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Chief Executive
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29 March 2011

Dear Martin,

GOVERNMENT REVIEW OF TIER 4 (STUDENT VISA)

As you know, on 22 March the Government set out proposals for the reform of the Tier 4 Student Visa. We recognise that both the further and higher education sectors have been concerned about the possible impact of the proposals previously issued for consultation on their ability to recruit international students. We are therefore writing to you with further detail on the key elements of last week's announcement, so that the further education colleges you represent can plan their future international recruitment activities with greater certainty about the visa regime.

The Government welcomes and values the success of further education in attracting international students. It is becoming a significant area of economic growth in its own right, reflecting the excellent reputation of our colleges abroad and we know that the international dimension of many colleges' work enables their domestic students to increase their global awareness.

The Government's main aim in developing the proposals announced on 22 March has been to tackle abuse of the current system. Our aim is not to deter or discourage bona fide international students who want to come here to study at our world class institutions. So the proposals we have announced strike a balance between the need for a robust migration system which vigorously tackles abuse, while ensuring that genuine students continue to be welcome in the UK.

The main elements of the package which will be of most interest to you are as follows:

- There will continue to be no restriction on the numbers of legitimate overseas students who can be admitted for genuine study at legitimate colleges in the UK.
- Students will not need to return home between courses to re-apply for visas so long as they can show evidence of academic progression from one course to the next.

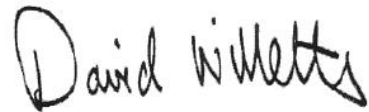
- New accreditation procedures of further education providers will weed out bogus colleges and cases of abuse, while ensuring the high quality provision we see at the majority of publicly funded further education colleges is the norm right across the sector.
- From April next year all colleges wishing to recruit international students will have to have UK Border Agency Highly Trusted Sponsor status (HTS) and be vetted by either Ofsted (and equivalents in the Devolved Administrations), the Quality Assurance Agency, the Independent Schools Inspectorate; the Bridge Schools Inspectorate, or the Schools Inspection Service.
- For private colleges that are not currently included within the remits of these inspecting bodies, new arrangements for assessing their suitability as sponsors (including the quality of learning provided) will be put in place. These arrangements might be delivered directly by the named inspecting bodies, or through arrangements involving an approved agency which would be quality assured by one of the bodies. Further details will be announced in due course. Once they achieve Highly Trusted Sponsor status, those offering bona fide training programmes will be able to continue to recruit legitimate international students, subject to these new accreditation procedures.
- Colleges where students are on pathway or pre-sessional courses sponsored by higher education institutions (HEI), and which lead to education at an HEI, will not be subject to these new accreditation procedures, on condition that the HEI will take responsibility for the students on these courses.
- New rules on dependents mean that only postgraduate and Government sponsored students will be able to bring in dependents to the UK with them.
- Students on degree level courses or above will be required to have attained a minimum B2 level of English of the Common European Framework of Reference for languages standard. Wherever the student is sponsored by a Higher Education Institution, the HEI will be responsible for assessing the standard of competence. For private providers, this will need to be demonstrated by the production of a Secure English Language Test certificate from one of a limited number of UK Border Agency-approved test providers. There will be limited exemptions for students from majority English-speaking countries, those who have obtained a UK degree-equivalent qualification taught in a majority English-speaking country, and those who have recently studied in the UK as a child student.
- Students sponsored by an HEI from the beginning of a “pathway” course at an FE college (including foundation courses and pre-sessional English language courses), will continue to need to demonstrate the B1 level of English language competence to participate in these courses, in the expectation that they will reach B2 by the time they start their higher education course.
- Students studying at publically funded further education colleges, will be able to work 10 hours a week during term-time and full-time in vacations, regardless of their level of study.

- The extended 11-month student visitor route will enable students on short courses to enter the UK outside Tier 4.

We will be discussing the detail of these measures and their implementation and timing with the Home Office. Please let us know if you have questions or concerns. Meanwhile, we hope that this summary of the measures will remove much of the uncertainty and concern that universities and colleges have expressed about the consultation proposals, and allow you to plan ahead on a firmer basis.

A handwritten signature in black ink, appearing to read 'Vince Cable', written in a cursive style.

Vince Cable

A handwritten signature in black ink, reading 'David Willetts', written in a cursive style.

David Willetts