Policy 073
Student Visa Compliance Policy

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Student Visa Compliance Policy

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1. Policy Introduction

1.1.This policy regulates the approach of ACM to sponsorship of students in line with Student Sponsor Guidance.
1.2. ACM operates under a Student Route visa Sponsor Licence Number 4B5566FC4 granted in August 2023 by the UK Visas and Immigration (UKVI). This licence enables ACM to sponsor international students under the Student Route, allowing them admission to programs of study offered by the Institution.
1.3. The licence is a subject of annual reviews conducted by the UKVI under the Basic Compliance Assessment outlined in Student Sponsor Guidance, Document 3, paragraph 2.

2. Scope

2.1. This policy applies to applicants and students on programmes of study delivered on ACM's premises who require a Student visa to study in the UK.

2.2. This policy does not apply to:

- Employees of ACM (except where the employee is also a student);
- Applicants and students who hold UK citizenship or are EU citizens, or their family members, who hold either pre-settled or settled residence status under the EU Settlement Scheme;
- Applicants or students, who hold non-Student Route visas, such as (but not limited to) a Dependant visa, Indefinite Leave to Remain, British National Overseas, Visitor visa, or any other kind of permission where full-time study is allowed;
- Applicants and students on online courses who are not required to undertake their courses inside the UK.

3. Recruitment and Admissions

3.1. Recruitment and admission of applicants required to apply for a Student visa will align with the current guidelines provided by the UKVI. The requirements may be subject to changes in accordance with updates provided by the Home Office.
3.2. In the event of amendments to UKVI's guidance after an application to study has been received, it is the most current version that applies, regardless of when the Confirmation of Acceptance for Studies (CAS) is issued.
3.3. Only applicants who meet the eligibility requirements of a Student visa and academic criteria will be offered sponsorship under the Student Route.
3.4. The sponsorship will be offered only to applicants and students who need to be in the UK to undertake their studies. In cases where programmes are delivered by distance, CAS will not be issued.
3.5. In cases where an applicant or student starts their programme by distance and changes their status to full-time, campus-based at a later date, sponsorship will only be offered for the period that the student is required to be in the UK.
3.6. Applicants or students who need to apply for a Student visa, must provide ACM with the required documentation and fulfil all the conditions of their offer before a CAS can be provided.
3.7. Receipt of an unconditional offer, or an offer of sponsorship, does not guarantee that a CAS will be assigned.
3.8. Sponsorship will be only offered to applicants or exciting students who meet the requirements outlined in the 'CAS Issuing Policy'.
3.9. If it is discovered that a false statement has been made, false documents submitted or significant information has been omitted from a student's application, ACM may withdraw or amend its offer, report the student to the Home Office, refuse or withdraw sponsorship/CAS and terminate the student's enrolment at ACM, according to the circumstances.

4. Right to Study Checks and Enrolment

4.1. All applicants will be subject to a Right to Study check prior to or during enrolment.
4.2. Checks will be completed by the Admissions team.
4.3. The student must submit valid and correct documentation and ACM must ensure retaining copies of the documents on the student record in line with the Appendix D of the Sponsor Guidance.
4.4. The student must submit their visa decision letter to ensure the correctness of the visa conditions.

4.5. Students undertaking their studies from the UK are required to live within a 'commutable' distance from ACM's London campus, which means a 60-mile/90-minute radius to ensure they can meet their engagement requirements.
4.6. Students can proceed with enrolment if they provide the required immigration documentation and pay the required amount of tuition fees.
4.7. Students who fail to produce all necessary documentation or who cannot demonstrate their visa status by the latest date to enrol, may have their sponsorship withdrawn by the Head of International Student Affairs.
4.8. Students who fail to enrol by the latest date to enrol set by ACM might have their sponsorship withdrawn by the Head of International Student Affairs.
4.9. Students who have not yet travelled to the UK and are awaiting the decision on their Student visa application can enquire about extending the enrolment period. This will be decided on a case-by-case basis by the Pathway Leader.
4.10. Students who have already entered the UK cannot enquire about extending the enrolment period and must meet the latest date to enrol.

5. Sponsorship Duties for Student Visa Students

5.1. ACM is responsible for keeping copies of all documents of non-UK students, including EU and EEA students, in line with Appendix D of the Sponsor Guidance.
5.2. ACM is responsible for keeping in-term UK contact details, including address and phone number, and updating them if necessary.
5.3. ACM must notify UKVI if it becomes aware that a student has been granted leave with incorrect conditions of stay.
5.4. ACM must report to UKVI any incorrect information submitted through SMS, explaining why it is incorrect.
5.5. ACM must report to UKVI within 10 working days any changes to a student's circumstances, this includes

- 5.5.1. Withdrawal from a course before travelling to the UK;
- 5.5.2. Delay of a student's start date, before they entered the UK but after they have been granted entry clearance;
- 5.5.3. Non-enrolment within the enrolment period;
- 5.5.4. Lack of engagement regulated in the Student Route Attendance and Academic Engagement Policy;
- 5.5.5. A student's suspension/interruption which exceeds 60 days;
- 5.5.6. Withdrawal from a course post enrolment;
- 5.5.7. Withdrawal of a Student visa sponsorship due to moving into a different immigration category;
- 5.5.8. Withdrawal of a Student visa sponsorship due to a course completion earlier than the expected end date;
- 5.5.9. Student visa application refusal;
- 5.5.10. Course change;
- 5.5.11. Breaking by a student condition of their permission to stay in the UK;
- 5.5.12. Suspicion that a student is not a genuine student;
- 5.5.13. Referring to the police any information that ACM has about students engaged in terrorism or other criminal activity.

5.6. ACM is required to inform the relevant Educational Oversight Body within 28 working days of a material change.
5.7. ACM is required to report changes to an institution in line with paragraph 9 of Document 2 of Student Sponsor Guidance.
5.8. ACM must apply for an annual Basic Compliance Assessment.

6. Responsibilities of Sponsored Students

6.1. All international students must always follow the conditions of their visas and obey the law.
6.2. All students who wish to come to the UK under the Student route must obtain a visa before they travel. Students who are already in the UK on the Student or Child Student routes can apply for permission to stay in the UK under the Student route, provided they meet academic progression and other requirements of the route listed in Appendix Student of Immigration Rules and the Home Office's Student and Child student guidance.
6.3. To apply for a Student visa all applicants and students must obtain a CAS from ACM. Guidance on a CAS assignment process is available in the CAS issuing Policy.
6.4. Students must enrol by the latest date to enrol from their CAS. Special circumstances may apply in line with paragraph 4 of this guidance.
6.5. Students are responsible for providing evidence demonstrating their right to study and copies of all documentation required to be held by ACM in line with Appendix D of the Sponsor Guidance.
6.6. Students are responsible for providing their visa decision letter to ensure the correctness of the visa conditions.
6.7. Students who want to defer their course placement must contact the Admissions team. These students will have the current CAS withdrawn and be issued a new CAS. The new CAS must be used prior to enrolling on the deferred course.
6.8. Students must provide ACM with their up-to-date UK contact details and inform UKVI of any changes to their contact details during their studies by following guidance on the Home Office website.
6.9. All sponsored students are required to attend and engage in person in all academic aspects of their course. Distance learning is not permitted under the Student route. Failure to attend and academically engage may result in exclusion and withdrawal of visa sponsorship.
6.10. All sponsored students are required to undertake their studies from inside the UK and stay in the country during term-time. In case of exceptional circumstances that require the student to leave the UK in term time, an authorised absence letter can be provided for a travel period not exceeding 3 weeks. This will be assessed on a case-by-case basis by the student's Personal Tutor or Pathway Leader. If a student leaves the UK during the term time without informing ACM and obtaining an authorised absence letter, their Student visa sponsorship may be withdrawn.
6.10. Students who wish to interrupt or withdraw from their studies must follow ACM's processes. Sponsored students who interrupt (for more than 60 days) or withdraw from their programme will be reported to the Home Office within 10 working days of the interruption/withdrawal and their Student visa sponsorship will be withdrawn.
6.11. If monitoring arrangements can be put in place, students who interrupted their studies for less than 60 days might stay sponsored by ACM. If the monitoring cannot be arranged, Student visa sponsorship will be withdrawn.
6.12. All applicants and students who have a Student visa refused must inform ACM and provide a copy of a refusal letter.

7. Attendance and Academic Engagement

7.1. All students must follow ACM's Student Engagement and Participation Policy.

7.2. Sponsored students are also subject to the Student Route Attendance and Academic Engagement Policy.
7.3. Sponsored students who do not follow the Student Engagement and Participation Policy and Student Route Attendance and Academic Engagement Policy may have their Student visa sponsorship withdrawn.

8. Re-assessments, Repeats and extensions on dissertation

8.1. ACM will continue to sponsor students who need to re-assess their exams, provided this takes place within 60 days of the original results. If the re-assessment exam takes place within more than 60 days of the original results and no attendance is required, ACM will report this to the Home Office, visa sponsorship will be withdrawn, and the student will have to leave the UK.
8.2. New CAS can be issued for re-assessment exams. Issuance of a new CAS will be considered on a case-by-case basis and will be subject to CAS availability. Applying for a Visitor visa might be advised.
8.3. If a student needs to repeat a part of the programme, they must enrol on the relevant module and meet all relevant attendance and engagement requirements. In this case, ACM will continue sponsoring the student.
8.4. If a student needs an extension on their dissertation, ACM will not provide sponsorship for a write-up period. The sponsorship will only be provided if the student needs access to the equipment only available on ACM premises and if the attendance monitoring process is agreed upon. This will be considered on a case-by-case basis and needs to be supported by the student's Personal Tutor or Pathway Leader.

9. Course change

9.1. A Student visa is granted for a specific course, and it may not be possible to change a course without applying for a new visa.
9.2. It is not possible to change to a longer course and continue to study on the same visa. A student who wishes to transfer to a longer course is required to withdraw from their current course and obtain a new visa for the new course from overseas.
9.3. It is not possible to change a course to a lower academic level (RQF) and continue to study on the same visa. A student who wishes to transfer to a course on a lower academic level is required to obtain a new visa for the new course from overseas.
9.4. It is usually possible to change to a shorter course at the same level and continue to study on the existing visa. Once the student completes their course earlier than the expected end date in their CAS, ACM is required to report it to the Home Office and the student's visa validity will be shortened to a date provided by the Home Office. If a student wishes to transfer to a course that is not related to their current course, ACM may not permit the transfer and the student will need to apply for a new visa from overseas.
9.5.it is usually possible to change a course at the same level with the same expected end date. If a student wishes to transfer to a course that is not related to their current course, ACM may not permit the transfer and the student will need to apply for a new visa from overseas.

10. Withdrawals

10.1. ACM reserves the right to withdraw Student visa sponsorship in the circumstances listed below.

10.1.1. A Student failed to enrol by the latest date to enrol in their CAS. Special circumstances might be considered if the student did not travel to the UK and informed ACM about the delay and the reasons. ACM may consider an extension on the latest date to enrol and amend the CAS;
10.1.2. A student failed to re-enrol when required. Special circumstances may apply in line with paragraph 4 of this guidance;
10.1.3. A student failed to provide a copy of their passport, immigration documents (BRP, share code) or qualifications when requested;
10.1.4. A student failed to provide accurate and up-to-date contact details;
10.1.5. If documents submitted by an applicant/student are found not genuine;
10.1.6. A student withdraws from their programme;
10.1.7. A student transferred to distance learning and is no longer required to undertake their course on ACM's premises;
10.1.8. A student moved to another study location and is no longer required to be sponsored by ACM;
10.1.9. A student interrupted their study for more than 60 days;
10.1.10. A student is excluded from their programme by ACM;
10.1.11. A student successfully completed their programme earlier than the expected end date in their CAS;
10.1.12. A student failed to engage with and attend their programme in line with the Student Engagement and Participation Policy and the Student Route Attendance and Academic Engagement Policy;
10.1.13. A student left the UK during term time without informing or making the required arrangements with ACM;
10.1.14. A student failed to pay tuition fees when due or accrued financial debt which they failed to clear when required;
10.1.15. A student moved to another immigration category that does not require a sponsorship;
10.1.16. A student undertakes work in the UK (this includes unpaid or remote work);
10.1.17. If any other not listed circumstances accrue that may put ACM's Sponsor License at risk.

10.2. In exceptional circumstances the withdrawal might be revoked within 10 working days of the withdrawal notification sent to the Home Office.
10.3. If a student returns after a period when sponsorship has been previously withdrawn, ACM reserves the right to refuse CAS issuing in cases where the student has previously failed to adhere to the Student visa compliance regulations or has previously shown to pose a risk to ACM's Sponsor Licence.

11. Changing the immigration category

11.1. A student who moved to another Student Route immigration category must inform the Head of International Student Affairs immediately after the new leave is granted and provide a share code for ACM to use to generate the student's eVisa.
11.2. The Student Visa Compliance Officer is required to notify the Home Office about the change within 10 working days from the date when they were made aware of the change and the Student visa sponsorship will be withdrawn.

12. Visa extensions and passport renewals

12.1. It is a student's responsibility to apply for a new visa before their current one expires.
12.2. In the case where a student requires a new CAS to apply for their Student visa, this will be issued in line with the CAS Issuing Policy.
12.3. A CAS request will only be considered where there is an unequivocal requirement for the student to remain, or return to, the UK to complete their studies. Where viable, other visa routes may be considered as preferable option.
12.4. Under no circumstances will a CAS be issued to a student who has already submitted their final elements of assessment.
12.5. Each CAS request will be considered individually under its own merit. ACM reserves the right to refuse a CAS for visa extension purposes to any student and cannot accept any responsibility if a student is unable to secure a visa extension for any reason.
12.6. If a student needs to leave the UK to apply for an extension of their Student visa, a CAS will only be issued upon receipt of suitable evidence of departure.
12.7. A student must provide ACM with evidence of an in-time new visa application. The evidence must show their full name, date of application and under which route they applied.
12.8. A student must provide ACM with a share code, which ACM will use to generate the student's eVisa, alongside their visa decision letter, as soon as it has been granted.
12.9. It is a student's responsibility to renew their passport before the expiry date of the current one.
12.10. A student must provide ACM with a colour copy of the picture page of their new passport as soon as they obtain it.
12.11. Students who fail to provide passports, visas or evidence of their in-time visa application when requested to do so, may be suspended from ACM and their Student visa sponsorship may be withdrawn.

13. Employment and Graduate Route.

13.1. ACM Student visa students cannot undertake any work in the UK, this includes any form of unpaid or remote work.
13.2. ACM may withdraw a student's visa sponsorship in cases when it is made aware that the student undertakes work in the UK.
13.3. ACM cannot send notifications to the Home Office regarding successful course completion in line with the Graduate Route requirements.

14. Overstaying

14.1. Responsibility for a student's visa validity remains solely with the student.
14.2. Once a visa/immigration permission has expired and an in-time visa application has not been made, the student is deemed to be an overstayer.
14.3. Overstayed students cannot continue to study in the UK and may be suspended from their studies. The suspension might be avoided if the student can continue their studies from outside the UK.
14.4. A student may be permitted by the Home Office to make a visa extension in the UK up to 14 days after their leave has expired if there were reasons beyond the student's control which meant they could not submit an in-time application. The student is still considered to be an overstayer until a positive decision is received on their application.

14.5. ACM will not sponsor students to make a visa application in the UK when they have no valid immigration permission. In these circumstances, the student must leave the UK to make their new application from overseas.
14.6. CAS issuance to overstayers will be considered case by case depending on the circumstances.
14.7. A student may have to leave the country and interrupt their studies until they obtain valid immigration permission to study and can resume their studies at the date agreed by the school.

15. Definitions of Terms Used and Abbreviations

15.1. ACM - Academy of Contemporary Music
15.2. Enrolment - the process a student must complete to become an ACM student. This includes completing fee payment, ID/Immigration Check and obtaining the learner card.
15.3. Sponsored Students - for the purpose of this guidance, the sponsoring institution is ACM and 'sponsored students' refers to those students studying under the Student Route. This does not refer to a financial sponsorship.
15.4. Student Engagement - relates to the student's participation in the programme on which they are registered. Expected engagement includes attendance at lectures, tutorials, supervisory meetings, handling coursework and sitting exams.
15.5. CAS - Confirmation of Acceptance for Studies - a virtual document created between the Home Office and the Student visa Sponsor Licence holder. This unique number allows the Home Office and ACM to access specific information provided by ACM for that student and their programme. The CAS is only valid for study at the specific institution (ACM) and the specific programme detailed in the CAS. This can be used only once.
15.6. UKVI - UK Visas and Immigration - a part of the UK Home Office responsible for deciding who has the right to enter or remain in the UK.
15.7. Graduate Route - a type of visa that permits one to stay in the UK for at least 2 years after successful completion of a course in the UK.
15.8. Visitor visa - a type of visa that permits to travel to the UK for tourism, business, study (courses up to 6 months) and other permitted purposes. It usually permits to stay for up to 6 months. EU, EEA, and Swiss students usually do not have to apply for this type of visa and are permitted to stay in the UK for 6 months from the date of entry to the UK.

16. Policy Review

16.1. The policy will be reviewed regularly to ensure it remains compliant with the Student Sponsor Guidance and Immigration Rules as well as good sector practice.

Version	Created By	Approved By
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January 2025	Head of International Student Affairs	Academic Board / Feb 2025