



Home Office

# Covid-19: Guidance for Student sponsors, migrants and Short-term students

## Temporary concessions in response to Covid-19

Version 12/2020 - This guidance is to be used from 22 December 2020

This guidance covers temporary concessions for:

- Student sponsors
- Students and Child Students (including Tier 4)
- Short-term Student (English Language) migrants (including Short-term Students)

## Contents

Contents.....	1
1. About this guidance.....	3
Coronavirus immigration help centre .....	3
Publication .....	4
Changes since last publication .....	5
2. Student Sponsors.....	6
Educational Oversight.....	6
Record keeping and CAS sponsor notes.....	6
Student absences related to Covid-19.....	7
Distance learning .....	7
Academic Engagement.....	8
Basic Compliance Assessment .....	8
Validity of CAS which have already been issued.....	8
Original documents.....	9
English language requirements and pre-sessional courses.....	9
Commencing studies .....	10
Right to work checks.....	11
Child Students .....	11
3. Students and Child Students.....	12
Distance learning .....	12
Applying for Permission on the Student and Child Student routes .....	13
Police registration .....	14
Working hours .....	14
Time limits .....	15
Right to rent checks.....	15
Graduate route .....	15
4. Short-term student (English Language).....	16
Extending Short-term study leave in the UK.....	16
5. Additional information on closure of Visa Application Centres (VAC) and Secure English Language Test (SELT) providers overseas .....	17

## 1. About this guidance

- 1.1 The Home Office and its Ministers are very clear that no one will have a negative outcome through the immigration system due to a circumstance that was beyond their control.
- 1.2 Where this guidance refers to 'Student' it should be read as meaning those with permission as a Student, Child Student, or Tier 4 migrant unless the contrary intention appears. This guidance sets out temporary policy concessions for Student sponsors, and people in the UK with permission as a Student, Child Student, Tier 4 migrant, Short-term Student (English Language) or Short-term Student, in response to the outbreak of Covid-19. The concessions will all be kept under regular review and will be withdrawn once the situation returns to normal.
- 1.3 For Student sponsors, this guidance must be read alongside the [Student Sponsor Guidance](#), which sets out the requirements for education providers wishing to apply for, and hold, a licence to sponsor international students to come to the UK under the Student and Child Student routes. Document 1 covers applying for a Student sponsor licence, Document 2 covers sponsorship duties, Document 3 covers compliance assessments and sanctions for non-compliance, and Document 4 covers the effect of Higher Education regulatory reform on Student sponsors. Sponsors, and education providers who would like to apply for a Student sponsor licence, should read all four documents and ensure they understand them and comply with them.
- 1.4 For those with permission as a Student or as a Child Student, this guidance must be read alongside the [Immigration Rules](#), in particular [Appendix Student](#) and [Appendix Child Student](#) and the [Student route guidance](#). Students who commenced study under the Tier 4 (General) or Tier 4 (Child) routes should refer to their conditions of leave.
- 1.5 For Short-term Student (English Language) migrants, this guidance must be read alongside the [Short-term study guidance](#) and [Appendix Short-term Student \(English Language\)](#). The Short-term study rules prior to 1 December 2020 are available for reference in the [Immigration Rules archive](#).
- 1.6 An index of the Covid-19 guidance published on the GOV.UK website for sponsors and migrants is available here: <https://www.gov.uk/government/collections/coronavirus-covid-19-immigration-and-borders>. You should regularly check this page for any updates.
- 1.7 Additional guidance and information is available on GOV.UK: <https://www.gov.uk/coronavirus>.

## Coronavirus immigration help centre

- 1.8 If you have immigration queries related to coronavirus, please email the Coronavirus Immigration Help Centre. Email: [CIH@homeoffice.gov.uk](mailto:CIH@homeoffice.gov.uk). Your email must be in English.

## Publication

Below is information on when this guidance was published:

- Version: 7.0
- Published on 22 December 2020

## Changes since last publication

Current paragraph number	Previous paragraph number	Changes made
Throughout	Throughout	Amended references to Short-term Study to reflect the move of the existing 6 month short-term study routes to the Visitor rules, and the opening of the new Short-term Student (English Language) route for English language study lasting 6-11 months, on 1 December.
N/A	2.9	Removed concession allowing sponsors to continue to sponsor students when they have deferred for a period exceeding 60 days, since students who are unable to attend their studies in person can continue their studies by distance learning.
2.30	2.32	Amended reference to immigration rules to reflect the name change to Appendix Student.
3.6	3.6	Extended the concession allowing students to apply for a course commencing in excess of 28 days after the expiry of the current period of permission to 31 March 2021.
3.8- 3.9	3.8- 3.9	Extended the date for the academic progression concession until 31 March 2021.
3.16	N/A	Added clarification that students who are exceeding their permitted working hours on the basis of being employed in a relevant NHS profession must continue to study to benefit from this concession.
3.22	3.21	Added clarification that the April 2021 date by which students must enter the UK to be eligible for the Graduate route is only relevant to students completing courses in Summer 2021.
3.23- 3.24	N/A	Added further Graduate route concession for students who commence study in January 2021 and for students who have been studying via distance learning.
5	5	Removed information on replacement vignettes as the concession has expired and is not being renewed.

## 2. Student Sponsors

This section gives information on:

- Educational Oversight
- Student absences related to Covid-19
- Distance learning
- Basic Compliance Assessment
- Attendance monitoring
- Validity of CAS which have already been issued
- Original documents
- English language requirements and pre-sessional courses
- Commencing studies
- Right to work checks
- Child Students

### Educational Oversight

- 2.1 Student sponsors are required to maintain Educational Oversight (EO) throughout the period of their licence. For private education providers, this operates on a 4 year inspection cycle, with annual interim health checks. Providers which are subject to statutory inspections, for example by Ofsted, are inspected on a cycle determined by their statutory inspection body. All these inspection cycles will be affected and potentially delayed by restrictions on physical inspection visits during the Covid-19 outbreak.
- 2.2 Unless the Home Office already has serious concerns about a sponsor, for example based on evidence of current non-compliance or failings in EO, we will take a pragmatic approach and allow inspection bodies to utilise other inspection methods such as desk-based assessments and virtual meetings, with the methods to be determined by the inspecting body.
- 2.3 We will also adopt a flexible approach to unavoidable delays in inspection caused by the Covid-19 outbreak. We will not reduce a sponsor's Certificate of Acceptance for Studies (CAS) allocation to zero due to delays for this reason, on the expectation that any delayed interim reviews or full inspections will be conducted as soon as possible. Sponsors must keep a record of any communications from their EO body about cancelled, delayed or desk-based inspections.

### Record keeping and CAS sponsor notes

- 2.4 If a temporary concession in this guidance will apply to a Student sponsor's duties regarding sponsored students, the sponsor must keep a record of this in the file of each sponsored student affected.
- 2.5 If a sponsor is issuing a CAS to a student on the basis of a temporary concession, this must be noted in either the CAS evidence or sponsor notes section.

## Student absences related to Covid-19

- 2.6 We will not take enforcement action against sponsors who continue to sponsor students who are absent from their studies due to Covid-19.
- 2.7 Sponsors do not need to report student absences related to Covid-19. This can include absences due to illness, their need to isolate or inability to travel due to travel restrictions.
- 2.8 Sponsors must maintain records of students who are absent for these reasons.
- 2.9 If a student has permanently withdrawn from their studies, or deferred their studies for reasons unrelated to Covid-19, sponsors must report this as usual.

## Distance learning

- 2.10 Student sponsors can continue to sponsor students or child students (including Tier 4 visa holders) who are continuing their studies through distance learning, whether they are in the UK or another country. This includes continuing to sponsor students for examinations and assessments. Sponsors can also commence sponsoring new students or child students who will start studying through distance or blended learning in the 2020-2021 academic year, provided they intend to transition to face-to-face learning when circumstances allow.
- 2.11 Sponsors do not need to withdraw sponsorship for new students who have been issued permission under the Student or Child Student routes but are undertaking distance learning because they have been unable to travel to the UK, or are in the UK but have not yet been able to attend their studies in person due to Covid-19. If a student stops engaging with their distance learning for more than 30 days, whether overseas or in the UK, their sponsor must withdraw sponsorship.
- 2.12 Where a student is continuing their studies via distance learning, whether within the UK or abroad, sponsors do not need to report this as a change of student circumstances.
- 2.13 New international students who have not yet applied for a visa but want to start a course which they intend to begin overseas by distance learning before travelling to the UK to transition to face-to-face learning must be issued a CAS and obtain permission under the Student or Child Student route before travelling. The course start date on the CAS can either state the date on which the course commences by distance learning *or* the date on which the applicant intends to commence learning in the UK. It is at the discretion of the sponsor which course start date is used, and either will be acceptable. The period of permission granted will be calculated based on the course dates on the CAS.

- 2.14 New international students who have not yet applied for permission on the Student or Child Student routes but want to start a course which will wholly be studied overseas by distance learning, do not require sponsorship under the Student or Child Student routes. This is because they do not need to travel to the UK.
- 2.15 Students studying courses below degree level via distance learning are not required to meet the 15 hours study per week to be considered full-time, if the sponsor is unable to provide sufficient tuition during this period. Sponsors should make efforts to provide the stipulated number of hours of teaching where possible. Any CAS which have been issued under a concession before the date on which it is amended or withdrawn will be honoured. This distance learning concession will be in place for the duration of the 2020-21 academic year. The concession will be subject to regular monitoring to ensure it is working as intended, and it will be subject to review at the end of the 2020-21 academic year.

## Academic Engagement

- 2.16 Students who are no longer attending classroom based learning or work placements as a result of moving to a distance learning model, or are absent as a result of Covid-19 related illness or travel, and will therefore not meet requirements for recording physical contact points under a sponsor's duty to monitor attendance, do not need to be reported for missing expected contact points.
- 2.17 Where a student is studying by distance learning, including overseas study, where possible sponsors should use expected online contact points such as logging into online learning portals, attending virtual lectures and tutorials, and online submission of coursework to monitor engagement. The Home Office will not take action against sponsors who are unable to monitor online contact points due to practical or technical limitations. As stated in paragraph 2.6 – 2.10, sponsors are not required to withdraw sponsorship when students are absent from studies, including online studies, due to Covid-19. If a student has stopped attending their online studies for other reasons, the normal attendance monitoring policy applies to online learning.

## Basic Compliance Assessment

- 2.18 Students who withdraw from their studies as a result of Covid-19 will be discounted from a sponsor's data in future Basic Compliance Assessments. Sponsors must notify UKVI of the reason for withdrawal and keep their own records of such cases. Students who withdraw from their studies for reasons other than Covid-19 will continue to be counted for the purpose of the sponsor's Basic Compliance Assessment.

## Validity of CAS which have already been issued

- 2.19 Where a CAS was issued between 24 January and 31 July, Student and Child Student applications can still be made using CAS that were previously issued.

The start date for the course may now be later than that stated on the CAS for the original course or the CAS may have expired. The Home Office will take a pragmatic approach to considering applications to study courses with significantly different start dates to those stated on CAS or expired CAS.

- 2.20 Where the course date has changed, if the CAS is not marked as 'used' or 'expired' and is showing as 'assigned', sponsors must update the new course start date (if known) in the sponsor notes field. The information on the CAS will then be considered as normal when the case is decided.
- 2.21 Where a CAS issued between 24 January and 31 July has become invalid because it has expired, or was marked as 'used' in an application and the student was unable to travel due to Covid-19, the Home Office will consider exceptionally accepting that CAS with a new visa application on a case by case basis. The CAS will be accepted if the caseworker is satisfied that the reason the applicant couldn't previously use it in an application or travel to the UK was due to Covid-19.

## Original documents

- 2.22 Student sponsors are required to see certain documents from students and keep records as set out in [Appendix D](#). Where it is no longer practical or safe for a student to submit these documents in person, or where sponsor sites are closed due to Covid-19 social distancing measures, it is acceptable for a digital copy such as a scan or photograph to be provided and kept on file.

## English language requirements and pre-sessional courses

- 2.23 Many English Testing Centres have now resumed services. Sponsors can visit the [International English Language Testing System \(IELTS\)'s website](#), the [Pearson Test of English website](#) or the [LanguageCert website](#), or contact the relevant test centre for more information. There is a [list of approved test centres](#) on the GOV.UK website. Where an English Testing Centre has reopened, students who would ordinarily be required to obtain a SELT must do so.
- 2.24 Where students are required to take a SELT overseas but a test centre is unavailable, sponsors which are higher education providers with a track record of compliance will be able to self-assess students as having a B1 level of English, where progression on to the main course is dependent upon passing the pre-sessional course.
- 2.25 Sponsors which are higher education providers but have not yet gained a track record of compliance due to pending registration with the Office for Students may also self-assess English Language.
- 2.26 Higher education providers which were not eligible to register with the Office for Students and have a track record of compliance may also self-assess English language.

- 2.27 Any sponsors who use this temporary concession must ensure that the applicant has the required English language ability and must keep records of how they undertook the assessment.
- 2.28 Self-assessment of English at B1 level must only be used when assigning a CAS for a pre-sessional English course to a student who cannot take a SELT as a result of the closure of test centres in the country they are applying from. This must be noted on the CAS being assigned in the 'evidence' or 'sponsor notes' section.
- 2.29 This concession only applies to pre-sessional English courses. The pre-sessional course may be either free standing or part of the studies on a combined CAS for a pre-sessional and main course of studies.
- 2.30 The concession is only available until such date as SELT test centres reopen in the country from which the student will be applying. If the test centre in the country from which the student will be applying has reopened before the date on which the CAS is being assigned, the student must take and pass the SELT, if required to do so under Appendix Student and Appendix English Language of the immigration rules.
- 2.31 If a SELT test centre reopens after a CAS has been assigned under this concession, but before the CAS has been used in an application, the student must take a SELT test and the CAS be updated accordingly, unless the test centre opened less than 7 calendar days before the application was submitted.

## Commencing studies

- 2.32 The Home Office will permit new students who are applying to switch into the Student or Child Student routes in the UK to commence study ahead of their application being decided if:
- They are studying with a Student sponsor other than a zero CAS sponsor
  - The Student sponsor has assigned a CAS
  - The applicant has submitted an in-time application and has provided the sponsor with confirmation of that
  - The applicant has a valid ATAS certificate if [required](#) for their course of studies
- 2.33 The conditions for allowing the applicant to commence studying in these circumstances are:
- The course must be that specified on the CAS
  - The sponsor's reporting duties for the individual commence from the date the CAS is issued– not the date the application is granted
  - The sponsor agrees that they will end their sponsorship and teaching of the applicant if the Home Office ultimately rejects as invalid or refuses the application

## Right to work checks

- 2.34 Right to work checks are a requirement on employers to make sure a job applicant is allowed to work in the UK before employing them.
- 2.35 Right to work checks have been adapted to make it easier for employers to carry them out during the Covid-19 outbreak. More information can be found [here](#).

## Child Students

- 2.36 Any sponsor which is currently sponsoring a Child Student (aged under 18) has a continuing duty of care to that Child Student (including Tier 4 Child students), even if they have stopped studying, while the child remains under its sponsorship and is in the UK. The child safeguarding duties set out in Document 2 of the [Student sponsor guidance](#) continue to apply.

## 3. Students and Child Students

This section gives information on:

- Distance learning
- Applying for permission to stay under the Student and Child Student routes.
- Police registration
- Working hours
- Right to rent checks
- Graduate route

### Distance learning

- 3.1 Students and Child Students are not normally permitted to undertake distance learning courses. However, due to the current exceptional circumstances, we will not consider it a breach of sponsor duties to offer distance learning to existing students in the UK or who have chosen to return overseas but wish to continue their current studies.
- 3.2 New international students who have been granted permission under the Student or Child Student routes but have been unable to travel to the UK are permitted to undertake distance learning and sponsorship does not need to be withdrawn.
- 3.3 New international students who have not yet applied for permission under the Student or Child Student routes but want to start a course which they intend to begin overseas by distance learning, before travelling to the UK to transition to face-to-face learning, must be sponsored and be granted permission under the Student or Child Student routes before travelling. They may either apply for permission on the Student or Child Student route before their course starts or before they travel to the UK, either is acceptable.
- 3.4 New international students outside the UK who have not yet applied for a visa but wish to commence a course by distance learning from outside the UK, do not need to travel to the UK and therefore do not require sponsorship under the Student or Child Student routes.
- 3.5 International students in the UK can also continue existing courses or commence new courses of study by distance learning. Distance learning will be permitted for the entirety of the 2020/21 academic year. This includes blended learning for the duration of the 2020/21 academic year, where some study is undertaken in person and some study is undertaken remotely. The concession will be reviewed prior to the end of the 2020/21 academic year.

## Applying for Permission on the Student and Child Student routes

- 3.6 To be granted further permission to complete an existing course, or to begin a new course, students must still meet all other requirements of the Student or Child Student routes, including academic progression (unless the concessions set out in paragraph 3.7 or 3.8 apply) and maintenance requirements if the applicant has been in the UK for less than one year with valid permission. Students must normally apply to study a course that commences no more than 28 days after their current period of permission expires, but we will exercise discretion on this requirement if the start date of the new course named on the CAS is no later than 31 March 2021. This concession applies to students who already hold permission on the Student or Child Student routes (including Tier 4).
- 3.7 Students who are unable to complete their course of study within their current period of permission due to Covid-19 can apply in country to complete that course. This includes students who need further time to complete an assessment or sit examinations. Sponsors can issue a CAS for the purpose of a student undertaking an examination or assessment remotely. Students who need to repeat a year, retake a module, or resit an exam are exempt from demonstrating academic progression as would normally be the case for those applying in the UK. Further to this exemption, students who otherwise need more time to complete a course as a result of Covid-19 will be exempt from demonstrating academic progression, e.g. where a sponsor suspends studies for the duration of any social distancing measures.
- 3.8 Students who need to make a new application, and would normally be unable to demonstrate academic progression because their new course is at the same level as the previous one, or because they had been undertaking an integrated Masters or PhD/MPhil but will be continuing with the lower level qualification, but who cannot travel overseas to make an application due to Covid-19, will be exempted from the academic progression requirement if the sponsor confirms on the CAS that the previous course and the new course in combination support the applicant's genuine career aspirations. This concession will apply to courses with a start date before 31 March 2021.
- 3.9 Students who have downgraded as per 3.8 and completed the lower level qualification of an integrated course, can apply for permission to stay in the UK to undertake a new course at a higher academic level. The new course must start before 31 March 2021. For example, where a student has downgraded from an integrated Masters qualification to a Bachelor's qualification, they would then be able to apply for a Masters programme within the UK provided that the new course commenced prior to 31 March 2021.
- 3.10 Students applying to study a new course can commence study at the institution from the date of the application, provided they hold valid permission on the date of application. Students must obtain a valid ATAS certificate before they commence their studies, if one is required under [Appendix ATAS](#) for their course of studies. The sponsor must end their sponsorship and

teaching of the applicant if the Home Office ultimately refuses the application.

## Police registration

- 3.11 Students who are required to register with the police as a condition of a grant of permission to stay, or who need to notify the police of a change of circumstances, should check with their local police force whether it is possible to register with them at this time. Where it is not possible, students must register with the police or update their information once social distancing measures are lifted.
- 3.12 Students who have already registered with the police and are making a new application in the UK should submit their Police Registration Certificate along with any other documents in support of their application as normal.

## Working hours

- 3.13 Students who have work rights and are employed by an NHS trust within any of the professions listed below, will not be restricted to 20 hours work per week during term time and may work without limit on the number of hours permitted:
- biochemist
  - biological scientist
  - dental practitioner
  - health professional
  - medical practitioner
  - medical radiographer
  - midwife
  - nurse
  - occupational therapist
  - ophthalmologist
  - paramedic
  - pharmacist
  - physiotherapist
  - podiatrist
  - psychologist
  - social worker
  - speech and language therapist
  - therapy professional
- 3.14 Students with work rights whose sponsor suspends all study on their course as a result of the Covid-19 outbreak will be considered to be in vacation time and so will be permitted to work full-time during this period.

- 3.15 Where a Student sponsor is providing tuition by distance learning, their students will be considered to be within term-time and will be limited to the term-time work hours stated on their visa.
- 3.16 Where a student is working in excess of the hours usually permitted on their permission by being employed in a profession listed in 3.13, they must also continue to study unless their sponsor has suspended all teaching on the course of study. A student cannot change to permanently working full-time in a listed profession, instead of studying, whilst remaining on Student visa, as the purpose of their stay in the UK has changed. Such a person should apply under the appropriate work route.

## Time limits

- 3.17 The maximum period of time from the age of 18 that a student can be granted permission to study in the UK at or below degree level will remain the same. However, discretion may be applied by UKVI in future where any period of permission that would cause someone to exceed the limit will do so as a result of Covid-19. Under the Student route there is no time limit for those studying above degree level.

## Right to rent checks

- 3.18 The 'right to rent' scheme requires landlords to check that all tenants who occupy their properties have legal status to live in the UK.
- 3.19 Right to rent checks have been adapted to make it easier for landlords to carry them out during the Covid-19 outbreak. More information can be found [here](#).

## Graduate route

- 3.20 The Graduate route is scheduled to be launched in summer 2021, as previously announced. Further information about the route will be published in due course.
- 3.21 Students will normally be expected to undertake their studies in the UK to be eligible for the Graduate route. However, if students are required to either continue their current studies or commence a new course by distance or blended learning due to Covid-19, they will still be eligible to switch into the Graduate route on a concessionary basis if they spent some time studying outside the UK.
- 3.22 Students who are completing their course in summer 2021, including those who commenced a one-year Masters programme in September 2020, will benefit from this concession if they enter the UK on or before 6 April 2021 and complete the final semester of their studies in the UK.

- 3.23 Students who commence a one-year Masters programme in January 2021 will benefit from this concession if they enter the UK before 27 September 2021 and complete the final semester of their studies In the UK.
- 3.24 Students who are studying courses lasting longer than a year in length, which are not due to be completed in 2021, and who have studied all or part of the 2020/21 academic year via distance learning will not have any period of distance learning during the 2020/21 academic year held against them in relation to the Graduate route.
- 3.25 Such students will still need to have extant permission as a Student when the new route launches in 2021 and meet the other eligibility criteria to be eligible for the route.

## **4. Short-term student (English Language)**

**This section gives information on:**

- Extending Short-term Student (English Language) permission in the UK
- Extending Short-term Study permission in the UK

### **Extending Short-term study leave in the UK**

- 4.1 There is no provision in the immigration rules to make an in country application to extend permission in the Short-term Student (English Language) category or apply for a further period of Short-term Student (English Language) permission from within the UK.
- 4.2 From 1 December 2020, Short-term study of up to six months was incorporated into the Visit route as a permitted activity. There is no provision in the immigration rules to extend permission as a Visitor when coming to study (this includes Short-term Study of up to six months).

## 5. Additional information on closure of Visa Application Centres (VAC) and Secure English Language Test (SELT) providers overseas

The majority of Visa Application Centres (VACs) have resumed services.

For updates to the status of VACs in your country check with:

- [TLS contact](#) if you're in Europe, Africa and parts of the Middle East
- [VFS global](#) for all other countries

Ongoing global restrictions mean some UKVI services will remain closed. Where services are resuming, existing customers will be contacted. Where the VAC in a country remains closed, applicants may be able to make applications from another VAC outside the UK. If an applicant requires permission to come to the UK to study a course, an applicant must obtain permission prior to travelling; applicants cannot travel as visitors and switch into the Student or Child Student routes in country.

Most English Testing Centres have also resumed services. [Visit the International English Language Testing System \(IELTS\)'s website](#), the [Pearson Test of English website](#) or the [LanguageCert website](#), or contact your test centre for more information on where we are reopening and how you can book your Secure English Language Test.

When VACs are reopened the Home Office will review the need for any concession relating to the local availability of English language testing for students who being recruited for pre-sessional courses English by Student sponsors.