

UK 2024: Key Immigration and Compliance Updates



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- 2) Safeguarding and Supporting U18 students**
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Immigration Challenges

The impact of government on international student recruitment not only a UK concern

Global government policy and communication around student immigration fluctuates widely. Changes due to the electoral cycle, change of government, and/or political leaders have a huge impact on immigration strategy and policy creating lack of certainty and direction and the resulting messaging to the global market.

UK and US Elections scheduled 2024, Australia and Canada in 2025 – policy reform, resulting rhetoric being driven by election dates.

This can bring unintended consequences in immigration impacting on student recruitment in the countries Kaplan delivers programmes (e.g.) UK marked decrease in EU (Brexit) and China (Covid), more students recruited from higher risk countries. Growing trend of the Student Route being used by economic migrants looking for work with no intention to study – could have damaging consequences in the future.

There is still a perception that visa systems are a barrier to study with a high level of bureaucracy. Governments have a key part to play in ensuring they improve the student journey and that visa systems remain competitive.

Factors influencing the UK Government's Immigration Policy



Increase in high-risk nationals, economic migrants

Post Covid the UKVI flagged they had concerns around some nationalities identifying as high risk and a growing trend of the student route being used by economic migrants who had no intention to study

- Economies struggling due to Covid-19 had created an increase in non-genuine student applicants, an increase in fraudulent documents, asylum seekers and trafficking
- Increased numbers of visa refusals UKVI record highest number: India, Pakistan, Bangladesh, Nigeria, Ghana
- Over 6,000 asylum claims from applicants through Student Visa Route in 2022-2023

UKVI reaction:

- More stringent UKVI application checks on applicants especially from high-risk countries, visas taking much longer than 15 day expected service time
- UKVI established the Enrichment & Document Verification Team to provide more rigorous document/finance and bank checks
- UKVI reporting delays with these “complex applications” for a visa decision to ensure the application is approved as quickly as possible make sure documents are 100% complete and correct

Unprecedented levels of Immigration

The UK has experienced unprecedented levels of immigration since the pandemic in June 2023, net migration was 745,000 – up significantly on pre-pandemic volumes.

A large proportion of these numbers has been driven by unprecedented world events: Migrants from Ukraine, Afghanistan, Hong Kong BNO account for nearly 400,000 of this total.

The high numbers of international students in the UK has met the International Education Strategy target for two years running ahead of the 2030 target. The total revenue from education related exports and transnational education was estimated to be UK £42bn despite the value of these students to UK higher education and the economy in an election year, the total migrant numbers have caused huge concern across government.

UKVI Response to High Net Migration

May 2023

- Removing the right for international students to bring dependants unless they are on postgraduate courses currently designated as research programmes.
- Steps to clamp down on unscrupulous education agents who may be supporting inappropriate applications to sell immigration not education.
- Providers and agents: better communication of immigration rules to international students.
- Improved and more targeted enforcement activity – on-going UKVI audits across HE providers.

December 2023

Home Secretary committed to reducing international student numbers to bring-down net-migration by 300,000:

- The Home Secretary requested the Migration Advisory Committee (MAC) to review any abuse in the Graduate Route this created uncertainty around opportunities in the Graduate Route going forward.
- The Home Office confirmed immigration policies will be kept under close review to ensure that a reduction of net migration is achieved.

This messaging created nervousness in many key global recruitment markets

Updates May 2024: UK Election July 4th

MAC Review

The Graduate Route has broadly achieved, and continues to achieve, the objectives set by this government. We therefore recommend that the route remains in place in its current form.

“We have accepted the MAC’s recommendations, including retaining the Graduate Route in its current form.”

Net Migration

- Net-migration decreased by 10% last year falling to 685,000 to December 2023.
- Visa applications across most visa types have fallen in the first four months of the year compared to last year. Student visa applications are down by 30,000 and there have been 79% fewer student dependent applications.
- Data on Work and Study Visas suggest we may see a bigger decline later in 2024, following the recent policy changes.

Good outcomes but in an election year political and media coverage on migration and the debate on international students continues to heighten with further uncertainty around the impact of a change of government. How can we work together to mitigate the risk to recruitment?

Advising and supporting students choosing the UK as their Study Destination



Government engagement to mitigate risk to future recruitment

- Meetings with the international education sector and government departments
- Engaging with MPs including relevant Ministers outlining our concerns and stressing the importance of international students to the UK
- Working closely with BUILA on the Agent Quality Framework and the British Council on the agent counsellor training programme

Ensure our message is heard loud and clear:

International students are vitally important to the UK as they bring huge economic benefits, add diversity to our universities and strengthen the UK's soft power. Revenue from international students is reinvested into high-quality teaching and research to benefit all students. If international student figures fall, the UK risks losing out on the £42bn that international students contribute to the economy every year.

Working Collaboratively with the sector to embed the Agent Quality Framework (AQF) and new immigration requirements

- UK Government announced the AQF will become mandatory. All international education providers will have to commit by summer 2024, by early 2025, much more detailed agent data monitoring arrangements will be in place.
- Over 150 universities and the main Pathway Providers have committed to the AQF, over 20,000 Counsellors have completed the British Council online training.
- Add the name of the agent to a student's Confirmation of Acceptance of Studies (CAS).
- Develop a risk framework data-sharing system to include sharing information between UKVI and providers on agent trends.
- Review Basic Compliance Assessment (Visa refusals, Enrolment, Completion rates).
- Review English language standards review how English Language ability is assessed (SELT).
- Raise financial maintenance requirements.

Listen to advice from the UKVI Verification Unit

A high number of fraudulent documents and issues around proof of finances are still being seen - causing further checks and long delays in visa application approvals: [Document verification guide.pdf](#)

- Provide copies of previous educational documents (e.g. school results, degree certificates, transcripts).
- If there is a gap in their studies, why are they returning to education now? Does their proposed course follow on from their previous studies? Are they in the same field?
- Student's finances: Has the student a credible source of funds to meet course fees and living costs for themselves. If the student is relying on third party funds, have provided proof of their relationship with written consent from the person providing those funds.
- Ensure the student provides high quality scanned copy or image of their original document – a scanned copy is preferable; photographs can be distorted.
- Certificates should be scanned in colour.
- Certificates should be of sufficient quality to be easily read. Barcodes and QR codes are increasingly common on certificates, these should be of a high enough quality to be scanned by the case worker.

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Safeguarding and Supporting Under 18 Students

Arrangements for an U18s care and accommodation must comply with relevant UK legislation and regulations. UKVI sponsors who recruit a student under the age of 18 must ensure suitable care arrangements are in place for them in the UK. This must include arrangements for their:

- a. travel to the UK
- b. reception when they arrive in the UK responsible adult to meet them
- c. suitable care throughout their course and while in the UK

The numbers of students starting their study journey at the age of 16 or 17 has increased year on year.

The last five years have seen huge changes in the challenges involved in safeguarding young people in the UK issues that were already causing growing concern have been amplified by the pandemic.

Across all UK educational sectors, Safeguarding Regulation has become more rigorous – expectations on providers have been strengthened. This includes regular safeguarding training and re-emphasising the Safeguarding responsibilities of staff at all levels.

Preparing U18 students for their UK Study Journey

- Your role in preparing U18s during the pre-arrival period is vital to ensure they understand U18 UK regulations, and you manage each students' expectations informing parents what their son/daughter are allowed to during their time in the UK.
- Parents should read and sign U18 underage/guardian consent and declare any health issues, medical conditions, disabilities or on-going medication they must give written permission to join in extra-curricular activities, including those which are held away from the College premises.
- U18s must book a transfer – if not transferred must have parental consent, they must have an accommodation address when they arrive in the UK proof of this will be requested at the UK border.
- Student aged 16 or 17 can live independently in private accommodation. However, when they apply for a visa, the sponsor must submit a letter from the student's parent or legal guardian confirming they consent to their son/daughter living independently in the UK this will be checked on arrival to the UK. Flat shares with other students are not suitable, accommodation with a responsible adult or family environment is preferable.

Forward Planning: Accommodation and Medical Insurance

Ensure students and parents are aware the challenges of living in the UK especially the availability and cost of student accommodation. [Kaplan Living](#) and other Kaplan recommended accommodation may seem more expensive but saves money on a large deposits, utility bills and travel costs.

International students on a Student Visa, pay the IHS (£776) and are entitled to free NHS treatment.

Students are advised to have other adequate medical insurance to cover other related costs (e.g.)

- to cover more specialist physical or mental health care;
- lost fees if you are unable to complete your course;
- costs of a relative visiting you in the UK if you fall ill;
- cost of returning to your home country for treatment

Long wait for NHS treatment sometimes many months. Reliance on phone appointments not ideal for a non-native English speaker. An insurance policy which gives access to private medical care could give much quicker access to treatment especially specific or complex physical or mental conditions.

It is Kaplan policy for U18 to appoint a guardian based in the UK until they turn 18. Guardians must be to be over the age of 21 and based full-time in the UK.

Effective guardians should be:

- ✓ mature and positive role models
- ✓ able to make important decisions which may affect the student, and provide appropriate guidance
- ✓ are available to provide support when needed and liaise as required with the college, accommodation provider and the student's parents
- ✓ based in a location which is reasonably close to the college ideally living in the town or city where the student is studying
- ✓ can communicate well in English
- ✓ are already known to the student
- ✓ make initial contact and assist the student to settle into their new location
- ✓ make regular contact and check in with the student

The pre-arrival and college teams will assess suitability of the guardian if they do not meet the above criterias we would ask them to agree to use the services of [College Guardians](#).

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Complying with Consumer Protection

Protecting Students' Consumer Rights

- Information provided to students must be accurate, clear, timely, should be given up front, easily accessible and consistent
- Clear communication and expectations of the programme and other services set during counselling and at point of booking
- Draw out important and surprising rules and regulations, and make them accessible
- Terms and Conditions:
 - ✓ Easily located and students had the chance to review before acceptance
 - ✓ Written in plain and intelligible language
 - ✓ Not drafted in a way that their effect could be unfair
- If anything changes make it clear how and why

Competition and Markets Authority (CMA) – Student Counselling

The following documents must be available on the website for prospective students and on the Virtual Learning Environment (VLE) for current students and staff. Vital these are discussed with students and parents as part of the counselling process

- **Current Terms and Conditions with links to the above:**
<https://www.kaplanpathways.com/how-to-apply/terms-conditions/>
- **The Kaplan Pathways Student Protection Plan:**
<https://www.kaplanpathways.com/how-to-apply/uk-universities/student-protection-plan/>
- **The Consumer Law and Complaints Process:**
<https://www.kaplanpathways.com/complaints/>

This ensures student information provision is accurate, clear and current enabling students to make informed decisions on their choice of pathway college, study plan and choice of university.

Following CMA Guidelines

Ensure you and your staff are aware of, and comply with consumer protection, understand and follow, the CMA's guidelines

Communication matters at every stage of the student journey, including e-mail, other messaging, phone calls, mis-information could lead to a Consumer Protection Breach

Be aware of contract information given at the offer stage, this should still be accurate at enrolment. If not, you should inform the students at the earliest opportunity and get written consent they agree to any change (e.g.) Course closures, changes, progression route changes/closures study/accommodation location.

Please ensure you pass any change(s) information onto the student, and they confirm they have accepted the change(s) in writing

Draw students' attention to terms and conditions, and any other rules and regulations. We cannot ask students to agree to new T&Cs at/post enrolment, the T&Cs they originally agreed to at application stage still apply.

Working together to ensure every students' transition to the UK stress-free, they are welcomed and supported to ensure the very best international experience and success on their student journey

