

# **Procedure**

## **Attendance and Engagement Monitoring (International Students)**

Process for monitoring and reporting the attendance of international students in accordance with Immigration Rules

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## Background and Scope

1. This document supports the Buckinghamshire New University (BNU) *International Student Policy*, specifically its policy statements relating to the attendance monitoring and reporting of international students holding a Tier 4/Student Route / Student visa and undertaking pre-degree, degree and postgraduate level programmes on UK campuses of the University.
2. The University has a responsibility to the Home Office, UKVI to ensure that Tier 4/Student Route / Student visa students meet the terms of their visas in respect to study and attendance.
3. It is now a legal requirement for all education institutions to help the Home Office prevent abuse of the Student Visa route. Institutions need to take proper steps to ensure that they only accept bona fide students and take measures to monitor attendances (i.e. all agreed and scheduled contact points) and report unauthorised absences to UKVI as outlined in the Student Sponsor Guidance.
4. Failure by BNU to monitor attendances and absences, to maintain proper records, or immediately to report students who are in breach of the terms and conditions of their visa may result in suspension or revocation of its Student Sponsor licence.

## Purpose Statement

5. The purpose of this document is to set out the protocols, criteria and processes that are used to monitor and record attendance and report unauthorised absence of international students accepted to Buckinghamshire New University courses under the Student Sponsor licence.
6. Specifically, this document details the processes whereby the University meets its requirements to:
  - a. Remain compliant in terms of the fulfilment of its duties and responsibilities as a Student Sponsor;
  - b. Ensure that the University and its Tier 4/Student Route sponsored students adhere to the policies and guidance provided by the UKVI;
  - c. Monitor properly the attendance and engagement of its Tier 4/Student Route students and thus ensure that students are not in breach of the terms and conditions of their visa;
  - d. Ensure that Tier 4/Student Route students maintain a good level of attendance and engagement and adhere to the terms and conditions of their Tier 4/Student Route visa;
  - e. Ensure that students who are potentially at risk of being withdrawn from their course due to lack of attendance / engagement are identified early and supportive intervention measures are implemented;
  - f. Identify Tier 4/Student Route students who may require pastoral, welfare or other support;
  - g. Support, advise and guide Tier 4/Student Route students who may not be attending as required;

- h. Provide accurate and up to date information to UKVI as and when required for individual students and Tier 4/Student Route students as a whole.

## Applicability and Scope

7. This procedure applies to the attendance monitoring and reporting of all International Tier 4/Student Route students, regardless of the level or programme of study at the University.
8. The University is required to monitor all Tier 4/Student Route students to ensure engagement with their course and that they are meeting the requirements of their Tier 4/Student Route visa. All Tier 4/Student Route students are required to comply with the processes set out in this document. Failure to do so may result in their withdrawal from the course and being reported to the UKVI following which the students will be required to return home.

## Responsibilities

9. Responsibility for oversight of this procedure lies with the International Compliance and Administration Manager and the implementation is carried out within Schools. The procedure is monitored and reviewed regularly by the University to reflect good practice, research and changes to relevant legislation.
  - The International Compliance and Administration Manager will ensure that the University is compliant in terms of its duties and responsibilities as a Tier 4/Student Route licence holder.
  - The Compliance and Administration team is responsible for withdrawing any students who are in breach of the terms and conditions of their visa and the Compliance and Administration Manager or, in their absence, the SMS Level 1 Users are responsible for reporting to UKVI in a timely and accurate manner.
10. It is the responsibility of all Schools and the relevant Head(s) of School – supported by the International Compliance and Administration Manager – to ensure that students who are potentially in breach of the terms and conditions of their visa, are identified early and that the necessary preventative and/or interventionist measures are taken to ensure the students regularise their attendance and are withdrawn from their course as the last resort.
11. It is the responsibility of all BNU Tier 4/Student Route Students to:
  - a Ensure that they enrol on their course within the specified enrolment period;
  - b Attend timetabled activities in line with their programme of study. These include lectures, seminars, tutorials, workshops, examinations and any other required meetings with tutors, lecturers or course supervisors, and submit all assessments within the deadlines;
  - c Meet any “registration or check-in” requirements as per set schedule using their Student ID card and/or other proof of identity where required, and attend the additional document checks as required;

- d Notify immediately, if absent due to illness, the relevant School and the International Compliance and Administration team;
  - e Inform the International Compliance and Administration team immediately of any change in circumstances, e.g. name change, change of address, change of immigration category etc.;
  - f Ensure they attend, if asked to meet with the International Compliance and Administration Manager at any time to discuss immigration status, or to present documents;
  - g Request a meeting with the International Compliance and Administration Manager in good time if their visa is due to expire before they complete the course.
12. The International Compliance and Administration Manager will be responsible for ensuring that students are aware of, and are acting in accordance with, these responsibilities.

## Definitions

13. In the context of this procedure an **international student** is defined as a student who registers on a BNU award at the University or one of its registered sites from a country outside the UK that requires a Tier 4/ Student Route visa to study in the UK.

## Record-keeping arrangements and compliance monitoring

14. Each Tier 4/Student Route student's file must contain relevant documents saved on the University's S Drive.
15. It is good practice for all correspondence with the student to be saved on the S Drive with key information being saved on the University's Student Record System.
16. The Compliance and Administration Team will maintain the previous five years' of records securely, after which point the files will be securely destroyed.
17. Details of compliance monitoring by the University, including audit checks and roles and responsibilities of key staff are specified in the International Student Policy.

## Reporting duties

18. Reporting of students to the UKVI is carried out by the International Compliance and Administration Manager and, in their absence, by the other SMS Level 1 Users.
19. Reporting must take place within 10 working days of the change to the student's status or circumstance and will take place via the SMS.
20. Students will be reported to the UKVI for the following reasons:
  - When a student is withdrawn from the course for failing to maintain a good attendance in line with the Attendance and Engagement procedures;
  - If BNU no longer wishes to sponsor the student;
  - If there is a change to the student's circumstances;

- If a student fails to enrol, defers their studies or withdraws before or after travelling to the UK;
- If a student's visa is refused;
- If the University suspects that the student is breaking the conditions of their immigration permission to stay in the UK.

## Monitoring and reporting arrangements

### Attendance and engagement

21. The *Attendance and Engagement Policy* applies to all undergraduate and taught postgraduate students and degree apprenticeship students regardless of place of study or mode of learning. This is supplemented by the current procedure which additionally applies to international students in accordance with UKVI requirements.
22. Tier 4/Student Route Students must come to the UK or must already be in the UK with the main purpose of full-time study. The University is therefore responsible for monitoring the attendance and other key aspects of study and report to UKVI of sponsorship withdrawn for any student who stops academically engaging
23. It is the student's responsibility to register their attendance via the Attendance Monitoring System (AMS) via the student portal and the academic staff conducting the teaching.
24. Tier 4/Student Route students' attendance and engagement is monitored through a series of defined contact points that must be met. **Contact points** may include the following, but the list may be revised by the University from time to time:
  - a. Enrolment on the student's course
  - b. Attendance at lectures/seminars/tutorials/workshops
  - c. Visits by academic staff to students studying off campus
  - d. Marks awarded for assessments (UG and PGT)
  - e. Attendance at main examinations
  - f. Annual progress reports
  - g. Meetings with dissertation supervisors (UG and PGT)
  - h. Meetings with research supervisors (PGR)
  - i. Annual progress review meetings (PGR)
  - j. Submission of thesis (PGR)
  - k. Submission of dissertation (PGT)
  - l. Attending a viva voce (PGR)
  - m. Course completion/award notification (at the end of the course)
  - n. Additional visa and document check carried out twice per academic year with the Compliance and Administration team based on intake

## Attendance and Engagement Monitoring (International Students)

The table below summarises the expected contact points for each student type for all Tier 4/Student Route students

Contact point	Nature of contact point	UG	PG taught	PG research	Studying off campus
Enrolment	PA	✓	✓	✓	✓
Attendance at lectures	PA	✓	✓		✓ If applicable
Attendance at seminars/tutorials/workshops	PA	✓	✓	✓	✓ If applicable
Visits by academics to students studying off campus	PA				✓
Marks awarded for assessments	PA/AE	✓	✓		✓
Attendance at main examinations	PA	✓	✓		✓ If applicable
Annual progress reports	AE	✓	✓ If applicable		✓ If applicable
Meetings with dissertation supervisors	PA/AE	✓ If applicable	✓		
Meetings with research supervisors	PA/AE			✓	
Annual progress review meetings	PA			✓	
Submission of thesis	PA/AE			✓	
Submission of dissertation	PA/AE	✓ If applicable	✓		
Attending a viva voce	PA			✓	
Course completion/award notification	AE	✓	✓	✓	
Additional visa and document check	PA	✓	✓	✓	✓

PA: Physical attendance

AE: Academic Engagement

25. Postgraduate students at dissertation stage and on research degree programmes (i.e. MPhil, PhD) must maintain regular contact with their supervisor as per an agreed schedule. A Supervisory Record will be retained by supervisors and a copy made available to the Research Unit and to the Compliance and Administration team.
26. Students on placement/work experience/undertaking research/studying away from BNU campuses will have alternative contact points as appropriate to their situation and in line with the *Placement Learning Policy*.

### **Changes to personal circumstances**

27. If a student's circumstances change, such as their name, address etc, they must inform the Student Hub who will liaise with the Compliance and Administration team before updating the central student record system.
28. The student must also inform UKVI of such changes by completing the appropriate forms. For name change, students should complete the migrant change of circumstances form available from the [UKVI website](#) and for address change, an online form is available from the [UKVI website](#). The Compliance and Administration Manager will remind the student of this requirement.
29. Some wider changes to circumstances must be declared by the University on the UKVI SMS as part of the Tier 4/Student Route reporting duties: for example, a change in immigration status, course of study, where the student studies or undertakes their work placement.
30. The University's Student Records System will maintain a record of all students' addresses and immigration status – previous addresses must not be deleted.

### **Students on placement / work-based learning, work experience, receiving tuition off campus, or undertaking fieldwork away from the University**

31. Courses for Tier 4/Student Route students may include a work or study placement if it is an integral and assessed part of the course. The UKVI still expects Tier 4/Student Route sponsors to continue to monitor these students.
32. The International Compliance and Administration team will liaise with the registrars / academic tutors for the relevant information of where the student will be based.
33. Where a placement or similar opportunity is offered to a Tier 4/Student Route student this must not exceed 50% of the total length of the student's course whether they are undertaking undergraduate or postgraduate studies, except where there is a UK statutory requirement for the course in question to contain a specific period of work placement which exceeds that limit.
34. The University remains responsible for Tier 4/Student Route students throughout the period of work placement for Tier 4/Student Route compliance purposes, including specific record keeping and reporting duties. The Schools must continue to monitor the student throughout their placement and inform the Compliance and Administration team where a student has been absent without authorisation for 5 or more consecutive points of contact on a module.



35. The student must engage fully and have good attendance to all of these activities; failure to do so will be a breach of their Tier 4/Student Route visa conditions and will lead to withdrawal from the course.

### **Students who do not enrol**

36. If, after obtaining a CAS from BNU and being issued with a Tier 4/Student Route visa, a student fails to enrol within the period stipulated by the University, this must be reported to the UKVI via SMS within 10 working days.
37. If, after obtaining a CAS from BNU and the Tier 4/Student Route visa application is refused, the student must notify the International Compliance and Administration team immediately.
38. If a student fails to enrol after obtaining a BNU CAS, but is yet to receive the visa, BNU should either withdraw the CAS (if possible) or inform the UKVI that the student has missed the latest course start date.

### **Students who enrol late**

39. The International Compliance and Administration Manager agrees a latest start date for each course with the School. This date is to allow students a grace period should their visa or travel plans be delayed and normally will be two weeks after the stipulated main enrolment date. The later start date should not have a negative impact on the student's ability to successfully complete the course.
40. The latest start date will be stated on the CAS.
41. If a student requires a letter which confirms the latest start date, they can request one from the Senior Admissions Officer (International).
42. If the student cannot enrol by the latest start date, they will be advised not to travel to the UK and their offer will be withdrawn. The UKVI will be informed via the SMS.
43. If a student has already arrived in the UK, the International Compliance and Administration Manager will make an assessment – on an individual basis – to determine whether the student can be enrolled. If it is decided that the student cannot enrol, they will be considered as 'Failure to enrol' and the UKVI informed via the SMS.

### **Resits and repeating students**

44. If a student is required to retake exams or re-submit work during their valid visa period, no reporting to the UKVI is required, save for the continuation of the University's general Tier 4/Student Route duties.
45. If a student is required to retake exams or re-submit work after their visa has expired, each student will be considered on a case by case basis in liaison with the Schools with the following possible outcomes:
  - A CAS may be issued for a visa extension;
  - The student may be advised to return home and re-submit work from home. Should travel to the UK be required, this may be done under the Short-term study visa, if appropriate;
  - The student may have a visa in another immigration category in the UK, in which case the UKVI will be informed via the SMS.

### **Course extensions**

46. If a student has to extend their course for any reason and remains on a BNU Tier 4/Student Route visa, they must adhere to all attendance and monitoring requirements until the course is officially completed.

### **Postgraduate students who are 'writing up' at the end of their studies**

47. During dissertation or research 'write up' students must maintain contact with their supervisors and meet with them regularly as per an agreed schedule.
48. At the end of their studies, students must obtain written confirmation from their School and / or the Research and Enterprise Development (RED) Team that they have submitted their dissertation. They should then submit the evidence to the International Compliance and Administration team.
49. Students are **not** permitted to work full time during the 'writing up' period.
50. If a student wishes to return home to complete their research, they must receive permission from their supervisor to do so and inform the International Compliance and Administration Manager accordingly.
51. If a student completes their course early, the normal reporting process will be done via the SMS.

### **Supplementary study**

52. Tier 4/Student Route students are permitted to undertake additional 'supplementary' study during their study period at BNU.
53. The student must seek permission from the International Compliance and Administration Manager before commencing the supplementary study. Permission will only be granted for a student to undertake additional study if (at the University's discretion) it will not have a negative impact on the main course of study for which they are sponsored.

### **Students wishing to interrupt their studies or request authorised absence**

See the *Interruption, Withdrawal or Transfer of Studies Procedure*.

54. On occasion, some students may need to request authorised absences from study due to health and/or other extenuating circumstances. Under UKVI guidance, Tier 4/Student Route students cannot suspend or interrupt their studies; instead, they will need to apply for a period of authorised absence (see Clause 58, below) or be required to withdraw from their programme.
55. Authorised absence consists of a period of absence that has been granted by the student's Course Leader, evidence of which needs to be in writing and placed on the student's record. This can include absence for extenuating circumstances, travel, research etc. and must not impede the student's study progress.
56. For periods of absence for more than two weeks, the International Registry Officer and International Compliance and Administration Manager will decide – on a case-by-case

basis – whether or not this should be permitted and whether or not the student is fulfilling their visa requirements.

57. In deciding, the University will take into consideration whether or not the student is up to date academically, is succeeding academically, attending and has demonstrated that they are committed to the course. If a short period of absence is granted, the International Registry Officer and International Compliance and Administration Manager will maintain contact throughout and review the situation regularly.
58. If a student requires a longer period of absence which will negatively affect their study, a decision will be made to withdraw the student. See below.
59. In all instances, the University's *Fitness to Study Procedure* must also be considered.

### **Students who wish to withdraw, or are no longer permitted to, able to or willing to study**

See the *Interruption, Withdrawal or Transfer of Studies Procedure*.

60. If a student cannot study, the student is withdrawn, or if the student decides to cease studying with BNU, a withdrawal form must be completed and processed in the Academic Registry and forwarded to the International Compliance and Administration Team.
61. Once the withdrawal form has been received by the International Registry Officer, the student may be invited to meet and discuss the implications and options available to them. The withdrawal form will then be processed, the Student Record System will be updated, and the student's withdrawal will be reported to the UKVI in line with UKVI requirements.
62. The International Compliance and Administration Team will request information on the student's next steps and record evidence to support this; this will include details of return tickets to their home country and / or a copy of their visa linked to a new Tier 4/Student Route sponsor.
63. In all cases where a student has decided to withdraw, the International Compliance and Administration Team will offer advice and guidance to ensure the student can make an informed decision.

### **Student status confirmation requests**

64. Students can request a letter confirming their status as a student from the Student Hub.
65. All letters produced will state the student's current address; this cannot be amended unless the UKVI change of circumstances process has been followed.

### **Visa extensions / expiry**

66. On occasion, a student may not complete their course before the visa expiry date. If the student needs to remain in the UK to complete their course, a visa extension may be required.

67. A visa extension may also be required if a student has completed one course and intends to progress to another course at BNU.
68. When considering a student for a visa extension, the International Compliance and Administration Manager will ensure that UKVI guidance is adhered to, particularly around academic progression, limit the period of time the student is allowed to remain in the UK for studies at a specified level, English language requirements and finance etc.
69. If a student cannot obtain a new visa and their current visa expires before their course end date, they will have to leave the UK before the visa expiry date and attempt to complete the course remotely or return on a Short Term Study Visa (if appropriate).
70. The Student Record Data team also has responsibility for monitoring and maintaining records in relation to International students on other immigration statuses as outlined in the *International Student Policy*.

## **Tier 4/Student Route students and employment**

71. Tier 4/Student Route students will receive a visa which states their working conditions whilst in the UK. A student must not exceed the number of hours permitted or work in a field which is not permitted as indicated on their visa. Students will be advised of their working conditions at enrolment.
72. If a student is found to have breached their working conditions, by whatever means, the International Compliance and Administration Team will intervene and ensure the student ceases the activity; in such instances, a record will be added to the student's file and the breach will be reported to the UKVI.
73. Where a student continues to breach their working conditions, the International Compliance and Administration Team will report the student again in accordance with the UKVI requirements and seek further guidance from the UKVI on what action to take.
74. The International Compliance and Administration Team will liaise with the Human Resources Directorate to ensure that Tier 4/Student Route students employed by the University are employed in line with the UKVI requirements.

## **Changing to a different sponsor**

75. Students may decide to seek an alternative sponsor (i.e. change institutions) at any point during or after their programme of study.
76. Should they wish to change institutions during their study, students should speak to the International Compliance and Administration Team for advice before proceeding.
77. As the Tier 4/Student Route visa the student holds is linked to Buckinghamshire New University, the student will need to seek new sponsorship and apply for a new visa linked to the new Tier 4/Student Route sponsor. Students should be aware that the requirement to show academic progress would be considered by any new sponsor before issuing a CAS.

78. The International Compliance and Administration Team will report changes to sponsor during study to UKVI; if the course has been completed a change of sponsor doesn't need to be reported.

## **Review**

79. This procedure will be reviewed and updated annually to ensure continued alignment to any legislative changes.
80. This procedure also refers to material on the BNU website. This material will be reviewed on a more regular basis to ensure web-based content remains as accurate and current as possible.
81. For the avoidance of doubt, where either this procedure or web-based material is found not to align to UK legislation, these will be superseded by legislative requirements.

## Appendix 1: Abbreviations and Glossary

Abbreviation	Explanation
CAS	Confirmation of Acceptance for Studies
Contact point	A contact point is one of a series of defined points in the international student cycle whereby attendance and engagement can be monitored.
EEA	European Economic Area
Full-time study	This includes Foundation, Pre-Sessional, Undergraduate, Postgraduate and Research Degree (i.e. MPhil, PhD) courses
MSRC	Marketing, Student Recruitment and Communications, a Directorate at Buckinghamshire New University
PGR	Postgraduate research student
PGT	Postgraduate taught student
Registered teaching site	A location listed on the Tier 4/Student Route licence at which Tier 4/Student Route students are taught.
SMS	The Sponsorship Management System, an online tool provided by the UKVI to all sponsor holders. The SMS is the primary source of information about the University's sponsor licence.
Term-time	<p>Term-time includes any period when a student has timetabled lessons, activities, examinations or presentations. This will apply even when a student is in the process of 'writing up' their dissertation or thesis.</p> <p>Vacation or 'holiday' periods will be as specified by the University (N.B. Some courses will have different holiday dates and students should check their course handbook for precise details).</p> <p>Please see the University website for the prescribed full-time undergraduate term-time dates.</p>
Tier 4/Student Route / Student Visa student	<p>This refers to the type of visa issued by the UK to enable a person of 16 or over to study in the UK. See the <a href="#">GOV.UK website</a>.</p> <p>For the purposes of this document, a Tier 4/Student Route student includes any student who is currently enrolled on a full-time course at any of the Buckinghamshire New University campuses and registered teaching sites, on a Tier 4/Student Route visa linked to the University.</p>
UG	Undergraduate student
UKVI	UK Visas and Immigration, the department of the Home Office responsible for issuing Tier 4/Student Route visas and ensuring Sponsors remain compliant.