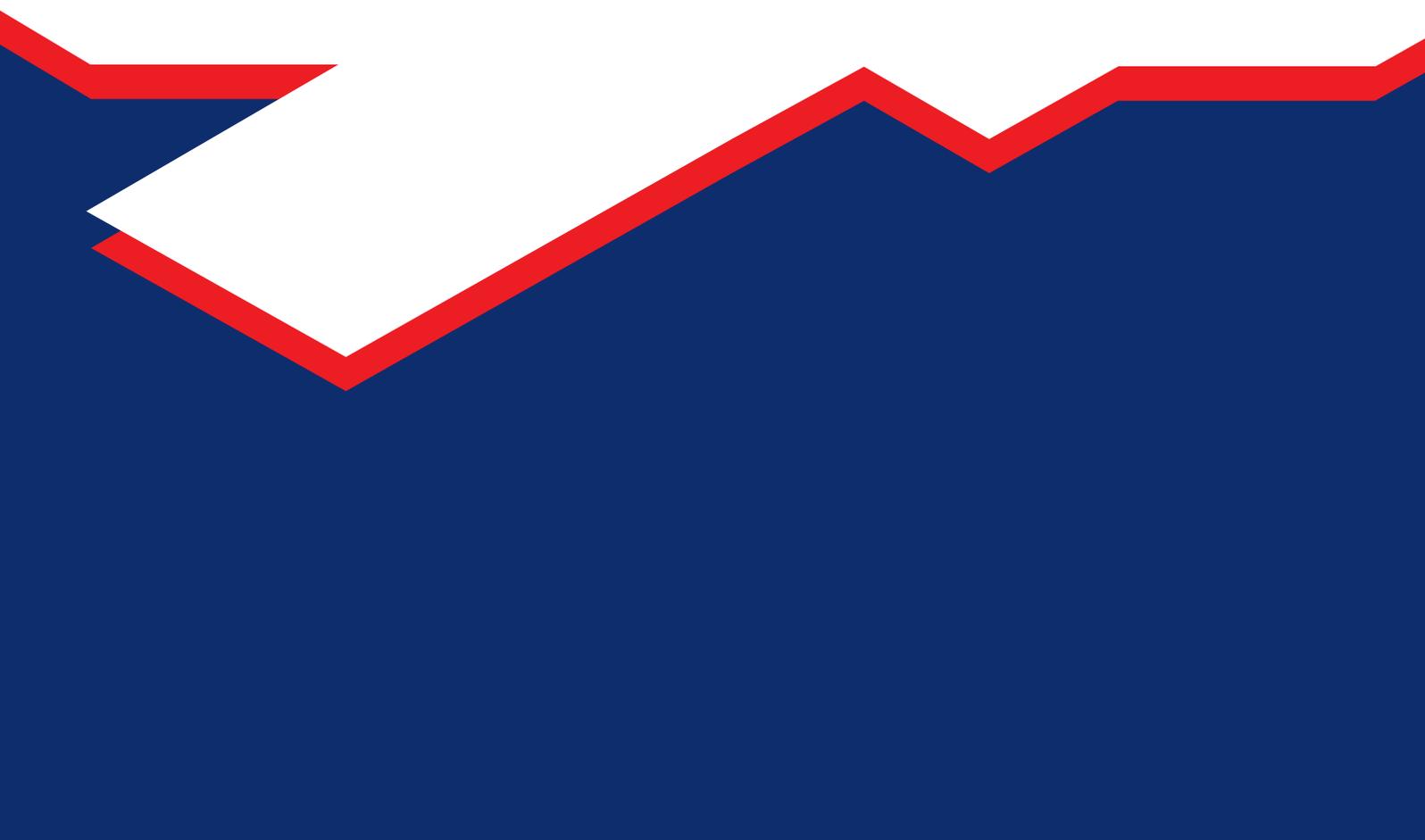




**SECURING
OUR BORDER
CONTROLLING
MIGRATION**

**CONSULTATION ON THE STUDENT
IMMIGRATION SYSTEM:
7TH DECEMBER 2010 TO
31ST JANUARY 2011**
CONSULTATION QUESTIONNAIRE RESULTS

March 2011



PROFILE OF RESPONDENTS

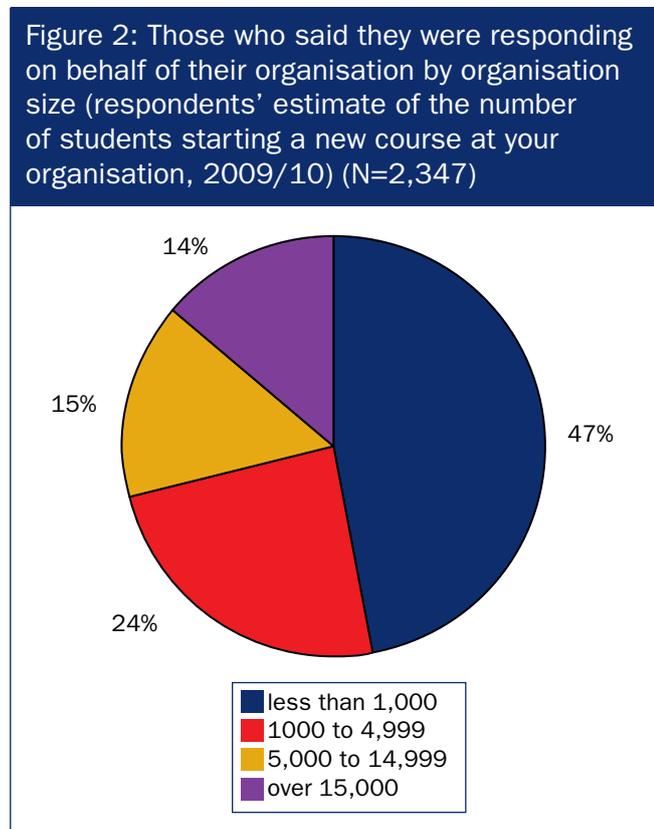
- A total of 30,851 responses were received through the online survey and over 300 were received by email or post during the consultation period which ran between Tuesday 7th December 2010 and Monday 31st January 2011¹. Please note the number of responses received varies from question to question.
- The majority of responses were received from individuals (72 per cent) whilst 10 per cent said they were responding on behalf of an organisation. 18 per cent of respondents did not say whether they were responding as an individual or on behalf of an organisation (N = 30,851).
- Of those who responded as **individuals**, over half (57 per cent) stated they were students, 13 per cent academics and 29 per cent said they were ‘other’ i.e. neither a student nor an academic (N = 7,821). Over half of the individuals were from a university (57 per cent) and 12 per cent were from a private FE college or institute of further/higher education (N = 7,768).
- Of those who responded on behalf of an **organisation**, 37 per cent said they were students, 27 per cent were academics and 37 per cent said ‘other’ (N = 3,402). The largest proportion (48 per cent) said their organisation or institution type was a university (N = 3,198) (see Figure 1). **Those responding ‘on behalf of an organisation’ were not necessarily responding officially on behalf of that organisation, and in practice many will have in fact been responding in an individual capacity.**

Size of organisation is shown in Figure 2.

- The majority of the postal or email responses were fuller responses sent as the “official” response from individual organisations, such as universities or from umbrella bodies representing different parts of the education sector, and so represent some of the UK Border Agency’s main corporate partners, for the purpose of this consultation. Some of these also completed the online survey as well.

1 Please note: The main statistical analysis currently excludes the approximately 300 responses to the consultation received by either post or email. Other comments and responses regarding proposed changes to the student immigration system which were not specifically in response to the consultation questionnaire have also been received and analysed separately

Table 1: Those who said they were responding on behalf of an organisation, by type of organisation		
	Number	Those who said they were responding on behalf of their organisation
Universities	1,523	48%
Publicly funded FE college or institute of further/higher education	218	7%
Private FE college or institute of further/higher education	481	15%
Independent school	113	4%
English language school	192	6%
Local Authority or other public sector	120	4%
Institution or business not directly involved in education provision	551	17%
Total	3,198	100%²



Of those respondents who said they were answering on behalf of their organisation, 30 per cent estimated that more than half of their student population are non-EEA nationals (see Table 2 for a breakdown of this group by institution-type). A further 21 per cent estimated that between 20-50 per cent of their student population are non-EEA nationals, with the remaining 49 per cent estimating that non-EEA nationals comprised less than 20 per cent of their student populations (N = 2,345).

2 Total exceeds 100 due to independent rounding.

Table 2: Organisations in which more than half their student populations are non-EEA nationals, by organisation-type (base = those saying that they were responding on behalf of their organisation)

	Number	Percentage of organisations with estimated >50% non-EEA nationals
Universities	243	35%
Publicly funded FE college or institute of further/higher education	37	5%
Private FE college or institute of further/higher education	251	37%
Independent school	34	5%
English language school	61	9%
Local Authority or other public sector	16	2%
Institution or business not directly involved in education provision	45	7%
Total	687	100%

FINDINGS

Please note that throughout this report, comparisons across organisation-types are based on analysis of those **who said they were responding on behalf of an organisation who also provided information on their organisation-type (N = 3,198)**. For each question, data by organisation-type were then compared against the total for all organisation- types (in effect, the average). All reported differences by sub-group are statistically significant, unless otherwise stated³.

The analysis also compared those who said they were responding on behalf of their organisation (N = 3,198), and those who said they were responding as individuals (N = 22,356), notwithstanding the point that these answers cannot be verified and it is likely that a proportion of those who ticked the 'organisation' box were not an official representative of an organisation but responded as individuals.

Where there were significant differences between the two groups, these findings are also reported⁴. The key findings by sub-group are reported in the boxes.

RAISING THE MINIMUM LEVEL OF STUDY OFFERED FOR STANDARD SPONSOR LICENCE HOLDERS

(Number of respondents = 29,140)

Half (50 per cent) of **all** respondents **disagreed** with the proposal to raise the minimum level of study that sponsors with a standard sponsor licence can offer under Tier 4 (general) to degree level and above, in order to reduce abuse, increase selectivity and simplify the current rules. Forty-four percent of respondents **agreed** with the proposal and six per cent said they did not know.

Respondents who said they were replying on behalf of **English language schools** (N = 189) were the most likely to disagree with the proposal (80 per cent disagreed, compared to 57 per cent, N = 3,086 for all organisation-types).

³ Significance is given at the 0.05% level (95%).

⁴ *ibid*

LIMITING BELOW DEGREE LEVEL STUDY TO HIGHLY TRUSTED SPONSOR (HTS) ONLY

(Number of respondents = 28,811)

Half (50 per cent) of **all** respondents **agreed** with the proposal to permit only HTS to offer study below degree level (at NQF levels 3,4 and 5/SCQF levels 6,7 and 8) in the Tier 4 (General) category. Thirty-eight per cent of all respondents disagreed with this proposal, with 28 per cent taking the view that all sub-degree level study should be prohibited and 10 per cent taking the view that study at NQF level 3 should be prohibited, even where a sponsor has HTS status. Twelve per cent answered 'don't know' to this question.

Respondents who said they were responding on behalf of **independent schools** (61 per cent, N = 103), **publicly funded FE/HE institutions** (60 per cent, N = 208) and **institutions or businesses not directly involved in providing education** (64 per cent, N = 535), all tended to agree with the proposal to permit only HTS to offer study below degree level, compared to all organisation-types (48 per cent, N = 3,067).

Respondents from the **university** sector (N = 1,463) were more likely than other groups to say all sub-degree level study should be prohibited under Tier 4 (38 per cent, compared to 31 per cent for all organisation-types). By contrast, **institutions or businesses which were not directly involved in providing education** (N = 535) were less likely to say that that all sub-degree study should be prohibited (18 per cent) compared to all organisation-types (31 per cent).

Forty one per cent of **all respondents** (N = 28,954) thought that the changes discussed above (to tighten up on requirements for courses below degree level) should be phased in, with 48 per cent and 10 per cent answering 'no' and 'don't know', respectively, to this question. The most popular timescale for phasing in the prospective change was 12-24 months (38 per cent), with 24 per cent answering 25-36 months and 18 per cent favouring 11 months or less.

MAKING NO CHANGES TO THE TIER 4 (CHILD) ROUTE

(Number of respondents = 28,335)

The majority of **all** respondents (63 per cent) **agreed** that, in the light of the low risk of abuse amongst users of the Tier 4 (child) route, there should be no changes to the route. A further 27 per cent disagreed with this proposal, and 10 per cent answered 'don't know'.

Respondents who said they were representing the **university** sector (N = 1,475) were **significantly less likely to agree** with this proposal (57 per cent, compared to 63 per cent for all organisation-types, N = 3,104) and **significantly more likely to disagree** (36 per cent, compared to 30 per cent for all organisation-types).

By contrast, respondents from **organisations or businesses not directly involved in providing education** (N = 539) were the most likely to agree with this proposal (75 per cent, compared to 63 per cent for all organisation-types).

Unsurprisingly, representatives of **independent schools** also showed a propensity to agree with the statement (72 per cent, N = 78), although the number of respondents was too small to test significance.

INTRODUCING TOUGHER ENTRY CRITERIA FOR STUDENTS

The majority of **all** respondents (55 per cent, N = 27,148) also **agreed** with the proposal that all Tier 4 (general) **students should be required to pass a secure English language test to demonstrate proficiency in English to level B2 of the CEFR**. Forty-two percent disagreed and 3 per cent answered don't know.

Respondents who said they were representing **English language schools** (N = 189) were significantly more likely than other groups to **disagree** with this proposal (77 per cent, compared to 52 per cent for all organisation-types, N = 3,101). However, respondents from **private FE/HE institutions** (N = 468) were significantly more likely to **agree** with raising the language bar (58 per cent, compared to 45 per cent for all organisation-types).

There was also a significant difference between respondents who were answering as **individuals and those who said they were answering on behalf of organisations** for this question: Fifty-seven per cent of **individuals** (N = 21,944) **agreed** with raising the language bar, compared to 45 per cent of organisations (N = 2,936).

Sixty-seven per cent of **all** respondents (N = 26,927) felt that **students who had been awarded a qualification equivalent to UK degree level or above, which was taught in English in a majority English speaking country, should be exempt** from this requirement.

Fifty-one percent of **all** respondents felt that **students from majority English speaking countries** should be **exempt** and 45 per cent felt that **students who recently studied in the UK as children** should be **exempt** (N = 26,927).

Twenty-one per cent of all respondents felt that no groups should be exempt and 6 per cent did not know (N = 26,927).

In general, respondents who said they were representing **organisations that were not providing education** were the group **most in favour of exemptions** (for example, 76 per cent of this group agreed that students awarded a qualification equivalent to UK degree level or above, which was taught in English in a majority English speaking country, should be exempt, N = 539).

English language schools (N = 189) showed the highest **agreement with** the proposal that there should be **no exemptions**, at 28 per cent, although the difference between this sector and all organisation-types (22 per cent, N = 3,090) was not significant.

EVIDENCE OF PROGRESSION

Fifty-three per cent of **all** respondents (N = 26,764) **agreed** that students wishing to study a new course should be required to **show evidence of progression** to a higher level, with 44 per cent disagreeing and 3 per cent answering ‘don’t know’.

Respondents who said they were representing **universities** (N = 1,480) were the **least likely to agree** with this proposal, showing significantly less agreement than other groups (40 per cent, compared to 49 per cent for all organisation-types, N = 3,119). By contrast, representatives of **private FE/HE institutions** (N = 471) were the **most likely to agree**, showing significantly higher agreement than other groups (68 per cent, compared to 49 per cent for all organisation-types).

ENSURING STUDENTS RETURN OVERSEAS AFTER THEIR COURSE

(Number of respondents = 26,912)

The vast majority of all respondents (92 per cent) **disagreed** that students wanting to study a new course should return home to apply from overseas. Only 7 per cent agreed with this proposal and 1 per cent answered ‘don’t know’.

Respondents who said they were representing **private FE/HE institutions** (N = 473) showed the **highest levels of agreement** with this proposal and, conversely, the **lowest level of disagreement**. Eighteen per cent of this group agreed and 81 per cent disagreed, showing a significant difference from 9 per cent and 90 per cent (respectively) for all organisation-types (N = 3,127).

TIER 1 POST-STUDY WORK

(Number of respondents = 26,787)

Twenty-seven per cent of all respondents answered that this route should be significantly restricted, with 6 per cent answering that it should be closed. The majority (66 per cent) felt that **other** options should be considered.

Respondents who said they were representing **private FE/HE providers** (N = 468) were the least averse to closing the route, with 18 per cent **agreeing**.

Of those respondents who favoured closing or restricting the route (N = 9,224), the preferred time periods for doing this were as follows:

- Immediately - 16 per cent
- 0-11 months - 10 per cent
- 12-24 months - 25 per cent
- 25-36 months - 15 per cent
- 37 months plus - 27 per cent
- Don’t know - 7 per cent

The majority of respondents (83 per cent, N = 26,677) **disagreed** that the Post-Study Work route should be **restricted to those awarded a PhD by a UK university**, whilst 10 per cent agreed with this proposal and 7 per cent answered ‘don’t know’.

Again, those who said they were responding on behalf of **private FE/HE providers** (N = 470) showed the **highest level of agreement**, with a fifth (20 per cent) agreeing that Post-Study Work should be restricted in this way.

LIMITING THE ENTITLEMENTS OF STUDENT ROUTES

A clear majority of **all** respondents (85 per cent, N = 26,382) **disagreed** with the proposal to further restrict students' paid work. Thirteen per cent agreed with the proposal and 3 per cent answered 'don't know'.

Respondents who said they were representing **universities** (N = 1,491) were most likely to **disagree** with the proposal (87 per cent disagreed, compared with 84 per cent for all organisation-types, N = 3,139), whilst representatives from **private FE/HE providers** (N = 473) and **independent schools** (N = 109) were the most likely to **agree** with the proposals (22 per cent and 25 per cent respectively).

Fifty six per cent of respondents (N = 26,279) **disagreed** with simplifying the rules around student work by limiting it to set times (except for work on campus), with 39 per cent agreeing and 5 per cent unsure.

Representatives from **private FE/HE providers** (N = 471) were the most supportive of the proposal compared all organisation-types (N = 3,127) (46 per cent, compared to 37 per cent).

COURSES CONTAINING WORK PLACEMENTS

(Number of respondents = 26,020)

Fifty-three per cent of **all** respondents **disagreed** that the minimum ratio of study to work placement permitted should be increased from the current 50:50 to 66:33 (except where there is a statutory requirement to do otherwise). Thirty-one per cent agreed with this proposal and a relatively large 16 per cent answered 'don't know'.

Of those who said they were responding on behalf of an organisation or institution, respondents from **English language schools** (N = 189) were the most likely to **disagree** with the proposal to reduce the ratio of study to work placement (60 per cent, compared to 53 per cent, N = 3,122, for all organisation-types). Respondents representing **private FE/HE providers** (N = 468) and **independent schools** (N = 109) were more supportive of this proposal (43 per cent and 41 per cent **agreeing**, respectively), but one-fifth of respondents from independent schools answered that they did not know.

FAMILY MEMBERS

A narrow majority of **all** respondents (51 per cent, N = 25,988) **agreed** that only those studying for longer than 12 months should be permitted to bring in their family members, whilst 46 per cent disagreed and 3 per cent were unsure.

In particular, respondents who said they were representing **private FE/HE providers** (N = 473) were supportive of the proposal, with 63 per cent **agreeing** compared with 49 per cent for all organisation-types (N = 3,137). However representatives from **universities** (N = 1,489) and **English language schools** (N = 190) were more likely than all organisation-types to **disagree** with the proposal (52 per cent and 59 per cent respectively, compared to 48 per cent).

The majority of all respondents (73 per cent, N = 25,958) **disagreed** that family members should be prohibited from working, with 22 per cent agreeing and 5 per cent unsure.

Respondents from **universities** (N = 1489) and the **Local Authority or other public sector** (N = 120) were particularly negative towards the proposal (78 per cent and 82 per cent disagreeing, respectively). However respondents from **English language schools** (41 per cent, N=190), Independent schools (38 per cent, N = 108) and **publicly funded FE/HE institutions** (35 per cent, N = 212) were significantly more likely than all organisation-types (25 per cent, N = 3,135) to **agree** with the proposal.

SIMPLER PROCEDURES FOR CHECKING LOW RISK APPLICATIONS

Exactly half of **all** respondents (50 per cent, N = 25,571) **agreed** that differential requirements for high and low risk students should be adopted, with 40 per cent disagreeing and 9 per cent unsure.

Respondents who said they were representing **independent schools** (67 per cent, N = 108) were the most supportive of the proposal. **University** respondents (N = 1,477) were significantly more negative about the proposal compared to all organisation-types (N = 3,112) (48 per cent, compared to 43 per cent).

A similar proportion, 51 per cent (N = 25,520), **agreed** that the UK Border Agency should focus on the abuse of documentary evidence as the basis for differential treatment, with 39 per cent disagreeing and 10 per cent unsure.

Respondents who said they were responding on behalf of **universities** (N = 1,482) were more negative towards this proposal, with 52 per cent disagreeing compared with 44 per cent for all organisation-types (N = 3,114). Respondents representing **Private FE/HE providers** (N = 467) were the most likely to **agree** (65 per cent, compared to 49 per cent for all organisation-types).

Very similar percentages of **all** respondents to those quoted above **agreed**, disagreed and were unsure (52 per cent, 39 per cent and 9 per cent, respectively, N = 25,534) that we should also, or alternatively, look at sponsor ratings as a basis for differential treatment.

Those representing **publicly funded FE/HE institutions** (57 per cent, N = 208) and **organisations not directly involved in education provision** (57 per cent, N = 543) were the most supportive of the proposal compared to all organisation-types (50 per cent, N = 3,115). Respondents representing **universities** (N = 1,480) were more inclined to **disagree** with the proposal (48 per cent compared with 39 per cent for other groups).

STRICTER ACCREDITATION PROCEDURES FOR EDUCATION PROVIDERS

(Number of respondents = 25,132)

Sixty five per cent of all respondents **agreed** that more should be done to raise accreditation and inspection standards to ensure the quality of education provision within private institutions of further and higher education for Tier 4 purposes. Twenty-eight per cent disagreed and 7 per cent answered 'don't know'.

In particular respondents who said they represented **institutions not directly involved in education provision** (70 per cent, N = 543) and **publicly funded FE/HE institutions** (67 per cent, N = 210) were inclined to **agree** with the proposal. **Private FE/HE institutions** (N = 469) were also inclined to **agree** with the proposal (63 per cent), although this difference did not reach significance compared to all organisation-types (59 per cent, N = 3,112). Respondents from the **Local Authority or other public sector** (48 per cent, N = 117) and those from **universities** (40 per cent, N = 1,477) were significantly more likely to **disagree** with the proposal when compared to all organisation-types (35 per cent).

Finally, those responding as **individuals** (N = 21,989) were also significantly more likely than those responding as **organisations** (N = 2,950) to **agree** with the proposal on stricter accreditation procedures (66 per cent, compared to 60 per cent respectively).