



Birmingham City University International College

CPR M3: Right to Study, Attendance, Student Monitoring and Reporting

Version 2.1

1.0 Introduction

1.1.1 This document sets out the College and Navitas UPE policy and procedure for record keeping, student monitoring and Home Office reporting. Each College has an obligation to ensure that it has accurate records of all students. This is critical to the management of the student experience, and compliance with the Home Office requirements under Appendix D of the relevant Sponsorship Guidance

CPR QS3 – Admission requirements detail that before assigning a CAS to a prospective student – or issuing an unconditional offer – the Sponsor (College and/or University) is required to have assessed that the applicant is eligible for such. This is most applicable, but not exclusive, to applicants that are already in the UK.

In addition to these admission checks, it is also a requirement to monitor the continued eligibility for students to be enrolled. A Sponsor must take reasonable steps to ensure that every student studying has valid permission to be in the UK.

1.1.2 Additionally, the College has an obligation to the Home Office to report on, as required, changes of status in an individual student's study pattern for those holding a Tier 4 (General) student visa. Changes to a student's study pattern may affect the terms of the visa and/or Leave granted to the student. Thus, it is a requirement for the College to have a robust student and CAS monitoring strategy in place that covers the period of stay at the College, and suitable contractual and operational agreements with the Partner University on students once they have progressed (see Appendix A of this document and/or the Operational Manual).

1.1.3 Since *the College - Birmingham City University International College* is an embedded College, the obligation to monitor and report, as outlined above, is devolved to the College by the Partner University. Operational responsibility for monitoring and reporting of the College's students for compliance with the Home Office regulations rests with the College. The College then reports this on to the Partner University to be actioned

1.2 Reporting of the status of each applicant and enrolled student, to the Home Office, is managed via the UKVI Sponsorship Management System (SMS). The SMS uses a unique Confirmation of Acceptance for Studies (CAS) reference number that is generated by the Sponsor and assigned to each applicant. This reference number then stays with a student throughout their course of studies in the UK, providing they remain on the same visa. The Student's CAS document is retained within their respective e-file, as well as recorded within their profile on the internal student management system, Navigate.

1.4 Under the current Sponsor Guidance*, the Home Office requires Tier 4 Licence holders to report students who:

- Fail to enrol – including those where an application for leave to remain/enter is refused;
- Stops contact – including 10 consecutive missed points of contact (see below);
- Are no longer under the sponsorship of the institution – including Withdrawal, Terminations and Deferral (this includes students who transfer institution); and/or
- Indicate a significant change in circumstances – including a change in course of study, work placement change.

***Please note:** Direct reference should always be made to the most recent Sponsor Guidance, Immigration Rules and Reporting Manual before carrying out any Home Office reporting. For the most up-to-date versions visit the GOV.UK website.

When monitoring and reporting those students that 'Stop contact' the Sponsor needs to:

- Make at least two checkpoints (re-registrations) during any rolling 12 month period;
- Report on students who have missed 10 consecutive expected contacts without the Sponsor reasonably giving them permission and where the Sponsor is withdrawing sponsorship;
- Make these reports within 10 working days of the Sponsor completing the checkpoint process and determining to withdrawal of sponsorship; and
- Judge whether a student's absence is authorised ensuring that this is documented for inspection by the Home Office's Compliance Officers.

1.5 To ensure consistency of monitoring and compliance with the Home Office requirements, Navitas Academic Registry defines a contact point to be:

"Any day on which a student is required to attend a class of study, as timetabled on the College's Student Management System".

Therefore, if a student has three timetabled events in a day and they attend just one of those, the student is deemed to have successfully made that designated 'Contact Point'. This does not preclude the student meeting the College requirements, as indicated below in section 2.

2 College Attendance Requirements and Policy

2.1 Our Expectations

NVT UPE believes that students need to attend classes and participate in the learning process in order to obtain value for money and gain the education that will enable them to achieve their host University degree award.

Students are expected to ***maintain a minimum of an 85% attendance record in each enrolled module***, failing which they will be placed on the Students in Jeopardy programme. Students are expected to arrive punctually at the start of class and remain for the duration of the class/lecture. The lecturer and/or College reserves the right refuse entry to any student who arrives to class more than 10 minutes late or does not return from any designated break in a timely manner.

This practice is followed, not only to establish basic learning routines and time management, but to also guarantee that students have the opportunity to absorb and assimilate the information essential to understanding and comprehending a subject/module.

2.2 Student Monitoring

2.2.1 In order that the College complies with the Home Office requirements, as detailed in the relevant Sponsor Guidance* and Immigration Rules* as well as to ensure the best student outcomes, the College will monitor its students in accordance with the Attendance Monitoring Process.

2.2.2 Formal College scheduled engagement includes any interaction or event where attendance is deemed to be mandatory, these include events such as: class sessions, lectures, tutorials, workshops, labs, field trips, appraisal points, meetings or interviews, assessments and so forth. This should not be confused with the Home Office defined 'Contact Point' above in 1.4.

2.2.3 Any enrolled student on the College student monitoring system 'Navigate' who meet the following conditions will be placed, as per procedure, on the Student in Jeopardy Programme for closer monitoring. To be placed on the Student in Jeopardy programme, the student is enrolled with a status of 'Current' in Navigate, and whose attendance does not meet the expected 85% requirement and/or presents an inconsistent pattern across a set of modules. The Student in Jeopardy Programme can be reviewed as part of the Operations Manual.



Should a breach arise the student is formally contacted through Navigate, which retains all modes of contact information for the student. Formal contact with the student in breach is made primarily by Student Services .

Where necessary (if permission has been given at enrolment, or prior to this through the admissions process), parents and/or agents may be contacted. Approved contacts should be entered into Navigate under the 'Relations' tab. Confirmation that data – including, but not limited to communications with the student – may be shared should be indicated alongside the respective individual by a 'Yes' in the 'Share Data' section.

Initial contact by Student Services must be clearly communicated in a formal capacity and explained to the student that as a result of the breach in the Student Contract/Charter, the student is to be automatically placed on the Student in Jeopardy Programme.

Where such a student continues to not meet the expected 85% overall attendance requirement and has no CMT/CLTB approved extenuating circumstance, or approved leave of absence, then their situation is discussed further by the CMT. This breach should be considered in addition to any breach in the Home Office required 'missed 10 points of contact'.

2.2.4 Any student who has no approved extenuating circumstance, or approved leave of absence, and who habitually fails to respond to communication from the College and/or who fails to present at 10 consecutive scheduled contact points, as defined in 1.4 above, will be formally issued with 'Notification of Intention to Terminate – Exclusion'.

The student is informed formally by Student Services of this intent through Navigate, within 24 hours of this regulatory breach. Agents and parents should be informed at this stage of the situation (after confirming the student's privacy setting through Navigate) and the Home Office reporting requirements.

Where such a student fails to meet any scheduled meetings or meet approved extenuating circumstances after a further five consecutive working days, they are formally issued with 'Notification of Termination – Exclusion' and where required the Home Office informed by report within the timeframes specified in the relevant Sponsor Guidance.

2.3 Student Records

2.3.1 The Home Office requires that all records, including attendance, be kept in accordance with Appendix D of the relevant Sponsor Guidance. Navigate holds all records of each student inclusive of their attendance and actions taken in perpetuity.

2.4 Student Timetable and Attendance procedures

2.4.1 Navitas UPE policy determines that a student must be timetabled for a minimum of 15 contact hours per week over a period of at least three days in each week of a semester. The exception to this Navitas UPE policy is where a student is repeating a module/s to complete a course/stage of study or where they are required to take up an approved core requisite module. Details of the Home Office requirements surrounding hours of study and repeating modules are included in the Sponsor Guidance.

2.4.2 Attendance is recorded systematically by module by scheduled contact points in Navigate and through the College Student Portal (Axis) attendance reports system, including non-attendance due to extenuating circumstances or CLTB/CMT approved leave of absence.

Records are maintained by Student and Academic Services and formally monitored each week, in accordance with the Attendance Monitoring Process. They are also recorded at the College Management Team on a regular basis. Regular feedback from academic teaching staff to the CLTB, along with on-going reviews of individual student assessment performance, must also be collated following assignment submissions, through the Student in Jeopardy programme for academic reasons. These are formally noted in the current semester's Student in Jeopardy log and acted upon to ensure that attendance is accompanied by active learning.



Attendance registers must be taken at each scheduled contact point via direct entry to the Student Portal (therein Navigate).

Entrance to the class will be at the discretion of the lecturer and/or the College. If a student has arrived more than 10 minutes late to a class, and is permitted to enter, they are normally recorded as a half absence. Students will also receive a half absence if they leave the class before the formal end of the session.

Similarly, if any student arrives late or fails to attend after a scheduled break in a class, will be marked half absent/absent, unless there are any extenuating circumstances, which are subsequently approved by the CMT/CLTB. Students who regularly demonstrate this behaviour will also be placed on the Student in Jeopardy Programme.

2.5 Assessment Events and Attendance procedures

2.5.1 Attendance is mandatory at all scheduled assessment events throughout a semester. Only in CMT/CLTB approved extenuating circumstances may a student not be present at such an event. Non-attendance at a scheduled assessment event (approved or not) are reported for consideration at the Module Panel and Progression Board, for consideration (if required by the College or University Academic Regulations).

Where a student has been approved as having met mitigating/extenuating circumstances by the Mitigating/Extenuating Circumstances Panel/CMT or a College Module Panel (for a final, end of semester, examination assessment), an approved absence should be noted and recorded with the Academic and Student Support Team. Re-sit assessment provision may be made for such approved students, as approved by the CLTB.

2.6 Other Required Engagement Events

All meetings, appraisal points and/or interviews that a student is informed as 'required to attend' by the CMT/CLTB or Student and Academic Services Team, must be attended. Where a student is unable to attend then the Academic and Support Services Team must be informed prior to the meeting and, where appropriate, the relevant member of the Academic Teaching Staff. A student may be granted a later appointment where approved extenuating circumstances have been met.

3 Home Office Reporting

3.1 The Sponsor Guidance makes clear the requirements for institutions to report various events to the Home Office and these are summarised in 1.3 above, however the complete and detailed requirements can be found in the relevant Sponsor Guidance.

3.2 Reporting under the University Sponsor Licence

3.2.1 The College will comply and follow all reporting requirements of the University's stated policies and processes. These and their operational requirements are detailed in Appendix A and/or the Operational Manual.

Where applicable, the College must report on all aspects as required by the Home Office including, individual student absenteeism where the College withdraws sponsorship, changes of course and other reasons for withdrawal of sponsorship, directly through the Home Office SMS for all students issued a **College CAS**. Reports should be made in the following situations, but others may apply and should be considered by the College:

- i. Immediate change of enrolment status – Deferred, Withdrawn, Terminated (Excluded), and in some cases (Approved) Leave of Absence;
- ii. Change of enrolment status as a result of Student Census or re-enrolment – Deferred, Withdrawn, Terminated (Excluded), (Approved) Leave of Absence;



- iii. Any student who has missed ten consecutive expected 'contact points' or any student who misses a checkpoint (enrolment) without having gained formal permission from the College and the College is withdrawing sponsorship. The report should be made within 10 working days of the tenth missed contact point or after the tenth working day after the final date of any enrolment period;
- iv. Any change of course, where this meets the requirements laid out by the Home Office such as, change of course period or change of course work placement; and
- v. Where a student fails to enrol either due to deferral, visa refusal or no-show.

3.3 Recording of Home Office reports

3.3.1 All Reports made to the UK Home Office should be recorded in their entirety in Navigate under the 'Student Document Details' tab by adding a UKVI report. Once complete the report linked to the relevant CAS. The report should also be documented within the student's e-file and should include all the information input in to the Home Office SMS or sent by email to Migrant Reporting.

4 Enrolment Policy

4.1 Right to Study Checks – Enrolment, Re-enrolment and monitoring of the right to study

4.1.1 Any student that is enrolled on any College/University programme and is subject to immigration controls is required under the Immigration Rules and Sponsor Guidance to have valid permission to study in the UK. The Institution is obligated to request and retain evidence of the student's right to study in the form of verified copies of original documents.

4.1.2 The College must ensure that there is a robust process of enrolment, which includes the confirmation that all students who commence studying with the College/University are eligible to do so where the student is a Tier 4 sponsored student.

4.1.3. The College must ensure that they retain copies of original documents as per the requirements of Appendix D of the relevant Sponsor Guidance. These documents must be stored within the student's respective e-file, as well as stored within Navigate, under the appropriate document type within the Student Document Details section of each student profile. Once complete these documents, where applicable, should be linked with the respective CAS document.

4.1.4 The College must also ensure that there is a monitoring process in place, which is rigorous and allows for the determination of students' continued eligibility to remain enrolled of a programme of study.

4.1.5 Consideration and reasonable steps need to be demonstrated that Sponsors have assessed a student to have valid leave to study and these should be made at specific checkpoints and for particular scenarios, including, but not limited to:

- i. The initial enrolment of every student;
- ii. Any subsequent re-enrolment of every student; and
- iii. Students where they are currently in the UK and are enrolling under a previous, but current visa – This requires on-going monitoring until the new application outcome has been established and this process and outcome is required to be evidenced.

4.1.6 In order to verify documents, it is suggested that the document "Full guide for employers on Prevention of illegal working in the UK" produced by the Home Office is used as a basis for decision making.