

## Procedure for Changing to a different sponsor

Please note: This information is taken from the website:

<http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/sponsoring-students/switching-sponsor/>

If you require more information, please refer to the website and then if you have any questions/queries email IH Aberdeen Ltd [marjorie@ihaberdeen.com](mailto:marjorie@ihaberdeen.com). We will try to help but we cannot give guidance on visa issues.

This page explains what your sponsor (IH Aberdeen Ltd) should do if sponsoring a student who wants to change to a different sponsor, or if a student who is sponsored by someone else wants to change to a course at IH Aberdeen Ltd.

### 1) **If the student's current permission to stay is based on a Tier 4 application made on or AFTER 5 October 2009**

If a student wants to change to a new Tier 4 sponsor and their current permission to enter or stay in the UK is based on an application made on or after 5 October 2009, they (the student) must make a new application for permission to stay under Tier 4. This application will need to be supported by a confirmation of acceptance for studies (CAS) from their new sponsor.

The student must **not** start their new course until we have approved their new application, **unless**:

- they are applying to switch to a Highly Trusted sponsor; and
- the Highly Trusted sponsor has assigned a CAS to the student; and
- the student has made a new Tier 4 application to us while their existing permission to stay (to study the course they have left) is still valid.

The student can leave their original sponsor before we (UKBA) have decided their new application, but this will be at their own risk. If we refuse their new application, they may not be able to return to the course with their original sponsor.

### 2) **If the student's current permission to stay is based on a Tier 4 application made BEFORE 5 October 2009**

If a student wants to change to a new Tier 4 sponsor and their current permission to enter or stay in the UK is based on an application made before 5 October 2009, they must obtain permission of the UKBA.

The student (or their parent or guardian, in the case of a child student) must apply for permission using the Tier 4 (PTS) application form. You can download the application form and guidance notes this website:

<http://www.ukba.homeoffice.gov.uk/employers/points/sponsoringmigrants/sponsoring-students/switching-sponsor/>

We (UKBA) will send an acknowledgement to confirm that we have received the request.

We will give permission for the migrant to change sponsors if we can confirm that:

- the institution that they want to switch to is licensed by us under the relevant Tier 4 category;
- that institution wants to be the migrant's new sponsor; and
- the new course meets the requirements set out in this guidance
- the student has achieved a level of English language equivalent to IELTS 4.

Once the migrant has applied for permission to change their sponsor and has received an acknowledgement, they can begin their new course without waiting for our permission - but this will be at their own risk, as we may refuse to grant this permission.

If a migrant does not apply for permission before changing their sponsor, we may curtail their permission to be in the UK as a Tier 4 student.

If the migrant's existing permission to stay as a Tier 4 student will expire before the course with the new sponsor finishes, the migrant must apply to us to extend their permission to stay. They can choose to apply immediately, or they can wait until shortly before their existing permission expires.

If the new course is shorter than the original one, the migrant must tell us immediately.

Because the migrant's current permission to enter or stay in the UK is based on an application made before 5 October 2009, they are allowed to change to:

- a new English language course at a minimum of CEFR level A2 (instead of level B2, which has been the requirement for English language courses since 23 July 2010 for to be at CEFR level B2; or
- a course at QCF/NQF level 3 with an A-rated sponsor - in other words, they are exempt from the requirement since 6 April 2010 that only Highly Trusted sponsors can offer these courses.
- a course below QCF/NQF level 6 with an A-rated sponsor that includes a work placement - in other words, they are exempt from the requirement since 6 April 2010 that only Highly Trusted sponsors can offer these courses.

However, if their current permission to enter or stay expires before their new course starts, they will not be able to extend that permission to start an English language course that is below CEFR level B2. And they will need to be sponsored by a Highly Trusted sponsor in order to start a new course at QCF/NQF level 3, or a new course below QCF/NQF level 6 (excluding a foundation degree) which includes a work placement.

### **Timing of a change of sponsorship**

If the migrant is changing sponsor in order to take up a new course after their current course has finished, the new sponsor will be responsible for them as soon as we have granted them further permission to stay.

(For example, a migrant who is due to finish a course with Sponsor A on 30 September 2010 may want to start a new course with Sponsor B on 20 October 2010. If they apply to extend their permission to stay in April 2010 and we grant this permission from 31 May 2010, Sponsor B will take over responsibility for them from that date, even though they are still studying with Sponsor A.)

Sponsors may want to make sure that migrants do not apply to extend their permission too early, as this could mean that they are being sponsored by another education provider while they are still part-way through a course with their original

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