



**SECURING
OUR BORDER
CONTROLLING
MIGRATION**

THE STUDENT IMMIGRATION SYSTEM

CONSULTATION RESPONSE PRO-FORMA

December 2010



Completed consultation pro-formas should be sent no later than midnight on Monday 31 January 2011 to the following address:

Electronic:

Studentconsultation@homeoffice.gsi.gov.uk

By post:

Student Consultation
1st Floor, Green Park House
29 Wellesley Road
Croydon
CR0 2AJ

Feel free to use additional sheets if necessary.

This document is available in electronic format on the UK Border Agency website:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/28-students/>

YOUR DETAILS

Name

Organisation

CONTACT DETAILS

Postal address

Telephone number

Email

QUESTIONS FOR CONSULTATION - RAISING THE LEVEL OF COURSES STUDENTS CAN STUDY

Q1. Do you think that raising the minimum level of study sponsors with a standard sponsor licence can offer under Tier 4 (General) to degree-level and above is an effective way of reducing abuse of Tier 4 (General) route, increasing selectivity and simplifying the current rules?

- ☐ Yes
☐ No
☐ Don't know

If you answered yes or no to the question, please give your reason(s) in the box below.

Q2. Do you think that only Highly Trusted Sponsors should be permitted to offer study below degree level at NQF levels 3, 4 and 5 / SCQF levels 6, 7 and 8 in the Tier 4 (General) category?

- ☐ Yes – only HTS should be able to offer these sub-degree level courses
☐ No – all sub-degree level study should be prohibited under Tier 4 (General)
☐ No – study at NQF level 3 should be prohibited, even where the sponsor is HTS
☐ Don't know

If you answered yes or no to the question, please give your reason(s) in the box below.

Q3. Do you think that the changes discussed in this section should be phased in?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

If you answered yes or no to the previous question, what time period do you think is appropriate for phasing in these new measures?

<input type="checkbox"/>	0 - 11 months
<input type="checkbox"/>	1 - 2 years
<input type="checkbox"/>	2 - 3 years
<input type="checkbox"/>	3+ years

Q4. Do you think that, in the light of the low risk of abuse amongst users of the Tier 4 (Child) route, there should be no changes to the route?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

INTRODUCING TOUGHER ENTRY CRITERIA FOR STUDENTS

Q5. Do you think that all students using Tier 4 (General) category should have passed a secure English language test to demonstrate proficiency in English language to level B2 of the Common European Framework of Reference for Languages (CEFR), in order to improve selectivity and to simplify the current system?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q6. Do you think that students from majority English-speaking countries, those who have been awarded a qualification equivalent to UK degree-level or above that was taught in English in a majority English-speaking country, and those who have recently studied in the UK as children should be exempt from any new language testing requirement?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

ENSURING STUDENTS RETURN OVERSEAS AFTER THEIR COURSES

Q7. Do you think that students wishing to study a new course of study should be required to show evidence of progression to study at a higher level?

- ☐ Yes
- ☐ No
- ☐ Don't know

If you answered yes, what is the best way to demonstrate progression?

Q8. Do you think that students wanting to study a new course should return home to apply from overseas?

- ☐ Yes
- ☐ No
- ☐ Don't know

If you answered no, do you have any alternative proposals?

Q9. What changes do you think we should make to the Tier 1 Post Study Work route?

- ☐ Close the route entirely
- ☐ Restrict it significantly
- ☐ Other

If you chose the second or third options, please provide additional comments and suggestions, including on the timing of any changes and any transitional arrangements you feel would be necessary.

LIMITING THE ENTITLEMENTS OF STUDENTS TO WORK AND SPONSOR DEPENDANTS

Q10. Do you think that we should restrict further the amount of work students should be allowed to undertake while studying?

- ☐ Yes
- ☐ No
- ☐ Don't know

Q11. Do you think we should make it simpler for employers to understand the rules around student work, by limiting it to set times, except where they are working on campus?

- ☐ Yes
- ☐ No
- ☐ Don't know

Q12. Do you think that the minimum ratio of study to work placement permitted should be increased from the current 50:50 to 66:33, except where there is a statutory requirement that the placement should exceed one-third of the total course length?

- ☐ Yes
- ☐ No
- ☐ Don't know

Q13. Do you think that only those studying for longer than 12 months should be permitted to bring their family members with them to the UK?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q14. Do you think that family members permitted to accompany the student should be prohibited from working?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

SIMPLER PROCEDURES FOR CHECKING LOW-RISK APPLICATIONS

Q15. Do you agree that differential requirements for high and low risk students should be adopted?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q16. Do you believe that we should focus on the abuse of documentary evidence for maintenance and/or qualifications as the basis of differential treatment?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q17. Do you believe that we should also, or alternatively look at the sponsor's rating as a basis for differential treatment?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

STRICTER ACCREDITATION PROCEDURES FOR EDUCATION PROVIDERS IN THE PRIVATE SECTOR

Q18. Do you think that more should be done to raise accreditation and inspection standards to ensure the quality of education provision within private institutions of further and higher education for Tier 4 purposes?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q19. In the light of the proposals described in this document, what do you think will be the main advantages / disadvantages, including any financial impacts, to you, your business or your sector?

BACKGROUND CONSULTATION QUESTIONS

Are you responding to this consultation as:

- ☐ An individual
- ☐ On behalf of an organisation/institution etc

Please indicate whether you are:

- ☐ A student
- ☐ An academic
- ☐ Other

Please select your organisation/institution type:

- ☐ University
- ☐ Publicly funded FE College or institute of further/higher education
- ☐ Private FE College or institute of further/higher education
- ☐ Independent School
- ☐ English Language School
- ☐ Local Authority or other public sector
- ☐ An institution or business not directly involved in providing education

If you are responding on behalf of an organisation/institution involved in providing education:

Please state the name of your organisation/institution:

How many students started new courses at your institution in the 2009/2010 academic year?
(Please estimate and tick one box)

<input type="checkbox"/>	Less than 500
<input type="checkbox"/>	Between 500 and 999
<input type="checkbox"/>	Between 1,000 and 4,999
<input type="checkbox"/>	Between 5,000 and 14,999
<input type="checkbox"/>	Between 15,000 and 25,000
<input type="checkbox"/>	Over 25,000

What is your estimate of overseas students (non-EEA) as a proportion of your total student population?

<input type="checkbox"/>	Less than 5%
<input type="checkbox"/>	5% up to 10%
<input type="checkbox"/>	10% up to 15%
<input type="checkbox"/>	15% up to 20%
<input type="checkbox"/>	20% up to 50%
<input type="checkbox"/>	More than 50%

Thank you for taking the time to complete this consultation questionnaire.