



Lord Bilimoria CBE DL
House of Lords
London
SW1A 0PW

BY EMAIL ONLY

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16 August 2021

Dear Karan,

Thank you for your letter of 17 June 2021 to the Home Secretary on behalf of the CBI, the Russell Group, UKCISA and Universities UK regarding extending the concessions currently permitting international students to undertake study by distance and blended learning.

Throughout the Covid-19 pandemic, we have put in place a series of concessions designed to support international students and the education sector in response to the pandemic, to ensure that students are not disadvantaged due to circumstances outside their control and that the UK remains the choice destination for international students. The concessions have included exempting students from meeting the academic progression requirement if they require further time to complete a course of study necessitated by Covid-19 and providing Exceptional Assurance as a short term protection against any consequences of overstaying to individuals who are unable to leave the UK due to travel restrictions. The Covid-19 student concessions are set out in the following guidance:

<https://www.gov.uk/government/publications/coronavirus-covid-19-student-sponsors-migrants-and-short-term-students>

The concessions have been updated regularly to reflect the changing circumstances both domestically and internationally, necessitated due to the evolving circumstances surrounding Covid-19. We have kept these concessions under regular review, including adding further concessions when they have been required and ending concessions when they are no longer proportionate.

The Covid-19 concessions are temporary measures put in place to support the education sector for a limited period, rather than long-term changes to the Student route. We have always been clear the concessions would be withdrawn once the circumstances which justified them had improved and the concessions no longer required, in line with the Government's roadmap out of lockdown.

Since the start of 2021, there has been a significant improvement in the situation domestically, as such the concessions have been reviewed on this basis and some concessions were scheduled to expire on 27 September 2021. However, we have reviewed these concessions again in line with the evolving domestic and international wider public health considerations and the representations which have been made on behalf of the education sector.

We are committed to ensuring students can commence study remotely, confident they will be able to continue their studies in the UK when they are able to safely travel. Whilst it is important to highlight there has never been anything preventing institutions offering courses which start remotely overseas via unsponsored study, I can confirm the extension of the distance learning concession to 6 April 2022. This will help provide certainty to the sector and students, and stagger the flow of students entering managed quarantine facilities, ensuring the UK remains a safe destination for international students to undertake study.

However, we need to balance this against maintaining the integrity of the Student route and ensure the concessions which are in place are proportionate and in line with the overarching Government roadmap out of lockdown. The approach taken after 27 September 2021 will therefore be different, depending on whether students are studying in the UK or overseas.

A student who has been granted permission on the Student or Child Student route, and who is unable to enter the UK or return to the UK due to travel restrictions, will be permitted to commence or continue study via distance learning without sponsorship being withdrawn, provided the student continues to engage with the course of study and does not stop engaging for a period exceeding 30 days. The concession on distance learning from overseas will be extended until 6 April 2022 on the understanding students will transition to in-person study in the UK when they are able to do so safely.

The situation is improving in the UK and overseas, and we have been clear concessions will only be in place while they are deemed to be necessary, with vaccination programmes advancing globally it is reasonable to conclude the situation is likely to be very different in April 2022 to the one faced today.

As we are permitting students to commence or continue studies overseas until 6 April 2022, it is appropriate to provide a similar concession to the concession which has operated for students who commenced studies during the 2020/21 academic year, when determining eligibility for the new Graduate route.

Students who commence a course in autumn 2021 or spring 2022 overseas via distance learning will be required to enter the UK on or before 6 April 2022 with valid student permission to be eligible for the Graduate route. However, students who commenced a one-year course in 2020 or Spring 2021 via distance learning will continue to be required to enter the UK before 27 September 2021 or the expiry of their current permission, whichever is sooner, to be eligible for the Graduate route. The Graduate route is an in-country only route and students must apply prior to the expiry of their current Student or Tier 4 permission. We are not able to extend the eligibility for students who commenced a one-year course in 2020 or spring 2021, as it remains paramount that students spend some time studying within the UK and are able to demonstrate that they are able to support themselves financially within the UK.

It is important to protect the Graduate route from abuse and establish a clear nexus between study in the UK and accessing the benefits offered by the Graduate route;

eligibility for the route is directly linked to undertaking a significant period of study within the UK. As such, the date a student will need to be in the UK to be eligible for the route will not be extended beyond 6 April 2022.

I would welcome the support of the education sector in communicating to students and prospective students they must be present in the UK with valid Student permission prior to this date to be eligible for the Graduate route. It is also important to highlight institutions should actively encourage students to travel to the UK once they are able to do so, rather than waiting to travel shortly before 6 April 2022 to ensure the number of students travelling to the UK is staggered over the period making safe and effective use of managed quarantine facilities (MQS) if required. We have asked our colleagues in the Department for Education to work with the sector to ensure necessary planning around MQS is undertaken and to avoid last minute rushes for it as the deadline approaches.

The Government's roadmap out of lockdown currently states all restrictions will be lifted on 19 July and in-person study has been permitted as of 17 May in England and Scotland. Therefore, it is no longer proportionate to permit students to undertake tuition entirely by distance learning whilst in the UK. However, we will extend the blended learning concession until 6 April 2022, enabling institutions to provide a mix of in-person and remote study to provide flexibility for the education sector.

It is important institutions maintain a reasonable amount of in-person study, to provide educational value for international students and protect the UK's reputation as a purveyor of high-quality education and ensure the UK remains a destination of choice for international students. Therefore sponsors are expected to have face-to-face contact with sponsored students who are doing blended learning at least twice per month during term time, on a rolling four-week basis, unless less frequent contact is already permitted under the academic engagement policy set out in the sponsor guidance, for example during the post-study period.

We will undertake a review of whether blended learning should continue beyond this date and the parameters under which it could operate, if applicable.

We believe sponsors should now offer a minimum of 15 hours a week of study to students studying below degree level, but we will allow all of the 15 hours to be done by online learning when the person is overseas, and by blended learning for those in the UK, with the online element of study counting towards the 15 hours. This concession will end on 6 April 2022.

I am placing a copy of this letter in the House of Lords library.



Baroness Williams of Trafford