

Professional Services International Compliance

CAS Policy for enrolled students

Owner:	International Compliance Manager (UKVI)
Version No:	5.0
Final Approval Date:	13 May 2022
Next Review Date:	14 February 2023

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Introduction

Manchester Met has written this policy to provide students who are already enrolled on a course of study information and guidance on requesting additional Confirmation of Acceptance to Study (CAS) numbers. The CAS supports an extension to a Student Visa. This policy also summarises what the University expects from students that have been assigned a CAS and what students can expect from the University.

Changes to this policy since last update

The following table summarises changes since the last policy:

Sections	Summary of section	Summary of changes
Full policy	Fully policy	Removal of all references to Doctorate Extension Scheme following it's phasing out
6	Instances where CAS won't be issued	Reaffirms that academic extension does not immediately imply visa extension in paragraph 6 (n)
13	Information regarding introduction of Graduate Immigration Route	Additional point about DES ceasing as soon as Graduate Immigration Route becomes available

CAS Policy for enrolled students

1. Overview of Manchester Met CAS Policy

- 1.1. Students who request a CAS from Manchester Met to apply for Entry Clearance or Leave to Remain, to begin a new course under the 'Student' visa route of the Points Based System, must first satisfy Manchester Met that they meet the requirements of the immigration category before a CAS will be issued.
- 1.2. As of 05 October 2020, this policy applies to students who hold a non-UK nationality, inclusive of EEA, EU and Swiss nationals (where applicable).

2. General requirements

- 2.1. The University will issue a CAS if a student can meet the points below:
 - a. They enrolled on the first year of their course and are continuing to study **full-time**; or
 - b. Their new course end date is after the date detailed on their first CAS for the course and
 - c. They have met or are meeting the terms of paying the tuition fees for the most recent academic year they enrolled for. For example, Manchester Met may not issue a CAS to students with an outstanding tuition fee debt; and
 - d. they have submitted the [CAS Request Toolkit](#) and all supporting documents, as stated on the form.

3. Applications made from overseas (Entry Clearance)

- 3.1. The University will issue a CAS to students applying from their country of residence where UKVI's [processing times](#) show that they can issue a Student visa within the time the University has agreed a student can be away from campus for.
- 3.2. Manchester Met will detail the latest date a student can arrive on campus by in the 'Latest Acceptance' date on their CAS.
- 3.3. Students unable to arrive on campus by the date stated in the 'Latest Acceptance' date shown on their CAS must contact VisaCompliance@mmu.ac.uk.
- 3.4. Manchester Met will aim to permit late arrivals where it can, however these are subject to authorisation from the relevant faculty.
- 3.5. Any refunds of tuition fees are subject to Manchester Met's refund policy.

4. Applications made from within the UK (Leave to Remain)

- 4.1. The University will issue a CAS to students currently with Student route immigration permission applying from within the UK, provided the student is permitted to apply from within the UK by either meeting UKVI's academic progression requirements or by being exempt from demonstrating academic progression, as per Appendix ST of the Immigration Rules.
- 4.2. The University will issue a CAS to students without Student route immigration permission who are applying from within the UK, if their current immigration permission is ongoing and they are permitted, as per UKVI's rules, to switch to the Student route from within the UK.

5. UKVI 'Genuine Student' Test

- 5.1. UKVI expect Manchester Met to only issue CAS statements to genuine students. Manchester Met retains the right to conduct additional checks to ensure they are a genuine and credible student.
- 5.2. For example, in regions where UKVI reports high visa refusal rates, Manchester Met may require an interview to take place prior to CAS issuance.
- 5.3. If an interview is necessary, Manchester Met will inform students of this interview after receipt of their [CAS Request Toolkit](#). The [International Compliance team](#) will arrange a suitable time and date for this interview with the student.

6. Instances where CAS will not be issued

- 6.1. Manchester Met reserves the right not to issue CAS where UKVI's Student Route policies deem the application may cause a visa refusal. This includes (**but not exhaustively**):
 - a. There are concerns with a student's attendance and engagement on their course, even where the University is delivering the course virtually. If there are concerns, the [International Compliance Team](#) will start the [Student Withdrawal and Suspension of Studies procedure](#) or continue to sponsor the student under their existing CAS on the basis that they complete the course within the timeframe left on their current visa
 - b. Following an examinations board, the student is required to complete the remainder of their course without attendance.
 - c. A student is **currently** repeating with or without attendance and has not passed the current academic year. Manchester Met will review the CAS Request once an examinations board confirms the student's progression.
 - d. A student is waiting to hear the outcome of an appeal, **unless** the University requires the student to attend classes during the time the appeal is being decided.
 - e. A student's enrolment status is deferred or withdrawn.

- f. A student's enrolment status is suspended.
- g. A student is due to 'repeat without attendance' **unless** their faculty has confirmed that they can set the record to 'repeat with attendance' instead.
- h. A student is requesting a CAS to apply for entry clearance or leave to remain to attend a graduation ceremony.
- i. A student is undertaking a research degree and is completing their main study overseas. Students should instead contact the [International Compliance Team](#) to see if they can apply under the 'Visit' route.
- j. A student has, or will [exceed the maximum time](#) allowed for degree level study.
- k. Where a student is making a Student Route application from within the UK for leave to remain, they are unable to meet [UKVI's academic progression](#) requirements..
- l. A student is unable to demonstrate that they have enough funds to pay for their tuition fees and livings costs whilst in the UK.
- m. There is a risk that the student will not pass an interview with UKVI.
- n. A student is completing a taught course of study and has been given an academic extension to their final piece of assessed work (i.e., the dissertation) or is required to resubmit their dissertation – this is because the University does not have a formal engagement policy for students in this position and therefore cannot meet its obligations as a sponsor. In these instances a CAS will only be issued where it is explicitly clear and confirmed by an academic member of staff that time is required in the UK, attendance and engagement can be monitored and that the time being given to the student is not purely for the sake of extending the student's visa.

7. Instances where a CAS can be withdrawn or sponsorship of a visa can be withdrawn.

- 7.1. Manchester Met reserves the right to withdraw a CAS or withdraw sponsorship of a visa in the following instances (**but not exhaustively**):
 - a. It is clear a student is unable to arrive by the 'Latest Acceptance' date detailed on their CAS and the University cannot agree an extension.
 - b. Following enrolment, a student is withdrawn from their course.
 - c. Following enrolment, a student is not engaging with key elements of their course such as lectures, tutorials, assignment submissions and online learning opportunities.

- d. Following enrolment, a student fails to provide Manchester Met with a copy of their immigration permission to be in the UK or later fails to provide an update to their immigration permission if it has since expired.
 - e. Following enrolment, a student decides to suspend or withdraw their study at Manchester Met.
 - f. Following enrolment, the [International Compliance Team](#) receives information following an examination board that a student has not been able to progress onto the next stage of their course or where the University requires the student to repeat an element of the course without attendance.
 - g. Manchester Met later finds that documents submitted as part of the admissions or CAS Request process are fraudulent.
- 7.2. Applicants and students can refer to the University's [Your Visa Your Responsibility](#) guide for further information on how changes of circumstance affect visa sponsorship.
- 7.3. Any refunds of tuition fees are subject Manchester Met's refund policy.
- 8. Academic Technology Approval Scheme.**
- 8.1. Any students studying within a relevant subject area are subject to providing a new Academic Technology Approval Scheme (ATAS) certificate before the University issues them a new CAS.
- 8.2. Sometimes, where a student extends the time on their course or where a student transfers to a subject area that requires a new ATAS certificate but may not need a new visa, the student may need to take a break in study until the student receives and provides the University with a new ATAS.
- 9. Visa Refusals and Applications Rejected as Invalid.**
- 9.1. If UKVI have refused an application, or rejected an application as 'invalid', students should contact the International Compliance Team, with a copy of their refusal or rejection notice **immediately** to discuss their options.
- 9.1.1. If, after discussion with International Compliance Team, students decide to make a new Student Route application, students will need to apply for a new CAS.
- 9.1.2. The University will only issue a new CAS if the student can show that their chances of being refused for the same reason again are low and students can meet the criteria set out in sections 1-6 of this policy. Where a student has made an in-country application, the University will issue a new CAS if the student still has leave to remain in the UK.
- 9.2. To avoid an application being rejected as 'invalid', the University encourages students to contact the [Immigration Advice Team](#) immediately if UKVI requests further information.

- 9.3. Where a student has enrolled for their course and UKVI return and application as refused or rejected as 'invalid', the [International Compliance Team](#) will make a decision on whether the student can continue with their course.
- 9.4. The team will consult with colleagues across the International Office and Faculty before they decide in relation to 9.3.
- 9.5. The University will give all available options to a student before they suspend or withdraw a student's enrolment record based on their immigration status.
- 9.6. Any refunds of tuition fees are subject to Manchester Met's refund policy.

10. Overstaying.

- 10.1. Where a student has overstayed their most recent immigration permission and wishes to apply in the UK, Manchester Met may issue a CAS in exceptional circumstances.
- 10.2. However, issuing a CAS will be subject to the condition that a Super-Priority visa application with UKVI is submitted within 14 days of the start of the period of overstay.
- 10.3. The student must also show there was a good reason beyond their control for overstaying. While the University will decide each case on its merits, the main examples include.
 - a. a student being admitted to hospital for emergency treatment (evidenced by an official letter verifying the admission and discharge from medical care).
 - b. a student having a close family bereavement.
 - c. a student had an application for a course with another sponsor underway (i.e. not Manchester Met) and the sponsor was not prompt in issuing them with a CAS.
- 10.4. The student must provide proof that they have submitted their Super-Priority visa application within five working days of receiving the CAS.
- 10.5. If students fail to submit proof that they have submitted a Super-Priority visa application, or evidence that they have booked flight tickets to return to their country of residence to make an application from there if they are unable to apply, Manchester Met may withdraw the CAS.
- 10.6. If a student has become an overstayer after enrolling, the [International Compliance Team](#) will take the necessary steps to protect the student's student record, this may include a temporary suspension of studies while UKVI decide on the visa application.
- 10.7. If the University requires that the student suspends, this may only be for a short period based on the expected turnaround time for a Super-priority application to be decided.
- 10.8. To re-join their course, students will need to provide the [International Compliance](#) team with confirmation that their visa application has been successful.

11. Enrolling at Manchester Met

- 11.1. Under normal circumstances, the University would require students to provide evidence of their immigration permission to be in the UK before enrolling online at Manchester Met.
- 11.2. Because of COVID-19, there may be some instances where students may enrol before they have received entry clearance to travel to the UK or before they meet with a member of staff in person to provide a copy of their immigration permission.
- 11.3. The provision to be allowed to enrol online before entry clearance has been received or before immigration documents are provided to a member of staff is subject to the concessions set out in section 11.
- 11.4. In such instances, students will be given a deadline to arrive on campus by and provide their immigration permission or travel plans to the [International Compliance Team](#).
- 11.5. If a student later cannot provide a copy of their immigration permission or travel plans by a set deadline, the student may be suspended or withdrawn from their programme of study.
- 11.6. If a student is later refused, the guidance within section 10 and 11 of this policy will apply.
- 11.7. Students will be required to make an in time visa application if they wish to continue with their course from within the UK whilst waiting a decision on their application.
- 11.8. Students will be required to show to the [International Compliance Team](#) that an on-time application has been made by providing.
 - a. a copy of their previous visa or immigration permission
 - b. a copy of their application 'checklist'; **and**
 - c. proof of payment from their visa application.
- 11.9. Where a student has enrolled for their course and they are unable to provide evidence of an on-time application or their immigration permission, a decision on whether the student can continue with their course will be made by the [International Compliance Team](#).
- 11.10. If a student is later refused, the guidance within sections 10 and 11 of this policy will apply.

12. Temporary concessions due to COVID-19

- 12.1. UKVI have set out a number of temporary [concessions for students overseas, from within the UK](#) and for [Student Visa Sponsors](#).
- 12.2. Where a student feels one of the concessions should apply, they should make VisaCompliance@mmu.ac.uk aware when they submit their [CAS Request Toolkit](#).

- 12.3. The International Compliance team will review the concessions and all immigration rules available to ensure the concession applies to the student's circumstances before they issue a CAS.

13. The Graduate Immigration Route

- 13.1. UK Visas and Immigration introduced the Graduate Immigration Route on 07 July 2021.
- 13.2. Students are eligible to apply upon successful completion of their course of study.
- 13.3. Manchester Met confirms this upon award of the degree following an examinations board **not** upon publication of provisional marks prior to a board.
- 13.4. Whilst Manchester Met will aim to ensure students are able to apply for the route following enrolment, every CAS is issued on the basis that the student is coming to study at the University **not** applying for a job in the UK following course completion.
- 13.5. There may be some circumstances where students will not be eligible following enrolment, particularly if their academic circumstances change and their student visa cannot be extended.
- 13.6. The International Compliance Team will not issue a CAS purely so a student can apply for the Graduate Immigration Route – students must be regularly engaging and attending their course in line with the requirements **for all students** on their respective programme of study.