EST 1892 LSBU

Student Sponsorship and the issuing of Confirmation of Acceptance for Studies (CAS) Policy

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This Policy is available in accessible form at request from the Student Life Centre.

Table of Contents

1. Introduction 3
2. Scope – who is covered by this Policy? 3
3. Who is responsible for this Policy? 4
4. Confirmation of Acceptance for Studies (CAS) 4
5. Student Responsibilities 7
6. Withdrawal of sponsorship 7
7. Length of sponsorship 9
8. Requesting a review of a decision not to issue a CAS or withdraw sponsorship 9
9. Use of data 10
10. Appendix1– Examples of Exceptional Reasons 10

1. Introduction

1.1. London South Bank University ("LSBU") holds a Student Sponsor licence. This licence allows LSBU to sponsor eligible students to apply for permission under the student route of the UK's points-based immigration system.

1.2. LSBU takes its responsibilities as a Student Sponsor licence holder very seriously. As a sponsor, LSBU must demonstrate the highest level of compliance with its sponsor duties as set out in the Student Sponsor Guidance published by the Home Office.

1.3. LSBU may, at its discretion, issue a Confirmation of Acceptance for Studies ("CAS") where a student meets the requirements of the Immigration Rules and associated Home Office guidance as well as LSBU's policies and procedures.

2. Scope – who is covered by this Policy?

2.1. This policy applies to applicants and students sponsored by LSBU and its partner organisations under the student route, and to prospective and existing LSBU-sponsored students who require a Confirmation of Acceptance for Studies (CAS) to enable them to apply for a student visa (together referred to as "students"). Applicants are individuals who have not completed enrolment. Students are individuals who have completed enrolment.

2.2. This policy should be read in conjunction with the University's Admissions and Enrolment Procedure, Academic Attendance and Engagement Policy, Student Interruption and Withdrawal Procedure, Changing Courses Procedure, Tuition and Other Fee Regulations and Student Placements Procedure. These policies can be found here.

3. Who is responsible for this Policy?

3.1. The UKVI Authorising Officer has overall responsibility for this policy and has delegated the day-to-day oversight of the CAS allocation process to the UKVI Key Contact.

3.2. This policy will be reviewed regularly, and at least every two years, by the

Head of Immigration Compliance and Reporting in consultation with the University Solicitor to ensure continued compliance with the Student Sponsor Guidance and Immigration Rules. The current version supersedes all previous versions.

3.3. The UKVI Authorising Officer and UKVI Key Contact are jointly responsible for securing the University's annual CAS allocation from the Home Office. The Key Contact will ensure Level 1 and Level 2 Sponsor Management System users receive appropriate training and guidance.

4. Confirmation of Acceptance for Studies (CAS)

4.1. General Principles

4.1.1. CAS is required where a student needs to apply for permission to enter or permission to stay in the United Kingdom under the Student route.

4.1.2. The issuance of a CAS is at the discretion of LSBU.

4.1.3. Each CAS request will be considered individually in accordance with the Immigration Rules and Home Office guidance as well as LSBU policies and procedures.

4.1.4. LSBU will only assign a CAS where it is satisfied that sponsorship is appropriate and that the student is likely to meet the requirements of the student route.

4.1.5. A CAS can only be used to support one student visa application and should be used within 6 months of the course start date if outside the UK, or 3 months if inside the UK.

4.2. Grounds for refusing to issue a CAS

4.2.1. LSBU will not normally issue a CAS and may withdraw a CAS or sponsorship where one or more of the following apply.

4.2.2. LSBU reasonably believes that the student will be unable to meet the requirements of the student route.

4.2.3. LSBU reasonably believes that the student is unlikely to be granted a student visa.

4.2.4. LSBU reasonably believes that the student will be unable to obtain the appropriate immigration permission before the start of the course.

4.2.5. The student does not hold valid immigration permission.

4.2.6. LSBU reasonably believes that sponsorship would place the University's Student Sponsor licence at risk.

4.2.7. LSBU is not satisfied that the student's intention to study is genuine.

4.2.8. The student fails to provide requested information or evidence.

4.2.9. The student has a pending immigration application, appeal, or administrative review.

4.2.10. Academic progression requirements are not met or cannot be justified.

4.2.10. The student owes tuition fees, has not paid the required deposit, or cannot demonstrate sufficient funds.

4.2.11. An ATAS certificate is required for the course and has not been obtained.

4.2.12. The student has exceeded, or will exceed, permitted study limits.

4.2.13. The applicant has previous immigration refusal, issues with immigration laws, or curtailment history including to other countries.

4.2.14. The student requires sponsorship for a resit or retake and attendance, engagement, or academic history is unsatisfactory.

4.2.15. Physical presence in the UK is not required to complete the academic requirement.

4.2.16. The student cannot provide satisfactory supporting evidence.

- **4.2.17**. Documents submitted are known or suspected to be false, misleading, or fraudulent, or deception has been used to gain a CAS from LSBU or a visa from the Home Office.

4.2.18. LSBU is not satisfied that the student meets the required English language standard.

4.3. Circumstances where LSBU may consider issuing a CAS

4.3.1. Exceptional Circumstances

4.3.1.1. Notwithstanding the provisions relating to students without valid

immigration permission and concerns regarding English language capability, LSBU may consider issuing a CAS in exceptional circumstances provided at all times it remains compliant with Home Office requirements. Issuing a CAS does not guarantee sponsorship.

4.3.2. Serious Illness

4.3.2.1. Where a serious illness prevented the student from applying for further permission to stay within the required timeframe, appropriate supporting evidence is provided, and LSBU reasonably believes that the circumstances are likely to satisfy the relevant Home Office requirements.

4.3.3. Compelling Circumstances

4.3.3.1. Where unavoidable and compelling circumstances beyond the student's control prevented compliance and supporting evidence is provided.

4.3.3.2 LSBU may consider sponsorship where specific Home Office and University requirements are met.

4.4. Current and previous law issues

4.4.1. Where there is or has been an immigration refusal, compliance concern or any issues with UK laws, LSBU will assess the circumstances before determining whether sponsorship is appropriate.

5. Student responsibilities

5.1. Students must review all information contained within their CAS before submitting a visa application. When submitting visa applications, students must ensure that they are honest and truthful when answering all questions. In particular, information regarding previous visa refusals and criminal convictions must be included where applicable.

5.2. A CAS does not guarantee that a visa application will be successful.

5.3. Students must maintain lawful immigration status throughout their studies and notify LSBU of any relevant changes.

6. Withdrawal of sponsorship

6.1. Legal reporting obligations

LSBU reserves the right to withdraw its sponsorship of a student where the student:

6.1.1. Interrupts or suspends their studies.

6.1.2. Withdraws from their course.

6.1.3. Fails to enrol or re-enrol.

6.1.4. Fails to comply with LSBU's Academic Attendance and Engagement policy.

6.1.5. Is absent for 60 consecutive days or more, unless an approved exception applies.

6.1.6. Transfers into another immigration category.

6.1.7. Breaches immigration conditions.

6.1.8 Breaches LSBU policies.

6.1.9. Completes their course earlier than expected.

6.1.10. Is unable to pass a module following two re-sit attempts and there are no exceptional reasons to justify a further attempt. Examples of exceptional reasons are set out in Appendix 1.

6.1.11. Fails to undertake an approved re-sit opportunity.

6.1.12. Shares or records a pre-CAS interview without permission.

6.1.13. Does not maintain sufficient funds to remain enrolled.

6.1.14. Acts or conducts themselves in a manner (or circumstances arise) such that ongoing sponsorship would pose a risk to LSBU's student sponsor licence or its ability to comply with its sponsor duties.

6.2. Exceptional Absence

6.2.1. LSBU may continue sponsorship beyond 60 days where exceptional circumstances exist and satisfactory supporting evidence is provided and

LSBU is reasonably satisfied that the student can still successfully complete the course.

6.3. Verification and additional testing

6.3.1. LSBU may carry out enquiries, assessments, investigations, or testing where reasonably necessary.

6.4. Withdrawal of an issued CAS

6.4.1. LSBU reserves the right to withdraw an issued CAS if information subsequently indicates that sponsorship requirements are not met, there are concerns that the student will not successfully obtain a student visa or there are other reasons beyond LSBU's control.

6.4.2. Where LSBU intends to withdraw a CAS, it will normally request that the student refrains from submitting their student visa application, or if an application has already been submitted but not yet decided, to withdraw the application. Students are expected to promptly and reasonably comply with this request and to send evidence if requested.

6.5. Notification of withdrawal

6.5.1. Students will normally be notified in writing of any sponsorship withdrawal decision.

7. Length of sponsorship

7.1. LSBU will normally assign a CAS for the duration of the course.

7.2. Course dates recorded on the CAS will be determined by the University in accordance with academic and immigration requirements.

8. CAS extensions

9.1 - CAS extensions will be assessed on a case by case basis in line with Home Office requirements, this policy and other LSBU policies. CAS extensions

are not guaranteed and will not be given if LSBU reasonably believes the student will not successfully complete the course.

9. Requesting a review of a decision not to issue a CAS or withdraw sponsorship

8.1. Grounds for Review

8.1.1. Procedural irregularity.

8.1.2. Unreasonable decision.

8.1.3. New material evidence.

8.2. Submission requirements

8.2.1. Requests must be submitted within 10 working days from the date of the decision.

8.3. Where to submit a request

8.3.1. Applicants should submit requests to the Head of Admissions at admissions-appeals@lsbu.ac.uk.

8.3.2. Existing students should submit requests to the Academic Registrar via email to student.affairs@lsbu.ac.uk.

8.4. Consideration of the Review

8.4.1. If a request is unclear, lacks evidence, or does not satisfy one or more of the grounds set out in paragraph 8.1, it may be rejected.

8.5. Outcome

8.5.1. The decision of the Review stage is final.

8.6. Visa Responsibilities During a Review

8.6.1. Students remain responsible for complying with all immigration requirements throughout the Review process. The submission of a Review request does not extend a student's immigration permission or suspend any Home Office action. LSBU will not issue a CAS solely for the purpose of extending a student's permission to remain in the UK while a Review is being considered.

10. Use of data

9.1. The University collects and processes data relating to admissions, enrolment, sponsorship, attendance, interruptions, and withdrawals.

9.2. Data may be used internally and shared externally where required by law or regulation.

11. Appendix 1 – Examples of Exceptional Reasons

For the purposes of paragraph **6.1.10**, exceptional reasons may include, but are not limited to:

- **a)** serious personal physical or mental illness;
- **b)** a change/exacerbation in an existing health condition at the time of an assessment;
- **c)** death or serious illness of a family member or other person with whom a student had a close relationship
- **d)** unexpected caring responsibilities for an immediate family member or dependent;
- **e)** significant personal or family crises leading to acute stress;
- **f)** witnessing or experiencing a traumatic incident;
- **g)** a crime which has had a substantial impact on the student;
- **h)** an emergency or crisis that prevents the student from attending an exam or accessing an online assessment;

All exceptional circumstances should be supported by independently verifiable evidence wherever reasonably possible.

The Academic Registrar (or nominee), in consultation with the Pro Vice-Chancellor (Education), will determine whether circumstances meet the exceptional reasons test under this policy. The decision is final.