UK Visas
& Immigration

Student Sponsor Compliance and Visiting Team

Compliance Audits: How they will be undertaken and potential outcomes

April 2025

Background

1. The Student Sponsor Compliance Visiting team undertakes audits of all educational establishments that hold, or apply to hold, a sponsor licence that allows international students to come to the UK specifically to study at that sponsor. A list of sponsor licence holders can be found at Register of licensed sponsors: students - GOV.UK (www.gov.uk)

2. The team audits all Sponsors to confirm that they are compliant with published Student Sponsor Guidance (Student sponsor guidance - GOV.UK (www.gov.uk)), and also audits educational establishments who have submitted an application to join the *Register of Licenced Sponsors: students* (pre-licence), to determine their suitability to fulfil expected sponsorship duties.

3. Through the audit process, the team look at an education provider's policies and processes and, where the sponsor already holds a licence, the application of those policies and processes in practise. If UKVI has significant doubts about the ability of an education provider to fulfil its sponsorship duties after visiting it, UKVI may refuse the education provider's application, or take compliance action in respect of a current licence. Details of the compliance actions possible are included in Document 3 of the Student Sponsor guidance and could include, for pre-licence cases, the refusal of the licence application, or for sponsors who already hold a licence, the requirement to follow a time limited action plan or revocation of a sponsor's licence.

4. This process ensures that a consistent approach is applied to all education providers and that audits are undertaken by officers who understand the sector. The audit processes are designed to ensure UKVI have confidence in all Student Sponsors and to enable the sector to maintain the high standards of compliance required as a Sponsor.

5. This document provides an outline of the processes the team follow when conducting an audit and any resulting action. It is not a policy document, and its aim is not to replace current compliance sections of published Student Sponsor Guidance. We maintain discretion to amend the procedures as set out in this document where there is an operational need to do so on specific audits.

6. The Home Office reserves the right to maintain operational control throughout the audit process and implement an emergency suspension of a Sponsor if there is evidence of criminality, security or protection concerns, or threat to immigration control.

General

7. The Civil Service Code, requires employees to act with:

    - Integrity
    - Honesty
    - Objectivity
    - Impartiality

8. In addition, building on these values, our visiting officers (VOs) are expected to:

    - treat everyone fairly, respecting individual perspectives and valuing and embracing our differences to create an inclusive environment.

- act ethically, with honesty, care and sensitivity, seeking to understand the realities and perspectives of the people we serve to build trust and confidence.

9. UKVI are currently developing a questionnaire which sponsors can complete after a visit to provide feedback on all aspects, from the initial contact to make arrangements, through the visit itself and up until when our officers leave the sponsors premises. Providing feedback is not mandatory and does not impact the outcome of your visit.

10. Sponsors can also provide written feedback by email, marked for the attention of the Senior Operations Manager, to StudentSponsorComplianceTeam@homeoffice.gov.uk if they feel officers have not acted in line with the Civil Service Code and our values, for the attention of the Senior Operations Manager, or can follow the more formal complaints process detailed at Complaints procedure - UK Visas and Immigration - GOV.UK.

11. Whichever process a sponsor uses, feedback will be taken seriously and investigated, and appropriate action will be taken.

12. In return we expect sponsors and education providers applying for a licence to treat our visiting officers in the same professional, courteous manner. Where a visiting officer feels threatened or at risk, they may, with the full support of senior managers, terminate the visit and leave the sponsor's premises, which is beneficial to neither the sponsor nor UKVI.

Audit - process

13. The process below provides details in respect of visits to existing sponsors; however, pre-licence visits are undertaken in a similar way. In pre-licence visits the emphasis is on a prospective sponsor having systems and policies in place to meet the duties of a Student Sponsor licence holder, whereas visits to existing sponsors will look at whether or not systems are operating effectively, and a sponsor is following their own policies.

14. A lead Visiting Officer (VO) will be appointed for each audit who will liaise with the Key Contact (KC) listed on a sponsor licence, by email, before the proposed visit date. This is normally 2 weeks prior to the intended visit. If the sponsor is unable to accommodate the visit on the proposed date and suggests an alternative within a reasonable timeframe we will seek to accommodate the request, however this is not always possible. In some instances, the notification period may be shorter or longer. The VO will discuss the areas to be audited, terms of reference and the anticipated length of time it will take. We aim to visit a sponsor at least once during the first four years of holding a licence, when a sponsor completes their probationary year, or when they potentially become eligible for Track Record status, for example when they have passed 4 years BCA's and maintained Educational Oversight for 4 years without interruption, they may be eligible for Track Record status if no other compliance concerns are identified. Compliance audits are not limited to these points of the lifecycle, and we may visit any sponsor at any time.

15. Student Sponsor Guidance also allows us to undertake unannounced visits if the circumstances require; for example (but not limited to) where we have serious concerns regarding a sponsor's ability to comply with their sponsor duties, information to suggest that high volumes of students do not regularly attend lessons as required or any other information which suggests that they could pose a threat to immigration control.

16. Most audits will be undertaken by two VOs, however, for large organisations, eg Higher Education Institutions (HEIs) with high numbers of students there may be more officers present. The duration of the audit will depend on the size of the education provider and the number of students; this could be one day or, for larger sponsors, up to a full week.

17. Once the date has been agreed for an announced visit, written confirmation setting out the audit arrangements will be sent to the KC, including areas that we intend to cover so that the sponsor can make sure that the required people are available on the day. For large sponsors, where the audit will take place over several days, more detail is given about what personnel the officers will need to speak to and on what days.

18. The first day of the audit will start with a meeting between the lead VO and relevant personnel who have an interest in the audit. It is left to the education provider to decide who it wishes to attend this meeting. The VOs will explain the purpose of the audit and the proposed timetable for its various stages.

19. Initial feedback during the visit will be limited, and areas of potential non-compliance will **not** be discussed; the education provider will receive formal correspondence from the compliance team in due course. Factors affecting the timescale for this feedback include any non-compliance, where further information has been requested from the sponsor, and the complexity of the audit, where large amounts of data may require checking.

20. During the visit the team will split, with the lead officer interviewing key personnel about processes and procedures as well as asking questions relating to their specific circumstances. The officer will make a record of the conversation on an interview record, which the sponsor is required to sign at the end of the interviews to confirm that it a true and accurate record.

21. For visits to existing sponsors, the other visiting officer(s) will undertake file checks on a proportion of students assigned CAS to check compliance with Appendix D record keeping requirements; they will undertake checks to ensure that the sponsor is following their own procedures and policies, for example they will check attendance records to determine if students are attending as required and where attendance falls short of requirements they will look for evidence on the files that the sponsor has followed their own attendance policy, issuing warnings where appropriate and/or withdrawing sponsorship.

22. VOs will also check other student information to confirm that sponsors are complying with their reporting duties as well as anything else required to confirm that sponsors are complying with other areas of sponsor guidance and their own policies and procedures.

23. For pre-licence visits, the other VO will for example but not limited to, check records for non-sponsored students that are subject to immigration control, touring the premises and classrooms to assess amongst other things capacity, checking other records such as the Single Central Register, required for safeguarding purposes, and assisting the lead officer during the interview.

24. At the end of the visit the lead officer will meet with the key personnel to conclude the audit. This will be an opportunity for the education provider to make any initial comments about the audit and take a copy of the interview record. They can also request a copy after the visit if they do not take one on the day.

25. The report is completed using a standard report form and covers assessment of a sponsor's compliance with the duties set out in the published Student Sponsor Guidance and Appendix

D, which accompanies that guidance, or for pre-licence cases an assessment of their ability to comply based on the systems and policies they have demonstrated during the visit.

- **Monitoring Immigration Status,** this includes checking that sponsors are able to confirm that all students subject to immigration control, not just those that are sponsored, have permission to study throughout the entire course.
- **Maintaining student contact details**, ensuring that a sponsor has a system in place, and it is operating effectively, to maintain a complete history of contact details for their sponsored students.
- **Record keeping and recruitment practices**, which involves confirming that sponsors have systems in place to comply with published sponsor guidance and these are operating effectively. The VO will interview key personnel and undertake a check on the records held for sponsored students against the requirements of Appendix D of the sponsor guidance.
- **Migrant tracking and monitoring**, including checking that the sponsor is operating an effective attendance/engagement policy that meets the requirements of published student sponsor guidance and acting on issues identified, including withdrawing sponsorship where appropriate and reporting through SMS when a student fails to enrol or fails to complete their course.
- **Safeguarding**. All sponsors who have students under the age of 18 years have a duty to ensure the safeguarding of those students, irrespective of whether they are sponsored under the Student route or the Child Student route. The requirements for Child Students, particularly those under the age of 16 years, are more detailed. The VO's will check systems, records, etc to ensure that a sponsor is complying with their duties in this area.
- **General sponsor duties**, a general assessment as to compliance against all other areas of published guidance not included in the specific areas above, for example SMS security, key personnel in place at all times, up to date agent information, up to date sites and partnerships information, etc.

26. The report is a factual record of what the VOs have observed on the day. Whilst the VOs may provide the sponsor with information relating to what could constitute best practise from their own experience, it will not be included in the visit report. Such areas will be relayed verbally at the closing meeting.

27. The report, for existing sponsors, is referred to compliance officers for assessment. Once a decision on the visit outcome has been reached, a decision letter is served via email to the named Authorising Officer (AO). A pre-licence report is referred to Student Sponsor Assessment Unit casework team to be considered whilst making a decision on the licence application. A copy of the report is not attached as standard, however, if an education provider would like a copy of the report, it can be requested from the team, who issued the decision letter, and a copy will be provided.

Post-audit – Pre-Licence

28. In the case of a pre-licence visits the consideration of the application will continue in line with published guidance and the proposed AO will not receive information relating to the outcome of the visit until the application casework process is complete and a decision is issued.

29. Once the consideration of the licence application is complete, the proposed AO is sent a formal letter notifying them of the decision; grant a licence, grant a licence with some advice where

systems require minor improvements to become fully compliant or refuse the licence application.

Post-audit – compliant

30. The AO is sent a formal letter notifying them of the outcome of the compliance check, by email. A copy of the visiting officer's report may be requested by the education provider at this stage.

31. If the education provider is deemed to be operating in compliance with published Student Sponsor Guidance, the outcome letter is subsequently sent to the AO, the audit is closed.

Post-audit – areas of non-compliance

32. The Visiting Officer submits the report to the central compliance team to consider the findings of the audit and determine if compliance action is required.

33. In summary the potential outcomes include

- **Maintaining sponsor licence status** and providing advice and guidance to address minor issues, if required. This may also include follow-up engagement activity from one of the Study Services Engagement teams.

- **Consideration of a formal Action Plan** to address compliance concerns that fall short of a serious breach but are sufficient to raise concerns. The sponsor will be notified in writing of the concerns and have the opportunity to provide representations before a final decision is made.

  If the sponsor demonstrates, by way of evidence, that the findings are incorrect and that no breach has taken place, no further action will be taken, though the sponsor will continue to be monitored in the usual manner. If no representations are received, or if, following any representations, UKVI still considers that a breach has taken place, it will require the sponsor to follow an action plan, for which there is a charge. The action plan will set out actions that the sponsor must take to correct the non-compliance by a specified date. Failure to pay the invoice will result in the revocation of the sponsor licence.

- **Revocation of sponsor licence.** If a serious breach is identified, where there has been a single serious breach of sponsorship duties, or where the sponsor has committed a number of breaches which cumulatively reveal serious or systematic failings, or which taken together are deemed to be equivalent to a serious breach, the sponsor will be removed from the Register of Student Sponsors whilst UKVI investigates.

  UKVI will write to the sponsor's AO, to advise that revocation action had started and explain the concerns identified and the sponsor will be given the opportunity to respond to these concerns. During this time, the sponsor will not be permitted to issue any CAS and may be subject to other restrictions on its licence but must continue to meet its sponsorship duties and the requirements of the published Student Sponsor Guidance

If the sponsor demonstrates, by way of evidence, that no serious breach(es) occurred, the licence will be reinstated and no further action taken, though the sponsor will be monitored in the usual manner.

If the sponsor's response evidences that although breach(es) occurred these fell short of a serious breach, the sponsor's licence will be reinstated and UKVI will require the sponsor to follow an action plan.

Where UKVI still considers the breaches identified in previous correspondence have taken place, the sponsor licence will be revoked.

34. Further details of potential compliance action can be found at Student sponsor guidance: document 3, student sponsor compliance, October 2023 (publishing.service.gov.uk)

35. This process applies to all Student and Child Student sponsors

36. In the case of a pre-licence visits the consideration of the application will continue, however the visit report plays a deciding role in the decision on whether or not to grant a sponsor licence. The proposed AO will not receive information relating to the outcome of the visit until the application casework process is complete and a decision is issued.

Remote Audits

37. The compliance team may also request information from existing sponsors in order to undertake checks remotely. These checks may include cross referencing information obtained from the sponsor, relating to their current sponsored students, against UKVI records of CAS used in a visa application, as well as any related SMS activity by the sponsor. We may also request details relating to policies and procedures in respect of the six areas covered above in the Audit – process section of this document.

38. Where differences are identified a compliance officer will write to the sponsor, giving them the opportunity to explain the differences. However, should these checks identify a large number of differences, indicative of a sponsor not meeting their reporting duties, we reserve the right to undertake a full on-site compliance audit.

Student Sponsor Compliance Team
April 2025