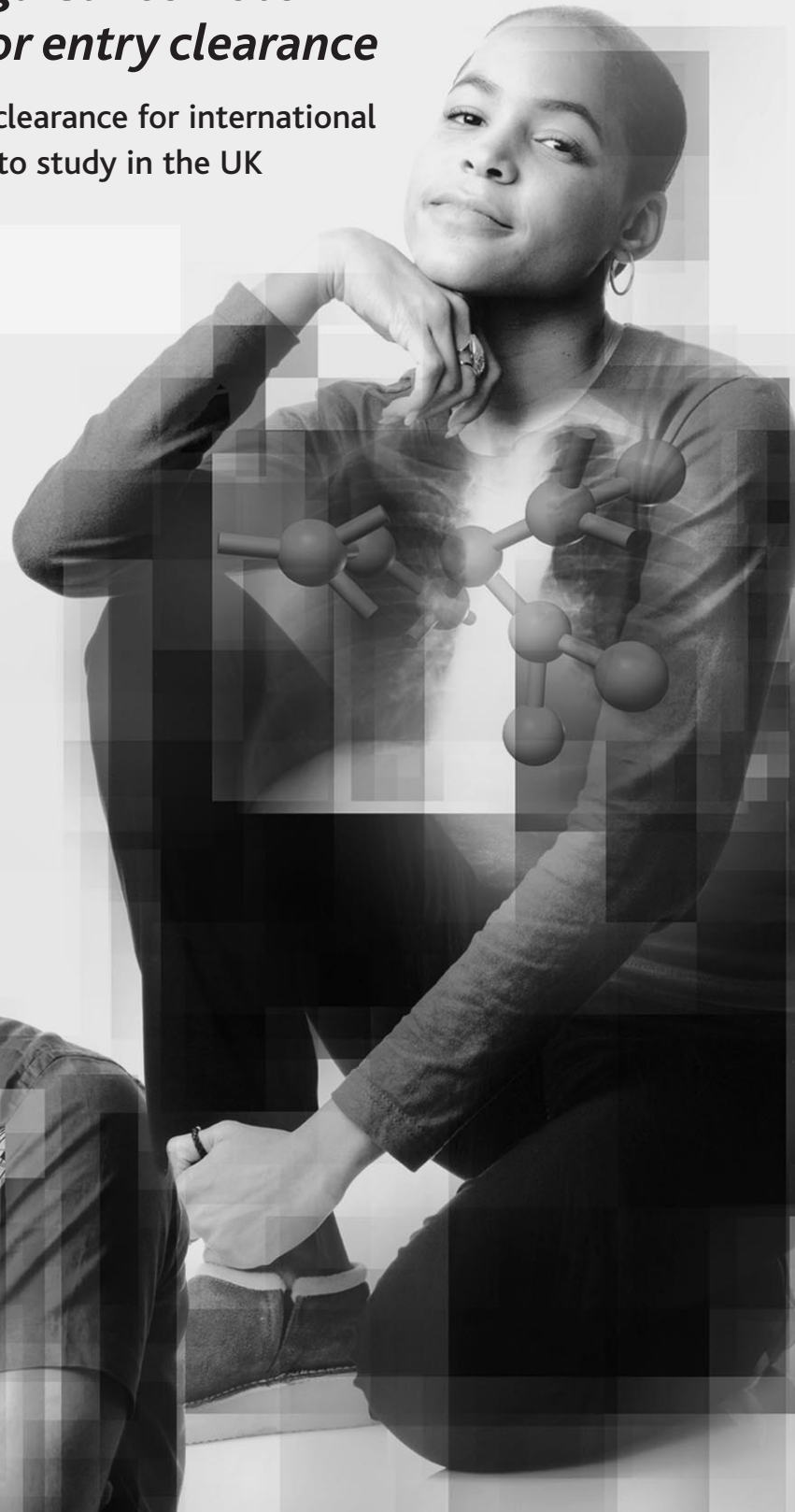


first steps guidance note *preparing for entry clearance*

A guide to entry clearance for international students coming to study in the UK

2002/2003



ENGLISH

EDUCATION
the best you can be



first steps

Immigration procedures before you leave

Hundreds of thousands of international students choose the UK every year because it offers outstanding opportunities. If you have this guidance note, you've probably decided to study in the UK, in which case, you've made an excellent decision.

Use this guidance note in conjunction with the *first steps* video – preparing for entry clearance, available to watch at your local British Council Office.

At this stage it is extremely important that you find out about UK immigration procedures and how they will affect you.

The information in this guidance note is the first of many steps forward to improve our service to help international students meet the immigration requirements.

If you have all the information you need in good time, you are more likely to be prepared and less likely to experience problems and delays.

The Immigration Rules for persons seeking to enter or remain in the United Kingdom as a student

Requirements for leave to enter as a student

Unless he or she is a national of the European Economic Area (EEA*), the requirements to be met by a person seeking leave to enter the United Kingdom as a student are that he or she:

- (i) has been accepted for a course of study at:
 - (a) a publicly funded institution of further or higher education; or
 - (b) a bona fide private education institution which maintains satisfactory records of enrolment and attendance; or
 - (c) an independent fee-paying school outside the maintained sector; and



- (ii) is able and intends to follow either:
 - (a) a recognised full-time degree course at a publicly funded institution of further or higher education; or
 - (b) a weekday full-time course involving attendance at a single institution for a minimum of 15 hours' organised daytime study per week of a single subject, or directly related subjects; or
 - (c) a full-time course at an independent fee-paying school; and
- (iii) if under the age of 16 years is enrolled at an independent fee-paying school on a full-time course of studies which meets the requirements of the Education Act 1944; and
- (iv) intends to leave the United Kingdom at the end of his/her studies; and
- (v) does not intend to engage in business or take employment, except part-time or vacation work undertaken with the consent of the Secretary of State for Employment; and
- (vi) is able to meet the costs of his/her course and accommodation and the maintenance of him/herself and any dependants without taking employment or engaging in business or having recourse to public funds.

There are, however, two minor exceptions to this. A student can meet some of his/her costs through earnings from employment if that employment is either:

- (a) provided and guaranteed by his/her college or university (assuming it is not a private one), and the college or university provides a letter confirming what his/her hours and rate of pay there will be: or
- (b) a sandwich course placement which the college or university (assuming it is not a private one) can guarantee will be available to the student. The college or university must be prepared to write a letter confirming this guarantee, and how much the students will earn.

*The countries of the EEA are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, Republic of Ireland, Spain, Sweden and the UK.

Note: If you are an EEA national or are accompanying an EEA national to the UK, this guidance note does not apply to you. Seek advice from your local British Council office instead.

How can I find out whether a private institution is recognised (bona fide)?

If you will be attending a private college or school, the Entry Clearance Officer may want to know that it keeps satisfactory records of enrolment and attendance.

If a college or school is accredited by the British Accreditation Council (BAC), the British Council (including members of ARELS and BASELT), Association of British Language Schools or the Independent Schools Information Service (ISIS) it should be recognised as bona fide.

If a college or school is not accredited, it should still be regarded as bona fide, as long as it maintains satisfactory enrolment and attendance records.

The Immigration Rules allow for private colleges without the above accreditation as long as they maintain satisfactory records of enrolment and attendance.

Do I need entry clearance before travelling to the UK?

If you are a visa national, the answer is 'yes'.

The British Government determines the list of 'visa-national' countries. Your nearest British Council office or British Mission (British Embassy, Consulate or High Commission) will be able to tell you whether or not your country is on the list. The Foreign and Commonwealth Office web site features a visa enquiry form where you can check if you require a visa: go to www.ukvisas.gov.uk

If you are a visa national it is compulsory for you to get entry clearance in the form of a visa before you make your journey to the UK. You must satisfy the Entry Clearance Officer (ECO) at a British Mission that you meet the Immigration Rules before you leave for the UK. The ECO will then issue you entry clearance (more commonly known as a visa), in the form of a sticker in your passport. The entry clearance should normally be valid for the whole length of your course. When you arrive in the UK, the Immigration Officer at the port of entry (e.g. Heathrow or Gatwick airports) will put a date stamp in your passport to show when you entered the UK. Your permission to be in the UK begins on that date and expires on the date indicated on the entry clearance.

You will also need a visa if:

- You are a stateless person, or
- You hold non-national documents



- **Entry certificates**

If you are not a visa national you can choose whether to apply for entry clearance or not. You may wish to consider this if your course lasts for six months or less, you are applying as a prospective student (see below) or you are bringing your husband, wife or children with you (see below). If you choose not to apply for entry clearance, you will have to satisfy the Immigration Officer at the port of entry that you fulfil the entry requirements for students.

The advantage of having entry clearance is that it means that if for any reason an Immigration Officer wants to refuse to admit you when you arrive in the UK, you will be allowed temporary admission into the UK so that you can appeal against that refusal. If you do not have entry clearance, you will be sent straight home to appeal (and in some cases will not be allowed to appeal at all). Entry clearances that are issued to people who are not 'visa nationals' are called 'entry certificates' rather than 'visas'. There is a charge for the application.

- **Changing status**

If you are a visa national, make sure you apply for entry clearance as a student rather than a visitor. Visa-national visitors are not allowed to extend their stay as students when they finish a visit, so make sure you apply for the right kind of visa in the first place.

If you do not yet meet the Immigration Rules for students because you have not yet finalised your study arrangements, try to make sure that you meet the Immigration Rules for prospective students described below. Visa-national prospective students are allowed to extend their stay as students.

- **Bringing a spouse and children to the UK**

You will usually be allowed to bring your spouse and any children under 18 years of age to the UK, as long as you can show that you can financially support and accommodate them. You will also need to show the ECO a marriage certificate, and a birth certificate for each child. As explained above, it is advisable for them to apply for entry clearance, even if they are not visa nationals. They will normally be given permission to stay in the UK for the same period as you. Your spouse or children will be allowed to work if your permission to be in the UK lasts for 12 months or more. Make sure that they have a copy of your passport with them if they arrive after you – the Immigration Officer will need to see the pages showing your name, your entry clearance sticker (if you have one) and how long your permission lasts. If your permission to be in the UK lasts for less than 12 months, your spouse and children will not be allowed to work.

- **Working while studying**

Students on courses of more than six months are usually allowed to work part-time up to 20 hours a week during term-time and full-time during vacations. To meet UK immigration requirements, however, you must show that you can pay your course fees and living expenses without working in the UK (see the Immigration Rules on pp. 2–3) and you cannot therefore expect to finance your studies in this way. It is not easy to find suitable work. Students on courses of six months or less may ask to be allowed to work, but this is at the discretion of the Immigration Officer/Entry Clearance Officer, and remember – you must show that you can pay for your course fees and living expenses without needing to work.

- **Working when your studies have ended**

Until now, the majority of students have found it difficult to obtain permission to stay on in the UK after their studies for work (apart from training for a professional or specialist qualification, or work experience, before returning home).

However the UK Government is currently reviewing its policies, and some changes may be introduced that make it easier for students to stay on for work. You can find information about the current position if you click on 'work permits' on the Home Office's website: www.ind.homeoffice.gov.uk.

Special provisions have always applied to doctors, dentists and nurses, and these will continue.

- **Prospective (intending) students**

If you have found out about a course but need to visit the institution before finally accepting a place (you may, for example, need to have an interview or sit an exam there), explain this to the ECO. If the ECO is satisfied that you genuinely intend to study once you've found a suitable place, and that you meet all the immigration requirements, they will give you entry clearance as a prospective student, for six months. Then, once you are in the UK and have enrolled on a course (within the six months), you will need to extend your permission to stay as a student. You will be prohibited from working while you are in the UK as a prospective student.

- **Leaving and returning to the UK**

If you are a visa national, seek advice from a welfare officer at your institution about being readmitted to the UK before you plan any trip abroad. You will generally find it relatively straightforward.



How do I apply for entry clearance?

You must apply for entry clearance at the British Mission in the country of your nationality, or the country in which you are living. You should ask for forms IM2A, IM2S and the Application for United Kingdom entry clearance INFORMATION sheet, which are free of charge, although you will have to pay a fee later (see below). The forms are also available on the Foreign and Commonwealth Office web site at www.ukvisas.gov.uk

If you have been refused a visa in the past, you will have to complete form IM2E.

Once you have the forms, you should take time to fill them in carefully with the assistance of this first steps guidance note. It is a good idea to do this in pencil first in case you make a mistake, or take a photocopy and complete this in draft first. Once you have completed the forms, make copies of them and the other documents you are submitting for your own records.

You must then submit the completed forms (by hand or post*) to the British Mission, together with your passport, recent passport-sized photographs, the fee in local currency (which is non-refundable), and the relevant documents showing that you meet the requirements of the Immigration Rules for students.

* Please check first with the British Mission whether it offers a postal entry clearance service.

The documents you need

As a student seeking entry clearance you will have to produce various documents to show that you satisfy the Immigration Rules for students (see pp. 2–3), that is, evidence of adequate funding, educational certificates and information from your place of study.

Make sure that you have the following documents and information before you apply for entry clearance or travel to the UK:

- **A letter of acceptance on the course**

This will be a letter from your institution confirming that you have been accepted for a course which is full-time as defined by the Immigration Rule for students, i.e. it involves at least 15 hours' organised daytime study per week or is a full-time course leading to a degree.

The letter should state the course title, how long the course will last (start and end dates) and confirm that you have met the entry requirements for the course and been assessed as academically able to follow it. It should also indicate which examination(s) you will take, any possible qualifications you will earn and confirmation of any accommodation provided. If your course is advanced or specialised, the letter should also state what level of English is needed for it (giving minimum IELTS or other test marks, if appropriate). If a pre-sessional English course or ongoing language support are to be provided, the letter should explain this. If the letter does not include any of this information, contact your institution to obtain it.

- **Evidence that you can pay the course fees and support yourself and your family (if applicable)**

Depending on your circumstances, this could include evidence of government sponsorship, a letter from a sponsor in the UK confirming they can support you, together with evidence that they can do this, and/or your own bank statements. Check with your local British Mission as to how many months' bank statements they require. You should also provide a letter from your institution stating the full cost of the course, what arrangements are acceptable for payment and whether you have already paid fees or a deposit.

- **Accommodation**

Although the Immigration Rules do not require unaccompanied students to show that accommodation has been arranged, your place of study may have given you information about its availability, and you should bring this to the attention of the ECO. You should also have evidence that you can pay for your accommodation – your local British Mission will be able to tell you what kind of evidence you need. If your family is coming with you to the UK, you will need to show that there will be adequate accommodation for them. If your place of study cannot confirm that family accommodation will be available, it is strongly recommended that you travel to the UK alone and make arrangements for your family to join you when you have found somewhere to live.



How do I complete the IM2A form?

General points

Always keep photocopies of your completed application forms, the documents you enclose with them, and any correspondence you send and receive in connection with your application.

The forms should be completed in black ink and you should tick every box that applies to you.

As you are a student you will also have to fill in form IM2S.

You will need to sign page 2 of the IM2A form as well as the declaration on the IM2S form (bottom of page 6).

Page 1

Preliminary section: Type of entry clearance required

Tick the 'Student' box.

If you are applying as a dependant of a student tick Dependant of any applicant in long stay categories and NOT the visitors box.

Final question: If you are accompanying an EEA national (see pp. 2–3 of these notes), tick 'Yes'. Otherwise, tick 'No'.

Questions 1–19

Question 1

Give your full name as it appears in your passport. If two different scripts (e.g. Chinese and English) have been used in your passport, insert your name in both styles.

Question 2

Give any names by which you have been known in the past, for example, your name before marriage.

Questions 3–11 are clear in meaning (self-explanatory)

Question 12

You need to refer to your passport to answer this question. If you are travelling with any dependants who are included on your passport, give their details in the grid section below Question 12.

Page 2

Questions 13–19

It is important that you supply the correct answers to all these questions.

Question 20

This question means 'Have you ever received any state benefits in the UK?'

Note: if you have ever been refused a visa by a British diplomatic Mission or post, or on arrival in the UK, you will need to complete another form, IM2E.

Do not complete questions 21–32 (these are for visitors only). Remember to sign the form.

As you are a student, you do not have to complete the questions 21–32 on page 2, but you do have to complete form IM2S.

Before filling in the IM2S application form you will need to sign and date the final declaration section. You are asked to sign the application form to confirm you have taken note of the contents.



How do I complete the IM2S form?

Page 1

First, insert your full name in the space provided at the top of the form.

Questions S1–S8

Question S1

Give the name and full address of the institution where you will be studying.

Question S2

Give details of any educational certificates, degrees or diplomas you have. Remember that you will need to send the originals of these with your application.

Question S3

Tick 'yes' and give the course title. Remember that you will need to send the letter of acceptance from your institution and confirmation of any accommodation arrangements (if you have made these) with your application.

Questions S4–S7 are self-explanatory

Question S8

Say who will be paying for the course and your maintenance and accommodation (for example, you, your parents, or a sponsor). Contact your local British Mission to find out what kind of evidence is required to prove the ability to fund the course and of your maintenance and accommodation during the course.

Page 2

Question S9

If your course is a degree course and it is full-time, simply write 'full-time degree course'. If your course is not a degree course, give the number of hours of study you will be undertaking per week. This should be shown on your offer letter.

Questions S10–S12 are self-explanatory

Final Section: Declaration

Read the declaration and make sure you understand it. Then sign in the space provided and add the date. The declaration cannot be signed by anyone else, unless you are under 18, in which case your parents or legal guardian can sign it for you. Remember, it is an offence to give false information. Also, if any of the information you have given on the form changes, or any new information relevant to your application becomes available, you must inform the British Mission where you submitted your application.



Where do I take the forms?

Take or post* the two forms – in good time to avoid missing the beginning of your course – and all accompanying fees and documents, to your nearest British Mission that issues student entry clearance. Check first that they are able to process student applications; if they are not, they will tell you where to apply. Owing to the demand for student entry clearance you should always check the likely processing times with your local British Mission. Issuing times vary from as little as 24 hours to anything up to several weeks. Do not send money through the post, but use a postal/money order or a bank draft, payable to the British Mission, checking first that they will accept this form of payment. Note also that in certain countries it is probably not a good idea to send your passport through the post.

The interview

You may be asked to attend an interview as part of your entry clearance application process.

This is to give you the opportunity to clarify for the ECO certain parts of your application. The ECO will need to be satisfied that your study plans are genuine and workable.

The interview is a normal part of the process, but you may feel quite nervous beforehand and find it an uncomfortable experience. ECOs are trained professionals who will try to make the process as painless as possible, but the questions can be very direct and personal. You have a right to use an interpreter, although this may weaken your position if your course requires a high level of English.

* Please check first with the British Mission whether it offers a postal entry clearance service.



Your level of English

If you are taking a course which requires English language skills, the ECO will ask you to demonstrate your level of English at the interview (a good IELTS score may be sufficient). If you do not wish to conduct the interview in English you should explain why, and give information on any language training you intend to take. Do not try to conduct the interview in English if it means you will not understand the questions asked or will be unable to express yourself fully.

You should prepare for such an interview carefully. In particular:

- be familiar with all your study plans; why you chose the particular institution and course; how the course will help your future career; how it links with any previous study or courses you have followed in your country and any future planned courses of study or employment plans. For example, you should say clearly what link any pre-session English study will have with any subsequent study
- which examination(s) you are planning to take and what hours you will be studying
- if you are paying fees by instalments, how much they will be, and how often they are due
- be clear about the cost of living and the course and your finances: do you have enough money to complete the course? Can you prove it?
- be as clear as you can about your likely future career in your country: what are you going to do when you return?

You should answer all questions carefully and honestly. If you are not sure of an answer, say so. Do not invent a reply, which may prove to be incorrect. Make sure you have understood the question before replying: ask for it to be repeated if you are not sure. When nervous, we can appear confused or reply in a misleading way, so try hard to remain calm and think carefully about your reply before giving it. Remember, over 90 per cent of student entry clearance applications are successful.

In some countries a medical examination may be required, and this may increase the amount of time your application takes to be processed. Enquire at the British Mission in your country to check if this is the case. It is important to note that some long-term students may be required to have a medical examination on entry.



Problems

If the ECO has not refused your application but says that he or she is not satisfied with the evidence you have provided, or if entry clearance has actually been refused, contact your institution as soon as possible. If you cannot do this, for instance if the institution is closed for holidays, contact UKCOSA (see details at the end of these notes) or your nearest British Council office.

Once entry clearance has been issued, you should only be refused entry into the UK if the Immigration Officer decides there has been a change in your circumstances or that you gave false information or did not disclose important facts when you applied for entry clearance. You should therefore carry all relevant documents (see page 5) in your hand luggage, whether you require entry clearance or not.

✓ Checklist for obtaining entry clearance

- Find out if you need entry clearance. If so, obtain forms IM2A and IM2S from your British Mission.
- If you are not a visa national, decide if you wish to apply for optional entry clearance. If you do, obtain forms IM2A and IM2S from your British Mission.
- Complete forms IM2A and IM2S, and collect all the required documents to show that you meet the Immigration Rules. Make copies of them. Post or take to your British Mission:
 - the completed IM2A and IM2S forms
 - your current passport
 - 2 – 3 passport-sized photographs (not more than six months old)
 - the correct entry clearance fee in your local currency (non-refundable)
 - the required documents to show that you must meet the Immigration Rules for students.

Useful organisations

ARELS (The Association of Recognised English Language Services)
56 Buckingham Gate
London SW1E 6AG
UK

Telephone +44 (0)20 7802 9200
Fax +44 (0)20 7802 9201
E-mail enquiries@arels.org.uk
Web site www.arels.org.uk

BASELT (The British Association of State English Language Teaching)
Cheltenham and Gloucester College of Higher Education
Francis Close Hall
Swindon Road
Cheltenham GL50 4AZ
UK

Telephone +44 (0)1242 227099
Fax +44 (0)1242 227055
E-mail baselt@chelt.ac.uk
Web site www.baselt@glos.ac.uk

The British Council
Information Centre
Bridgewater House
58 Whitworth Street
Manchester M1 6BB
UK

Telephone +44 (0)161 957 7755
Fax +44 (0)161 957 7761
Web site www.britishcouncil.org
www.educationuk.org
www.britishcouncil.org/education/qdu/index.htm

The British Accreditation Council (BAC)
Westminster Central Hall
Storey's Gate
London SW1H 9NH
UK

Telephone +44 (0)20 7233 3468
Fax +44 (0)20 7233 3470
E-mail info@the.bac.org



Immigration Advisory Service (IAS)

County House
190 Great Dover Street
London SE1 4YB
UK

Telephone +44 (0) 20 7357 7511
Duty Officer (24 hours) +44 (0)20 7378 9191
Fax +44 (0)20 7403 5875

Independent Schools Information Service (ISIS) International

Grosvenor Gardens House
35–37 Grosvenor Gardens
London SW1W 0BS
UK

Telephone +44 (0) 20 7798 1500
Fax +44 (0) 20 7798 1501
E-mail international@isis.org.uk

The Joint Council for the Welfare of Immigrants (JCWI)

115 Old Street
London
EC1V 9RT
UK

Telephone + 44 (0)20 7251 8706
(advice line open Tuesday and Thursday
1400–1700 GMT)
Fax +44 (0)20 7251 8707
Web site www.jcwi.org.uk

UKCOSA: The Council for International Education
9–17 St Albans Place
London N1 0NX
UK

Telephone +44 (0)20 7354 5210
(advice line open to students Monday–Friday,
1300–1600 GMT)
Web site www.ukcosa.org.uk

Customs and Excise

Advice on importing personal effects and goods may be obtained from

HM Customs and Excise
Dorset House
Stamford Street
London SE1 9PY
UK

Useful publications

first steps preparing for entry clearance video
first steps arrival in the UK video
first steps accommodation in the UK video
next steps orientation video pack
first steps pre-departure briefing pack

You will find these at your local British Council office.

Further information and guidance

UKCOSA Guidance Notes (available from UKCOSA's web site (www.ukcosa.org.uk) or from your local British Council office)

Choosing the right course and college

Dependants of international students

Immigration procedures after arrival in the UK

Learning English in the UK

Opening and running a bank account in the UK

Preparing for study in the UK

Pre-university courses in the further education sector

Students and employment

Study methods used in the UK

Welfare and health benefits



www.britishcouncil.org/education/qdu/index.htm

This guidance note has been written and researched by the British Council.
Subject advisers: UKCOSA: The Council for International Education and UKvisas.

Edited by JB Editorial Services
Produced by Creative Lynx Partnership
Printed in the UK by Frederick Law

© The British Council 2002
The United Kingdom's international organisation for education and cultural relations.
Registered in England as a charity.