

**BUILA feedback regarding Draft Student Sponsor
Guidance – Document 3: Student sponsor compliance**

BUILA welcomes the continued opportunity for engagement on the draft sponsor compliance guidance that was shared by the Home Office at the Education Advisory Group (EAG) on 24th February 2026.

This builds on feedback previously provided by BUILA to the Home Office on earlier draft iterations, including a detailed submission in November 2025 where our members raised detailed concerns in response to the RAG rating methodology that we fear will have implications far beyond immigration compliance if introduced unamended.

In the November submission, the following areas were raised in terms of how the reformed BCA framework would be implemented from a technical perspective:

- **Retrospective application needs clear rules.** Sponsors should be assessed against the standards that applied when the sponsorship happened, not newer rules introduced later.
- **Data and system capability.** Universities need live visa refusal data, with enough context to understand why refusals are happening and so they can act during the cycle.
- **Metric definitions need refinement.** On non-enrolment, calculations should exclude students who never travelled and students who deferred to a later intake. On visa refusals, only decisions on used CAS' should count, and withdrawn CAS' before a decision should be excluded.

Looking forward, we believe two core changes are necessary for the successful implementation of the changes to the BCA thresholds:

I. The RAG rating methodology must be adjusted so that it clearly distinguishes between compliant and non-compliant sponsors, with Red and Amber reserved for those with BCA compliance failings.

II. The revised compliance framework must be supported by improved data transparency and system capability so that sponsors can manage compliance risk effectively within tighter margins.

BUILA members support a robust compliance framework, but yet, members have continued to raise several concerns about the draft BCA guidance scheduled to be used from the 1st June 2026, particularly around implementation, data treatment, proportionality, and technical clarity.

Detailed Recommendations and request for clarification:

1. Thresholds, timing and transitional arrangements

Members would welcome a simple summary table showing the refusal, enrolment and completion thresholds by year, to make the phased changes easier to follow. There is concern that visa delays and issues affecting the January intake may now be captured in the new BCA calculations, despite those cases arising before the new requirements are implemented. Members also want greater clarity on how transitional discretion will operate in practice.

- Can the guidance include a simple summary table showing the refusal, enrolment and completion thresholds that apply before June 2026, from June 2026, and from June 2027?
- Can the Home Office clarify if transitional arrangements can protect sponsors whose January intake data was affected by visa processing delays?
- Will the Home Office reconsider the approach whereby the overall RAG rating is determined by the lowest single metric, even where the sponsor is green on the other two metrics?
- Under what circumstances would UKVI restrict track record privileges such as self-assessment of English language ability or remote delivery?

2. Data calculation rules need much clearer explanation

Members want clearer guidance on how BCA data will be calculated in a number of scenarios. These include:

- when a CAS should be treated as “used”;
- how multiple applications linked to the same CAS are counted;
- how academic failures are treated;
- how temporary withdrawals are categorised;
- whether sponsor withdrawal of a CAS affects BCA outcomes;
- and how delayed decisions are treated where the student could no longer enrol by the latest enrolment date.

Members also raised a specific concern about cases where a CAS was withdrawn, or a student requested that their visa application be withdrawn, but a refusal notice was later issued, with the refusal notice dated before the withdrawal took effect. It is unclear whether such cases would count as refusals for BCA purposes or should be treated as withdrawn cases instead.

3. Amber meeting requirements may be difficult to deliver in practice

Members noted that requiring the acting Executive Head, such as a Vice-Chancellor or Principal, to attend every amber-related engagement meeting may be operationally challenging.

- For amber engagement meetings, will formal delegation be accepted where the named senior leader cannot attend?

4. Drafting and usability improvements are needed

Members suggested that the document would benefit from a clearer presentation of action plan fees, either through a table or a direct signpost in the guidance. Members also requested clarification of paragraph 2.84, specifically whether “that metric” refers to any of the three metrics in the first updated BCA, or only to course completion, given the wording in the preceding paragraph.

- Can the guidance provide the action plan fees directly, or include a clearer link to them?
- In paragraph 2.84, does “that metric” refer to any of the updated metrics, or only to the course completion metric discussed in paragraph 2.83?