

# **ILPA** information sheet

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## **Points Based System – Sponsors (Tier 4)**

*9<sup>th</sup> September 2011*

This information sheet provides information about sponsors of migrant students under Tier 4 of the Points Based System. Some general information about sponsorship in the Points Based System is provided by the December 2007 “Points Based System – Sponsorship” information sheet.

### **General**

Any educational body wishing to sponsor migrant students to come to the UK to study on its courses must get a licence from the UK Border Agency. Those bodies granted a license by the UK Border Agency are given a rating (see below), and appear on the UK Border Agency register of sponsors. The current register is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pointsbasedsystem/registerofsponsorseducation>

### **Sponsors' duties**

A Tier 4 sponsor is required to keep a copy of a student's passport, Biometric Residence Permit or UK immigration status document and hold the student's contact details. The sponsor is expected to report to the UK Border Agency any of the following:

- if a student fails to enrol on the course
- if the student fails to attend on ten occasions without permission
- any significant changes in the student's circumstances (e.g. if the length of the course is reduced)
- any suspicions the sponsor may have that the student is breaching his or her immigration conditions (e.g. is working when he or she is not permitted to do so)

If the sponsor does not carry out these duties, the sponsor may have its licence suspended or withdrawn, or the sponsor's rating (see below) may be downgraded.

### **Ratings**

Currently, sponsors may be given one of three ratings:

- Highly Trusted
- A (Trusted)
- B (Sponsor)

The B (Sponsor) rating indicates that the educational body is taking steps to achieve the A (Trusted) rating. Highly Trusted is the highest rating. The level of the rating affects the numbers of students

the sponsor is permitted to bring to the UK (see below) and the type of course the educational body can offer. For example, only Highly Trusted sponsors are permitted to offer below degree level courses that include work placements.

The Government intends that by April 2012 any educational body wishing to be licensed to sponsor migrant students must become a Highly Trusted sponsor. It also intends that by this date they must have been inspected, audited or reviewed by one of the following:

- Quality Assurance Agency (QAA) for Higher Education (UK-wide)
- Office for Standards in Education (Ofsted) (England)
- The Bridge Schools Inspectorate (England)
- Schools Inspection Service (England)
- Her Majesty's Inspectorate of Education (Scotland)
- Estyn (Wales)
- Education and Training Inspectorate (Northern Ireland)
- Independent Schools Inspectorate (ISI) (UK-wide)

More information is given at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/july/50-tier-4-sponsors>

### **Limits on numbers of students that may be sponsored**

From 21 April 2011, the Government introduced an interim limit on the number of Confirmations of Acceptance for Studies that sponsors are given. A Confirmation of Acceptance for Studies is the formal acknowledgment that a Tier 4 student requires to apply to come to or stay in the UK for studies. An educational body, therefore, needs one Confirmation of Acceptance for Studies for each migrant student to whom it wishes to offer a place on a course under Tier 4.

Highly Trusted sponsors (provided they have been inspected, reviewed or audited – see above) are not subject to any limit on the number of Confirmations of Acceptance for Studies they may be given. All other sponsors are limited in the number of Confirmations of Acceptance for Studies they may be given. The limit that applies for each sponsor is calculated according to paragraph 115H of Appendix A to the Immigration Rules. A sponsor may have the limit removed by becoming a Highly Trusted sponsor (provided they have been inspected, reviewed or audited).

Sponsors with only a B (Sponsor) rating, are no longer permitted to sponsor students to start new courses. These sponsors may sponsor a student to complete a course he or she has already begun.

### **Suspension or withdrawal of sponsor's licence and downgrading of sponsor's rating**

The suspension or withdrawal of a sponsor's licence, or the downgrading of a sponsor's rating, may affect a student who is studying or wishes to study on a course offered by the sponsor.

More information about the effect of suspension or withdrawal of a sponsor's licence is given in the June 2010 "Students 2" information sheet. That information sheet also gives information about the effect of a sponsor being taken over by a different business.

If a sponsor's rating is downgraded, this will not affect the position of a student already granted permission to come to or stay in the UK to study a course offered by the sponsor. However, if the student has not yet made an application, or his or her application is still being considered by the UK Border Agency, the application may be refused if the lower rating is no longer sufficient for the sponsor to be able to offer Confirmations of Acceptance for Studies on the particular course.