



## Terms and Conditions for Student Visa holders

The University of York is pleased to sponsor you as a Student Visa holder. Together we can work to ensure that we both comply with the rules and regulations set out by UK Visas and Immigration (UKVI) under the Student Visa route of the United Kingdom's Points Based System of Immigration.

This document outlines the responsibilities you will need to follow and the conditions of your sponsorship on a Student Visa at the University of York.

It also explains the responsibilities of the University of York to the UKVI as a Sponsor of Student Visa holders.

You are responsible for your immigration status and for ensuring that you comply with the requirements of your visa. In using the Confirmation of Acceptance for Studies (CAS) issued to you by the University of York, you agree to comply with the requirements outlined in this document. If you fail to comply with these requirements, your permission to stay in the UK may be withdrawn and your enrolment terminated..

Please remember that your visa has been granted subject to the conditions stated in the Immigration Rules: [Appendix Student](#).

Please refer to the [UK Council for International Student Affairs](#) (UKCISA) for advice on protecting your Student Visa immigration status.

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# Your CAS and Student Visa

1. To maintain your Student Visa rights in the UK you must continue at all times to meet the terms and conditions of your visa. If the University becomes aware that you are not complying with the conditions of your visa, we are under an obligation to report this to the UKVI.
2. Your Student Visa can only be used for study at the University of York and the course or research programme for which the visa was issued. If you have a Student Visa from another University you will not be able to enrol or study in York until you request a CAS from the University of York and make a new Student Visa application. Once you have made your new Student Visa application, and provided us with evidence of that application, you may begin your course or research programme at York. There is no need to wait for the new Student Visa to be issued.

## Responsibilities: Documentation

3. The UKVI requires that the University of York keeps a copy of the personal details section of your current passport and any documents we used to make you an offer. This can include, but is not limited to: proof of English Language ability, all previous visas issued for the purpose of study in the UK and certificates or transcripts of previous study.
4. The University is also required to keep a copy of your eVisa. We also require evidence that you have made your visa application before you start your course or research programme. We will keep an electronic copy of these on your student record.

### **You are required to:**

5. Before you arrive in York you should upload evidence that you have made your visa application on time through the University of York's [evision](#) system.
6. If you made your visa application from outside of the UK, once you arrive in York you should upload a copy of the decision letter you received from the UKVI which confirmed your application for a Student Visa had been successful. You must also upload evidence of the date you arrived in the UK. This can be either a date stamped short term travel visa which you will find in your passport, or a travel document such as a flight ticket or boarding pass that includes your date of travel.
7. If you made your visa application from within the UK, you only need to upload a copy of the decision letter you received from the UKVI.
8. These documents must all be uploaded to [evision](#) **before** you take them to a registration event to be verified (see below for further information).
9. If your passport or visa changes during your study, the new passport or decision letter must also be uploaded as soon as it is issued to you.

## Present your documentation for verification when you first arrive in York

10. You must bring the following documentation to be verified within three weeks of your course or research programme start date. Failure to do so could result in you being withdrawn from your course or research programme.:
  - The decision letter you received from the UKVI about your visa application.
  - Evidence of the date you arrived in the UK (only required if your visa application was made outside the UK)
  - Your Passport
  - **Original hard** copy of the academic qualification document that is stated in the “Evidence used to obtain” section of your CAS. If necessary you should also bring an official English translation
  - A valid share code you have generated using the UK Government website. You can generate a share code using this [link](#). The code should start with an “S”.
11. For most students these should be presented at the Student Visa holders [Registration events](#) at the start of Semester 1. If you receive a new visa at a different time of year, you must bring your documents to an alternative [Registration event](#).
12. If you have made your Student Visa application from within the UK but are yet to receive a decision from the UKVI about your application you must still attend a registration event within three weeks of the course or research programme start date. You should bring with you evidence that you have made a Student Visa application which clearly shows the date you made your application.

## Upload your Academic Technology Approval Scheme (ATAS) certificate if applicable

13. Some students may need a certificate from the Foreign, Commonwealth and Development Office which allows them to study certain subjects at Masters level and above. For further information about the scheme please refer to the [Academic Technology Approval Scheme \(ATAS\) webpage](#).
14. Although you will be able to request a CAS in [evision](#) whilst you wait for a decision about your ATAS application, you will not be issued with a CAS until you have uploaded a valid ATAS certificate.
15. You will be required to submit your ATAS certificate as part of your visa application.
16. You will need to upload a copy of your ATAS certificate through [evision](#) as soon as it has been issued to you. You will not be permitted to start your studies without first providing the University with a valid certificate.
17. If you need to apply for new ATAS clearance part way through your course or research programme, you will not be allowed to transfer to a new course, supervisor or financial sponsor until you have new ATAS clearance.
18. It is your responsibility to ensure that if there are changes to your course or research programme, you apply for a new ATAS Clearance Certificate..
19. You will need to apply for a new ATAS certificate if:
  - there are any changes to the course (or research programme or proposal). If you are studying a research PhD course, this will include changes other than

minor changes to the areas of research or the use of any new research technique;

- you need a course or research programme extension in order to continue on your studies;
- you wish to start a new course or research programme that requires ATAS clearance
- your primary supervisor changes
- your financial sponsor or conditions of financial sponsorship change
- you defer your start date
- you take a leave of absence which requires you to apply for a new Student Visa before you return to your course or research programme.

20. If you receive an ATAS refusal you should [contact](#) the Immigration Advice Service to discuss your options. You should not make a further ATAS application until you have done this.

### **Under 18's: upload evidence of your consent to travel**

21. If you are under 18 on the date you travel to the UK you must provide a letter from your parent(s) or legal guardian(s) to show that they consent to you travelling and studying in the UK. This letter must contain all of the following:

- their relationship to you
- that they consent to your application as a Student Visa holder
- that they consent to your living arrangements in the UK
- if you are applying for entry clearance, that they consent to your independent travel to the UK
- if one parent (or legal guardian) has legal custody or sole responsibility for you, the letter must confirm this and be signed by that parent (or legal guardian). If not, then both parents (or legal guardians) must give their consent and the letter must be signed by both parents (or legal guardians).

22. You will be required to upload this letter through [evision](#) when you arrive in York. For that reason it is important you bring the letter with you to the UK.

23. At the same time, you will also be asked to provide the name and address details of a person (over the age of 18) who will act as your guardian in the UK until you reach the age of 18. Please ensure that you have confirmed who will be able to act as your guardian before you travel to the UK. . .

## **Responsibilities: Attendance**

24. As a sponsor of Student Visa holders, the University is obliged by the UKVI to monitor its Student Visa holders and be able to demonstrate that those students are attending and engaging appropriately with their studies. The University is required to withdraw sponsorship of any student not actively engaging with their course or research programme.

25. Taught students are required to engage with their studies and be on campus for the

11 Teaching and Learning Weeks each semester and also during the Assessment Weeks. The [semester dates](#) webpage makes it clear when a student is expected to be on campus. Unless the week is marked with an asterisk (\*), students are expected to be on campus. Postgraduate taught students are also required to engage with their studies and be on campus during the Summer Semester, unless they wish to leave their course early (see paragraph 27 below).

26. The [Student Academic Engagement and Wellbeing Policy](#) details how the University records and monitors your engagement and the action taken if a student fails to engage as required. The University may also refer to data it holds in relation to your engagement in your studies to provide additional information to the UKVI about compliance with the terms of your Visa. You are required to comply with this Policy.
27. Where a student wishes to do one of the following, this should be requested in [evasion](#) and approval must be given **before** the absence starts
- take an authorised absence from their studies, or
  - leave the course or research programme earlier than expected

## Recording Supervision Meetings

28. Your department/school may require you to enter the details of your supervision meetings onto [evasion](#) (for Taught students) or SkillsForge (for Research students). Please check with your department/school to see if this is required. The documents below include step by step instructions on recording meetings.

[Recording Meetings in evasion](#)

[Recording Meetings in SkillsForge](#)

## Responsibilities: Changes in circumstances

29. The University of York must inform the UKVI of any significant changes to your circumstances within 10 days of this being updated on your student record. These changes include (but are not limited to); moving to a different study location, changing course or research programme, or undertaking a placement.

### You are required to:

30. If you make changes to your studies, such as taking a leave of absence or changing your course or research programme, this could affect your visa. You must speak to your supervisor for academic guidance before making any changes. Please see below for details of how certain changes may affect you, and your responsibilities.
31. Please see [further information](#) on changing your plans at the University.

## **Change to Course or Research Programme**

32. If you are considering changing your course or research programme you must first speak to your supervisor for academic guidance. Not all course or research programme changes are allowed under Student Visa regulations, so it is your responsibility to [contact](#) the Immigration Advice Service to check whether your immigration status will be affected by any proposed change. Some changes may be allowed but require a new visa application to be made from your home country and you would be required to apply for a new visa during the next available break in studies. The University may refuse a course or research programme transfer on the grounds that it is not permitted under Student Visa regulations.
33. Requests for changing course or research programme cannot be approved until the relevant Student Visa checks have been carried out by the University's Visa Compliance Team. You must not commence your new course or research programme until you have received formal notification of approval from Visa Compliance.
34. In some cases you will need to apply for ATAS clearance for the course or research programme you are transferring onto. (See paragraphs 13-20 above for further information about ATAS). The Visa Compliance team will let you know if this is required and if so, you may want to [contact](#) the Immigration Advice Service for support in making your application.
35. If you are advised by the University that changing your course or research programme requires a new visa application you must apply as advised and to the timescales specified. Failure to do so could result in you being in breach of the conditions of sponsorship and your visa being cancelled.

## **Change in Study Location to complete research or to collect data**

36. Some students may require a change in study location in order to support their studies or research programme, for example in order to complete research, collect data or attend a conference.
37. If you are changing your study location for three working days or longer, even if you will still be based in the UK, you must request permission through [evision](#) and approval must be given by your supervisor before you commence your change in study location. .
38. The University of York is required to report your temporary address to the UKVI and how long the change of location is for, within 10 days of your change in study location commencing.

## **Change in immigration status**

39. If your immigration category changes during your studies, for example you have moved to a Skilled Worker Visa, you must provide proof of this change and send a copy of your new visa to the Visa Compliance Team ([student-visa@york.ac.uk](mailto:student-visa@york.ac.uk)) within 10 days of issue.

40. Please be aware that switching to a different category will automatically cancel your Student Visa, even if it has not yet expired. You will no longer be able to use your Student Visa for travel or to study at the University.

### **Completing a placement**

41. If your course or research programme contains a work or study placement in the UK or a year abroad that is an integral and assessed part of your course or research programme, the University of York must report the location and duration of the work placement to the UKVI.
42. The percentage of work being undertaken must not be more than 33% (exceptions apply) of the total length of the course or research programme and the University of York is responsible for ensuring you comply with the terms of your visa throughout the period of your work placement as your Student visa sponsor.
43. Whilst on placement, you must comply with the [Student Academic Engagement and Wellbeing Policy](#)

### **Deferring your start date**

#### **If you defer the start date of your studies before arriving in the UK:**

44. You must still be able to complete your course or research programme within the dates given on your visa. If this isn't possible, then you must request a new CAS and apply to change your leave to include a later finish date.
45. You must have approval from your Academic Department/School before deferring your start date. In some cases this might not be possible due to missing course content and you may need to defer your entry to the next intake. This can be the next academic year for taught programmes.

#### **If you defer the start date of your studies after arriving in the UK:**

46. In general, if you defer your start date by more than 30 calendar days, you should leave the UK or not travel to the UK. This is because you have a visa to be in the UK as a student, so if you are no longer studying, then your purpose for being in the UK will have changed. We will report your deferral to the UKVI and your visa will be cancelled.
47. If you are a research student, by agreement with your Department/School, you may defer your start date by up to 30 days. In this case, you may still use your current Student Visa, but please note that your original Student Visa end date will not change.

## Responsibilities: Withdrawals, interruptions and repeat study

48. The University must report any student no longer actively studying on their course or research programme to the UKVI within 10 days of this being recorded on their Student Record. This includes (but is not limited to) when a student withdraws from their course or research programme, fails a progression point, takes a leave of absence, completes their course or research programme earlier than the date specified on the CAS, or is withdrawn from their course or research programme by the University, for example because the student is not engaging with their studies.

### Your responsibilities:

49. If you are no longer studying at the University we will inform the UKVI of this within 10 days of the date that your student record is updated. The UKVI will cancel your leave to remain to 60 days from the date you are reported. This means that you should not continue to use your visa and will not be permitted to remain in the UK unless you obtain a new Student Visa or switch to a different immigration category. If you leave the UK during the 60 day period before your visa is cancelled, the UKVI will cancel it immediately and you will be unable to return to the UK on this visa.
50. If you decide to withdraw from your course or research programme, or take a leave of absence, you must talk to your supervisor or academic department/school before you take any action. Your supervisor can offer academic guidance so that you are sure that whatever decision you take is the best decision for you. You must then speak to a University of York Immigration Advisor so that you know how your decision will affect your right to stay in the UK.
51. The University will withdraw sponsorship within 10 days of the withdrawal or study break being recorded on your student record. If you take a study break, you will be able to return to your course or research programme at the agreed time and once you have successfully obtained a new visa. You will be able to request a new CAS through [evision](#).
52. If you are withdrawn from your course or research programme due to poor engagement or academic failure, the University will automatically withdraw your sponsorship within 10 days of this being recorded on your Student Record.
53. Research students in their writing up period do not automatically have the right to stay in the UK. Should the department/school be able to justify an academic reason for the student to stay in the UK, and agree to monitor sponsorship during that period, then the student is able to remain in the UK subject to meeting all visa obligations. If the department/school is not able to justify an academic reason for the student to stay in the UK, the student must return home and their visa will be cancelled.
54. Taught postgraduate students may prefer to return home to complete their Individual

Study Module (ISM). If this is the case, they should inform the University via their department/school and make a request to return home via [evasion](#). We will then stop sponsorship on their visa, which will result in the UKVI cancelling their visa.

55. If you are a finalist and have met all of your academic requirements for your course or research programme and choose to leave the UK more than two weeks before your course or research programme end date, you must inform the University via [evasion](#). We will inform the UKVI of your early departure and your visa will be cancelled.
56. Please [contact](#) the Immigration Advice Service for further advice and guidance.

## Repeat Study

57. Although the University offers some students the opportunity to repeat study, for Student Visa holders this is subject to approval by the Visa Compliance team who can refuse a request to repeat study in certain circumstances
58. The UKVI requires the University to ensure that Student Visa holders have permission to study in the UK throughout the whole period of their study. For that reason, if your request to repeat study is approved, you must request a new CAS via [evasion](#) within five weeks of approval being confirmed. You should then make your visa application within five weeks of being issued the CAS and upload evidence of your application to [evasion](#). Failure to do so could result in you being in breach of the conditions of sponsorship and your visa being cancelled.
59. Once a new Student Visa is issued you must upload your decision letter to [evasion](#) and attend the next available [Registration Event](#).

## Responsibilities: other

### Contact details

60. The University must ensure that student contact details are up to date at all times. This includes your semester time address and a contactable phone number in the UK such as your mobile phone.

### Your responsibilities:

61. We will send you regular emails reminding you to check that your contact details are up to date.
62. You will be asked to re-enrol twice a year, or three times a year for postgraduate taught and research students, and will need to confirm/update your address and UK phone number as part of this process.
63. You must complete the online re-enrolment verification process when requested and by the deadline provided. You will need to be on campus to complete this process and be connected to campus Wi-Fi. If you are taking an approved authorised absence, annual leave, undertaking fieldwork or a placement, remote access to the task will be given to you on request.

64. You must also update the UKVI with your current address details when they change. This can be done at the following [Government website](#).
65. If you change study location, go on placement or take a leave of absence, you must supply your new contact details via [evision](#).

## **Visa refusals**

66. The University must report to the UKVI any CAS which has resulted in a visa refusal within 10 days of receiving this information
67. The University reserves the right not to issue a CAS to any applicant who has had their visa refused. This may be necessary if the CAS will not be issued in time for the start of semester or if documentation cannot be provided to assure the University that a new visa application is likely to be successful.
68. The University will not issue another CAS where a UKVI credibility interview is failed and there is no appeal.

### **You are required to (and what to do next):**

69. If you receive a visa application refusal from the UKVI, you must contact the Visa Compliance Team ([student-visa@york.ac.uk](mailto:student-visa@york.ac.uk)) as soon as you are notified, with an email containing copies of all pages of the refusal notice. You should also [contact](#) the Immigration Advice Service as soon as possible as there are strict deadlines for submitting a new application or applying for an Administrative Review. The University will report the visa application refusal to the UKVI, except where you have indicated that you have the opportunity and intention to submit an Administrative Review.
70. If you have made a mistake with your visa application and/or you decide not to submit an Administrative Review, you will need to submit a new visa application. Please [contact](#) the Immigration Advice Service who will be able to guide you through this process. You will need to read the refusal notice carefully to ensure that you have the necessary documents to meet the UKVI regulations. You will also be asked to provide copies of the documents you intend to submit to the UKVI in order to obtain a new CAS.

## **Employment**

### **You are required to:**

71. Ensure that you comply with the work conditions specified on your visa. The University will stop sponsorship of any student found to be in breach of their working conditions and you will need to leave the UK.
72. Further details about working during your studies can be found on this [webpage](#).

# Appendix

To maintain your Student visa you must meet and maintain all the conditions listed above. Failure to comply with the conditions of your visa is a criminal offence and could result in your visa being withdrawn.

For further information about your compliance responsibilities please contact the University's Visa Compliance Team at [student-visa@york.ac.uk](mailto:student-visa@york.ac.uk).

For advice about your immigration status or conditions of your visa, please [contact](#) the Immigration Advice Service.

For the up-to-date UKVI guidance, please see:

<https://www.gov.uk/government/organisations/uk-visas-and-immigration>