CRANLEIGH
SCHOOL
EX CULTU ROBUR

Right to Study policy

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Introduction

Cranleigh School (**School**) is a licensed Child Student visa sponsor enabling the School to sponsor pupils who are not British or Irish nationals and who wish to study at the School for courses of more than six months' duration.

One of the guiding principles of the sponsorship regime is that holding a sponsor licence is a privilege and not a right. In order to maintain and retain the privilege of holding a sponsor licence (and to benefit from the migration which it enables) the Home Office and UK Visas and Immigration (**UKVI**) requires sponsors to play their part in helping to control immigration by fulfilling certain duties.

UKVI's guidance to sponsors outlines the general duties with which sponsors must comply, one being that a sponsor has a duty to:

> "*comply with all aspects of the Immigration Rules and sponsor guidance, and support immigration control, including by taking steps to ensure that every student at their institution who is subject to immigration control has permission to study in the UK throughout the whole period of their study.*"

Guidance also lists examples of serious breaches of sponsorship duties which could result in compliance action being taken against a sponsor which ultimately could include licence revocation. That list includes the following:

> "*Operating in a manner that poses a threat to immigration control, such as failing to take steps to ensure that students who are subject to immigration control have leave to remain in the UK.*"

For these reasons it is extremely important that the School takes steps to:

- Identify all prospective and current international pupils; and
- check that they have the right to be in the UK and to study throughout the period they are studying with us.

In 2014 the Home Office wrote to the Independent Schools Council setting out the steps independent schools are expected to take to meet their responsibilities as sponsors in relation to the above duty. This policy takes those steps into account.

Pre-admission checks: All pupils

We have in place processes to identify those pupils who will be subject to immigration control, whether their Child Student visas are sponsored by us or have limited leave to remain under a different immigration category.

Initial indications as to each prospective pupil's immigration status are obtained through our admissions process by way of specific questions about the pupil's nationality and immigration status in the School's registration form.

The School specifically requests all prospective pupils to disclose and provide evidence (such as a copy of their passport or an eVisa "share code" so that we can access the child's digital immigration status) in relation to:

- Nationality;
- whether they require Child Student visa sponsorship by us if they are not a British or Irish citizen; and

- if not, the basis on which they are entitled to study in the UK, e.g. they have been issued a visa as the dependent child of someone with limited leave to remain in another immigration category.

The School reserves the right to request further information about a prospective pupil's immigration status and to share that information with UKVI. We will request further information if we are uncertain about a prospective pupil's immigration status or if information submitted by the pupil or parent indicates that they might be subject to immigration control (for example, if overseas correspondence addresses are provided).

Where an overseas pupil has entered, or is to enter, the UK under an immigration category that does not require the School's sponsorship (for example, as a Skilled Worker dependant), the School reserves the right to request further information about the immigration status of the parent(s) of a prospective pupil and to share that information with UKVI. We will request further information if we are uncertain about the immigration status of the parent(s) of a prospective pupil.

Enrolment checks: British/Irish pupils only

Although there is no requirement for schools to inspect or take copies of evidence of nationality for British and Irish pupils we ask **all** pupils to provide proof of their immigration and nationality status to ensure full compliance and we reserve the right to do so if there are obvious discrepancies disclosed as part of the admissions or enrolment process. This will be the case where a home address outside the UK or Ireland is provided.

Staff must use the right to study checklist (Appendix 2) to carry out these checks. A copy of the completed checklist is then appended to the pupil's file.

Enrolment checks: Non-British/Irish pupils only

In addition to pre-admission checks described above, the Schools carries out additional checks on enrolment of pupils who are not British or Irish citizens and who the School is not sponsoring under the Child Student immigration category.

We inspect the pupil's original current passport and their eVisa / digital immigration status (accessed via https://www.gov.uk/check-immigration-status using a share code provided to us by the pupil) to confirm the information given by the pupil at the pre-admission stage.

Copies are taken of the pupil's original documents showing all personal identity details and their immigration permission entitling them to study at the School.

In the absence of an immigration stamp in the pupil's passport relating to their entry to the UK, we require pupils to provide their travel ticket to the UK or boarding card. Staff use the right to study checklist (Appendix 2) and digital status checking guide (at Appendix 4) to carry out these checks. A copy of the completed checklist is then appended to the pupil's file.

If a pupil has not been granted leave which covers the entire duration of the time they will be at the School, we make a record of the date of expiry of the pupil's leave on a centralised spreadsheet. The School has a colour coded system of expiry dates which are monitored through a computerised diary.

Enrolment checks: Child student visa sponsored pupils only

We are obliged to carry out certain mandatory checks and retain records in relation to each overseas pupil whose visa application we have sponsored.

We inspect each sponsored pupil's original current passport and eVisa (digital immigration status) to check that the pupil is entitled to study at our School in the UK.

Copies are taken of pupils' original current passports or immigration status document showing all personal identity details including biometric details, leave stamps and entitlement to study at the School.

In the absence of an immigration stamp in the pupil's passport relating to their entry to the UK, we require pupils to provide their travel ticket to the UK or boarding card. Staff use the right to study checklist (at Appendix 2) and digital status checking guide (at Appendix 4) to carry out these checks. A copy of the completed checklist is then appended to each sponsored pupil's file.

The Home Office requires sponsors to maintain a history of each sponsored pupil's contact details whilst they are in the UK. This includes details of their residential address in the UK, a telephone number and mobile telephone number. The School therefore maintains a spreadsheet of contact details for pupils sponsored under the Child Student category and requires parents of pupils to update the School when there is any change to these details. We do not overwrite previously submitted information, in order to ensure a record of the history of contact details.

The School is required to keep a record of each sponsored pupil's absence and attendance at the School. This requirement is met by the School marking the pupil's attendance / absence at daily registrations, in line with prevailing pupil registration regulations.

The School is required to keep a copy of the letter submitted by each sponsored pupil's parents or legal guardians confirming their consent to the pupil's visa application and arrangements for travel to, and reception and care whilst in the UK. The School also requires a copy of evidence demonstrating the relationship between the sponsored pupil and his / her parents / legal guardian. The School retains these documents on the pupil's file.

Periodic checks on existing pupils

The overriding principle is that schools are required to take steps to prevent a situation arising where they continue to teach pupils who do not have valid leave to be in the UK. We do this by carrying out the checks listed above before pupils commence their studies.

UKVI expects schools to know the immigration status of all pupils. We meet this requirement by maintaining a record of the nationality of each pupil which also contains details of the immigration status of all pupils who are not British or Irish citizens.

In addition, the School ensures that our information and records are current and that parents and pupils understand the importance of such by means of the following:

Action	When / how often
Periodically reviewing pupil files of currently enrolled pupils to ensure that we hold information about their current immigration status	Review period - e.g. termly
Requesting proof of immigration status if this information is found to be missing following review	As required
Parents are advised that they must inform the School if their child does not have the right to live and study in the UK or if their immigration status changes	When completing the School's registration form and in the School's parent contract
Ensuring that parents and pupils are aware that the School may share information with UKVI	In the School's parent contract and in relevant correspondence with parents
Ensuring that the School may terminate the education of a pupil who has no legal right to be in the UK	In the School's parent contract

Timing of checks

Right to study checks are conducted and documents copied at enrolment before the pupil commences their course of study at the School.

If a pupil produces a document which demonstrates that their permission (also known as "leave") to be in the UK is time limited, then their right to study will also be time limited. In these circumstances, we record details of when the pupil's leave is due to expire and make enquiries as to what the pupil intends to do to ensure they maintain their right to study. Pupil files are monitored to ensure that their right to study is maintained.

Checking documents

Appendix 1 provides a quick reference guide to help identify:

- whether pupils have a right to study; and
- documentation we may ask to inspect and copy at enrolment.

In relation to pupils who are not British or Irish citizens, it is the School's policy to check the original document(s) which are set out in Appendix 1 on enrolment to confirm that the pupil has the right to study in the UK. These documents are checked in the presence of the prospective pupil.

The documents listed in Appendix 1 represent best practice but there may be occasions when parents of prospective pupils may insist that the pupil has a right to study in the UK but is unable to produce any of the documents specified. Such cases are to be treated sensitively and carefully and a child could be admitted for studies if the School can be satisfied that the parent and prospective pupil have a right of residence in the UK. Such an exercise can only be conducted by Ms Vivienne Wearn or Mr Alex Forsdike who will liaise with our external advisers on pupil immigration issues.

We check that the documents are genuine, have not been tampered with and relate to the pupil who has given them to us. We also check, so far as possible, that the document appears consistent with other information that we hold about the pupil.

We complete the form set out in Appendix 2 to assist in collecting the required information at enrolment. The checklist is stored on the pupil file.

Appendix 4 is to be used to assist in checking eVisas and digital immigration status.

Pupils identified without the right to be in the UK

Where the School suspects that a pupil does not have valid leave, we take the action described in the following paragraphs.

We will contact the pupil's parent(s), legal guardian, educational guardian and / or agent who recruited the pupil, to clarify the position.

If it transpires that the pupil does not have valid leave, we will notify UKVI via EducatorsHelpdesk@homeoffice.gov.uk of the situation and work collaboratively with them to try to regularise the pupil's immigration status.

If it is not possible to regularise the pupil's immigration status within a reasonable time frame, we will consider exercising our rights under the parent contract to terminate the contract. In doing so, we will consider the best interests of the pupil, where they are under the age of 18. For example, where the pupil is part way through the school year it may be appropriate to postpone this action until the end of the school year. We will take such decisions in collaboration with UKVI, in order not to prejudice the School's sponsor licence or the rights of other sponsored pupils.

APPENDIX 1

Quick guide: right to study by nationality and immigration category

Nationality	Right to study in the UK/ restrictions on study in the UK	Evidence of right to study
British citizen *or* Irish citizen	No restrictions	Any of the following: ● British passport (valid or expired) showing British citizenship ● Irish passport (valid or expired) showing Irish citizenship ● If the child was born or adopted in the UK or Ireland, their **full** birth / adoption certificate which includes the name(s) of at least one of their parents, together with documentation which confirms one of their parents was a British / Irish citizen at the date they were born / adopted ● If the child was born outside the UK and Ireland, their **full** birth certificate which includes the name(s) of at least one of their parents or adoptive parents, together with documentation which confirms that either: ○ one of their parents was a British citizen by birth or naturalisation on the date they were born; or ○ one of their parents was born on the island of Ireland ● A certificate of registration as a British / Irish citizen, naming the child
A non-British/Irish citizen who has the right of abode	No restrictions	● A **current** passport endorsed with a certificate of entitlement to the right of abode in the UK
A non-British/Irish citizen who has been granted indefinite leave to enter or remain (AKA "settlement")	No restrictions	● A passport endorsed to show that the child is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK ● Proof of the pupil's eVisa or digital immigration status confirming indefinite leave to remain or settled

		status obtained by following the process set out in Appendix 4
A non-British/Irish citizen	This will depend on the immigration status the pupil holds (see below)	See below

Immigration category	**Right to study in the UK/ restrictions on study in the UK**	**Evidence of right to study**
Child student visa sponsored by the School	Right to study at the School on the course for which the Confirmation of Acceptance of Studies (**CAS**) was issued	**New pupil** Proof of the pupil's eVisa or digital immigration status indicating that the pupil is sponsored by the School for the duration of the course, accessed via share code, together with a valid passport Note: A 30 day vignette endorsed in the pupil's passport is not proof of the right to study for the full duration of the course. If a sponsored pupil does not have their digital status updated immediately, follow up checks must be conducted before the 30 day vignette expires. *Or, for pupils granted digital immigration status:* Proof of the pupil's digital immigration status obtained by following the process set out in Appendix 4 **Current pupil** As above, although if the pupil joined the School before the implementation of digital immigration status, a valid passport with a vignette showing their permission to be in the UK for the duration of the pupil's study at the School

Non-British/Irish citizen who has limited leave to remain other than as a visitor	Right to study in the UK until the expiry date of the digital status / eVisa granted to the child	Proof of the pupil's eVisa or digital immigration status confirming limited leave to remain in any category other than visitor *Or, for pupils granted digital immigration status:* ● Proof of the pupil's digital immigration status obtained by following the process set out in Appendix 4
Non-British/Irish citizen who is in the UK under the visitor category	Right to study at the School on a course or courses ending no later than: ● the expiry of the child's visit visa; or ● six months from the date the child last entered the UK whichever is the earlier.	The pupil's current, valid passport, together with: ● a visit visa endorsed in that passport and stamped to confirm date of most recent entry as a visitor; or ● for foreign nationals holding a passport which does **not** feature in Appendix Visitor: Visa National List of the Immigration Rules, either: ○ an immigration stamp endorsed in their passport confirming date of most recent entry to the UK as a visitor; or ○ if their most recent entry to the UK was via passport eGates, proof of the date of arrival, such as an airline ticket or boarding pass
Non-British/Irish citizen without valid leave to remain in the UK	No right to study	

APPENDIX 2

Right to study checklist

Name of pupil:	
Nationality:	
Immigration category:	☐ British or Irish citizen ☐ Child Student visa sponsored non-British/Irish citizen ☐ Other category e.g. a dependant of someone with limited leave to remain in the UK (please give details)……
Date of leave expiry	
Type of check:	☐ Initial check at enrolment ☐ Follow up check
Need for follow up check?	☐ Yes ☐ No When:
Date of this check:	
Check conducted by:	

Step 1: Inspect	
You must inspect **the following original documents** *for the following category of migrant:*	
British citizen/Irish citizen / right of abode[1]	
☐	A passport (valid or expired) showing the holder, or a person named in the passport as the child of the holder, is a British citizen or Irish citizen or a citizen of the UK and colonies having the right of abode in the UK. **No further checks required.**
☐	If the child was born in the UK or Ireland, their **full** birth certificate which includes the name(s) of at least one of their parents or adoptive parents, together with documentation which confirms one of their parents was a British / Irish citizen or - for children born in the UK - had settled status in the UK on the date they were born. **No further checks required.**
☐	If the child was born outside the UK and Ireland, their **full** birth certificate which includes the name(s) of at least one of their parents or adoptive parents, together with documentation which confirms that either:

[1] See paragraph 3 of the policy for the circumstances in which staff may carry out checks on pupils who have declared British citizenship on admission or enrolment.

	• one of their parents was a British citizen by birth or naturalisation on the date they were born; or • one of their parents was born on the island of Ireland. **No further checks required.**
☐	A certificate of registration as a British or Irish citizen, naming the child. **No further checks required.**
☐	A **current** passport endorsed with a certificate of entitlement to the right of abode in the UK. **No further checks required.**
Child Student visa holder	
☐	Proof of eVisa or digital immigration status obtained through the online right to study service using a share code provided by the pupil, confirming sponsorship by our School.
☐	Proof of immigration status obtained through the check someone's immigration status page on gov.uk and accessed using a share code provided by the pupil. The online check must indicate that the pupil named is sponsored by our School and is allowed to stay in the UK for the duration of their course.
☐	(*In addition*) Copy of the parental consent letter and birth certificate / court document held on file.
Other non-British or Irish citizen	
☐	Proof of eVisa or digital immigration status confirming that the child is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK. **No further checks required.**
☐	A **current** passport endorsed to show that the child is allowed to stay in the UK in any category other than as a visitor. **Check again if the document will expire before the end of the pupil's studies.**
☐	Proof of eVisa or digital immigration status indicating that the child can currently stay in the UK in any category other than as a visitor. **Check again if the status will expire before the end of the pupil's studies.**
☐	A **current** immigration status document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, in any category other than as a visitor. **Check again if the document will expire before the end of the pupil's studies.**
☐	Proof of immigration status obtained through the check someone's immigration status page on gov.uk and accessed using a share code provided by the pupil. The online check must indicate that the pupil named is allowed to stay in the UK in any category other than as a visitor.

☐	A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer of one of the child's parents, which indicates that the parent may stay in the UK and is permitted to work. **Check again within six months of the date of the Notice.** We also need to see proof of relationship between the child and the named parent and that the child has an outstanding application or appeal outstanding with the Home Office.
☐	A Certificate of Application (CoA) which names the child and confirms receipt of their valid application under the EU Settlement Scheme. **Check again within six months of the date of the CoA.**
☐	**For pupils joining the School for a short course of no more than six months:** The pupil's **current** passport, **together with** a visit visa endorsed in that passport and stamped to confirm date of most recent entry as a visitor **or**, where the pupil is a "non-visa national", either an immigration stamp endorsed in that passport confirming date of most recent entry to the UK as a visitor **or**, if their most recent entry to the UK was via passport eGates, proof of the date of arrival, such as an airline ticket or boarding pass. **Note that pupils in the UK as visitors must complete their studies by the expiry date of their visit visa, or six months from the date they last entered the UK, whichever is earlier.**

Step 2: Check			
You must **check** that the original documents are genuine, that the person presenting them is the prospective pupil or pupil and the rightful holder.			
Are photographs consistent across documents and with the person's appearance?	Yes ☐	No ☐	N/A ☐
Are dates of birth consistent across documents and with the person's appearance?	Yes ☐	No ☐	N/A ☐
Are expiry dates for time-limited permission to be in the UK in the future i.e. they have not passed (*if applicable*)?	Yes ☐	No ☐	N/A ☐
Are you satisfied the document is genuine, has not been tampered with and belongs to the holder?	Yes ☐	No ☐	N/A ☐
Have you checked the reasons for any different names across documents (e.g. marriage certificate, divorce decree, deed poll)? (*Supporting documents should also be photocopied and a copy retained.*)	Yes ☐	No ☐	N/A ☐
Step 3: Copy			
You must make a clear **copy** of each original document in a format which cannot later be altered, and retain the copy securely: electronically or in hard copy. You must copy and retain:			

☐	**Passports:** any page with the document expiry date, nationality, date of birth, signature, leave expiry date, biometric details and photograph, and any page containing information indicating the holder has an entitlement to enter or remain in the UK and undertake the work in question.
☐	**Proof of digital immigration status:** a copy of the pupil's "profile" page (the page that includes the pupil's photo and date on which the check was conducted) either printed as a hard copy or saved as a pdf or html file.
☐	**All other documents:** the document in full or digital profile verification record.
Deadline for conducting follow up check (*if required*):	

APPENDIX 3

How to check the validity of digital immigration status / eVisa

1. Is the digital photograph an image of the pupil in front of you?
2. Does the name match the name of the person registered with the school?
3. Does the "Valid until" date cover the duration of the time the pupil will be at the school? This will be five or ten years if the holder has been given permission to settle in the UK (known as indefinite leave to remain).
4. Does this say UK?
5. Does the immigration category match what you know about the pupil's circumstances? If the pupil is a dependent of a person under a different category it should say that the pupil is a dependent.
6. These are the immigration entitlements for the length of the holder's stay, and may continue on the back of the permit. A child who is 16 or over is permitted to work:
    a. part-time during term for up to ten hours per week; full-time during vacations or on a work placement as part of their course, (but not for more than 50% of their course time).
    b. If a child has been sponsored under the Student visa category by the school they are not entitled to work.
    c. If the eVisa / digital immigration status states that they are entitled to work the school has a duty to report this to UKVI.
7. Does the online record match the pupil's identity document details?
8. Most children will not be required to provide a signature.
9. Has the digital status check been verified via the official Home Office portal using a share code?
10. Is the pupil's gender recorded accurately?
11. Does the pupil's date and place of birth reflect your records?
12. Does the nationality recorded reflect your records?
13. This is an extension of the conditions attached to the pupil's leave to be in the UK. Pupils who are 16 or over may be required to register with the police if they are from certain countries. If, having considered the pupil's circumstances, the information recorded on the eVisa / digital immigration status in relation to registering with police is inaccurate then the conditions attached to the pupil's leave are inaccurate and the school has a duty to report this to UKVI.
14. This information does not need to be checked and is for UKVI purposes only.

APPENDIX 4

Checking digital immigration status

In certain circumstances a foreign national's immigration status will not be endorsed on a physical document but instead they will have a digital status that needs to be accessed online via an online portal. Pre-settled status and settled status granted to EEA and Swiss nationals under the EU Settlement Scheme is evidenced in this way, as is immigration permission granted to EEA and Swiss nationals from 1 January 2021, provided those individuals hold biometric, "chipped" passports.

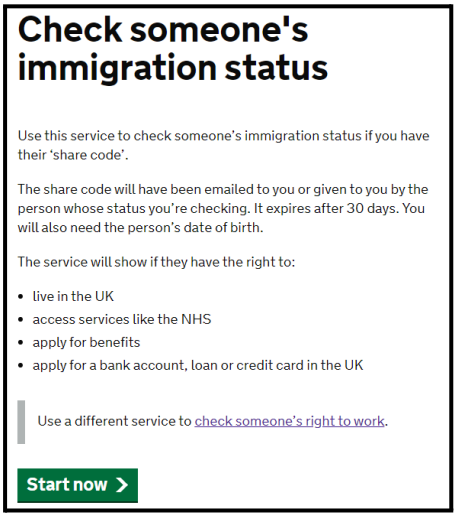
Checking digital immigration status is a three-step process:

Step 1: Use the Home Office online right to study checking service

When a pupil wishes to share their immigration status with you, they should provide you with the share code generated by the Home Office's online immigration checking service. They may provide this to you directly, or they may choose to send this to you via the service, in which case you will receive an email from Status service status.service@notifications.service.gov.uk.

To view the pupil's immigration status, you will need to type in the share code and the pupil's date of birth.

You must use the Home Office online right to study checking service to conduct an online check. You must do this by accessing the check someone's immigration status page on gov.uk. It is not sufficient to simply view the details provided to the pupil on the migrant part of the service.



Step 2 Check

Check that the photograph on the online immigration status check is of the pupil presenting themselves to you (i.e. the information provided by the check relates to the pupil and they are not an imposter).

You must only allow the pupil to commence studies at the School, or continue in their studies if you are conducting a follow-up check, if the online check confirms they have the right to live in the UK and are not subject to a condition preventing them from studying in the UK.

Step 3 Retain evidence of the online check
You must retain evidence of the online immigration status check. For online checks, this should be the profile page confirming the pupil's immigration status. This is the page that includes the pupil's photo and date on which the check was conducted. You will have the option of printing the profile (the response provided by the Home Office online immigration status checking service), or saving it as a pdf or html file. You should store this securely, (electronically or in hard copy) for the duration of the pupil's studies with the School.