

CAS Issuing Policy

1 OVERVIEW AND PURPOSE

- 1.1 This policy is the sole policy relating to the issuing of a Confirmation of Acceptance for Studies ('CAS') at the University of Sussex. Relevant staff, as detailed at Clause 2.4 below, should ensure that their internal implementation and processing procedures are in accordance with the principles set out within this policy. In addition, authorised staff should refer to relevant UKVI documentation before issuing a CAS.
- 1.2 The University is granted the right to issue a CAS by the UK Government, through the Home Office's UK Visa and Immigration service (UKVI). The University holds Trusted Sponsor status, allowing it to issue the CAS which is then used by the applicant or student to apply for a Student Visa. This document outlines the University's over-arching policy on issuing a CAS.
- 1.3 This policy is specific to the University of Sussex and does not represent a full statement of statutory immigration or Student Visa sponsor requirements.
- 1.4 This policy is complementary to the General Regulations of the University, and the Assessment and Examination Regulations.
- 1.5 Where necessary, this policy should be read in conjunction with other relevant University policies and Home Office guidance documents.

2 SCOPE

- 2.1 The Policy Owner is the Student Visa Authorising Officer, and key roles are identified in clause 2.4.
- 2.2 The policy applies to the University's¹ issuance of CAS issued for new and continuing:
- Undergraduate students
 - Postgraduate taught students
 - Postgraduate Researchers (PGRs)
 - English Language students studying at the University's Department of Language Studies
 - Visiting students coming to the University on an exchange or Study Abroad scheme, where relevant
 - In some instances, visiting researchers coming to the University²

All instances of 'student' in this Policy includes postgraduate researchers.

- 2.3 The University of Sussex will only issue a CAS for full-time routes of study for new students. For registered students with a CAS, who might be required to re-sit modules or

¹ Study Group students are sponsored by ISG, who have their own Sponsor Licence and issue their own CAS. On progression to Sussex, this policy will apply as set out in Clause 2.2.

² Categories of visiting researcher, and the appropriate form of visa sponsorship can be found here: <https://www.sussex.ac.uk/study/phd/visiting-doctoral-researchers>

repeat a year on a part-time basis by an Examination Board, the University will permit part-time study but all other conditions of sponsorship continue to apply to such students, i.e. the students must be in the UK, must not exceed the hours of paid work permitted under the terms of their visa, and must continue to have appropriate attendance and engagement points.

2.4 The following teams/departments have responsibility for issuing CAS.

Student Type	Issuing Department
New Undergraduate	Admissions Office, Division of Communication, Engagement and Advancement
New Postgraduate Taught and Researchers	Admissions Office, Division of Communication, Engagement and Advancement
English Language pre-sessional students studying in the Department of Language Studies (DLS)	Department of Language Studies (DLS), School of Media, Arts & Humanities
Visiting (V&E) students coming to the University on an exchange or Study Abroad scheme	Sussex Abroad, Division of Communication, Engagement and Advancement
Existing undergraduate students (including new students with visa refusals and transferring V&E students), postgraduate taught students, postgraduate researcher students, and any undergraduate or postgraduate Students' Union Sabbatical Officers	UKVI Compliance team, Division of Student Experience

2.5 The International Advice team does not hold responsibility for issuing a CAS but does provide information, advice and guidance relating to immigration rules and processes in order to support a student in their CAS application. If an employee of the University is providing immigration advice to an applicant or a student there exists, the potential for a conflict of interest if the student provides information which the sponsor has a duty to report. This potential conflict of interest is managed by the provision of detailed information to the student on the role of the International Advice team so that they can make an informed decision before disclosing any information that the University may be under a duty to report, via its UKVI Compliance team.

2.6 A prospective or current student requesting a CAS from the University must satisfy both UKVI and the University's requirements before a CAS will be issued. The University, as a UKVI Student Sponsor Licence Holder, will only issue a CAS to a student who, to the best of its knowledge, meets the requirements under the Student Route, has demonstrated genuineness of application, and has paid any required deposit and/or provided proof of sponsorship and ability to meet the financial requirements for their Student visa application.

2.7 The University reserves the right to refuse to issue a CAS even if the applicant meets all its academic entry requirements in the event that they do not satisfy UKVI requirements.

Authorised staff may require the applicant to provide further information and documentary evidence to enable the University to effectively evaluate the case and fulfil its sponsor duties without risk to its status as a Student Visa sponsor.

- 2.8 Notwithstanding the correction of any factual error, the decision not to issue a CAS by the University is final and there is no right of appeal.

3 Issuing a Confirmation of Acceptance for Studies (CAS)

- 3.1 A CAS will only be issued to applicants, applying from outside the UK, who meet all the criteria outlined within the [Student Sponsor Guidance \(document 2\)](#) which must be read in full by all staff responsible for issuing a CAS. For ease of reference, the criteria are as follows:

- a. The applicant has been made an unconditional offer to study full-time on an academic course of study, having met both the academic and English language entry requirements;
- b. The applicant has demonstrated that they intend, and are able, to follow the desired course of study;
- c. The applicant has supplied all the required supporting documents;
- d. The applicant has provided additional documentation if requested by the CAS issuing team;
- e. The applicant has not, or will not, exceed the maximum time allowed for degree level study set out in the Home Office immigration rules;
- f. The University can demonstrate to the Home Office that the rules of academic progression have been met;
- g. The applicant will be studying on a course of more than 6 months duration, apart from those studying short form pre-sessional courses or visiting & exchange semester students (in particular circumstances only)³
- h. The start date of the course has not passed and/or the Home Office's processing times indicate that the visa application can be issued before the latest date of registration.

- 3.1.2 Additionally, the University has its own criterion which must also be met in order for a CAS to be issued:

- i. The applicant has paid the international tuition fee deposit (where required) or provided evidence of official sponsorship from a valid source, e.g. their government or an international scholarship agency

- 3.2 For applicants applying from within the UK, criteria listed in 3.1 (a-i) also apply and in addition:

- i. The official start date is no more than 28 days after the current visa expires;
- ii. The applicant has valid leave to remain as a student or is in a visa category that permits switching into a Student Visa.
- iii. Their attendance and engagement record (if a continuing student) indicates compliance with relevant University policy.

- 3.3 A CAS will be assigned no more than six months prior to a course start date for new

³ This is restricted to V&E students who intend to work whilst on exchange or V&E students who intended to come for a single semester but wish to convert to a year long exchange. In both instances, the Sussex Abroad Office will require relevant evidence of genuine intent before issuing a CAS.

students. For continuing students, the CAS will be assigned in accordance with the requirements of the course.

- 3.4 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 UK Visas & Immigration Student Sponsor Licence Holder service and checking with their existing sponsor. 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).
- 3.5 The University may make any additional credibility checks it deems necessary to ensure it only sponsors genuine students. These checks may include, but are not limited to, reviewing bank statements and financial documents, requesting previous CAS from former institutions, and requiring additional information to explain a lengthy gap in study.
- 3.6 Students are informed about the terms that will attach to their Student Visa at the point their CAS is issued⁴.
- 3.7 The University will ensure eligible Students' Union Sabbatical Officers, as defined under the Student immigration rules and where they are still registered students, are appropriately sponsored to fulfil their roles should Student Visa sponsorship be required. Sponsorship will take into account this policy and other relevant immigration rules.
- 3.8 Registered students elected to a Sabbatical Officer position that will commence after they have completed their course will still be sponsored, in line with Student immigration rules.
- 3.9 In more complex or unclear cases, an application for a CAS can be referred for review to the University's CAS Panel. This operates as a sub-group of the UKVI Compliance Steering Group and has the authority to make decisions on non-standard applications/continuations or where there is concern about risk factors. The relevant parts of this Policy should be cited in any refusal so that the applicant or continuing student understands the reasons for this.

4 Refusal to issue a Confirmation of Acceptance for Studies

- 4.1 The University reserves the right not to issue a CAS if it is not satisfied that the applicant or continuing student is genuine.
- 4.2 The following is an indicative, non exhaustive list of potential reasons for not issuing a CAS, per the [Student Sponsor Guidance \(document 2\)](#):

⁴ Students are issued a CAS on the understanding that they are aware of the responsibilities attached to their Student Visa. To inform them about their Responsibilities, Admissions send them relevant information when they issue the CAS. That information is available here: <https://student.sussex.ac.uk/international/visas/during-studies/responsibilities>

- i. Where the course the applicant 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);
- ii. If there are reasons to believe an applicant/student will not comply with the conditions of their Student Visa permission (such examples include: intention to work, history of working more than 20 hours per week and poor attendance / engagement history)
- iii. If a continuing student is in breach of their visa conditions;
- iv. The applicant/student has failed to disclose material facts relating to previous visa applications or has a history of visa refusals;
- v. If an applicant/student has provided false information or submitted documents which are proven or suspected to be fraudulent.
- vi. The applicant/student cannot demonstrate sufficient maintenance funds;
- vii. 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;
- viii. The course does not represent academic progression in accordance with the Student Visa Sponsor Guidance and Immigration Rules;
- ix. Where there is a significant gap in academic study that cannot reasonably be explained or supported with relevant evidence;
- x. Any evidence to suggest a student has not complied with UK immigration laws;
- xi. If a student's circumstances are such that the University cannot comply with section 7 of this Policy relating to Visa Renewals and Overstayers.

4.2.1 Additionally, the University may not issue a CAS on certain grounds, including but not limited to, the following:

- xii. If an applicant has not paid their required tuition fee deposit, unless an exemption applies;
- xiii. Where a continuing student has outstanding academic debts in accordance with the University's Student Debt Recovery Policy;
- xiv. If the University has reasonable grounds to believe sponsoring an applicant/student will put its sponsor licence at risk;
- xv. If an applicant 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.

- 4.3 Per 2.8 of this Policy, and notwithstanding the correction of any factual error, if a CAS issuing team or the CAS Panel refuses to issue a CAS, this decision is final and there is no right of appeal.

5 Length of Sponsorship

- 5.1 The University will sponsor a student for the duration of a student's course, in accordance with its responsibilities as a Student Sponsor licence holder, and subject to there being no material breach by the student, which may result in the termination of the student's contract with the University.
- 5.2 For new entrants, the course start date declared on the CAS corresponds with the required registration period. A student who fails to register by the latest start date quoted on the CAS (or any extension officially granted) will be reported to UKVI, within the timeframes required by the UKVI, and sponsorship withdrawn.
- 5.3 For taught programmes, the course end date declared on the CAS corresponds with the intended completion date. The completion date is defined as the point in time when the student is no longer expected to attend teaching and/or attend examinations and/or submit assessments.
- 5.4 The course end date for research degrees will be 4 years from the PGR's course start date and covers the registration period where the PGR is undertaking full-time study as a registered researcher including any writing up period.
- 5.5 If a student meets the relevant conditions to have their permission extended to continue their course, the University will only assign a CAS for the remaining duration of the course.
- 5.6 If a student completes their studies sooner than expected then this will be reported to UKVI with the result that sponsorship is withdrawn ahead of the expected end date.

6 Visa refusals

- 6.1 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 demonstrate a material change in circumstances from those existing at the time of the initial visa refusal.
- 6.2 Students deferring their place on a course due to a visa refusal will be permitted to defer their place for one academic year only. A new CAS application will be required, and this must be assessed in full per this Policy.
- 6.3 A further CAS will not normally be assigned where a student has had a refusal on the grounds of credibility unless this decision has been overturned on appeal by a UKVI administrative review.
- 6.4 Any student with a visa refusal will not be able to enrol. The non-enrolment will be

reported to UKVI, and sponsorship withdrawn, within the timelines set by UKVI.

- 6.5 Any student with a previous visa refusal who requests a new CAS at a later date must provide to the University all pages of their Home Office refusal notice.
- 6.6 Provided the conditions of 6.1 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.

7. Visa Renewals

7.1 Renewals for new students

- 7.1.1 UKVI allows applicants to register for a new course with an unexpired Student visa, obtained using a CAS issued by a different educational provider, providing they can show proof that they have made a visa application using a Sussex issued CAS or another type of immigration permission which allows study at the University, and on the understanding that they do so at their own risk in terms of possible refusal of the visa application by UKVI.
- 7.1.2 Applicants must make a new visa application using a Sussex issued CAS by the latest arrival date listed on the CAS as opposed to the expiry date of their existing visa/immigration permission.
- 7.1.3 All applicants must provide proof of a new application (based on a Sussex issued CAS) by the relevant deadline. Proof of the new application is in the form of an application cover sheet or email acknowledgement which confirms the date of application. Date of application must be on or before their current visa expiry date.
- 7.1.4 Applicants who made an application for a Student visa granted on the basis of a Sussex issued CAS within an 'overstaying' period will not be permitted to be provisionally registered and will not be registered at all unless and until they can supply a valid visa for study. If this cannot be achieved by the latest arrival date, then they cannot be registered but may defer their place subject to agreement with Admissions.

7.2 Renewals for continuing students

- 7.2.1 Continuing students who have allowed their visas to expire without making a new application will need to speak to International Advice team and the UKVI Compliance Manager so that their situation can be assessed.
- 7.2.2 Continuing students whose visas have expired and who would be required to make a new visa application overseas will be immediately temporarily withdrawn for visa purposes. A new CAS will only be issued if the student can supply evidence of having left the UK (unless 7.3.5 applies).
- 7.2.3 Continuing students whose visas have expired but who would be able to make a new visa application in the UK and who have not yet had a CAS issued or made an application, should only have a CAS issued if:
- i. it is within 14 days of the student's permission expiring; and
 - ii. they can demonstrate to the University's satisfaction that there is a good reason beyond their control (or their representative's control), preventing the application

- iii. all other circumstances are in favour of a successful application, including good attendance; or
 - iv. the University was not sufficiently prompt in issuing a CAS
- 7.2.4 Continuing students who have already been issued a CAS but have allowed their existing visa to expire without making a new visa application will usually have their CAS withdrawn. They must contact the International Advice team to make arrangements for a new application in line with this Policy.
- 7.2.5 The University reserves the right to withdraw a CAS where it is subsequently considered that there is a likelihood of a visa refusal, for reasons such as, but not limited to, those outlined at clause 4.2.

7.3 Renewals for overstayers

- 7.3.1 A student may become an 'overstayer' (as defined by the Home Office) due to their visa application being refused or rejected as invalid.
- 7.3.2 The International Advice team is responsible for assessing whether an overstayer whose visa application has been refused has any grounds for a UKVI administrative review (see 7.3.4 and 7.3.5).

If there is no case for an administrative review, another CAS may be issued if:

- i. Their previous (refused) application for permission was made in-time or they are within the criteria expressed in 7.2.5
 - ii. Their previous visa application was made within the UKVI specified 14 days of one or more of the following:
 - the refusal of the previous application for permission;
 - the expiry of any permission which has been extended by section 3C of the Immigration Act 1971;
 - the expiry of the time limit for making an in-time application for administrative review or appeal;
 - iii. Where the administrative review is concluded but unsuccessful, and the student is within the time limit to make another Student visa application.
 - iv. All other circumstances are in favour of a successful application, including good attendance and adherence to the requirements of the CAS Issuing Policy.
- 7.3.3 If the student is overstaying outside of the 14-day window stipulated by the UKVI, the student's registration will be withdrawn as per University Regulations⁵. As a result, the student may need to leave the UK and apply for new entry clearance from outside of the UK. The School and the Student Data and Records team will determine whether the time involved in returning home will require the student to take a period of temporary withdrawal or not.

⁵ For Undergraduate and Postgraduate taught students, Regulation 16; 26(i) applies
For Postgraduate researchers, Regulation 23; 14(g) applies

- 7.3.4 If an in-time administrative review has been submitted, the student can continue to be registered until the result of the review is known.
- 7.3.5 If an 'out of time' administrative review has been submitted, the student will not benefit from what the UKVI term '3c leave' and would continue to be treated as an overstayer since their leave had already expired before they made the application preventing leave to extend from being granted. The student's registration will be withdrawn under the relevant University regulation⁶, pending the outcome of the administrative review.

8 Changes to full time modes of study

8.1 Resits and Repeats on taught programmes

- 8.1.1 Where a student is given an opportunity to resit the module assessment, without repeating the teaching, this will be scheduled during the resit assessment period. If a Student Visa holder is outside the UK and is required to resit the module assessment, the University will not assign a CAS to a student if there is no further participation or intention to study after the resit assessment. The student will be expected to return to the UK as a visitor (with a visa where required), which will allow them to enter the UK to resit the assessment. 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.
- 8.1.2 Where a student is given a repeat cycle of assessment which includes all the teaching, learning and assessment for a stage/semester or exceptionally a module, 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.

8.2 Temporary withdrawals (TWD) for taught and research programmes

- 8.2.1 If a continuing student has valid exceptional circumstances which prevent them from leaving the UK during their period of TWD, the CAS issuing team or CAS Panel⁷, should consider whether it is appropriate to request discretion from UKVI over the cancellation of the visa when the TWD report is made. If a student's permission to remain in the UK continues to be valid, and they meet the requirements to make a further Student visa application from within the UK, then the University may issue a CAS. The student must still meet the academic progression requirements under the repeat study exemption to enable them to apply from within the UK.
- 8.2.2 When a student returns to their studies following a period of temporary withdrawal (also known as intermission or TWD) the University will only sponsor the student if they meet the relevant conditions for CAS issuance as detailed in this policy, in addition to:

- i. Obtaining the relevant academic approval for temporarily withdrawing

⁶ For Undergraduate and Postgraduate taught students, Regulation 16; 26(i) applies
For Postgraduate researchers, Regulation 23; 14(g) applies

⁷ The CAS Panel is comprised of the members set out in CAS Panel Terms of Reference [*insert link to ToR*]

- from their course of study;
- ii. The TWD will not cause the student to exceed the maximum period of study permitted by the University's regulations for examinations and assessment or UK Immigration Rules/UKVI policy;
 - iii. The University not being aware of any breach of any UK Immigration Rules during their studies and/or during the period of their TWD.

8.3 Continuation Period (sometimes referred to as writing up), Vivas and Revisions for research degrees

8.3.1 Per 5.4 of this policy, the CAS end date reflects the course end date which is as per the maximum period of registration and takes the PGR up to the submission of the thesis. The expectation for the continuation period will be that the PGR returns to the UK as a visitor for their viva (with a visa if necessary). The University will consider issuing a CAS for a PGR who has already submitted their thesis and requires an extension to their permission, beyond the standard 4 months, to attend their viva or complete revisions.

8.3.2 Otherwise, if a PGR's continued presence 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 PGR may require the use of scientific laboratories to redo experiments for the purpose of completing major revisions. The University will consider such requests on a case-by-case basis.

9. Pre-sessional Courses, Foundation and Preparation Programmes

9.1 The University will only assign one CAS to cover a pre-sessional course (of 10 weeks maximum duration) and main course of study if the student has received an unconditional offer on their main course of study.

9.2 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.

9.3 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.

9.4 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), then Study Group will issue a CAS to cover these standalone programmes. Progression to any degree course is subject to the satisfactory completion of the standalone programme and any specific conditions of entry as required by the University, which will issue a new, separate CAS.

END

Review / Contacts / References	
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Policy owner:	Academic Services, Division of Student Experience
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