

TCPS ATTENDANCE MONITORING POLICY

Compliance with sponsorship duties under the UKBA Sponsor Licence for Tier 4 students issued with Confirmation of Acceptance for Studies (CAS) under the Points Based Immigration System (PBS)

1. Background

- 1,1 The College has been granted a Sponsor Licence by the UKBA under Tier 4 permitting it to issue initially Visa Letters, Confirmation of Acceptance for Studies to potential overseas / non EEA students.
- 1.2 From February 2010, education providers (sponsors) are required to monitor the attendance of all students processed through the UK Border Agency's Sponsorship Management System (SMS) and report to the UKBA in certain circumstances.
- 1.2 The UKBA Guidance includes the following reporting requirements regarding international students studying under the PBS Tier 4 visa:
- A. If a sponsored student does not enrol on his/her course within the enrolment period. The report must be provided within 10 working days and must include any reason given by the student for his/her non-enrolment (for example a missed flight);
- B. If a sponsored student misses 10 expected contacts, without the sponsor's reasonably granted permission. In this case, the report must be provided within 10 working days of the 10th missed contact. Contact can include:
- attendance at any lesson, lecture, tutorial or seminar (as relevant to the level of study)
 - attendance at any test, examination or assessment board
 - submission of assessed or un-assessed coursework
 - submission of 'interim' dissertation/coursework/reports
 - attendance at any meeting with a supervisor or personal tutor
 - Attendance at any 'research method' or 'research panel' meetings. or at 'writing up' seminars or 'doctoral workshops'
 - attendance at a viva
 - registration
 - attendance at an appointment with a welfare advisor or an international student advisor

NOTE: The UKBA's explanatory notes regarding expected contacts point out that it is up to the educational institution to define what their expected contacts are. The contacts listed above are examples meant to enable the institution to assess whether sponsored students are engaged with their studies. While the UKBA does not define a maximum timeframe within which interactions occur, the monitoring framework described in this guidance ensures that student interactions are checked regularly and at least every 8 weeks.

- C. If a sponsored student discontinues his/her studies (including a deferral of study). Such a report must be given within 10 working days of the event in question, and

should include the name and address of any new institution that the student has joined, if the sponsor knows it;

D. any information which suggests that a sponsored student is breaching the conditions of his or her leave, the report must be provided within 10 working days; -

E. if there are any significant changes in the sponsored student's circumstances, for example if the location the student is studying had changes, or if the duration of a course of study shortens, the report must be provided within 10 working days;

1.3 This document provides guidance for faculties about how the college will meet the requirements set out above, including the issue of continued attendance monitoring.

2. Statement of Principles

2.1 TCPS has a duty of care to monitor the attendance of all students, ensuring that they are engaged with their studies.

2.2 Monitoring student attendance is a responsibility of College and the process of assessing individual student engagement does not have to be centrally reported unless a problem arises that leads to a change of status or to disciplinary or other action that calls for formal processes to be set in train.

2.3 As monitoring the attendance of international students studying under a Tier 4 Student Visas is a requirement of the UK Border Agency (UKBA), a system of formal attendance monitoring for these students is already in place.

2.4 The College wish to monitor the attendance of students at every individual lecture and tutorial.

3. Definitions

3.1 Attendance Monitoring: For the purposes of this document attendance monitoring means checking whether students have been in regular contact with the College through attending lectures, tutorials, supervisory meetings etc.

3.2 Enrolment: The College is required to notify the UKBA if a student fails to enrol no later than 10 working days after the commencement of teaching.

3.3 Sponsored Students: For the purpose of this guidance, the sponsoring institution is the TCPS and sponsored students referred to those students studying under a Tier 4 visa.

3.2 Student Engagement: This is an overarching term used to describe the many different ways in which a student is in contact with (or engages with) the College. The term used by the UKBA is "expected contacts". This includes attendance at lectures, tutorials, supervisory meetings etc as well as actions such as handing in coursework, sitting exams, going to workshops etc. In this context, engagement is not intended to be an assessment of the quality of a student's interaction with the College

4. Meeting UKBA requirements –TCPS Compliance Processes

Arrival

4.1 The College is required to report any individuals who were issued with a CAS under a Tier 4 Student Visa to study at the College but who have not arrived by the tenth working day after the commencement of teaching. The College must report such individuals within ten days of the tenth day after teaching commences.

- 4.2 Process at TCPS
In order to monitor whether students have arrived at the College , when students attend registration they will have their passports, visas etc checked to ensure the person is who they claim to be, will be issued their student card and their arrival in person is registered. A report will be run post-registration to identify those Tier 4 students who have not attended registration.
- 4.3 The names of the students who have not attended registration will be passed on to registrar Melanie.
- 4.4 Any students who have not arrived by the tenth working day after the commencement of teaching have to be reported to the UKBA.
- 4.5 If it is known that a student will be arriving more than ten working days after the commencement of teaching for a valid reason then the reason for late attendance can be provided to the UKBA which the UKBA may take into account when making a decision on the individual's continuing visa status.

Continued Attendance

- 4.5 Once a student has arrived at the College their continued participation needs to be monitored and students who have not attended ten consecutive expected contacts (as set out at page 1, 1.2 B, for example attendance at specified lessons, lectures, tutorials or seminars etc.) Also have to be reported to the UKBA within ten working days of the tenth missed contact.
- 4.6 Process at TCPS
The process for monitoring attendance of Tier 4 students at TCPS is set out at Section 5 and forms the main part of this guidance document.

Discontinuation of Studies

- 4.7 If a student studying under a Tier 4 visa withdraws from their course, or is withdrawn, excluded or suspended by the College, or defers their study, the College must report the change to the UKBA within ten days of the event in question.
- 4.8 Process at TCPS
All student withdrawals, exclusions, deferrals and suspensions already have to be entered into SMS in a timely way. However, as the College is now required to report all such events in relation to Tier 4 students within ten working days.
- 4.9 The Admission Office will be running weekly tutorials for any Tier 4 students.

Change of Status

- 4.10 If a Tier 4 sponsored student's circumstances change, for example if the duration of a course of study shortens, the college must report the change to the UKBA within ten working days.
- 4.11 Process at TCPS: - Significant changes in circumstance such as a shortening of the length of study or switching to other course should also be updated and entered into SMS in a timely way.
- 4.12 The Admission Office will be running weekly reports to pick up on any Tier 4 students whose circumstances have changed so the College can comply with its reporting arrangements.

5. Attendance Monitoring

- 5.1 The UKBA has imposed a sponsorship duty on the College that the College must notify the UKBA if sponsored students miss ten expected contacts. The UKBA has provided a broad

definition of “expected contacts” as set out on page 1, paragraph 1.2 B but has left it to the institution to define expected contacts and the timeframes for acceptable interactions.

5.2 The College will monitor Tier 4 students through a year on the start of each semester.

6. Authorised Absences

6.1 It is up to the College to determine whether a student’s absence is authorised or unauthorised. The UKBA Guidance gives the examples of students who are ill or who fall pregnant as those absences an institution may wish to classify as “authorised”.

6.2 The key issues to be considered are whether the student can continue to be monitored and whether they can pick up their studies after the absence without having to repeat a previous period of study. If the absence is prolonged and the student unable to pick up their studies without repeating elements of it, it is anticipated that the student will need to suspend studies which will result in report to the UKBA and the student will need to be advised to return home and to be issued with a new CAS when studies are recommenced.

6.3 For the purposes of attendance monitoring, authorised absences shall be granted for up to one month provided the student will not have to extend their studies. Such absences shall be authorised by the Principal and relevant evidence (e.g. medical certificates) shall be placed on the student’s file.

7. Communication with Students

7.1 It is important to ensure that sponsored students are informed at the outset of their programme about the expectations placed upon them and the College’s duty to monitor and report their non-attendance to the UKBA. This information is communicated in a number of ways.