



Home Office

**UK Border
Agency**

STUDENTS UNDER THE POINTS BASED SYSTEM - (TIER 4)

IMPLEMENTATION PLAN

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THE TIER 4 IMPLEMENTATION PLAN

1. The ‘Students under the Points Based System - (Tier 4) Statement of Intent’, published in July 2008, committed to publishing an Implementation Plan for Tier 4 in October 2008. The new student route under the Points Based System will introduce five key changes to the current system, which can be found in the Statement of Intent. Following consultation with the education sector over the summer, the Implementation Plan for Tier 4 is now available.
2. Tier 4 of the Points Based System will be delivered across four phases:

PHASE 1: SPONSOR REGISTRATION

3. From Monday **28 July 2008**, the sponsor register has been open to colleges and universities to apply to the UK Border Agency to become licensed sponsors.
4. Education providers who want to be able to sponsor would-be students when Tier 4 opens to migrant applications in March 2009 should apply for a sponsor licence as soon as possible. Sponsors must apply no later than **2 February 2009** in order for the UK Border Agency to ensure that a sponsor application is processed in time for the March 2009 policy implementation. Applications will still be accepted after this date, but the UK Border Agency cannot guarantee that the application will be processed in time for the March implementation date. The UK Border Agency will adopt a risk based approach to compliance visits for Tier 4.
5. Further information on sponsorship under the Points Based System can be found at:

www.ukba.homeoffice.gov.uk/employers/points/

PHASE 2: POLICY IMPLEMENTATION

6. From the end of **March 2009**, students applying to come to the UK will be assessed under the new points system. Changes to the current system for students will include:
 - Only allowing adult students from overseas to study in the UK where they have a proven track record in studying before they come here; and
 - All students must be enrolled on a course at Level 3 or above on the National Qualification Framework (NQF) or its equivalent or a course at Level A2 of the European Common Framework of Reference for Language if they are seeking to learn English.
7. All education providers wishing to bring students from outside the European Economic Area (EEA); into the UK will need a licence from the UK Border Agency. Education providers not recruiting students at this time will still need to ensure they are licensed by the UK Border Agency in time for any student intake after this date. Any student visa applications or applications for an extension of leave made after the end of March will be refused if the education provider is not licensed by the UK Border Agency on the new Sponsor Register. Education providers can apply now for a sponsors licence.
8. From March 2009, students applying to come to the UK must show that they have:
 - Evidence of sufficient funds to pass a maintenance test; and
 - The education documents used to obtain an offer from the sponsor, such as qualification certificates.
9. From March 2009, education providers must:
 - Ensure that students comply with the terms of their visa; and
 - comply with record keeping duties – keeping copies of passports, keeping and updating student contact details.

PHASE 3: TRIAL AND IMPLEMENTATION OF THE SPONSORSHIP MANAGEMENT SYSTEM

10. In **Autumn 2009** the UK Border Agency will trial the IT system to support the route. This will enable institutions to issue Confirmations of Acceptance for Studies (CAS) to potential students, who must provide this when applying for a visa to the UK, and to fulfil their sponsorship obligations to report back to the UK Border Agency if a student fails to enrol. Before the IT is introduced in autumn 2009 there will be detailed discussions with the sector on the IT and the opportunity for educational institutions to contribute to the process.
11. Before the IT system is introduced, sponsors must issue potential students with a letter confirming the students' details, course of study, course duration, along with their sponsor registration number. Reporting failure to enrol on a course, non-attendance and discontinuation of course will only be mandatory once the IT system is trialled in Autumn 2009, although sponsors will be able to provide these details voluntarily prior to this date.
12. The sponsorship management system (SMS) will be available from **Autumn 2009** for sponsors to trial the gradual roll-out of issuing CAS across application types. The stages to the SMS roll-out have been developed in consultation with the sector:
 - **Stage 1** - would-be students in country who are switching from another Tier (or predecessor route) into Tier 4 will require a sponsor issued CAS to apply to the UK Border Agency for an extension of leave. Sponsors will use the SMS to issue a CAS only to students who are applying in country and will be 'switching' from another Tier (or predecessor) into Tier 4.
 - **Stage 2** - all would-be students in country who are switching from another Tier (or predecessor route) into Tier 4 OR extending their current student visa in country will require a sponsor issued CAS to apply to the UK Border Agency. Sponsors will use the SMS to issue a CAS only to students who are applying in country (either 'switching' into Tier 4 OR 'extending' their current student visa).

PHASE 4: FULL SPONSORSHIP MANAGEMENT SYSTEM.

13. From **February 2010**, all potential students in and out of country will require a sponsor issued CAS to apply to the UK Border Agency. Sponsors will use the SMS to issue a CAS to all potential students who are applying in- or out-of-country.

ANNEX A

GUIDANCE FOR SPONSOR LETTERS TO STUDENTS

MARCH 2009

Between March 2009 and the introduction of the SMS in Autumn 2009, sponsors will need to issue would-be students with an acceptance of confirmation letter. As a minimum the UK Border Agency recommends that these letters include:

- the would-be student's name, nationality and address in country of present residence;
- the sponsor's licence number;
- course title;
- course start date;
- expected course end date;
- the list of documents used by the sponsor to assess academic ability to complete the course;
- the would-be student's passport number.

Further details will be included in the updated sponsor guidance on the UK Border Agency website in due course:

www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/

AUTUMN 2009

From Autumn 2009, when the SMS is trialled for issuing CAS as per paragraphs 9-12 above, sponsors will instead issue students included in the SMS trial phases with a unique CAS number, generated by the SMS. Sponsors should give the CAS number to the would-be student and treat it as you would a secure and confidential document. For guidance for sponsors see:

www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pbsguidance/

