

My college has closed. What are my options?

26 January 2012

Introduction

Hundreds of thousands of international students come to study in the UK each year, at schools, colleges and universities (for short, we refer to all of these as institutions) in both the public and private sector, and most students successfully complete their studies.

But in very rare circumstances an institution may close unexpectedly, perhaps because it has lost its Tier 4 licence, or because it is no longer a viable business.

This information sheet has been compiled to provide you with information about what to do if the institution where you are studying has recently closed. It gives information about:

- how to try to reclaim any money you have lost
- how to find another course if you wish to continue studying
- immigration issues
- contacts for further information and advice

Can I get my money back from the institution which closed?

There is no guarantee you will get your money back, but it may sometimes be possible under **UK consumer protection** law. In some cases you will have to pursue the issue yourself (for example, if you paid by credit card you might be able to make a claim to your credit card company), while in others you can refer the issue to your local authority Trading Standards Services or the Office of Fair Trading.

If the institution has been declared insolvent, it might take a long time to find out if you will receive any money back, and the chances of receiving a full refund are small.

The most appropriate course of action will depend on your individual circumstances. The following organisations give information and practical advice:

- the **Consumer Rights section** of Directgov, the website of the UK government at www.direct.gov.uk/en/Governmentcitizensandrights/Consumerrights
- **Consumer Direct** - for information on whether you may be able to recover the fees paid to the institution if it goes out of business before you complete your course. Tel: **08454 04 05 06**
- Your local **Trading Standards office** can take action against institutions which misrepresent the services they provide. See www.tradingstandards.gov.uk/advice/consumer-advice.cfm
- If you believe there has been **fraud** on the part of the institution, for example if it never intended to provide the course for which you paid, then it might be worth contacting the police.

You can also consult your local **Citizen's Advice Bureau** for further information and advice.

In England and Wales, see www.citizensadvice.org.uk/, in Scotland, see www.cas.org.uk/ and in Northern Ireland, see www.citizensadvice.co.uk/

How can I find a new course of study?

You can find information about alternative courses of study at www.educationuk.org which has an extensive database of courses and places of study in the UK.

For colleges accredited by Accreditation UK, if you are on an English language course, English UK (www.englishuk.com) will arrange for students at a college which closes to transfer to an equivalent course at other accredited centres. This will be free of charge up to the value of the fees you have already paid to the closed centre and lost. In addition, the Student Emergency Support Fund will pay for your accommodation where you have paid accommodation fees in advance to the closed centre and lost that money. Your continuance on an alternative course will depend on your achieving the required level in a Secure English Language Test and on your visa status. You may of course if you wish go to a different college from that at which English UK offers you a free placement, but you will have to pay course fees to any college you choose yourself.

If you studied at an institution accredited by the British Accreditation Council (www.the-bac.org), BAC will try to help you find an alternative placement with another of their institutions which minimises any additional costs if you have already paid fees to the institution which closed. Other accrediting bodies (see below) may also give you similar help.

How do I know who accredited my institution?

Check the institution's website (if still operational) or publicity materials. If you can't find details on either of these, contact the accrediting bodies direct (NB once the institution has closed this information will no longer be on the accrediting body's website, so contact them by phone or email).

English language colleges	<ul style="list-style-type: none"> ■ Accreditation UK - www.britishcouncil.org/accreditation-students-complaints.htm ■ the Accreditation Body for Language Services (ABLS) - www.ablsaccreditation.co.uk/contact.asp
Other institutions	<ul style="list-style-type: none"> ■ the British Accreditation Council (BAC)- www.the-bac.org/colleges/complaints/index.html ■ the Accreditation Service for International Colleges (ASIC) - www.asic.org.uk/contactus.php ■ the Church of England Ministry Division - www.churchofengland.org/contact-us.aspx

My institution in the UK has closed. Is it still able to act as my Tier 4 sponsor?

No - if an institution on the list of UK Border Agency Tier 4 sponsors closes, it is required to notify the UK Border Agency, which will then withdraw the institution's Tier 4 sponsor licence immediately. All Confirmations of Acceptance for Studies (CASs) that your institution has already assigned will become invalid and it is no longer allowed to sponsor international students to study in the UK. You will need to find a new course at an institution which is on the Register of Tier 4 sponsors if you wish to remain in the UK as a Tier 4 student.

What will happen to me next?

You will be contacted directly by the UK Border Agency (UKBA) regarding your existing immigration permission once a decision has been taken to withdraw your institution's Tier 4 sponsor licence. **You should ensure that the UKBA have your most up-to-date contact details** by completing the **Migrant change of circumstances form** which you can download from the UKBA's website at www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/changes/

UKBA confirmed to UKCISA on 6 December 2011 that if your college closure leads to your immigration permission being curtailed (shortened) they will **not** use the date that your institution's licence is revoked as the start point for your curtailment period. Read the [letter from the Home Office explaining the](#)

position (dated 6 December 2011).

If your leave is to be curtailed, it will be shortened to 60 days from the date the UKBA make the decision to curtail it (i.e. we understand this to mean, as we had previously thought, the day they notify you **in writing**), which will be later than the date that your institution's licence is revoked.

I am here on a Tier 4 visa. Do I need a new visa, and when must I apply?

Yes, you need to apply for a new Tier 4 visa if you are changing institution. If you:

- **have immigration permission (leave) as a Tier 4 student which will continue to be valid for more than 6 months** your permission to stay in the UK will be shortened to 60 days from the date on the letter from the UKBA. You must leave the UK or apply for immigration permission to study at an alternative institution which is a Tier 4 sponsor within these 60 days.
- **have immigration permission as a Tier 4 student which is due to expire within the next 6 months** your permission to stay in the UK will not be shortened. However you must leave the UK or apply for immigration permission to study at an alternative institution which is a Tier 4 sponsor before your current leave expires.

I was about to submit an immigration application as a Tier 4 student but the institution which provided my CAS has closed. What should I do?

You should not submit an immigration application using a CAS from an institution which is no longer on the Register of Tier 4 sponsors, even if the CAS was issued before the institution was removed from the Register. If you do go ahead and submit your application, it will be refused. You must leave the UK or apply for immigration permission to study at an alternative institution which is a Tier 4 sponsor.

I am here on a Student Visitor visa, do I need a new visa if I change institutions?

If you are studying on a Child Visitor Visa or Student Visitor Visa you can move to study at a different institution as long as:

- the new course provider is a **Tier 4 sponsor** or inspected or accredited by one of the **bodies approved by the UKBA and**
- you can complete the new course within the period of your outstanding Student or Child Visitor leave.

If you are not able to complete the new course within the period of your outstanding leave, you can leave the UK and apply again for a Student or Child Visitor visa (if you are a visa national) or apply on re-entering the UK (if you are not a visa national) to study a new course. Usually, you should not spend more than 6 months in total in the UK as a visitor in any 12-month period. This means you should leave the UK as quickly as possible if you know that you want to come back soon to start a new course as a Student or Child Visitor. It is not possible to apply in the UK for immigration permission as a Student Visitor, and you cannot apply to stay for longer than 6 months in total as a Child Visitor.

You can find out if you need a visa to come to the UK as a Student or Child Visitor at:

UK Border Agency – do you need a visa?

Can I stay in the UK to extend my immigration permission or do I have to return home and apply from there?

If you have time before your new course starts, you can go home and make a fresh Tier 4 entry clearance application there.

If the gap between the end of your immigration permission and the start date of your new course is more than one month, you must go home and apply for entry clearance.

You must also apply for entry clearance at home if the start date of your new course is more than 3 months before you need to make an immigration application in the UK.

If your course starts within one month of the end of your immigration permission and less than 3 months before you apply, and you meet all the Tier 4 requirements, you can apply in the UK. You must do this **before** the end date of your current immigration permission. If you do not submit valid application before this date, you will become an overstayer which will have serious consequences for all future immigration applications.

Will I have to pay for a new visa?

Yes, unfortunately the UK Border Agency requires you to pay an application fee for any new application. The current fee for a postal application in the UK is £386 and if you apply in person at a Public Enquiry Office the fee is £702. If you apply outside the UK, the entry clearance fee is £255.

What are the financial requirements for extending my visa?

If you have an **established presence** in the UK, the UKBA requires you to have up to **two months'** maintenance funds in your account. To qualify for having an established presence, you need to have current Tier 4 immigration permission and you must have either **completed a single course that was at least six months long** with the immigration permission you have now, or you must be applying for more time to complete a course you have already spent at least 6 months studying.

UKBA confirmed to UKVISA on 6 December 2011 that if your college closes before you have finished your course of study with them, and you wish to apply for further leave to remain to study with another institution, then you will be able to show a reduced maintenance level ("established presence" in the UK) in your immigration application if you have completed at least six months of your course at the closed institution.

You will be able to do this, even if the Immigration Rules and Policy Guidance appear not to allow you to (because you will have neither finished a single course nor be applying for continued study on a course).

You will still have to meet all other related requirements, in Rules and guidance, for your maintenance provision.

Read the [letter from the Home Office explaining the position](#) (dated 6 December 2011)

We still recommend that you show the full maintenance provision, if you can. However, if you need to rely on having an "established presence", we recommend that you print out a copy of this letter and include it with your Tier 4 application.

If you do **not** qualify for established presence, for example because you have not completed your previous course or it was under six months long, you must show that you have enough money to cover your living costs for each month of your new course for up to a maximum of nine months (£5,400 or £7,200 depending on where you study).

See [Making a Tier 4 application](#)

Can I start my studies before the UK Border Agency (UKBA) approves my new Tier 4 application?

Yes, if:

- you have applied to the UKBA for permission to stay in the UK to study with a Tier 4 sponsor which has a Highly Trusted Sponsor rating on the UKBA's Tier 4 sponsor register; and
- your immigration permission for study in the UK with your previous Tier 4 sponsor has not yet expired; and
- your new Tier 4 sponsor has assigned a Confirmation of Acceptance for Studies (CAS) to you for your new course.

You may start your new course, but you do so at your own risk because the UKBA might refuse your application.

You **cannot** start your new course until the UKBA has approved your new application if you are applying to the UKBA for permission to stay and study with a sponsor which does not have Highly Trusted Sponsor status.

Where can I get further advice about immigration issues?

For more information about how to extend your visa, read

- the UKCISA information sheet **Making a Tier 4 application** [www.ukcisa.org.uk/student/info_sheets/immigration_uk.php]

If you require further advice on your immigration status, and that of any dependants who are in the UK with you, you can:

- Call the **UKCISA Advice line** on 020 7107 9922 (open 1-4pm, Monday to Friday). Please note this is a very busy line and it can be hard to get through
- **write to us** with as much information as possible at UKCISA, 9-17 St Albans Place, London N1 0NX. Please note UKCISA cannot provide advice to personal callers.

UK Council for International Student Affairs

Website: www.ukcisa.org.uk

Telephone advice line: Mon-Fri 1300-1600 hours (UK time)

Tel (from within the UK): 020 7107 9922

Tel (from outside the UK): +44 20 7107 9922

We regret that we cannot advise personal callers at our offices. Please use the telephone advice line or write to us at: UKCISA, 9-17 St Albans Place, London N1 0NX, UK.

© UKCISA

This information sheet may be printed and reproduced provided it is copied unaltered and in its entirety, including UKCISA's logo, disclaimer, copyright statement and the reference to UKCISA's website as a source of further updates, and provided that no charge is made to any persons for copies. **NO PART OF IT MAY BE REPRODUCED IN ANY OTHER CIRCUMSTANCES.**

The information in this Information Sheet is given in good faith and has been carefully checked. UKCISA, however, accepts no legal responsibility for its accuracy.