



Highly Trusted Sponsors, Language Testing and other Tier 4 changes: latest information

More details are beginning to emerge about how the new round of Tier 4 changes will work. Clarifications offered by senior Border Agency officials include which schools will need to hold the new Highly Trusted Sponsor status, and how the scheme will operate. More information has also been made available on how the language requirement for students wishing to study English will be tested.

Highly Trusted Sponsor status

What is the timetable?

Application forms and eligibility for HTS status will be posted on the BA website on March 22. Centres which apply will be granted the new status at any time from April 6 to the end of June, although the BA has said it hopes to turn around applications as fast as is compatible with the numbers applying and making the necessary checks.

Which centres need this?

Not every centre sponsoring visa students will need to be an HTS. Currently, this is only required if the centre offers courses at NQF level 3, or below degree level with work placement as part of the course. Such centres will not be able to offer students a visa until they are granted HT status, but after protests from English UK members the Border Agency has agreed to try to prioritise those applications.

If an institution is only offering English language courses, it can continue as it is, being officially described as a trusted sponsor.

Publicly-funded institutions will be automatically granted HTS status for an interim period but will have to apply formally by the end of May. This aspect of the regulations caused particular fury among English UK's private centre members, and Tony Millns, chief executive of the association, has told the UKBA he believes this is detrimental to private providers, although he accepted that the decision was taken on political grounds rather than by officials. English UK is also aware that the Board of Study UK, our sister association for private sector colleges accredited by BAC which are primarily teaching subjects other than English, is considering a case for judicial review against the Home Secretary on the grounds of restraint of trade by unfairly privileging state-funded institutions. English UK's policy position is that there should be a level playing field.

Although centres offering only English courses do not need to have HT status now, the BA is stressing that there is no guarantee that requirements will not change in future. It also says that there will be other benefits from becoming a HTS, including having a Border Agency account manager, which they see as the crux of the new status.

They believe having an account manager would be very attractive for centres, as a point of liaison and perhaps also to get early tip-offs about potential problems, which might include agents who are sending high numbers of students who are then no-shows or disappear.

The Border Agency is not intending to prioritise visa applications from Highly Trusted sponsors. However, it says that having this status will clearly not harm applications. It also suggests that students and agents might be attracted by centres bearing the HTS logo. Applying for HTS status will cost GBP400.

HTS regulations

Centres should have a visa refusal rate of no more than 3 per cent: in other words, if immigration officers reject more than three percent of the students for whom centres have issued CASes, then that would ring alarm bells. The Border Agency would then look at the reasons for refusals to see if a pattern was emerging.

It stresses that it wants to work with the sector to establish what the refusal levels should be, and will not be automatically removing HTS status from language centres if more than three per cent of its students are refused entry.

Refusals will be looked at over a 12 month period, and centres will be involved in discussions. HTS schools will also be required to have a combined no show and drop out rate of 5 per cent or less of their Tier 4 student intake. These are students who enter the country and either fail to enrol on their course or drop out once they have started. However, they will only count against the schools figures if they have disappeared in the UK: if they have gone home, joined another course or regularised their position in some way, that will not count against the centre.

Language testing

The Border Agency is currently consulting on how this will work before an announcement is made in the summer. Centres which have a view on this are asked to contact English UK, which will pass on views.

English UK members' concerns

During a meeting with almost one hundred English UK members Border Agency officials were pressed for information on other important aspects of the changes to the regulations. The questions included:

Can't you extend the Student Visitor Visa?

There are strong hints that the Agency is currently looking at the rules surrounding the student visitor visa although a formal review is not a possibility before the general election. While official research has suggested to them that it is possible for students to reach level B1 in 20 weeks, they accept that it might be helpful if the SVV was valid for more than six months.

Why are Border Agency staff demanding CAS letters?

A reminder has gone out to staff around the world about how the CAS is intended to work, and that a letter from their language centre is not required.

What evidence was there to require these changes to Tier 4?

The review of Tier 4 was sparked by an unprecedented rise in applications from South China and Northern India last summer numbers were up in some cases by 800 per cent. The Border Agency is adamant both that most of these would-be students were agricultural workers who had been out of formal education for years, and that English language courses were particularly targeted. However, the Agency says that it cannot give further details because it would put at risk the way in which information is gathered.