



WESTMINSTER  
SCHOOL

# RIGHT TO STUDY POLICY

Author: Martin Walsh  
Lead: Deputy Head (Academic)  
Reviewer: Audit and Risk Committee

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## WESTMINSTER SCHOOL

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### **INTRODUCTION**

The School has a responsibility as a Student Sponsor to ensure that all pupils have a right to study at the School, so as to ensure continuity of education (both within School and when overseas) and compliance the Immigration Rules and relevant Home Office guidance.

Additionally, the School has a duty to safeguard the welfare of all pupils and takes very seriously its additional responsibilities to those who are sponsored by the School as Child Students or Students.

The School will make all reasonable efforts to assist pupils and parents to comply with the Immigration Rules and, where appropriate, will provide sponsorship. Equally, the School expects parents to comply with the requirements of the Immigration Rules and reserves the right to suspend or remove a pupil if they cannot satisfactorily prove their right to study in the UK.

### **DOCUMENTATION REQUIRED**

#### **Passports – for all pupils**

In order to ascertain the immigration status of a pupil, it is necessary for the School to have a copy of an original valid passport photo page for each pupil registered as being on the School's roll, irrespective of nationality. Parents are responsible for uploading their child's passport photo page to the Parent Portal and for ensuring that the passport is in date and has at least six months' validity at all times.

#### **Biometric Residence Permits (BRPs)**

In addition to the passport photo page, a copy of the original valid BRP is necessary for all pupils who are not British or Irish citizens and who are unable to prove their immigration status in another way (for example by using a share code to demonstrate Settled or Pre-Settled Status as an EU national).

#### **Entry vignettes**

For pupils on Child Student Visas who have applied for Entry Clearance, a copy of an original stamped vignette is required. As such, these pupils should ensure they enter the UK through Passport Control rather than through the e-gates in order to ensure that they have a physical stamp on their vignettes.

## **Timings**

All new pupils must upload a copy of all required documentation to the Parent Portal at least 14 calendar days prior to the pupil's arrival at School, so that appropriate checks can be made by the School. The only exception to this is the Entry Vignette, the original of which must be uploaded to the Parent Portal at least 72 hours before the start of term. If a pupil arrives in the UK less than 72 hours before the start of term then it is sufficient to provide the original document to the School on arrival.

The School is under a duty to notify the Home Office if a sponsored pupil fails to enrol on the start date on their Certificate of Sponsorship (COS). As such, parents are expected to give the School as much advanced notice as possible if a pupil were to be unable to enrol on the required date.

## **Reasons for the School to hold documentation**

The School holds this documentation so that it can verify each pupil's right to study at the School and demonstrate that it meets its obligations as a student sponsor.

The documentation will also ensure that the School is able to prepare a pupil effectively for any School-organised overseas trips.

## **EMERGENCY CONTACTS AND GUARDIANS**

All pupils are required to have either an Emergency Contact (for day pupils) or a Guardian (for boarders). See the separate [Guardianship and Emergency Contact Policy](#).

Checks will be made to ensure that Emergency Contacts and Guardians are in place: details must be uploaded 14 calendar days prior to the pupil's arrival at School, so that appropriate checks can be made by the School.

## **VISA APPLICATIONS**

The responsibility for making a visa application lies with a pupil's parents. The School cannot assist with resolving visa-related issues unless these relate specifically to a Confirmation of Acceptance for Studies (CAS) issued by the School. Once a pupil has made a visa application using a CAS issued by the School and a visa application has been made on this basis, the responsibility for the visa application lies with the pupil's parents. The School very strongly recommends that families use the services of an immigration lawyer if they are at all unsure about the visa application process.

## **Sponsored Child Students transferring from another UK school**

Where a pupil has sponsorship from another school in the UK, they must have a CAS issued by "Westminster School" and made a Child Student application on this basis *before* enrolling at Westminster. If that application has not been decided by the date of enrolment, it is the duty of the pupil's parents to keep the School updated on the progress of the application. If the application is refused by the Home Office, the parents must inform the School immediately: in this case the School will be unable to continue teaching the pupil unless or until the pupil obtains an alternative right to study in the UK.

## **Confirmation of Acceptance for Studies (CAS) for visa applicants**

Before a CAS can be issued, Admissions must receive:

- Processing fee of £1000 per CAS.
- A signed copy of the School acceptance form.
- A copy of the pupil's current valid passport.
- A copy of the pupil's birth certificate with a certified English translation.
- A letter of consent which follows the format of the template provided by the School (this is a Home Office requirement).
- Evidence of the relationship between the pupil and the parents if not obvious from the birth certificate.
- Evidence that the pupil meets the relevant academic requirements including:
  - A report from the pupil's current school
  - An English as an Additional Language test
  - A mathematics test if deemed necessary
  - An interview conducted by a member of the School's teaching staff.

Once this information has been provided, the School will provide a draft CAS to the parents. It is critical that the parents check the personal information on this document carefully before approving the same. The CAS will then be assigned to the pupil. The CAS number, together with the School's offer letter, will be issued to the parents so that they can apply for a visa on behalf of their child. A CAS is valid for six months, but may not be used more than 3 months before the course begins.

If a visa application is refused, the School must be sent a copy of the refusal letter before another CAS can be issued. In these cases, the decision to issue another CAS is at the School's discretion, depending on the reasons for the refusal.

## **Attendance and absence monitoring for visa holders**

Pupil attendance will be monitored.

All unauthorised absences reaching the following thresholds:

- Missing ten consecutive expected contact points as defined in the Pupil Attendance and Registration Policy or
- An attendance rate of <80%

will be reported to the Home Office by the Admissions Office, using the Sponsor Management System.

The School will withdraw sponsorship from those pupils who breach these thresholds of attendance meaning these pupils will no longer be permitted to study at the School.

## **Exeats for visa holders and those subject to immigration control**

Appropriate records of travel, reception on arrival in the UK, care whilst in the UK, as well as dispatch from the UK must be kept up to date by parents / guardians on the Parent Portal.

Each vacation entry on the relevant screen of the Parent Portal will have two options:

- "Overseas travel"
  - Travel details (airline, flight number and origin / ship, vessel and origin)
  - Place of disembarkation / embarkation
  - Date and time of arrival / departure
  - UK / overseas receiver contact details (name, relationship to pupil, address, email, telephone)
  - Signed off by [Westminster staff name]

- “Remain in the UK”
  - Date and time of departure
  - Travel details (mode of transport)
  - Destination
  - Parent / Guardian / Host contact details (name, relationship to pupil, address, email, telephone)
  - Date and time of return
  - Signed off by [Westminster staff name]
  - Verified by [Westminster staff name] on [date]

This information must be uploaded by Parents / Guardian at least 3 days prior to the Exeat.

Checks will be made on pupils when away from School and in the UK:

- For Half Term Exeats and between terms, checks will be made on the pupil if they are in the UK and those checks recorded.
- For shorter Exeat Weekends, confirmation of arrival with the guardian should be sought from the guardian.

### **Validity**

Once a Child Student Visa applicant pupil turns 18 years old, they may carry on with their course until their permission to stay ends. If the pupil wants to undertake further study in the UK, they will have to apply under another category, for example a Student Visa as a Student.

### **Departure**

If a pupil leaves School before the end of their course, this will be reported to the Home Office who will curtail the pupil's permission to remain in the UK as a Child Student on this basis.

When a pupil finishes their course of study (e.g.: the end of Year 13), families are requested to provide details of the departure from the UK. A further check may be carried out later in the year to ascertain the pupil's whereabouts, and families are requested to comply with this.