

Business Immigration Essentials-Education

Changes to Tier 4 Foreign Students

The UK Border Agency (UKBA) has now released details of Tier 4 foreign student changes. Perhaps learning from the difficulties with its plans for foreign workers, the government has chosen not to cap foreign student numbers.

However by April 2012 all education providers who wish to sponsor foreign students will have to attain "Highly Trusted Sponsor" (HTS) status. The current lack of clarity over the criteria and process involved in highly trusted sponsor applications will make this a fraught prospect. The UKBA is reportedly conducting an internal review of the HTS scheme, but without open stakeholder engagement it is unlikely to achieve the level of transparency and effectiveness education providers seek.

The UKBA has proposed the following additional changes to tighten Tier 4 student procedures:

- Degree level students will need to speak "upper intermediate" B2 level English; non-degree students must achieve B1 level
- Only university and publicly funded FE college students will be able to work. Non university work placements will be restricted to 33% of course time
- Only post-graduate university students and government sponsored students can bring dependents
- Evidence processes will be streamlined, waiving document requirements for low risk applicants
- The Tier 1 (Post-study work) route will close.

Until the immigration rules are unveiled, it is impossible to confirm exactly how the UKBA will institute the above proposals but changes are expected to be rolled out in stages, respecting the academic year cycle

What to do now:

To prepare for the impending Tier 4 foreign student changes education providers need to do the following:

- Apply for/retain HTS status. Careful advice and preparation of HTS application/reporting information is required
- Review how work placements can fulfil course criteria with the work element reduced to 33% of the course content
- Assess how to implement evidence checking procedures for "low risk" student applicants

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Providing strategic advice on foreign student issues

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The Essentials:

UKBA announcement:

- All Tier 4 sponsors must have Highly Trusted Sponsor (HTS) status
- Tier 1 (Post-Study Work) route will close
- Only university and publicly funded FE college students can work
- Higher English language requirements

What to do now?

- Carefully manage Highly Trusted Sponsor status
- Review courses requiring work placements
- Assess checking procedures for low risk applicants

NEED TO DISCUSS FOREIGN STUDENT CONCERNS?

Contact our business immigration specialist Natasha Gya Williams:

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If you have any queries regarding your ability to sponsor foreign students, or wish to receive further immigration updates, please contact our business immigration specialist Natasha Gya Williams, at Nicholas Moore, on 01823 421 908 or by email nw@nicholas-moore.co.uk Please feel free to [pass on](#) this update to any contacts who may find it useful.