



Terms and Conditions for Student Visa holders (formerly Tier 4 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 affected.

Please remember that your visa has been granted subject to the conditions stated in the [Immigration Rules](#). The most relevant sections for students being the Introduction, Part 1, Part 9, Appendices AR, ATAS, English Language, Finance, ST.

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. A Student visa is issued for study in the UK at a specific institution. To maintain your 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. A Student visa can only be used for study at the University and the programme for which the visa was issued. You can only use your Student visa for study at the University of York. If you have a Student visa from another University you will not be able to enrol or study in York. You will need to request a CAS from the University of York and make a new Student visa application.

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 visa vignette in your passport, and your Biometric Residence Permit (BRP) if you have one. We also require evidence that you have made your visa application before you start your programme. We will keep an electronic copy of these on your student record.

You are required to:

5. Upload a scanned copy of your passport, visa, and evidence of your visa application through the University of York's evision system
6. Before you arrive in York you should upload evidence that you have made your visa application on time. Visiting students and students undertaking a pre-sessional course may not require a BRP but should seek advice from the Immigration Advice Service (immigration@york.ac.uk) if in doubt.
7. Student visa holders unable to travel to York as a direct result of compulsory measures enacted in response to Covid-19 (either the government of their home country, or by the UK Government) must upload a scanned copy of their passport, visa, and evidence of their visa application as set out above. This is a requirement of

the UKVI for all Student visa holders whether they commence their studies on campus or remotely.

8. If you made your visa application from outside of the UK, once you arrive in York you should upload a copy of your current passport and travel document (also called a visa vignette). As soon as you are able you should then collect your BRP from the post office in York city centre and upload a copy of the front and back of the BRP card.
9. If you made your visa application from within the UK, your BRP will have been posted to you and you should upload a copy of the front and back of the BRP card as soon as possible.
10. These documents must all be uploaded to evision **before** you take them to be verified (see below for further information).
11. If your passport or visa changes during your study these must also be uploaded as soon as they are issued to you.

Present your documentation for verification when you first arrive in York

12. You must bring your documentation to be verified during the first two weeks of your programme. The University is required to verify:
 - Your Passport
 - Your Visa (BRP)
 - Your short-term travel document or visa vignette in your passport
 - Original copies of your academic certificates or transcripts used to issue your CAS
13. For most students these can be presented at the Student Visa holders Registration events in the first two weeks of the Autumn Term. If your arrival in York is delayed as a direct result of compulsory measures enacted in response to Covid-19, or you receive a new visa at a different time of year, you must bring your documents to the Student Hub in Market Square. Please check the [map of the campus](#) for directions.

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

14. Some students may need a certificate from the Foreign and Commonwealth Office which allows them to study certain subjects at Masters level and above. For further information about the scheme please refer to the website below:
<https://www.gov.uk/guidance/academic-technology-approval-scheme>
15. If you do need an ATAS certificate you will need to submit it as part of your visa application.

16. You will need to upload a copy of your ATAS certificate through evision as soon as this has been issued to you.
17. It is your responsibility to ensure that if your course changes, you apply for a new ATAS Clearance Certificate.
18. You will also need to apply for a new ATAS certificate if:
 - there are any changes to the course content (or research 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 apply for an extension of leave to remain in order to continue on your course;
 - you wish to start a new course that requires ATAS clearance
 - you defer your start date
 - you take a leave of absence

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

19. 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).
20. You will be asked to provide the University with this evidence before you travel to the UK.

Responsibilities: Attendance

21. As a sponsor of Student visa holders, , the University is obliged by the UKVI to monitor it's 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 programme of studies.

22. The [Attendance and Engagement Management Policy for Student Visa holders](#) details how the University records and monitors such attendance and the action taken if a student fails to attend as required. The University may also refer to data it holds in relation to your attendance and engagement in your studies (including your use of the University's Virtual Learning Environment) to provide additional information to the UKVI about compliance with the terms of your Visa. **You are required to ensure that you comply with this Policy.**

23. Summary of Engagement Points:

- University Enrolment, once a year at the start of your academic year
- Student visa holders Registration, when you first arrive in York
- Visa enrolment verification, three times a year (twice in your first year)
- Two supervision meetings per term (for all Taught students); and three additional points of contact over the summer during the Independent Study Module (for Postgraduate Taught students only)
- One supervision meeting every 6-7 weeks for Research students.
- Thesis Advisory Panel (for Research students only), twice a year
- All summative (marks that contribute to your results) exams and coursework
- Record of engagement for placement students

24. If you cannot meet an engagement point you are required to inform the University within a reasonable time (via your department) that you are unable to do so and to give the reason.

Recording Supervision Meetings

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

[Recording Meetings in evision](#)

[Recording Meetings in SkillsForge](#)

Responsibilities: Changes in circumstances

26. 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 programme of study at York, or undertaking a placement.

You are required to:

27. If you make changes to your studies, such as taking a leave of absence or changing your 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.
28. Please see [here](#) for further information on changing your plans at the University.

Change to Programme of Study

29. If you are considering changing your programme of study you must first speak to your supervisor for academic guidance. Not all course changes are allowed under Student Visa regulations so it is your responsibility to contact the Immigration Advice Service (immigration@york.ac.uk) to check whether your immigration status will be affected by any proposed programme change. Some changes may be allowed but require a new visa application to be made from your home country. You must make arrangements to apply for a new visa application during the next available break in studies. The University may refuse a programme transfer on the grounds that it is not permitted under Student Visa regulations.
30. Requests for changing 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 programme of study until you have received formal notification of approval from Visa Compliance.
31. If you are advised by the University that changing your programme of study requires a new visa application you must apply as advised and to the timescales specified. Failure to do so could result in your being in breach of the conditions of sponsorship and your visa being curtailed.

Change in Study Location to complete research or to collect data

32. Some students may require a change in study location in order to support their programme of study. If you change your study location, for example in order to complete research or to collect data, the University of York must report the new address to the UKVI and how long the change of location is for. This also applies if you participate in an exchange programme where you are studying abroad. You also must notify your academic department of any change in study location in advance. You should not commence your change of study location until the relevant approval has been obtained through evision.

Change in immigration status

33. If your immigration category changes during your studies, for example you have moved to the Tier 2 category, you must provide proof of this change and send a copy of your new visa to the Visa Compliance Team (tier4@york.ac.uk) within 10 days of issue.
34. 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

35. If your programme of study contains a work or study placement in the UK or a year abroad that is an integral and assessed part of your programme, the University of York must report the location and duration of the work placement to the UKVI. The percentage of work being undertaken must not be more than 33% of the total length of the 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 Tier 4 sponsor.
36. Whilst on placement, you must comply with the [Attendance Management Policy for Tier 4 Sponsored Students](#)

Deferring your start date

- 37. If your start date has been deferred as a direct result of compulsory measures enacted in response to Covid-19 by either the government of your home country, or by the UK Government, please contact the Immigration Advice Service at immigration@york.ac.uk for further information. Otherwise you should take the following action:**

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

38. You must still be able to complete your programme of study within the dates given on your visa. If this isn't possible, then you must apply for a new CAS and apply to change your leave to include a later finish date.
39. You must have approval from your Academic Department 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:

40. 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 curtailed.
41. If you are a research student, by agreement with your department, you may defer your start date by up to 30 days. In this case, you may still use your current Tier 4 Visa, but please note that your original Tier 4 Visa end date will not change.

Responsibilities: Withdrawals, interruptions and repeat study

42. The University must report any student no longer actively studying on their programme of studies 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 programme, fails a progression point, takes a leave of absence, or completes their programme earlier than the date specified on the CAS.

Your responsibilities:

43. 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 curtail 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 curtailed, the UKVI will cancel it immediately and you will be unable to return to the UK on this visa.
44. If you decide to withdraw from your course or take a leave of absence, you must talk to your supervisor or academic department 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.
45. 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 at the agreed time and once you have successfully obtained a new visa. You will be able to request a new CAS through evision.

46. If you are withdrawn from your course due to poor attendance or academic failure, the University will automatically withdraw your sponsorship within 10 days of this being recorded on your Student Record.
47. Research students in their writing up period do not automatically have the right to stay in the UK. Should the department 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 are 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 curtailed.
48. 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 and make a request to return home via [evision](#). We will then curtail their visa.
49. If you are a finalist and have met all of your academic requirements for your programme of study and choose to leave the UK more than two weeks before your course end date, you must inform the University via [evision](#). We will inform the UKVI of your early departure and your visa will be curtailed.
50. Please contact the Immigration Advice Service (immigration@york.ac.uk) for further advice and guidance.

Repeat Study

51. In some instances the University offers the opportunity for students to repeat study. Please note that Student Visa holders may only be eligible to be considered for this if they are not exceeding their Student Visa time limit and have adhered to these terms and conditions.

Responsibilities: other

Contact details

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

Your responsibilities:

53. We will send you regular emails reminding you to check that your contact details are up to date. You will be asked to re-enrol three times a year, and will need to confirm/update your address and UK phone number in this process.

54. You must ensure that you update your contact details via evision.
55. You must complete the re-enrolment process when requested and by the deadline provided.
56. You must also update the UKVI with your current address details when they change. This can be done by clicking on the link below:

<https://www.gov.uk/change-circumstances-visa-brp>

57. 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

58. The University must report to the UKVI any CAS which has resulted in a visa refusal within 10 days of receiving this information
59. 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 term or if documentation cannot be provided to assure the University that a new visa application is likely to be successful.
60. The University will not issue another CAS where the credibility interview is failed and there is no appeal.

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

61. If you receive a visa application refusal from the UKVI, you must contact the Visa Compliance Team (tier4@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 (immigration@york.ac.uk) 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.
62. 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 (immigration@york.ac.uk) 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:

63. 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.

64. Please see [here](#) for further details on working during your studies.

Police registration

You are required to:

65. Students from certain countries are required by law to register with the local police within seven days of arriving in the UK. If you are required to register with the police this condition will be shown on the letter you receive from the UKVI informing you that your visa application was successful. If you have not received this letter please contact the Immigration Advice Service (immigration@york.ac.uk) who will help you request a copy.

66. Please see [here](#) for information on registering with the police.

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 tier4@york.ac.uk.

For advice about your immigration status or conditions of your visa, please contact the Immigration Advice Service at immigration@york.ac.uk.

Student Services reception is located at the Student Hub, above the Nisa Supermarket in Market Square. Further information about the services they offer and their opening times can be found [here](#).

For the up-to-date UKVI guidance, please see:
<https://www.gov.uk/government/organisations/uk-visas-and-immigration>