

**Universities UK response to
The student immigration system
– a consultation**

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Universities UK response to *The student immigration system – a consultation*

Executive summary

Universities UK is pleased to submit this formal response to the Government consultation *The student immigration system*. The response has been formulated following widespread and in-depth engagement across the university sector in the UK and is based on the views of our member institutions.

Universities UK strongly opposes the majority of the proposals outlined in the consultation. This position arises from our view that the proposals would have a substantial negative impact on individual universities, the wider economy and the global reputation of the UK as a destination that welcomes international students and recognises the significant contribution that they make.

In an increasingly international marketplace for students, the proposals risk putting the UK at a significant disadvantage to its global competitors and will undermine future efforts to attract the 'brightest and best' students to its world-renowned institutions.

The proposals will undermine the autonomy of UK universities and will extend the reach of the UK Border Agency (UKBA) into academic matters which fall well outside of its remit of migration control.

Many of the data sources used to inform and justify the proposals are inadequate and require greater scrutiny, not least the extensive use of the International Passenger Survey (IPS), which was never intended to measure net migration but is now being used as the basis of a policy to reduce it.

Whilst UK universities welcome any attempts to stamp out abuse within the student visa system, these proposals extend far beyond this simple objective, and will result in universities facing huge reductions in the recruitment of legitimate international students. This is likely to have a significantly detrimental impact, not only on university finances and regional economies, but also on the economic health of the nation.

UK universities remain committed to engaging with UKBA and the wider Home Office to work through policy changes to the student visa system to ensure that harm to higher education institutions is limited. This response contains a number of alternative proposals to those outlined by the Government in its consultation document.

Overview

International students are academic, cultural and economic assets to the UK, providing vital benefits to our country. The breadth and depth of UK universities' international activities should be celebrated as a major success story and confirmation that the UK has a world-class university system. Universities are international organisations and depend on international mobility of students and staff to deliver teaching, research and knowledge exchange of the highest quality.

The knowledge economy is global and is based on the free movement of expertise, ideas and people. Restricting mobility will result in the UK losing its competitive edge as a country – one which provides world-leading knowledge-rich higher education for students from across the globe. The competitiveness of the UK in all areas including business, research and innovation will suffer.

Universities support the Government's objective to minimise abuse of the student visa system and have been playing a key role in identifying and preventing fraud for many years. But universities cannot support the Government's objective to reduce international student numbers for the following reasons:

- The objective is based on a classification of students as migrants that is not appropriate given their temporary status in the UK.
- The classification of students as migrants has led to students being identified as the largest group of non-EU net migrants to the UK based on flawed data from the International Passenger Survey, a survey not designed to measure net migration but to provide data on tourism and business travel.
- It is in direct opposition to the ambitions and needs of universities to sustain and enhance their academic standing and ensure their financial sustainability through increasing their international student numbers over the next decade.

The Government aims to deliver this reduction by placing a range of blanket restrictions on international student recruitment, admission and progression through the UK's education system. Many of these proposed restrictions are inappropriate, derive from flawed or limited data, and are unworkable in practice.

The proposals being consulted on will undermine the success of UK universities in their international activities. As the experience of other countries has demonstrated, developing and maintaining a positive and welcoming reputation internationally is not easily achieved but can be easily lost. We need to be very mindful of the messages about the UK we communicate internationally, and of the need to ensure we remain welcoming to students from around the world. The issue of student immigration is of fundamental importance to the future health and strength of the UK university sector, and by extension to the UK economy. If these proposals are implemented the Government will damage one of its most successful sectors, with far-reaching consequences.

There are better ways forward outlined in this submission. These propose using existing or enhanced parts of the student immigration system that will deliver an improved system which supports academic progression, focuses on the quality of education experience for all international students, and also delivers public confidence in the operation of the UK's student immigration system.

We welcome the opportunity to engage with UKBA and with the wider Home Office

through this consultation and value the fact that channels of communication are currently open. We are keen to discuss the suggestions made in this submission to enable the student immigration system to be improved without damaging the UK's universities.

Universities UK

This submission is based on the views of Universities UK member institutions supported by relevant data and information from meetings held with member institutions, other sector organisations and with UKBA.

Universities UK is the representative body for universities in the UK and has 133 members across the UK. The current President is Professor Steve Smith, Vice-Chancellor of the University of Exeter, and the Chief Executive is Nicola Dandridge.

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The importance of international students

International students are academic, cultural and economic assets to the UK. They make a vital contribution to our country while they study here and this contribution continues once they graduate as 'friends of the UK', able to support our trade, diplomatic and cultural activities. The breadth and depth of UK universities' international activities should be celebrated as a major success story and confirmation that the UK has a world-class university system. Universities are international organisations that depend on the global mobility of students and staff to deliver teaching, research and knowledge exchange for the benefit of the UK and the world.

The UK's universities have an excellent reputation for high quality teaching and research. To maintain and enhance this reputation our universities need to be able to attract and recruit international students effectively and without disproportionate regulation and bureaucracy. Our established competitors such as the United States, Canada, Australia, New Zealand, France and Germany, together with developing higher education systems in Singapore, China and India, are competing fiercely with us for international talent. The UK will lose out in this global war for top talent by placing further restrictions on the mobility of international students.

The UK higher education sector is fortunate in having excellent data on its students, staff and finances, with the Higher Education Statistics Agency (HESA) as the official agency for the collection, analysis and dissemination of quantitative information about higher education. HESA collects data from institutions in receipt of public funding and the University of Buckingham. It should be noted that any data collected by HESA in relation to international students relates to international as defined by domicile and has no direct correlation to numbers of students who may be Tier 4 visa holders¹. HESA provides the best available data on international students in UK higher education institutions in the absence of detailed official data on student migration.

In 2008/09, according to HESA data, there were 251,334 international (non-EU) students at UK higher education institutions within a total student population of 2,396,051. This total comprised 92,630 international students on undergraduate programmes, 19,599 on other undergraduate programmes, 111,249 international students on postgraduate taught programmes and 27,856 international students on postgraduate research programmes.

All students at UK higher education institutions by level of study and domicile, 2008/09

	UK	Other EU	Non-EU	Total
Postgraduate research	54,160	12,673	27,856	94,689
Postgraduate taught	299,270	31,604	111,249	442,123
First degree	1,198,386	60,729	92,630	1,351,745
Other undergraduate	475,267	12,628	19,599	507,494
Total	2,027,083	117,634	251,334	2,396,051

Source: HESA

In 2008/09 144,784 international students were in their first year of study at a UK higher education institution. This total comprised 40,432 international students in their first year of study on undergraduate programmes, 16,977 international students in their first year of study on other undergraduate programmes, 77,955 international students in their first year of study on postgraduate taught programmes and 9,420 international students in their first year of study on postgraduate research programmes.

The UK has some of the most internationalised universities amongst Organisation for Economic Co-operation and Development (OECD) countries, with international students (defined by domicile) accounting for 14.7 per cent of all higher education enrolments in 2008². UK universities welcome students from over 190 countries, second only to the United States in the diversity and total number of international students. The latest Times Higher Education World University rankings use the number of international students and staff as a measure of success for a university. In its latest rankings three UK universities featured in the top 20 and 14 in the top 100 universities in the world.

According to HESA, the top 20 countries by domicile of international students at UK higher education institutions in 2008/09 were:

China	47,034
India	34,065
Nigeria	14,380
United States	14,343
Malaysia	12,697
Pakistan	9,609
Hong Kong	9,600
Canada	5,350
Taiwan	5,233
Saudi Arabia	5,203
Thailand	4,674
Korea (South)	4,277
Japan	3,871
Sri Lanka	3,553
Bangladesh	3,488
Singapore	3,188
Russia	2,953
Norway	2,933
Iran	2,849
United Arab Emirates	2,696

In relation to the major exporting countries in recent years, the trend data comparing student data from 2004/05 with 2008/09 data indicates that the numbers of students from China and the United States have decreased across this period whereas student numbers from India and Nigeria have increased significantly. There have also been small increases in the number of students from Pakistan. If growth continues in line with these trends, students from India will become the largest single nationality within the international student population in the UK within the next three to six years.

Trends in non-EU enrolments by selected countries, 2004/05 to 2008/09

	2004/05	2005/06	2006/07	2007/08*	2008/09*
China (mainland)	52,675	50,755	49,595	45,355	47,035
China (including special administrative regions)	63,455	60,365	59,440	55,220	56,840
India	16,685	19,205	32,835	25,905	34,065
Nigeria	8,145	9,605	11,135	11,785	14,380
USA	14,385	14,755	15,955	13,905	14,345
Pakistan	6,545	7,940	9,305	9,305	9,610
Total non-EU students	218,395	223,855	239,210	229,640	251,310

Source: HESA

* From 2007/08 students who were writing up and/or on sabbatical are no longer included in the standard count of students.

International students undertake programmes in a wide range of subjects at UK higher education institutions, with business and administrative studies being the most popular in numerical terms. However, in relation to some strategic subject areas³, international students form an important part of the student body. In 2008/09 39 per cent of international students were studying science, technology, engineering and mathematics, with international students forming 23 per cent of the total student numbers in engineering, 17 per cent of the total student numbers in computer science, over 12 per cent of the total student numbers in mathematics and over 10 per cent of the total student numbers in medicine and dentistry and veterinary medicine.

International students form a substantial part of the postgraduate student population. In 2008/09 there were 111,249 international students on postgraduate taught programmes compared to 299,270 UK students and 31,604 EU students. At postgraduate research level there were 27,856 international students compared to 54,160 UK students and 12,673 EU students.

In many strategically important subject areas international students sustain the UK's research base, with international postgraduate students comprising over 62 per cent of the total postgraduate community in engineering, 63 per cent in mathematics and computer science, 27 per cent in physical sciences and just under 24 per cent in biological sciences⁴.

A significant number of international students are found at higher education institutions in London. However, this may be expected since London is home to 40 of the UK's 166 higher education institutions, with 24 per cent of all international students studying in the city.

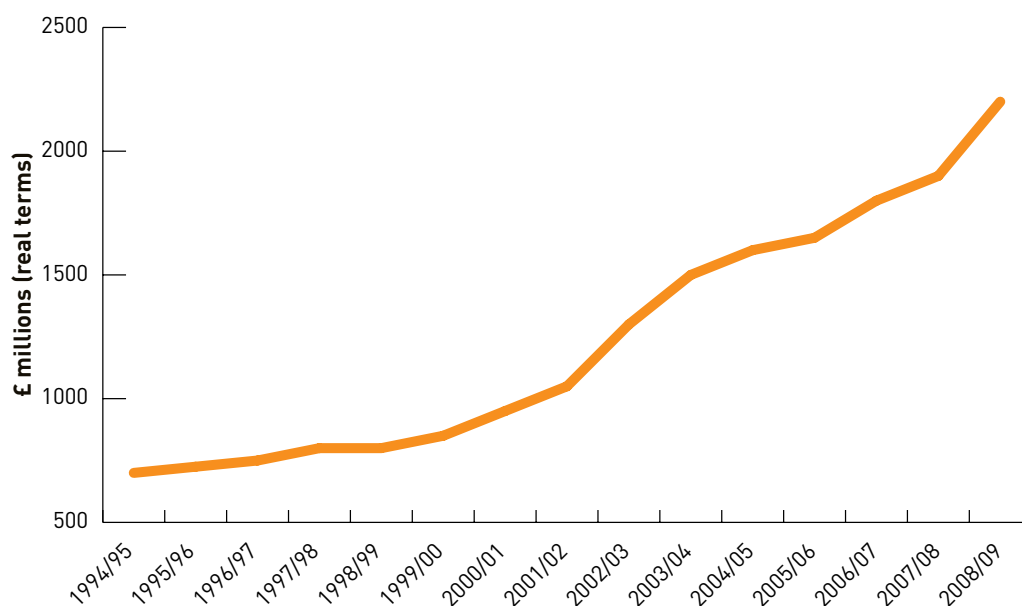
Non-EU students at UK higher education institutions by government office region of institution (2008/09)

Government office region	Total non-EU students enrolments in 2008/09		First year non-EU student enrolments in 2008/09	
East Midlands	16,140	6.4%	8,120	5.6%
East of England	17,605	7.0%	11,335	7.8%
London	60,875	24.2%	35,125	24.3%
North east	17,390	6.9%	10,665	7.4%
North west	19,520	7.8%	11,095	7.7%
Northern Ireland	1,820	0.7%	1,095	0.8%
Scotland	23,970	9.5%	14,385	9.9%
South east	24,815	9.9%	13,785	9.5%
South west	12,615	5.0%	6,370	4.4%
Wales	13,630	5.4%	9,340	6.5%
West Midlands	21,490	8.6%	11,540	8.0%
Yorkshire & Humberside	21,350	8.5%	11,900	8.2%
Total UK	251,220	100.0%	144,750	100.0%

Source: HESA

International students are increasingly vital to the UK higher education sector as a major source of income. In 2008/09 the income from tuition fees paid by international students was £2.2 billion in cash terms, over nine per cent of the sector's total fee income. In 2001/02 this figure stood at six per cent, demonstrating how tuition fees paid by international students are becoming increasingly vital to the sector as a whole.

Tuition fee income from non-EU students at UK higher education institutions, 1994/95 to 2008/09



Source: HESA

International students make a significant contribution to their local economies; in 2007/08 off-campus expenditure by international students was around £2.3 billion⁵. A number of universities have undertaken specific city and region studies to calculate the value of international students to local economies that demonstrate the considerable financial benefits international students bring to their communities.

For example, in the north east the total revenue of higher education was £967 million in 2007/08⁶. International revenue amounted to nearly £123 million which, together with the estimated off-campus expenditure of international students (£111 million), represented a total of £234 million of export earnings. Universities in the region provided 13,715 full-time equivalent jobs across a range of occupations.

International education is a major business success for the UK, generating billions of pounds in knock-on output for the UK economy and supporting thousands of jobs throughout the UK⁷. At a time of economic difficulties it is wholly self-defeating for the Government to undermine a successful export business with a consequent negative impact on the UK economy and jobs. International students in other parts of the education sector, many of whom progress into higher education, also make a significant economic contribution to the UK.

Many universities rely heavily on recruiting international students who have undertaken a previous programme of study in the UK. With regard to progression routes from other parts of the education sector into higher education institutions, there is no comprehensive data on the different educational routes used by students to enter UK higher education institutions. However, Universities UK has undertaken analysis of different data sources to provide an indication of the use and importance of different routes.

Universities UK has analysed HESA data from 2007/08 to try to provide an indication of progression volumes into and within the higher education sector. The figures that emerge relate to students with a known region of previous institution (and as this is not a mandatory field for data collection, 63 per cent of international entrants had an unknown region of their previous institution). These figures are likely to be significant underestimates and need to be considered as an indication of likely mobility rather than robust data.

The HESA data indicates that for first year non-EU domiciled undergraduates at UK higher education institutions in 2007/08, 46 per cent or 9,684 were recorded as progressing from another UK higher education institution. The HESA data also indicates that for non-EU postgraduate taught (PGT) entrants in 2007/08, 33 per cent or 21,889 were recorded as having some previous experience of higher education (HE) in the UK. Finally, the HESA data indicates that for non-EU postgraduate research (PGR) entrants in 2007/08, 46 per cent or 4,370 were recorded as having some previous experience of HE in the UK.

In total these data indicate that in 2007/08 almost 36,000 international entrants progressed from another education institution in the UK into their chosen programme and chosen institution.

Analysis by Universities UK of Universities and Colleges Admissions Service (UCAS) application data in 2009 indicates that the proportion of all international applicants to UCAS who applied through UCAS centres in the UK was 75 per cent, demonstrating again the scale of likely progression from other education providers in the UK into higher education institutions.

Universities UK, in partnership with other organisations in the higher education sector, has gathered additional information through a survey on the numbers of international students who have progressed from formal 'pathway programmes' in the UK that are either run by universities directly or are operated in partnership with other providers. The survey results do not yet give a comprehensive national picture, but nonetheless give an indication of the very substantial contribution that international students accessing higher education via 'pathway programmes' make.

The survey of 42 higher education institutions and a number of major private providers indicated that, based on 2009/10 figures, 25,633 international students have entered undergraduate or postgraduate programmes at UK higher education institutions via a formal pre-degree or 'year zero' pathway programme either offered by the higher education institutions directly, or in partnership with a private provider. These students are worth an estimated £245 million of output across the UK economy through off-campus expenditure. Of the 25,633 international students identified by this limited survey, 12,657 of them had progressed from pathway programmes run by private providers and 11,197 had progressed from pathway programmes run by higher education institutions.

The survey asked for further information on the nature of programmes offered by higher education institutions and/or their partner. This work indicated that pathway programmes range considerably in format and length. There are programmes designed for progression into undergraduate programmes, programmes designed for progression into postgraduate programmes, and programmes designed for progression into specific subject areas such as sciences, engineering, medicine, business, social sciences, law and others. There are programmes that combine academic study with English language development, and others which focus on English language development alone. Some programmes are preparation for entry into year one of a degree programme, while others are designed to enable students to articulate into year two or three of a degree programme.

The survey also clearly demonstrated the increasing number of international students entering higher education programmes after undertaking a pathway programme. The majority of higher education institutions that responded provided data showing an increase in student numbers on these programmes over the last three academic years, as their increasing value in providing better prepared students and improved certainty in international student numbers was recognised.

The principal concerns of UK universities

We understand the political mandate given to the Government in relation to immigration, and its priority to reduce non-EU immigration as set out in the coalition agreement. However, the Government is in danger of applying overly restrictive limits on the parts of the immigration system that it can control. This will have a number of consequences. The UK will end up losing highly talented and skilled workers and students, while public concern is not likely to be allayed, as mobility from elsewhere in the current EU, which appears to be a strong focus for public concern on immigration, will remain unrestricted. The Government will have caused universities, many other organisations, and the economy considerable damage without achieving any impact on its broader policy goals. This section will highlight and explore in more depth the views of the university sector on the Government's proposals.

Data limitations

The consultation document provides information on the context for the consultation and its proposals, drawing on a wide range of data to support each of the Government's proposals. This includes evidence on the operation of the student route over the period since its implementation in March 2009, evidence on migrant behaviour across a five-year period and conclusions drawn from an analysis of Tier 1, including Post Study Work migrants.

The use of research to inform the development of policy is welcome, but there remain serious concerns about the inadequacy of some of this research and significant gaps in the data available on student visa holders, their characteristics and their behaviour. This means it is not possible to have a properly informed discussion about student immigration and its

impact on net migration. Policy development is therefore limited in its effectiveness as there is insufficient information about the operation and users of the student visa system. This is in contrast to the very detailed data available from HESA on international students in higher education that enables analysis by nationality, level, subject and location as well as a number of other variables.

In our response we have tried to bring together these reliable data from HESA with UKBA data and other information to inform our comments but we have been hampered by this inadequate research and limited data. We urge UKBA to invest more resources in improving its management information and in working with other parts of government to improve migration data. Better visa information could be a major asset for universities in assessing international student flows much earlier than other sources but this data is currently not made available by UKBA. In Australia visa statistics for student immigration are published on a monthly basis by type of education provider, enabling trends to be spotted and responded to swiftly.

Universities UK has commissioned the Institute of Public Policy Research (IPPR) to undertake an analysis of the wider visa, migration and passenger survey data. This work outlines the problems with the data being used by the Government to support the objective of reducing net migration and specifically the lack of reliable data on the contribution that student immigration makes to net migration to the UK. There are particular problems associated with the International Passenger Survey (IPS), which in our view and the view of others is an unreliable source of data on net migration. These problems are not new, as demonstrated by the House of Commons Treasury Committee report *Counting the population* (2008) which stated:

*'The International Passenger Survey was designed to provide data primarily for tourism and business travel purposes. It is now called upon to play a central role in estimating international migration. It is clear from the evidence we have received that the Survey is not fit for this new purpose. We recommend that the Statistics Authority replace the International Passenger Survey with a new Survey that is more comprehensive and more suited to the accurate measurement of international movements affecting the size of the resident population of the United Kingdom.'*⁸

The IPS is a sample survey so it does not record total movements by people in and out of the UK and their associated purpose/intention. Instead it provides estimates of mobility and reasons for that mobility. IPS covers both those who are visiting and those who may be coming to the UK for specific reasons. The number of migrants captured by the IPS survey is very small; migrants are defined as those intending to change their usual place of residence for a year or more. In 2008 3,216 immigrants to the UK and 1,901 emigrants from the UK were surveyed within the IPS. This is an extremely small sample on which to base such far-reaching policy changes.

In particular, it is considered that the IPS survey underestimates the outflow of emigrants from the UK. This is particularly important in relation to the impact of student immigration on net migration, as the reason a migrant leaves will often be different to the reason he or she came to the UK originally. For example, an international student who comes to the UK to study but leaves to take up employment overseas will be recorded in the IPS immigration data as having a primary purpose of study but recorded in the corresponding IPS emigration data as having a primary purpose of work. The IPS survey does not ask emigrants the reason why they originally came to the UK, which means that no reliable net migration data is available for students.

Further concerns arise in relation to conclusions drawn from a limited analysis of Tier 1 migrants. These are explored further in relation to the planned closure of the Tier 1 Post Study Work route.

Minimising abuse

Universities support the Government's objective to minimise abuse of the student visa system, and the sector has been playing a key role in identifying and preventing fraud for many years. For example, all undergraduate applications submitted via UCAS are subject to fraud detection checks, and intelligence and good practice is shared across the sector to aid the identification and prevention of fraud. Universities would welcome more sharing of intelligence by UKBA to enable immigration fraud to be tackled effectively by all partners in the operation of the system.

Universities support the proposal in the consultation 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. This proposal is both welcome and overdue, as the accreditation licences for approved accreditation bodies were only meant to be in place for two years from July 2007 onwards. Universities UK has been raising concerns about the accreditation system for private providers since 2007, and any moves to strengthen these arrangements should improve the system. UKBA's own research has indicated that significant levels of non-compliance occur in the private sector.

The recognition that a number of visa applicants are low risk and could benefit from simpler applications and processing is welcome, but further discussions on this proposal would be useful as there could be potentially very significant difficulties in applying risk profiles to different nationalities and operating a system fairly and consistently around the world.

Although one of the main thrusts of the consultation and associated government policy direction is a focus on reducing abuse of the system, many of the consultation proposals would apply blanket restrictions to all types of education provider, regardless of their status and compliance rates. It must be recognised that UKBA's own research demonstrates that there are very low levels of visa abuse in the university sector. The UKBA estimates non-compliance in the university sector as approximately two per cent of students, as highlighted in its research report *Overseas students in the immigration system*⁹. This two per cent non-compliance rate is the upper limit of the estimate; levels of non-compliance in the university sector may be lower as assumptions are made about student behaviour. This very low figure is welcome confirmation of the thorough and professional recruitment, admissions and retention work undertaken by UK universities.

Universities welcome analysis of this type undertaken in the UKBA's research of the student system; it is work that they have been requesting for a number of years to enable better understanding of the comparative risks associated with international student recruitment depending on the type of institution.

The research provides valuable and previously unavailable information on the composition of the Tier 4 sponsor register by education institution type. It indicates that there are 155 'universities', 428 'publicly funded higher education (HE)/further education (FE) institutions' and 744 'privately funded HE/FE institutions' on the sponsor register. 'Universities' form only seven per cent of Tier 4 sponsors but issue 51 per cent of Confirmations of Acceptances of Studies (CASs), demonstrating that universities are the major volume users of the system. It is not clear exactly what definitions UKBA use to determine which organisations are 'universities', 'publicly funded HE/FE institutions' and 'privately funded HE/FE institutions'. It would be helpful if UKBA could provide further information on these definitions as the number of 'universities' and to a lesser extent 'publicly funded higher education (HE)/further education (FE) institutions' do not appear to match figures used by the sector.

The research involved a specific focus on 70 institutions which issued 17,034 CASs between April 2009 and the end of August 2010. Five universities were involved in the work and issued

49 per cent of the CASs issued within the research sample. Eighty-seven per cent of CASs issued by universities in the sample were for degree-level study and above. The remaining 13 per cent were on below degree programmes including Higher National Diploma (HND) and Diploma programmes, foundation degrees and other sub-degree programmes. The universities in the sample issued 72 per cent of the CASs for study at degree level and above, with 25 per cent issued by privately funded FE or HE institutions and four per cent by publicly funded FE or HE institutions. This may be a useful indicator of partnerships between different types of education institutions within the UK, as a number of the privately and publicly funded FE or HE institutions offering degree-level or above programmes will be offering UK university programmes.

The research considered 5,638 students at publicly and privately funded FE and HE institutions and English language schools. This indicated that 26 per cent of students at privately funded FE/HE institutions were potentially non-compliant, eight per cent of students at publicly funded FE/HE institutions were potentially non-compliant, and 14 per cent of students at English language schools were potentially non-compliant. While the samples are not entirely comparable – as the universities were chosen from those applying for Highly Trusted Sponsor (HTS) status whereas the other institutions had been selected as they had been subject to an investigation by UKBA – this research confirms that universities and their international students are lower-risk institutions and applicants within the immigration system as they have high levels of compliance.

Irrespective of the low non-compliance rates found within the university sector, universities will find themselves subject to increasing barriers to recruiting international students as a result of the Government's proposals to reduce abuse across the wider education sector.

What contribution do students really make to long-term net migration?

UK universities cannot support the Government's objective to reduce international student numbers as it is based on a classification of students as migrants that is not appropriate given their temporary status in the UK. Students do not come to the UK to live or to work but to study. They have to support themselves without recourse to public funds.

The objective cannot be supported as the classification of students as migrants has led to students being identified as the largest group of non-EU net migrants to the UK based on flawed and inadequate data. The IPS data on which the UKBA's net migration estimates are based is an unreliable source of data on net migration, as outlined in the section on data limitations.

The UKBA research into the behaviour of migrants who entered the UK in 2004 to assess whether they were still in the UK in 2009¹⁰ is interesting as the first attempt to try to find out what happens to migrants. *The Migrant Journey* looked at work routes, family routes and the student route.

It found that of 185,600 students who entered the UK in 2004, 21 per cent were still in the UK after five years. Of these, some remained as students (perhaps reflecting longer programmes or progression through levels of study), some had been granted visas to work and some had family visas. Only three per cent of students who entered in 2004 had applied for settlement in the UK, which suggests that a relatively small proportion of students remain in the UK long-term, and a much lower proportion than those who come to the UK or to join family. This is to be expected as the student route is a temporary route with no link to longer-term residency or settlement.

Despite these findings, ministers and UKBA officials have repeatedly emphasised the need to 'break the link' between coming to the UK on a temporary basis as a student and more permanent settlement, and have cited the 21 per cent figure as evidence of students seeking to stay in the UK for longer periods. This appears to overlook the fact that students may be

on five- or six-year programmes of study, may move from undergraduate to postgraduate programmes and may also be able to switch into another category if their application is approved by UKBA. The sample used by UKBA covers people who are legitimately in the UK and have had further applications for leave approved by UKBA, despite the implication that this 21 per cent are somehow staying in the UK in breach of their visas.

It would be helpful if UKBA could disaggregate the '21 per cent figure' to check how many of the individuals included in it were progressing through the UK's education system between 2004 and 2009, rather than use this figure as flimsy evidence of misuse of the student immigration route.

Tier 1 Post-Study Work

The analysis of Tier 1 is not a sufficiently rigorous evaluation of Post Study Work to inform evidence-based policy decisions.

The UKBA research into the activities of people who have used Tier 1 (highly skilled) since 2008,¹¹ *Points-based system Tier 1: an operational assessment*, includes the Post Study Work route that allows international graduates to apply to UKBA to obtain leave to stay in the UK for up to two years after completing their programmes. The research was based on a very specific subset of Tier 1 visa holders who sought to bring dependants to the UK in June 2010 and assessed the main migrant on the basis of the employment status they had included in the dependant application form.

A total of 1,184 records were analysed and this analysis found that 29 per cent of Tier 1 visa holders were in unskilled roles, 25 per cent were in skilled work and 45 per cent had not provided sufficiently clear details. Two-hundred-and-fifty-three Post Study Work visa holders were considered and, based on the information they provided, 153 were in unskilled work, 77 had an unclear work status and 23 were in skilled work. UKBA used skilled and unskilled definitions based on the Standard Occupational Classification and those earning salaries over £25,000 per annum were judged to be 'skilled'.

This research, based on a very limited and inadequate dataset, has been used by ministers to support their decision to close the Tier 1 (General) route, as announced on 23 November 2010, and to propose the closure of the Tier 1 Post Study Work route as outlined in the consultation. The consultation uses as justification the rising graduate unemployment levels in the UK, as outlined in the Higher Education Careers Services Unit (HECSU) annual report, although data on this area is conflicting as recent Association of Graduate Recruiters information suggests an increase in graduate vacancies¹².

It is a heroic assumption to blame the many 'unskilled' Post Study Work visa holders for displacing UK graduates from employment when the two datasets used are not the same. The HECSU data is based on the Destinations of Leavers from Higher Education (DLHE) dataset that covers only those who have graduated from institutions who provide data to HESA (those in receipt of public funding and the University of Buckingham), whereas Post Study Work visas are currently available to people emerging from 700 education institutions in the UK, of which only 166 are higher education institutions.

There is no information on Post Study Work outcomes disaggregated by type of education institution or level of study. The route is currently available to people who have completed programmes at over 700 institutions, which is a rather larger number than the 166 higher education institutions in the UK. The Migration Advisory Committee commented in 2009:¹³

'There are students at 753 institutions that may be eligible for PSWR [Post Study Work Route] approval. It is plausible that the standard of the qualification, in terms of both the quality of teaching and assessment, and the value of the qualification to employers, varies greatly among these institutions. Yet all are treated equally in terms of post-study leave entitlement.'

Problems also arise from UKBA's use of different thresholds for skilled work for international graduates than are used for UK/EU graduates in the DLHE survey. Comparisons are difficult due to differences in timescale (DLHE is at six months whereas UKBA figures are presumably drawn from a range of points after graduation) and levels of study (there is no indication of level of study completed by the Post Study Work visa holder in the UKBA report whereas DLHE figures cover all levels and can be disaggregated by level). The definition of skilled jobs in the UKBA paper also differs considerably, with the DLHE definition of 'graduate role' being broader. DLHE figures for 2008/09 also show the mean salary for UK/EU graduates six months after graduating (£21,000) to be less than the threshold of £25,000 for inclusion as 'skilled' in the UKBA research. The upper quartile for salaries of UK/EU graduates six months after graduating is £24,000. Ministers are applying different and higher standards to international graduates than those applied to UK/EU graduates, which is inappropriate and misleading.

International students are being blamed for displacing home students in the graduate jobs market whilst being simultaneously criticised for allegedly using the Tier 1 Post Study Work route to take up low-skilled employment.

The Post Study Work route would benefit from further analysis – as opposed to complete closure – at this stage, to understand more about the people who use it and their backgrounds. The route is valuable for international graduates to build on their academic experience with a period of work and enables the UK to compete effectively for international students seeking to combine qualifications with employability.

A barrier to growth

The objective of reducing international student numbers cannot be supported as it is in direct opposition to the ambitions and needs of universities to increase their international student numbers over the next decade. The effects of public funding cuts mean that income from international students is critical to institutions' financial health and will need to increase if institutions are to sustain and enhance their role as strategic national assets contributing to the economic and social development of the UK.

The proposed changes to the student immigration system are going to hit the sector at a time when there is already considerable turbulence arising from the reforms to student finance and the reductions in public funding. University income streams face great uncertainty over the next three to five years and, if implemented, the damage that these proposals will cause to revenue streams will be significant. The changes will also have wider impacts on the stability of the sector as institutions try to absorb another set of major changes and divert resources away from teaching and research, a move that will have an impact on all students.

The Higher Education Funding Council for England (HEFCE) annually gathers information from higher education institutions in England in receipt of funding from them on their student number forecasts. These forecasts are disaggregated by level of study and UK/EU and international (non-EU) students. Information gathered in 2009 (the latest figures available) indicated that English higher education institutions are aiming to increase student numbers at all levels and to increase the numbers of UK/EU and international students. Due to government limits on the number of places for UK/EU students the growth forecasts for UK/EU student numbers are comparatively small, with institutions only anticipating growth of just below six per cent.

Focusing on international student numbers, English institutions reported that they had 166,141 full-time international students in 2008/09 with 85,336 on undergraduate programmes, 61,113 on postgraduate taught programmes and 19,693 on postgraduate research programmes. The forecasts cover the individual years 2009/10, 2010/11, 2011/12 and 2012/13.

By 2012/13 English institutions aimed to have increased their full-time international student numbers to 204,518. This represents an overall increase of 38,377 international students, or just under a 20 per cent increase. This represents an increase of international student numbers on undergraduate programmes to 105,014, an increase of international student numbers on postgraduate programmes to 75,189 and an increase of international student numbers on postgraduate research programmes to 24,315.

It should be highlighted that the information in these forecasts was gathered in 2009, before the recent significant cuts in the public funding for higher education. Institutions are currently revising their growth strategies and will be planning for even greater increases in international student numbers, not least of all since the associated income is critical to continued financial stability. These proposals will put at significant risk the growth strategies of universities and impede their capacity to respond to funding cuts within the sector.

Implementation issues

The Government aims to deliver its reduction in student numbers by placing a range of blanket restrictions on international student recruitment, admission and progression through the UK's education system. Many of these proposed restrictions are inappropriate, derive from flawed or limited data and are unworkable in practice.

Proposed changes to raise minimum English language competence levels and prescribe certain English tests as 'secure' is the UKBA making judgements in areas beyond their jurisdiction, and cutting across institutions' own language testing approaches. It is also likely to undermine the UK's success as a destination for English language study and the English language sector.

The proposed changes to work opportunities both during study and post study are likely to be perceived negatively by current and prospective international students. The proposal to limit work during the 'week' to on 'campus' betrays a lack of understanding of student life and would be unworkable. Instead of simplifying rules around employment the proposals will add complexity, confuse students and employers and place additional burdens on institutions and UKBA in seeking to advise and enforce.

Restricting the pathways into UK universities

As outlined in the section on the importance of international students, the number of international students entering UK higher education institutions after studying at another UK education institution is substantial.

Partnerships developed between higher education institutions and other education providers in the UK will be undermined by restrictions on the provision of sub-degree programmes and progression from these programmes into higher education. There is a strong policy drive outlined in the consultation to restrict access for international students at institutions offering provision below university level.

However, this policy direction ignores the complex partnership arrangements which universities have with a wide range of pathway providers that enable international students to prepare for their university studies in the UK. It is extremely important to differentiate between those students attending partner colleges who intend to progress to a UK university, and those who have no such intention.

Requiring students to return home between programmes will be problematic for progression through higher education and could be particularly difficult for students moving between Masters' programmes and research programmes. Restrictions on dependants and their entitlements in the UK could also particularly affect research students.

Reputational damage

As the experience of other countries has demonstrated, developing and maintaining a positive and welcoming reputation internationally is not easily achieved but can be easily lost.

When other countries have tightened their immigration systems, the US and Australia being notable examples, it has required significant effort to overcome the resulting negative perceptions and then reverse the wide-ranging impact that reductions in international student numbers have on academic, cultural and economic activities.

The US experience was particularly painful as changes introduced following the 11 September attacks contributed to a 20 per cent reduction in the number of international student visas issued by the US in 2002 compared to 2001, with consequent reductions in international student enrolments. International student enrolments in the US only started to increase in 2005/06 following readjustments to the visa system¹⁴. As a paper published by Georgetown University commented¹⁵:

The U.S. visa system cannot alone be blamed for a decline in international student enrollment, but addressing the problems with visa policy and practice may create an opportunity to work toward reversing this decline. It is essential to consider both the real and perceived deficiencies of the U.S. visa system when working to improve and explain visa policy and practice.

The perception of the United States as unwelcoming – which is in part perpetuated by cumbersome visa processes – inspires an ill will against America that the United States can hardly afford.

The Australian experience is more recent and its long-term impact not yet clear, but the Australian Government issued nearly 16 per cent fewer student visas in 2009/10 compared to 2008-09¹⁶, following changes to the visa system in early 2010. These changes were aimed at preventing students gaining permanent residence through lower-skilled vocational student immigration routes but resulted in a drop in demand for all types of Australian educational institutions from international students. Following representations by education institutions the Australian Government eased the requirements in December 2010.

We need to be very mindful of the messages about the UK we communicate internationally, and of the need to ensure we remain welcoming to students from around the world. The issue of student immigration is of fundamental importance to the future health and strength of the UK university sector, and by extension to the UK economy. If these proposals are implemented the Government will damage one of its most successful sectors, with far-reaching consequences.

If implemented, these proposals will require changes in the way universities recruit and advise international students. This will obviously have a wider impact on the way in which UK universities can position themselves internationally and market themselves compared to other countries. The proposals are also likely to have an impact on the reputation of the UK as a welcoming destination for international students and will undermine the extensive work undertaken by institutions and the Government to promote UK education globally.

Better ways forward

Universities UK is keen to continue working with UKBA to improve the student immigration system. Instead of undermining the success of the sector's international activities we think that there are better ways forward than the proposals put forward in the consultation.

In our response, and in the responses of many universities, a number of suggestions are made to use existing or enhanced parts of the student immigration system to deliver an improved system that supports academic progression, focuses on the quality of education experience for all international students who we welcome to the UK, and also delivers public confidence in the operation of the UK's student immigration system.

In summary, these suggestions are:

- We wish to encourage UKBA to use Highly-Trusted Sponsor (HTS) status properly and actually trust institutions with HTS. This status is potentially a very powerful policy tool that grants flexibility and appropriate autonomy to HTS institutions while placing restrictions on those who do not meet the HTS requirements and where many of the issues of concern to UKBA in relation to student immigration abuse lie. We understand the HTS system is due to be reviewed and it may be helpful for this review to be undertaken before any new requirements relating to HTS are introduced.
- We believe that HTS institutions should be able to determine their own language requirements, since that is a matter of academic judgement. We estimate that between 30 and 50 per cent of international students joining university programmes prepare for study by taking a range of preparatory programmes in the UK, run by universities or in partnership with other providers in the UK. This number is increasing.
- Students studying or proposing to study at HTS institutions should not have to return home between programmes. Students at HTS institutions should be able to be accompanied by their dependants if they are here for more than six months. The dependants of students at HTS institutions should be able to work.
- Graduates from HTS institutions should be able to apply to access the UK labour market if they wish to to enable them to build on their educational experience with a period of work in the UK.
- We urge UKBA to invest more resources in improving its management information and to work with other relevant organisations to improve the data available on migration for government purposes and for universities. Better visa information could be a major asset for universities in assessing international student flows much earlier than other sources, but this data is currently not made available by UKBA.
- We welcome the opportunity to engage with UKBA and with the wider Home Office through this consultation and value the fact that channels of communication are currently open. We are keen to discuss the suggestions made in this submission to enable the student immigration system to be improved without causing long-term damage to the UK's universities.

Responses to consultation questions

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 the Tier 4 (General) route, increasing selectivity and simplifying the current rules?

Yes, but on the condition that the scheduled review of the HTS system is undertaken and completed before this requirement is implemented to ensure that the HTS arrangements are improved and that there are appropriate timescales for HTS applications by institutions not currently holding HTS.

Universities UK comments

The proposal that any institution that wishes to offer education provision below degree level to international students must have Highly Trusted Sponsor (HTS) status may be helpful in removing low quality lower-level provision offered by providers, as UKBA's research has found higher levels of non-compliance in private institutions offering lower levels of educational provision.

However, the level of study is not in itself a risk factor: it is the recruitment and compliance behaviour of some providers which creates the risk. Programmes below degree level are important in a number of ways, both as feeder routes into universities and as programmes in their own right, such as the vocational training provided by further education colleges. It is important for the standing and continued success of the UK's education system that such programmes below degree level are still accessible to international students, as long as those programmes are delivered by reputable institutions with appropriate external quality assurance for their educational provision and HTS status in relation to their immigration compliance.

As highlighted in the data section, the progression of international students from studying on programmes below degree level in the UK into higher education is increasingly significant. These programmes provide a vital bridge for many international students between previous study in overseas education systems that typically conclude at 17, and future study at UK universities.

As HTS has not yet operated for a year and has been subject to considerable administrative difficulties and delays in the application and approval process, the requirement for providers who are currently A-rated to secure HTS status if they wish to deliver programmes below degree level will need to be phased in over an appropriate time period. We understand the HTS system is due to be reviewed and it may be helpful for this review to be undertaken before any new requirements relating to HTS are introduced, otherwise the criteria and process are likely to change and lead to confusion.

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, but on the following proviso. More consideration and analysis of progression routes through the UK education system and considerable improvements and refinements to the Highly Trusted Sponsor arrangements, combined with appropriate phasing of changes that considers institutional recruitment and admissions cycles, are needed before such a change is implemented.

Universities UK comments

This proposal is a move towards the wider need to ensure that genuine international students receive a quality education in the UK.

However, there needs to be careful consideration of the range of programmes offered below degree level to focus on those of low quality and where people may either be misled by poor quality providers or are abusing the system by using the student route for work purposes. The current system has been driven by immigration compliance, which is important, but has not given sufficient consideration to ensuring educational quality for students attending institutions that are outside the audit/inspection system for institutions in receipt of public funding. If the education provision is of appropriate quality then positive immigration outcomes should follow. More consideration of these issues is provided in response to question 18.

It is not appropriate to completely prohibit the access of international students to sub-degree provision in the UK. As stated above, many programmes below degree level are providing students with appropriate education and enabling them to progress into higher education, or, in the case of vocational education provided by further education, equipping them for future careers. It will damage the reputation and success of the UK's education system if the immigration system applies blanket restrictions on access by international students that take no account of educational quality and student outcomes.

The data provided earlier in this response highlights the critical importance of progression routes from other parts of the UK education system into universities, with substantial numbers of international students in higher education institutions having previously undertaken pathway or other programmes at education institutions in the UK. Severely restricting the number of UK-based organisations that can offer pathways into UK higher education is likely to lead to a decline in the numbers of students on such pathways and thus to a decline in the number of international students in higher education institutions.

Universities are concerned about how restrictions on eligibility to offer certain levels of provision would be applied and how sub-degree level providers would be defined. Due to the considerable difficulties in the operation and management of the HTS system there is concern that many reputable providers with A-ratings may encounter difficulties in seeking HTS status. It would be sensible for this requirement, if implemented, to be phased in over an appropriate time period and after the scheduled review of the HTS arrangements to enable all institutions to have a clear understanding of the HTS framework, its criteria and its benefits.

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

Yes

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

At least 18 months.

Universities UK comments

As indicated in the responses to questions 1 and 2, any new requirements restricting certain levels of education to HTS institutions must be introduced in a phased way to enable institutions who do not currently have HTS to apply for it if they wish to continue to provide certain levels of education to international students.

The introduction of the HTS system was problematic and universities encountered significant difficulties in understanding the system and making applications for HTS. It took some universities five months before the outcome of their HTS application was determined, which caused considerable uncertainty. These difficulties need to be addressed and resolved as part of the review of HTS before any new requirements relating to HTS are introduced.

The time frames in which UKBA has in the past introduced new policies and practices have frequently been very short and not supported by adequate guidance or operation, which has resulted in considerable difficulties for institutions, for students and for UKBA. Hastily adopted measures have frequently resulted in confusion and misinformation that affect the reputation of the UK as a welcoming destination for international students.

The phasing for any requirements needs to consider the operation of the academic cycle; institutions recruit students over a year in advance of start dates for programmes, so a phasing period of at least a year – perhaps even at least 18 months – would be required. It may be helpful for UKBA to adopt the timescales used by sector agencies such as UCAS and HESA when introducing new changes to application processes and data collections, as both of these organisations operate on timescales of at least 18 months.

It should also be noted that there are already thousands of students studying in the UK on programmes at these lower levels who have begun their studies with a view to entering UK higher education on completion of their preparatory course. It would be disastrous for these students and disastrous for the UK's education sector if they were not able to progress as anticipated.

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?

Yes

Universities UK comments

The Tier 4 (Child) route is primarily used by independent schools. It would seem appropriate that the low risk nature of this route should mean that it is not subject to changes driven by behaviour in the Tier 4 (General) route. A very high proportion of international students in independent schools in the UK progress into higher education in the UK so this is a very important route into higher education.

Introducing tougher entry criteria for students

Q5. Do you think that all students using the 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?

No

Universities UK comments

This proposal has two dimensions: widening the scope of secure English language testing to include degree-level study, and raising the minimum level of study from B1 to B2. Universities UK does not support either of these proposals as autonomous higher education institutions have the right to – and are the most appropriate organisations to – determine their own admission requirements, including English language competence. As the Department for Business, Innovation and Skills (BIS) stated in 2009¹⁷:

‘... the principle of university autonomy means that Government does not interfere with any university’s admissions procedures.’

Instead of applying such blanket restrictions UKBA should actually trust the academic judgements made by universities in relation to the recruitment and admission of students and not seek to impose arbitrary conditions in areas beyond their competence and beyond their immigration remit.

The proposals ignore the considerable experience and expertise of universities and other providers in providing appropriate English language preparation and assessment for international students. Standardised tests are routinely used but there are many other methods that are equally valid in assessing language competence. Such methods include previous studies undertaken at recognised universities in other parts of the world, passing exams such as International GCSE or specific national English programmes, and tests developed by universities themselves.

Many universities provide their own English language programmes and testing systems developed over many years by English language professionals and designed to enable students to progress and succeed in that institution’s degree programmes. Imposing an external and standardised test is not appropriate for universities and other higher education institutions. Universities expressed concern about UKBA’s ability to select appropriate English language tests without advice from sector experts, and question whether UKBA would be working outside its remit by making these selections.

The evidence cited in the consultation to support such significant changes is weak and anecdotal as it appears to be based on comments from border force officers, who are not appropriate assessors of English language proficiency. As it is anecdotal evidence, no information is provided on the scale of their concerns or whether their concerns relate to students entering to attend universities, further education colleges, English language providers or other types of institutions.

The area of English language competence has already been subject to recent change; UKBA changed the English language requirements for students below degree level in 2010 to require students to pass a secure English language test at level B1 on the Common European Framework of Reference for languages following concerns about low levels of proficiency in English language. This change has been in place for less than a year and there is no evidence that these arrangements are being abused to warrant the extension of secure testing to all relevant students or the raising of the competence level.

The proposal to raise the level of English language competence required from B1 to B2 is also not appropriate as it would exclude substantial numbers of students from preparation programmes provided by universities either in-house or in partnership with other providers. These programmes are designed to enable students to improve their academic English alongside academic work and to enable successful transition into degree programmes. This change in level would result in lower numbers of international students entering UK higher education institutions, with damaging consequences for institutions and the wider economy.

UKBA suggests that those who are not proficient at B2 level could use the Student Visitor route, but as that is currently limited to 11 months and no extensions or switching are allowed it will not be a very useful alternative route for students wishing to develop their English language skills in the UK and then progress into higher education. It may significantly undermine progression from English language providers and programmes in the UK into higher education and deter students from coming to the UK for English language study. It would be more sensible for students to be able to study at lower levels of English on a student visa which can then be extended to enable seamless progression into higher education.

It is suggested that UKBA will allow those who need to undertake a short (up to three month) preparatory or pre-sessional course before their main course of study to come to the UK for this purpose. This may work for some pre-sessional provision for international students but it is not helpful for the many pre-sessional programmes that are longer than three months in length. A number of international students need more time to achieve appropriate English level ability and this should be possible as it will ensure students are better prepared and can succeed when they enter higher education. It seems very strange for the Government to wish to prevent students from coming to the UK to develop their English language abilities for longer periods and then progressing into degree programmes.

In terms of practicalities, the manner in which UKBA introduced the requirement for secure English language tests below degree provision in 2010 was rather confused and only allowed the use of a very limited number of tests. There has been no proper consultation by UKBA with English language professionals, which is short sighted and should be rectified if confidence is to be restored in UKBA's understanding of English language learning. A number of key and widely used assessments such as GCSEs, International GCSEs, A-levels and Highers were not included, which has led to students holding UK qualifications taught through English being required to take further tests.

Universities are concerned about UKBA's ability to select appropriate English language tests without advice from sector experts and question whether UKBA would be working outside its remit by making these selections. In particular, the mapping of IELTS and other test scores onto CEFR descriptors by UKBA is not accepted by many English language specialists¹⁸.

The lack of comparability in the validity of scores could represent a future concern if there were pressure on institutions to move into line with externally prescribed tests. For example, it could be difficult to judge the language skills of applicants presenting with Cambridge ESOL test scores given the lack of expiry for UCLES ESOL exams when IELTS, the Pearson Test of English and TOEFL iBT scores are only valid for up to two years.

There have also been capacity issues for test providers that has resulted in students in some locations being unable to take tests despite being assessed as competent by their sponsor institution. These issues would be compounded and would be likely to result in delays for students if this requirement is extended to degree-level and above students.

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?

Yes, but with further discussion to clarify the arrangements.

Universities UK comments

The continued general exemption of people from majority English-speaking countries, those who have qualifications taught in English in a majority English-speaking country and those who have recently studied in the UK seems appropriate. It would be useful if UKBA could develop some further guidance on this area to clarify the position of those applicants who had English as a first language but who were not educated in a majority English-speaking country, or those who studied at institutions where English was the medium of instruction but were not in a country that was majority English speaking.

It would be helpful, as mentioned above, if UKBA could reconsider the list of tests that it considers acceptable for English language competence as there have been problems caused by the non-acceptance of particular qualifications such as International GCSEs. A proper consultation on appropriate tests for below degree-level provision should take place to ensure that this area is being considered properly and with the benefit of input from English language professionals.

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?

No

Universities UK comments

This proposal is already standard practice for universities so no new requirement should be placed on students entering HTS institutions or progressing through or between HTS institutions. Admissions staff make informed decisions based on previous academic experience and, where relevant, work experience for all students.

The imperative for this proposal stems from people circulating on low-level programmes to extend their stay in the UK and not progressing, but that is a specific institutional and qualification issue that needs to be addressed through improvements to the accreditation arrangements and a blanket approach should not be taken. The immigration rules already prevent people undertaking low-level programmes for an unlimited period so UKBA already has the levers in place to restrict further visa applications. The limited research in this area cited by UKBA in the consultation document has indicated that all but one of those students with multiple visa extensions whose case files were sampled had spent the majority of their time in the UK at private further or higher education institutions.

In universities, academic progression regulations place strict limits on the opportunities for all students to repeat modules or years of study that are designed to ensure that student progress is properly and effectively managed.

The proposal suggests that students who wish to extend their stay to study a new programme should have to provide some specific confirmation from their sponsor that the new programme

represents progression to a higher level. No details are given as to how this might be delivered practically and it would place an additional bureaucratic burden on institutions. For HTS institutions it is again an unwarranted intrusion into academic matters. If a HTS institution issues a CAS to someone to undertake a further period of study then that academic decision should be trusted by UKBA and no additional confirmation should be required.

It should be recognised that there will always be a number of instances where a student may need to apply for a new visa without progressing to a higher level of study, such as those who need to move institutions or people seeking to retrain or undertake a programme at the same level as a qualification they already hold to gain more specialist knowledge. People may hold a Master's but then wish to study for an MBA. Medical professionals may wish to undertake more specialist study at Master's level in law, in management or other areas to add to their existing knowledge. For example, a student who already holds a degree may apply to enter the MB BCH medical degree, while a student holding a Master's in Law may then progress to the equivalent-level Diploma in Legal Practice course or the Bar Professional Training course.

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

No

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

Universities UK comments

This proposal is not supported by Universities UK as it will disrupt and potentially deter progression within the UK education system. As the data indicates, progression by international students from programmes below degree level into higher education forms a substantial proportion of the supply chain into universities and there is also significant progression within the higher education system.

Students who have successfully completed a programme in the UK and wish to progress should be considered as low-risk applicants and should be able to apply for a visa for their next programme in the UK. To force students to leave the UK will cause difficulties for academic reasons as there are often quite short gaps between programmes, so any additional time required to travel and apply overseas could mean that students miss the start of their next programme. For example, there is often a gap of only one, two or three weeks between pre-sessional programmes and enrolment onto degree programmes and short gaps between the end of Master's programmes and the start of doctoral programmes.

It will cause practical difficulties as students will face additional costs at peak travel times and it will disrupt their arrangements in the UK regarding matters such as accommodation. These difficulties would obviously increase if students had dependants.

The proposal will also increase the pressure on UKBA staff overseas, who will be faced with additional applications at the busiest time of year for them. This proposal may also lead to greater numbers of poor quality applications from students that place additional demands on UKBA resources. Currently, students who remain in the UK to extend their leave to remain before starting their next programme are able to maintain contact with their institution and institutional immigration advisers. The advisers can provide advice and guidance to support the student visa extension applications and can also liaise with the Student Batch Scheme team in Sheffield to resolve issues quickly and effectively.

The proposal will also not assist with net migration figures, unless UKBA is hoping that forcing students to leave the UK to apply for their next visa will deter thousands of students from coming at all, as students who do leave and then return will be counted more times than if they were allowed to remain to apply for their next visa from within the UK.

As outlined in the context section, UKBA's own research on migrants who entered in 2004 reveals limited evidence of people who entered on student visas still being in the UK after five years, despite the research being cited as evidence of misuse of the student route by people seeking to stay in the UK for longer periods. Those who were still in the UK were either still studying (perhaps if they had been on longer programmes or were progressing through the education system) or had moved into the work or family routes. The research did not disaggregate students by type of institution or qualification achieved so it is not possible to fully understand the behaviour of this group and identify those who may be considered to be legitimately progressing as compared to those who could be considered to be seeking to stay in the UK.

If UKBA is concerned about people misusing the student route it should use the evidence from its compliance work and apply any restrictions on the ability to remain in the UK to apply for further visas to those parts of the education sector where non-compliance is highest, and exclude HTS institutions and their students from this proposed restriction. Students are already subject to immigration rules that prevent them from applying for a new visa if there is a gap of more than one month between the end of their existing visa and the start of their next programme, so there are already checks in place to restrict the ability of students to stay in the UK for longer than necessary.

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

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.

Universities UK comments

Universities UK believes that the Post Study Work route provides an important route for international graduates to build on their education in the UK with a period of work in the UK if they wish to do so. It is an important part of the offer to international students when they are considering their study options. For this reason, and because there is insufficient data on its current operation to enable a properly informed policy discussion to take place, the route should not be closed but should be the subject of further study to understand its current use and value. While this study is under way the route could be adjusted so it remains available to graduates from HTS institutions.

As no disaggregated data on the backgrounds of Post Study Work visa holders is available to indicate how many have graduated from UK universities or how many hold certain qualifications more analysis and evaluation is required. Universities UK suggests that UKBA could work with a relevant organisation such as the Higher Education Careers Service Unit to undertake a review of the route. This review could consider some of the options around restricting the route such as limiting it to postgraduates or to graduates from certain subject areas, based on a proper understanding of the current use of the route by students with different types of qualifications and in different subject areas.

The evidence used by UKBA to suggest that the Post Study Work route is not providing a route into skilled work for international graduates is based on their analysis of Tier 1 users published in 2010, which appeared to show a large number of Post Study Work visa holders in 'unskilled' employment. This data is problematic, as outlined earlier in this submission, as it uses a very specific and limited sample and applies different thresholds to their status in terms of skilled/unskilled work and salaries to those that are applied to UK and EU graduates.

Another justification cited is the rising graduate unemployment rate in the UK. UKBA suggests that the Post Study Work route is adding to this problem, despite its holders apparently mainly working in 'unskilled' areas, though the evidence provided to support this assertion is drawn from a HECSU report based on graduates from a certain set of institutions who provide data to HESA. As the Migration Advisory Committee highlighted in their report on Tier 1¹⁹, the Post Study Work route is available to people who have attended one of over 700 institutions. The Migration Advisory Committee report also found no evidence of job displacement by international graduates holding Post Study Work visas.

For reasons of academic renewal, the Post Study Work route within Tier 1 is a valuable route for international graduates to move into early career academic positions. In 2008/09 just over 18 per cent of new international entrants to the academic workforce at UK higher education institutions were previously international students in the UK²⁰.

There are also a number of degree programmes in certain professions where a period of post study work in the UK is essential for graduates to achieve their professional accreditation. Examples include pharmacy and optometry. The Post Study Work route is a vital one for these students to enable them to gain their professional recognition and move into their careers. Before the Post Study Work route existed it was possible for these students to use the Training and Work Experience Scheme (TWES), but that route was closed as the points-based system was introduced.

Any changes to the Post Study Work route, particularly if they affect current students who had been recruited with an understanding that Post Study Work would be available on graduation, will be received very negatively by international students and prospective international students. Negative comments are already circulating on student networks and are undermining the position of the UK as a welcoming destination for international students.

The timing of changes needs to be considered carefully and again with regard to the academic cycle. Recruitment is already under way for the academic year 2011/12 and post study work is a key part of the UK's offer. Students currently on programmes will have been recruited with an understanding that post study work would be an option at the end of their programme. These factors suggest that changes should apply to those who start programmes from January 2012 onwards.

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?

No

Universities UK comments

This proposal is another blanket restriction being sought by UKBA rather than seeking to target abuse in areas where problems are known. No further restrictions should be placed on students studying at HTS institutions.

The consultation document cites the 2009 Labour Force Survey as providing evidence that international students are often working in breach of their visa conditions by working more than 20 hours. Further analysis of this survey has indicated that of the 106,038 individuals covered by the Labour Force Survey only 31 were full-time non-European Economic Area students who indicated that they were working more than 20 hours a week. This seems a very small and unreliable sample on which to base a policy change.

UKBA limited the working hours for students studying below degree level in March 2010 and the limits currently in place for both degree-level students and those studying below degree level are considered to be appropriate by universities.

University careers services encourage all students to develop a broad range of transferable and employability skills in addition to their academic qualifications. If international students are severely restricted in the amount, location and timing of the work they can undertake they are being discriminated against and their opportunities to develop these skills will be limited.

Many universities have invested considerable time and resources in working with local employers to recruit international students to do work that matches their specific skills, such as translating and interpreting. Local employers have found these skills of benefit; however, these opportunities are usually within office hours and therefore will not be permitted under the new proposals. Employers are unlikely to want to recruit students who are not able to work flexibly. This new proposal completely limits international students to getting work with external employers as employers cannot be expected to have jobs available just at weekends. If employers did this and saved such opportunities for international students only, then this could impact on opportunities for home students and would be discriminatory.

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?

No

Universities UK comments

Universities UK agrees that it is important that employers and students understand the rules around employment, and some simplification and improved guidance would be helpful. For example, the UKBA/British Council guidance on employing international students for employers has been helpful but needs to be updated. If there is evidence that employers are not fully aware of the rules around student work, perhaps providing easier-to-understand documentation to employers would be more appropriate. For example, visas could state more clearly how many hours students are permitted to work.

The proposal to limit work undertaken by international students to set times such as the weekend (except if students are working on campus) will not simplify the rules for employers. The proposal is inappropriate and unworkable as well as being based on rather outdated ideas about what constitutes a 'week' and a 'campus'. It would appear that there is an element of misunderstanding of what students do while attending university. Study, both taught and independent, is not confined to a 9am-5pm period from Monday to Friday. UKBA should not place further restrictions on students studying at HTS institutions.

Further restrictions on the rights of students to work during their time in the UK are likely to be problematic and will differentiate international students from other groups of students. Employers will be unlikely, as perhaps is the intention behind the proposal, to wish to employ international students who cannot work with a reasonable amount of flexibility across the entire week and weekend.

In contrast to the supposed intent of reducing breaches of the hours students are allowed to work, the proposal to allow unlimited work at weekends could actually lead to students working more hours than they currently are able to. This would have potentially negative effects on their studies, health and social life as they will be unable to manage these flexibly across a week and a weekend. Students studying for degrees at UK universities are encouraged to manage their study, work and personal commitments appropriately but these proposals would force a certain group of students into a very restricted and potentially unwise schedule.

In practical terms these proposals would be unworkable and impossible to advise on. What constitutes a 'week'? What constitutes a 'weekend'? Does a weekend start on Friday evening or Saturday morning? How would it be applied to students with religious commitments on certain days of the week or weekend? What constitutes a 'campus'? There are many employers on university campuses apart from universities; could these employers employ international students or only universities?

Income from work is obviously useful but many international students will also work to enable them to gain a broader understanding of the UK beyond their institution and to assist in integration with their local communities.

Many universities have invested considerable time and resources in working with local employers to recruit international students to do work that matches their specific skills, such as translating and interpreting. Local employers have found these skills of benefit and international students have benefited, but these opportunities depend on flexibility which would be curtailed by further restrictions.

These proposals are also likely to cause difficulties for wider institutional strategies to develop enhanced employability for all students, as international students may be unable to access opportunities with employers as part of their academic programme or as a consequence of their academic programmes due to these restrictions. This will undermine these institutional strategies as well as damaging the international student experience in the UK and the attractiveness of the UK as a destination for study.

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?

No

Universities UK comments

This proposal to place further restrictions on work placements within programmes is another example of a blanket proposal that does not distinguish between possible areas of abuse and legitimate academic activity. UKBA already has a number of mechanisms it can use to restrict the use of work placements below degree level and it is unclear why further restrictions are necessary. If any further restrictions are introduced to tackle continuing abuse then HTS institutions should be exempt from this restriction.

For universities, the imposition of a requirement by UKBA on work placement time within academic programmes is interference in academic matters that are beyond the remit and competence of UKBA. Universities have very detailed processes including quality assurance associated with the development of degree programmes that mean that they are the appropriate organisations to determine the balance between classroom-based learning and relevant work-based learning within programmes. Universities supervise students on work placements and employers voluntarily provide the placements because they benefit from the resources of a person with relevant skills.

The increase in the proportion of time that must be spent 'studying' could stifle the development of innovative programmes at postgraduate taught level where programmes may only be 12 months in duration but incorporate internship or other work components. The proposal would affect our more innovative courses. Many UK universities are developing programmes with partner universities in Europe and the rest of the world through the European Higher Education Area and programmes such as Erasmus Mundus. For example, in some programmes students may opt to take their six-month academic specialisation in the UK alongside a six-month work experience placement which fits exactly into the current 50:50 ratio. If the ratio reduces to 66:33, it will no longer be possible to run these programmes in the UK and offer them to international students.

There is no reason to place further restrictions on the balance of study to placement for HTS institutions. The proposed exemption of programmes where statutory UK requirements for 'work placements' exceed 33 per cent is a welcome recognition of the importance of statutory requirements within academic programmes, but should be extended to all HTS institutions.

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?

No

Universities UK comments

The current restrictions that prevent students being accompanied by dependants if they are studying for less than six months are appropriate and should not be changed.

This proposal would have a particular impact on postgraduate students studying taught Master's' as these students are often older and more likely to have dependants. A number will be seeking to move from Master's programmes onto PhD programmes and restricting their dependants from joining them in the UK and adjusting to life in the UK at this stage but allowing them to enter once the student has progressed is inappropriate.

This proposal is also likely to have a particular impact on female students with dependants, as for family and in some cases cultural reasons they would wish to be accompanied by their dependants and if they cannot be then they will not come to study in the UK. For example, female students from certain Muslim countries are invariably accompanied by a family member as 'chaperone'. Countries such as Libya and Saudi Arabia would be affected; both of these are significant and growing source markets for the recruitment of students. Many of these students are government sponsored and it is very likely that the sponsors will look to send their students to more 'family-friendly' countries.

Students have to provide evidence of funds to support their dependants, so there are no issues of burdens being placed on public funds through allowing dependants to come to the UK.

Dependants are also a comparatively small group within the visa numbers. UKBA data on people who entered the UK in 2009 indicated that 270,100 students came into the UK but only 21,100 dependants of students entered the UK. The number of dependants represented less than eight per cent of the student numbers.

Again, if any changes have to be made it would be appropriate to exempt students at HTS institutions.

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

No

Universities UK comments

The proposal that dependants should not be able to work in the UK except where they qualify as Tier 1 or Tier 2 migrants in their own right is not supported by Universities UK.

It is not appropriate to place such restrictions on dependants and it will deter a number of highly talented students from studying in the UK as their dependants will not be able to continue in their own careers and integrate into UK society. If their dependants are unable to work, not primarily for financial reasons (although that is likely to be important) but to do something 'useful' with their time in the UK, the student will not wish to come to the UK to undertake their research degree. Many dependants will not work for family or other reasons, so the numbers of dependants entering the labour market will be smaller than the total number of dependants accompanying students. The opportunity to work must be retained for those who wish to do so.

The justification for this proposal is cited as the assumption that the primary motivation for some students is not to study but to enable their dependants to work. The consultation document provides no evidence on the number of dependants who are working in the UK and no disaggregation by type of student they are accompanying. It seems rather unlikely that people study for a PhD when the prime motivation is actually the opportunity for their dependants to work.

As outlined above, dependants are also a comparatively small group within the visa numbers. UKBA data on people who entered the UK in 2009 indicated that 270,100 students came into the UK but only 21,100 dependants of students entered the UK. The number of dependants represented less than eight per cent of the student numbers. There is no evidence that this small number of dependants place any burden on the UK's economy.

The Migration Advisory Committee commented in its 2009 report²¹:

'... there is not sufficient reason to conclude that greater restrictions on working rights for dependants would lead to improved outcomes – either for UK workers or for the UK economy.'

If restrictions have to be applied then again it would be appropriate to exempt the dependants of students who are studying at HTS institutions.

Simple procedures for checking low-risk applications

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

This proposal needs further consideration.

Universities UK comments

Universities UK supports the objective of simplifying visa application procedures and the use of appropriate information to assess risk in relation to visa applicants. The recognition that more sophisticated approaches to assessing student applications are needed is welcome. It would be useful if UKBA could work more closely with the education sector to enable the Sponsor Management System (SMS) to be used to inform this approach for UKBA and for institutions. The SMS could be used to develop and share improved intelligence and management information that could assist in identifying areas of potential concern and confirming areas of low risk.

However, Universities UK has concerns about applying risk assessments based on very broad characteristics such as nationality. Within every major student market country there are significant differences in risk depending on factors including geography and level of study being applied for. If differential treatment is applied to particular nationalities, this will only add complication and confusion in the market and could be discriminatory. Adopting such an approach would also pose difficulties for university admissions staff and university immigration advisers, as well as undermining the objectivity that is one of the key principles of the points-based system.

The availability and consistency of the visa service and associated information available to visa applicants in different countries has already been commented on unfavourably by the chief inspector of the UK Border Agency²² and it would not be a positive move for UKBA to create further differentiation on a country or post basis.

This area would benefit from further discussion involving UKBA, institutions and other relevant bodies such as the Equality and Human Rights Commission and the chief inspector of the UK Border Agency.

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?

This proposal needs further consideration.

Universities UK comments

The proposal suggests that the information that should inform the differential approach to applicants should draw on evidence of abuse of documentary evidence for maintenance and/or qualifications and also be based on evidence as to which posts receive the most forged documents. Forged documents in relation to financial status are cited as the most frequent type of forged document but no evidence is provided as to the prevalence of forged documents in relation to qualifications.

Obviously, the provision of valid and authentic documents is a key part of the visa application process, but without further information as to the nature and prevalence of forged documents it is difficult to comment further. There is also no information provided on forged documents by type of institutions that applicants are seeking to enter.

Universities depend on UKBA to detect any form of fraud and immigration risk as UKBA's Risk Assessment Units have the means to do this. It is also important that information on risk areas be shared with institutions so that recruitment activity can be adjusted where necessary.

Universities would welcome more dialogue with UKBA on forgery and to receive intelligence to add to the existing sharing of good practice and knowledge across the sector.

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

Yes

Universities UK comments

Universities UK supports the proposal that students could be treated differently on the basis of the rating of their intended institution as it is in line with the sponsor differentiation direction being developed by UKBA and visible in the HTS arrangements.

As one of the incentives offered by UKBA in early 2010 to encourage institutions to apply for HTS was improved treatment for applicants to HTS institutions, it is appropriate that applicants to HTS institutions should benefit from differential treatment in the visa process. Further benefits should be available to HTS institutions, including the various exemptions from further restrictions on their activities and the activities of their students, if HTS is to be a meaningful and effective tool.

Suggestions from universities for additional HTS benefits include faster application processing both overseas and within the UK, a dedicated account manager for every university, and improved customer service for students and staff of HTS institutions.

As highlighted in the responses to earlier questions there were significant difficulties surrounding the introduction of the HTS arrangements, and the proposed review of the HTS scheme is a welcome move. So too is enabling institutions who currently do not have HTS status appropriate time to apply for it so they can continue to offer those activities and allow their students to operate in line with the requirements of an HTS institution.

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?

Yes

Universities UK comments

This proposal is very welcome and needs to be accompanied by a focus on ensuring the quality of the education experience of international students studying in the UK. The current arrangements are focused on immigration compliance rather than education quality, but if education quality was prioritised then good immigration outcomes will follow.

UKBA's research has indicated that significant levels of non-compliance and the greatest number of sponsor licence revocations occur in the private further and higher education sector. This is not a surprise but it is helpful that UKBA has finally undertaken research to provide evidence of these behaviours.

On a number of occasions visa offices have closed and student applications have been suspended due to concerns about the practices of private institutions. This has caused problems for HTS institutions who were not directly involved in the issue.

This focus on raising accreditation and standards is overdue but must also acknowledge and support the positive work undertaken by some of the accreditation bodies in working with private institutions and the existence of many reputable private providers. Work undertaken in this area must also be accompanied by greater transparency by UKBA and other agencies to ensure students are not left in difficulties if judgements are made about their institutions which place their presence in the UK in doubt.

This focus on the accreditation and inspection standards is overdue as the accreditation licences for approved accreditation bodies were only meant to be in place for two years from July 2007 onwards. Universities UK raised concerns about the accreditation arrangements implemented by UKBA in July 2007 at the time and wrote to both the immigration and higher education ministers expressing concern. No replies were received. The letter included the comment that one of the accreditation bodies had provided very little information on itself and lacked transparency about its management, governance and financial structures as well as having links to organisations offering other services to international students. Very little further information about this accreditation body has been made available since July 2007. A number of universities also provided UKBA with evidence of concerns about the accreditation arrangements. Unfortunately these concerns were not acted upon by UKBA at a national level, although they have revoked sponsor licences from a number of individual institutions.

This lack of national action on accreditation has resulted in continuing problems of poor quality providers being accredited and either deceiving genuine students or operating as fronts for abuse of the student immigration system. This has undermined the UK's reputation

for education and has provided continuing stories for media interest in 'bogus' colleges and students. There has also been a lack of interest in tackling issues around qualifications, and a number of providers offer qualifications that may not be appropriate or are presented as higher level qualifications than is appropriate.

It is welcome that UKBA indicates that it wishes to work with relevant government departments and executive agencies to ensure that education providers bringing international students into the UK only offer approved qualifications. The issue is an education matter at its core and the involvement of all the education and higher education departments across the UK is key. Universities UK and the Quality Assurance Agency for Higher Education would wish to be involved in these discussions as this is an area that has significant implications for the entire education sector.

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?

Universities UK comments

If these proposals are implemented as they currently stand they will have a devastating effect on the UK's universities that will have ramifications far beyond higher education. The only proposal that is entirely appropriate is the suggestion of a greater focus on raising accreditation and inspection standards within private institutions.

The current proposals seek to place inappropriate, unworkable and unjustified restrictions on legitimate and well-qualified international students wishing to study in the UK and the universities seeking to educate them. The proposals would make the UK a less welcoming destination for international students with a likely consequent decline in numbers.

While the Government may wish to see a reduction in international student numbers for political reasons, there is no rational reason why this should be pursued as it will have so many negative consequences.

International students are not permanent migrants to the UK; they enable many of our strategic subject areas to continue to be viable, they support our research base, they enrich the student and local communities in which they study and live, and they provide critical income for institutions. A reduction in international student numbers in universities will create further instability that will damage the global standing of the sector and the educational experience available to UK and EU students. In addition, departments in strategic subject areas will close, with consequences for regional and national expertise as well as direct and indirect employment associated with international students.

The current proposals also appear to be derived from research and views about the student visa system in its previous format and not from evidence derived from the operation of Tier 4 within the points-based system. Tier 4 has enabled significant improvements to the system to be implemented, including far fewer institutions as sponsors and clear links between students and their institutions through the CAS and SMS arrangements. It would be wise to allow Tier 4 to continue to operate on this basis, with increasing use of improved HTS arrangements to enable flexibility for reputable institutions and drive compliance for others, rather than to impose unfocused and inappropriate restrictions on students and institutions.

To move ahead, UKBA should be guided by the views of education institutions; our aim is to provide an excellent education to all our students, and educational quality needs to move to the

centre of the immigration system. Using the HTS arrangements, following their forthcoming review, is the appropriate route as all HTS institutions are focused on delivering high quality programmes and are committed to working with UKBA on immigration compliance.

The way ahead must be characterised by real partnership working by UKBA with institutions where better data is available, information is shared and dialogue positively encouraged at all levels and in all parts of the UK. Currently, institutions are still regarded as organisations that can be told what to do and how by UKBA in relation to international students rather than partners who have the educational expertise and experience that has to operate in tandem with immigration compliance.

The value of international students to the UK in every way they contribute to our country is too great to be lightly considered and unwisely constrained. The impact on the UK of undermining their mobility will range far, will diminish the country and will last for a number of years beyond short-term political objectives.

Universities UK urges the Government to adopt a more balanced, proportionate and positive approach to international students as it is in the best interests of the UK.

Notes and references

- 1 Some international students may not require a Tier 4 visa to take up study in the UK. One example is a student from Australia who holds dual Australian and British nationality.
- 2 *Education at a Glance 2010: OECD Indicators*. OECD, 2010
- 3 Further information on strategically important subjects can be found on the HEFCE website: www.hefce.ac.uk/aboutus/sis/
- 4 Universities UK analysis of HESA student record
- 5 *The impact of universities on the UK economy*. Universities UK, 2009
- 6 *Making an economic impact: higher education and the English regions*. Universities UK, 2010
- 7 Knock-on output generated throughout the UK economy from international students estimated at £3.26 billion and knock-on employment generated equivalent to 27,868 full time jobs in 2007/08. *The impact of universities on the UK economy*. Universities UK, 2009.
- 8 *Counting the population, eleventh report of session 2007-08*. House of Commons Treasury Committee, 2008
- 9 <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/reports/pbs-tier-4/>
- 10 <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2010/sept/25-minister-evidence>
- 11 <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/statistics/pbs-tier-1/>
- 12 www.agr.org.uk/NewsList.aspx?type=Latest
- 13 *Analysis of the points-based system: Tier 1*. Migration Advisory Committee, December 2009
- 14 *Students on the Move: The Future of International Students in the United States*. American Council on Education Issue Brief, 2006
- 15 *Voices of Hope, Voices of Frustration: Deciphering US Admission and Visa Policies for International Students* Janine Keil, Institute for the Study of Diplomacy, Edmund A. Walsh School of Foreign Service, Georgetown University, 2006 http://www12.georgetown.edu/sfs/isd/ISD_Visa_Report.pdf
- 16 *Fact Sheet 50 – Overseas Students in Australia*. Department of Immigration and Citizenship, Australian Government, 2010
- 17 *Higher ambitions: the future of universities in a knowledge economy*. BIS, 2009
- 18 <http://www.guardian.co.uk/education/2010/aug/03/uk-student-test>
- 19 *Analysis of the points-based system: Tier 1*. Migration Advisory Committee, 2009
- 20 Universities UK analysis of HESA staff data
- 21 *Analysis of the points-based system: Tier 2 and dependents*. Migration Advisory Committee, 2009
- 22 *An inspection of the Risk and Liaison Overseas Network (RALON) in Islamabad and the United Arab Emirates*. Independent Chief Inspector of the UK Border Agency, 2010

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