeals and Regulations (OSCAR)
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