

To whom it may concern,

This letter aims to provide information to employers regarding the UKVI rules and guidance and is not intended to replace the need for employers to seek their own legal advice where required.

Students who hold a Student Visa and wish to switch into the Skilled Worker Visa from within the UK are subject to the following immigration rules:

SW 1.5A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A, B or C below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B:

(i) the applicant must be studying a full-time course of study at degree level or above with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than the course completion date; or

(c) Condition C:

(i) the applicant must be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and

(ii) the Certificate of Sponsorship in SW 1.2(d) must have a start date no earlier than 24 months after the start date of that course.

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-skilled-worker>

UKVI guidance for caseworkers has the following information regarding course completion:

You can normally determine whether the applicant has completed their course by checking the end date on the Confirmation of Acceptance for Studies (CAS). However, the applicant may have completed their studies, and therefore met the requirement of the Rules, in advance of the end date on the CAS. If the end date on the CAS indicates they have not yet completed their studies, you should consider whether the course may have been completed by looking at any information provided with the application (for example, a results transcript) and any notifications made by the Student Sponsor. You should also check if the course stated on the CAS was at PhD level, and if so, use the course start date to assess whether they have completed at least 24 months.

<https://www.gov.uk/government/publications/skilled-worker-visa-caseworker-guidance/skilled-worker-caseworker-guidance-accessible>

It is essential that both employers and students are confident that they understand and comply with UKVI requirements. The Immigration Advice Service at the University of the West of England are unable to offer full advice on switching into the Skilled Worker Visa category and cannot produce documents which confirm either academic status or eligibility to make a Skilled Worker Visa application.

Students are encouraged to provide employers with their most recent CAS as clarification of their course end date. Students can also download a HEAR document confirming their academic status from MyUWE.

Yours sincerely

Immigration Advice Service

Email: immigrationadvice@uwe.ac.uk Telephone: +44(0)117 32 83871 (open Monday and Friday 9am-12pm)