

Avoiding (short term study) visa refusals

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Common reasons for refusal

- Unsatisfactory reasons for doing the course

“...the documents you have provided do not demonstrate your reasons for wanting to learn English or how and advanced level of English would benefit you in your employment in [home country].”

- Little or no previous language study

“You have not submitted documents to show that you have attempted to improve your English language ability in [home country] and you have not provided independent documents to demonstrate your present English level.”

- Level of the course unclear

“The documentation provided does not establish your current English language proficiency and the letter from [centre] does not state the level at which you will study, or the level expected to be attained...”

- ECO not satisfied student will leave the UK at the end of the course

“... you have not demonstrated ties to [home country] to satisfy me that you will leave”

- Centre no longer on Tier 4 Register of Sponsors

“ This school is no longer licensed in the UK to accept students from overseas.”

Common reasons for refusal

- **Insufficient financial evidence**

“you have not supplied any evidence of your parents circumstances or evidence of your family monthly income”

“This represents 16 months of your stated salary within a 6 months period. You have not provided any evidence to confirm the origin of these funds, ...”

- **No parental consent form (for under 18s)**

“...you have not submitted a letter confirming your travel to and from the airport I am not satisfied you have demonstrated that your parent(s)/guardian has made adequate arrangements for your visit to the UK.”

- **Original documents not translated**

“...you have not included any English translations, it is therefore unclear what these documents are and who they relate to.”

- **Centre is not accredited**

“You have been accepted on a course of study at [centre] which is not an accredited institution as required by paragraph A57B(c) of the Immigration Rules.”

How you can help students

- Find out as much as possible about your students and their reasons for doing the course with you
- Give as much information as possible about the course (content and level) and the school (highlights about the location, or other USP)
- Send them links to:
 - the visa application form
 - Home Office guidance on filling in the application form
 - Home Office guidance issued to Entry Clearance Officers on processing visa applications
 - the UKCISA website
- Check your visa letter – reference Accreditation UK as one of the HO approved accrediting bodies for short term study visas
- You cannot give advice

What is immigration advice?

- The Office of the Immigration Services Commissioner (OISC) defines immigration advice as the advice that is given to an individual in relation to their immigration application. It may also include employment advice when there is an immigration element to it, such as Tier 2, Tier 5 or work during studies
- Advice can only be given if a centre is registered with the OISC or it is exempted under the regulations.
- "your bank statement should show maintenance for £1,015 per month of your course rather than £1,265 per month, because you will be studying outside London"

What is allowed without registration?

- Basic signposting
- Providing general information that does not address a student's specific circumstances
- "students can show a lower amount of maintenance per month of their course when they are studying outside London"

Helpful links

- Home Office Short Term Study Visa pages
<https://www.gov.uk/study-visit-visa/overview>
- Home Office guidance to Entry Clearance Officers
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514584/Short-term-student-guidance-v3-ext.pdf
- UKCISA's information for short term students
<http://www.ukcisa.org.uk/Information--Advice/Visas-and-Immigration/Short-term-student-visa#RL>
- Step by step guide by Imperial on filling in the application form
<https://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/international-student-support/public/Short-term-Study-Visa-Online-Guide.pdf>

Completing the application form

- Use the correct form
- Fill it in English
- Be accurate and truthful
- Demonstrate how learning the language is important for their future
- Outline the research into the course options
- List reasons for the choice of centre
- Collate the required documents and arrange for translations where necessary
- Documents must be original and comply with UKVI requirements

Supporting documents

- Visa letter from the school – must state course dates, level of English, course fees and any outstanding fees
- Letters from current institution/ employer must confirm the leave has been approved and state the date the student is expected back
- Letter from the financial sponsor and relevant bank statements
- Bank statements showing that money is available to support the student for the period in the UK.
- Parental consent to all the arrangements from both parents (if applicable) for under 18s
- Evidence of notification to Local Authority where under 18s will be staying for over 28 days. If possible acknowledgement from LA should be included.
- Country specific e.g TB tests

Supporting documents

Student Visitor

Completed visa application form	If your country does not support online applications you must complete and submit a <u>VAF1D</u>
Evidence that you have been unconditionally accepted or enrolled on a course of study in the UK	This would normally be a letter of acceptance from the UK educational institution on their official headed paper providing the following details <ul style="list-style-type: none"> ➤ name of the course ➤ duration of the course ➤ cost of the course (including accommodation if appropriate)
Evidence of any previous study or qualifications gained	This could include <ul style="list-style-type: none"> ➤ a certificate of award ➤ academic reference or transcript
Evidence of any English language ability or qualifications	This could include <ul style="list-style-type: none"> ➤ test result certificate (for example IELTS,PTE Academic etc) ➤ certificate of award (for degrees taught in English)
Evidence of your financial sponsor's occupation, income and any savings or assets they have, as well as any funds they have set aside specifically to pay for your studies	This could include a variety of any of the financial documents outlined above in the finances section. You should also consider supplying evidence of their immigration status in the UK, this could be copies of: <ul style="list-style-type: none"> ➤ bio-data pages from their passports ➤ valid visa or immigration stamp from their passport ➤ Home Office letter confirming permission to stay in the UK
Tuberculosis (TB) testing (where applicable) for student visitors studying English language courses only longer than 6 months	Residents from certain countries applying for a visa to come to the UK for longer than 6 months need to get a certificate confirming that they are free from infectious Tuberculosis (TB) before applying for a visa. A list of these countries along with information on TB testing can be found on the <u>Gov.UK pages</u> .

Working with agents

- Agree what information the agent will pass on to the student: whose responsibility is it to give students the information they need? How do you establish the 'credibility' of the student?
- Ensure agents are kept up to date about changes at the school and in immigration law
- Provide your own visa information so that students applying to study with you have access to more centre-specific information
- Keep agents informed about trends in refusal
- Monitor the refusal rate/ reasons per agency

Courses

- Any subject for stays of up to 6 months
- English language only courses for students aged over 18 for a period of 11 months
- Do not enrol students under 18 on courses longer than 6 months
- Visas are likely to be refused for courses that are modular but last longer than 6 months. There is clear intention from the outset to remain in the UK for longer than 6 months.

Other visas permitting study

- Tier 1,2,5
- Tier 4 as supplementary study
- Tier 1,2,4,5 dependants
- Turkish worker
- EEA family visas
- Visitor visa
- Refugees

Restrictions

- 30 study days
 - Visitor visas
 - Study should not be the main reason for the visit
 - Does not need to be all in one go
 - Must be at an accredited centre for non-recreational courses
- No study for the following sub category
 - Parent of Tier 4 Child
- UKVI have advised there is a review of this route. Educators Helpline may advise differently. Seek confirmation of the relevant section of the guidance in writing

Questions ?

Thank You

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