

## The University of Hertfordshire

### Guidelines for the provision of Immigration Advice

#### 1. DEFINITION

This document defines the framework for adherence to regulations as set out in the Immigration Rules in relation to those within the University of Hertfordshire who can provide advice and guidance on these rules.

Immigration advice in the UK is regulated by the OISC (Office of the Immigration Services Commissioner). The Immigration and Asylum Act 1999 made it unlawful for anyone to provide unregulated immigration advice or immigration services.



#### 2. WHAT IS IMMIGRATION ADVICE AND SERVICES?

Full details can be found in the OISC *Guide on Competence* and the *Codes of Standards* but includes:

- Ensuring that correct immigration application forms are completed
- Advising individuals on immigration (e.g. taking timeout from their course, implications of withdrawing from their studies, working time regulations)
- Advocacy (e.g. contacting the Home Office on behalf of a student)

Signposting is not considered advice. Staff can also produce letters for students regarding their attendance and progress without breaking the OISC rules as they are simply stating facts about a students' situation.

#### 3. WHO CAN GIVE IMMIGRATION ADVICE AT THE UNIVERSITY OF HERTFORDSHIRE?

The Student Immigration Advisers (part of the Student Immigration Team (Advice)) are specifically trained to supply immigration advice and guidance to staff and students, in accordance with OISC regulations. They attend regular training and attend meetings, briefings and consultations with the Home Office. They update information on Ask Herts for students as quickly as possible.

The Student Immigration Advisers follow OISC guidelines on giving advice, keeping case notes etc as well as following the OISC *Code of Conduct*.

**The rules relating to immigration and visas are complicated and are subject to change. It is important that students and staff get the right advice so always refer immigration matters to the Student Immigration Advisers.**

The Student Immigration Advisers are:

- Nicola Morton
- Christie Penny
- Feriala Cole
- Itrat Hussain
- Claire Fitzgerald

In addition to the Student Immigration Advisers, the Head of Student Immigration (Advice & Compliance) is also able to give immigration advice in accordance with the OISC regulations:

- Christina Peters, Head of Student Immigration (Advice & Compliance)

In matters relating to Student sponsorship and compliance duties the University of Hertfordshire Compliance Officer (Student Immigration) is able to provide advice.

- Charlotte Owen, Compliance Officer (Student Immigration)

#### **4. THE ROLE OF THE SCHOOLS**

##### **4.1 School administrative staff**

A wide range of support mechanisms exist between the School administrative staff and the University Student Immigration Advisers. The Student Immigration Advisers are the point of contact for School staff regarding any immigration matters. School administrative staff are not approved to give immigration advice to students. School staff have approval to forward all such queries, either in person, by telephone or by email, to the Student Immigration Advisers, or the Compliance Officer (for matters relating to Student sponsorship or compliance).

##### **4.2 Academic staff**

Academic staff are not approved to provide immigration advice. Although, academic staff are approved to provide academic counselling, they are not trained to be aware of the implications of immigration restrictions placed on an international student with regards to differing modes of study. Academic staff are approved to liaise with the Student Immigration Advisers with regards to agreeing an appropriate study profile for an international student, or the Tier 4 Compliance Officer (for matters relating to Student sponsorship or compliance).

#### **5. COMPLAINTS AND NON-COMPLIANCE**

Complaints against persons providing incorrect advice and notifications of non-compliance of this policy will be investigated. The immigration advice given by the University is also subject to the national complaints scheme operated by the OISC.