

## STUDY SECTOR BRIEF v4 NOVEMBER 2022

### Overview

This edition focuses on trends from the 2022 summer surge in applications from dependants and the main instances of information gaps where we apply evidential flexibility for a decision to be made.

### Dependants

There has been a rising trend in dependants since 2018 and more significantly since the Graduate Route launched in July 2021. In 2018 the number of dependants travelling with/joining the main student accounted for around 6% of all study related applications; in the year to September 2022 that figure had risen to 20%.<sup>1</sup>

Most dependant applications were from Nigeria, India, Pakistan, Bangladesh and Sri Lanka. We looked at the main reasons for write outs and refusal to identify common themes found in both Dependant Partner and Dependant Child applications.

Since dependants sometimes apply after the main applicant's decision has been made, and sponsors aren't directly concerned with dependants, you should relay the following as part of your engagement with students ahead of their applications.

### *Dependant Partners*

The main reasons for refusals of Dependant Partners were insufficient funds, not sending in documents when requested, a live ban/warning from a previous refusal for deception, or where fraudulent documents were submitted. Most refusals were for insufficient funds and/or documents not submitted, these can be addressed by:

- Ensuring applicants calculate precisely the necessary funding required to cover both them and any dependant spouse or partner (and children where applicable).
- Since the same funds cannot be used more than once to demonstrate compliance, applicants should be wary of inadvertently recycling funds between dependant applications.
- Applicants should ensure their contact email address is active and they regularly check the main inbox and spam or junk folders.

### *Dependant Children*

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<sup>1</sup> [Why do people come to the UK? To study - GOV.UK \(www.gov.uk\)](https://www.gov.uk/why-do-people-come-to-the-uk-to-study)

Over 50% of Child Dependant applications refused were because both parents were not travelling and *sole responsibility* – where only one parent is in their life and the other has no impact or input - had not been satisfactorily evidenced. Acceptable types of evidence are documents showing the other parent has had no involvement in the child's upbringing, a court order awarding sole custody following a parents' divorce, or death certificate of a deceased parent.

The following are examples that are often submitted but do not meet the requirements:

- A letter from a Solicitor or a Self-Attested/Affidavit document stating that one parent is content for the other parent to travel with a child or children
- A parent travelling to the UK on a visitor visa
- Reasons for the other parent not travelling are not deemed to be serious and compelling

The decision maker will decide each application on its individual merits, also considering whether there are sufficient compelling and compassionate reasons why the children are unable to remain with the non-travelling parent.

Further details on Dependant criteria <https://www.gov.uk/guidance/immigration-rules/appendix-student>

### **Evidential flexibility**

When applications and their supporting documents do not initially meet the requirements, we may apply evidential flexibility and write out or call the applicant for additional information before we decide their visa. This summer's main reasons for calls or write-outs were unchanged from previous years and relate mainly to study gaps and/or missing documents.

### ***Unexplained study gaps***

We don't apply a strict time period when assessing study gaps but, if they've had a relatively long period not studying, knowing what they have been doing in the interim gives us a better overall understanding of their credibility.

A brief supporting letter stating why the student had left or not continued in formal education will help address any concerns without further contact. Otherwise, we may call them for a verbal explanation or invite to interview to discuss further.

Applicants can avoid delays associated with unexplained study gaps by ensuring they have submitted all relevant documents in support of their application.

### ***Incomplete employment record***

Where the periods between study have been spent in employment, but the applicant has presented a timeline which still has large gaps that aren't satisfactorily explained, we may give them the opportunity to explain with a quick call or write-out.

Again, a supporting letter explaining periods between employment(s) may satisfy the decision-maker without further contact. Otherwise, we may call them or invite to interview to clarify the circumstances.

Applicants can avoid delays associated with incomplete employment records by ensuring they have submitted relevant documents in support of their application, especially complete timelines for gaps in study.

### ***Missing financial documents***

Where the applicant has presented a series of bank statements to evidence the availability of sufficient funds to meet the Study requirements, but key instalments have been omitted, we may write out to give them the opportunity to submit the missing statements to properly inform the visa decision.

Applicants can avoid delays associated with missing financial documents by ensuring they have submitted all mandatory documents in support of their application to conclusively evidence them meeting the funds threshold.

### **Forward look**

As always, we look forward to your feedback on areas covered, usefulness and suggestions for future editions, alongside the usual outreach events planned through the year. Please get in contact with the Study Service Management Team under Service Manager Jack Rose.