



Home Office

**Border &
Immigration Agency**

ACCREDITATION OF PRIVATE EDUCATIONAL INSTITUTIONS INVOLVED IN RECRUITING INTERNATIONAL STUDENTS UNDER THE POINTS BASED SYSTEM: TIER 4

REGULATORY IMPACT ASSESSMENT

RELATED DOCUMENTS

Document List

Document Name
A Points Based System: Making Migration Work for Britain ('The Command Paper')
Accreditation of Private Educational Institutions involved in recruiting international students under the Points Based System: Tier 4

THE POINTS-BASED SYSTEM - TIER 4: STUDENTS

Home Office Proposals for Mandatory Accreditation of Educational Sponsors

Regulatory impact assessment

July 2007

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1. Purpose and intended effect

1. The policy intention is to ensure that all institutions entering onto a new register of educational sponsors for the purposes of the Points-Based System for Managed Migration (PBS) are bona fide providers of education. The effect of demanding independent accreditation will be to assure the Home Office that an institution is genuinely providing education rather than offering low quality courses for the purposes of facilitating applications by bogus students.

2. Background & Consultation

2.1. Current system

2. Since 1 January 2005, only overseas students who can show that they have a place to study or are already studying at an institution which appears on the DIUS Register of Education Providers (REP) have been granted entry clearances or extensions of stay as students. The REP is operated by the Department for Innovation, Universities and Skills (DIUS).
3. Some 13,200 institutions were automatically entered onto the REP either because they were publicly funded, inspected and audited (so their bona fides as genuine institutions were not in question) or because they were accredited/inspected by at least one of the following bodies:
 - The British Accreditation Council (BAC)
 - English in Britain Accreditation Scheme (EinBAS) administered by the British Council
 - Adult Learning Inspectorate became part of Ofsted from 1 April 2007 (ALI)
 - Association of British Language Schools (ABLS)
 - Education and Training Inspectorate Northern Ireland
4. A further 1848 private educational establishments without accreditation have also successfully applied to get on the REP. They have been able to fulfil the requirements for registration by providing:
 - a) Evidence of their registration as a legal business with Company's House;
 - b) Details of their staff and staff qualifications;
 - c) Floor plans to show classrooms etc; and
 - d) A copy of their prospectus to give an indication of what they provide.
5. The REP has been very successful in combating bogus colleges, particularly those which were entirely fictitious. Some 1,200 were visited ahead of the register being implemented and 25% were found not to be genuine. The Home Office continues to make visits where there is evidence of abuse and as of 9 July 2007, a total of 69 colleges have been removed from the Register or 73 individual sites / campuses through a combination of visits conducted by compliance officers in the Border and Immigration Agency(BIA) as well as removals instigated by DIUS.
6. With the benefit of experience and hindsight, the lack of quality assurance is a weakness to the current REP. The Home Office is concerned that an unknown number of private institutions are operating largely to provide low quality teaching to those wishing to enter or remain in the UK as students whilst working illegally. At present, the BIA's resources for student compliance are largely occupied with carrying out reactive, intelligence-led visits to suspect colleges on the REP. Whilst many such colleges have been shown not to be bona fide and subsequently removed, it is obvious that the BIA's resources might have been used

more proactively if such colleges had not been allowed to enter onto the REP in the first place.

7. In addition, and while the Home Office's role is to regulate entry to the UK, we also recognise that there are wider concerns about the REP. The education sector and other government departments are concerned about those students who genuinely wish to study yet are duped by bogus colleges. Poor quality colleges are undermining efforts to promote the UK as a world class provider of education and the aims of the Prime Minister's Initiative on International Education.

2.2. Rationale

8. The rationale for this policy is to ensure that all institutions recruiting international students are bona fide providers of education. Under Tier 4: (Students) of the Points-Based System, all education institutions will need to be registered on a new register of sponsors in order to recruit international students. In developing the eligibility criteria for inclusion on the register, we have tried to learn lessons from the introduction of the REP and to build on its success in ensuring that completely bogus colleges are no longer able to abuse the student route. However, for reasons outlined above we want now to go further than the REP and ensure that institutions entering onto the new register have some form of independent quality assurance.
9. In the Command Paper entitled "A Points-Based System: Making Migration Work for Britain" (henceforth 'the Command Paper'), published in March 2006, the Home Office committed itself publicly to introducing a mandatory requirement that each education institution on the new register should have some form of quality assurance from an independent body that meets certain minimum standards. Such accreditation or inspection is already regularly sought by educational institutions for reasons of quality assurance and will act as a proxy for the bona fides of an institution wishing to offer certificates of sponsorship to international students.
10. **This requirement will only apply to private institutions** which fall outside of the system of public inspections conducted by organisations such as the Office for Standards in Education, Children's Services and Schools (Ofsted) and the former Adult Learning Inspectorate –, the Quality Assurance Agency (QAA) and their devolved equivalents. We will also not require that independent schools seek further accreditation, as these must by law already be registered with the Department for Children, Schools and Families (DCSF) following a successful inspection by either the Independent Schools Inspectorate or Ofsted.
11. A direct benefit of mandatory quality assurance to students and institutions will be to support sponsorship as a proxy for a student's intention and ability to study, which will increase objectivity and transparency in decision making and reduce the involvement of immigration officials in the recruitment of foreign students. Requiring some form of quality assurance will bring significant benefits to BIA in terms of mitigating the need for intelligence-led investigations of suspect institutions and enabling compliance resources to be better targeted in a proactive manner on high risk institutions and employers. In addition, resources will be made available to promote best practice in the recruitment of international students, so as to reduce the frequency with which genuine institutions are misled by bogus students seeking a means to enter the UK.
12. By combating bogus colleges that disrupt the otherwise excellent reputation of UK education, mandatory quality assurance will also have secondary and positive benefits for

the education sector and help support the Government's aim under the Prime Minister's Initiative to attract an additional 100,000 international students to the UK by 2011.

2.3. Consultation

13. Our initial proposals for some form of mandatory quality assurance were agreed by Home Office and Education Ministers on 6 February 2006. These proposed that private institutions outside of the public quality assurance and auditing systems such as Ofsted should be accredited or successfully inspected by existing bodies responsible for quality assurance in the private sector. An initial assessment of the possible options for implementing some form of mandatory quality assurance was made and option 4 (outlined in section 3.2) was chosen by the minister. A statement of our intent was then made in the Command Paper. BIA continued to work closely with these existing sector quality assurance bodies to successfully transform the framework of option 4 into a more developed and additional Option 5 (outlined in section 3.2).
14. The proposals for mandatory quality assurance were developed in consultation with key education sector stakeholders on the Joint Education Taskforce (JET). The JET is a forum for detailed policy discussions between the Home Office, OGDs and key education stakeholders. It aims to ensure a reasonable balance is struck between the need to deal robustly with abuse of our immigration controls and to support the development and growth of UK educational exports under the Prime Minister's Initiative for International Education.
15. In addition to this routine activity, a wider consultation of educational institutions was undertaken jointly with the then Department for Education & Skills (DfES) with the aim of developing the policy agreed in February 2006 and assessing any impacts on the education sector. The final report from this consultation ("Accreditation of Educational Institutions involved in recruiting International students under the Points Based System: Tier 4") is included here as Annex A.
16. The consultation ran from 22 March to 28 April 2006. A letter requesting institutions to examine and submit answers to an online questionnaire was sent to all 14,400 institutions on the REP at that time. Some 801 completed questionnaires were received, of which 16 were voided for a variety of reasons, including that not enough answers were completed to make meaningful analysis or because, for a variety of reasons, the questionnaire was unreadable.
17. Responses to the consultation were weighted heavily towards private institutions (over 50%) in comparison with the population of the REP, which is almost 70% public sector. This may represent greater interest in our proposals from the private sector and co-ordinated responses by sector bodies such as English UK (whose members comprise 2.3% of institutions on the REP, but 21.4% of the total respondents to the consultation).
18. Some 85% of respondents to the consultation were happy with the direction of travel initially approved by Ministers, including a similar percentage of those institutions from the private sector. However, institutions in the private sector were far more active in suggesting possible changes to the policy than those outside of it: 67% of institutions in the private sector suggested changes compared to an average of about 7% of respondents in public higher or further education or maintained and independent schools.
19. Preliminary consultations with those organizations likely to fulfill our criteria were also undertaken in June 2006 so as to assess the criteria and standards for accreditation in the private sector.

20. Following correspondence between Home Office and the then DfES Ministers in the summer of 2006, it was agreed that the new Ofsted which incorporates the former Adult Learning Inspectorate would play a crucial role to the work of mandatory accreditation, lending both resources and expertise to inspect a wide range of institutions.

21. Since the summer of 2006 the Home Office has worked with Ofsted concerning their potential involvement and it has been agreed that they play a dual role. Ofsted will directly inspect some of the 1848 unaccredited institutions who require accreditation in order to qualify for the Sponsor Register, until such time as there is sufficient expertise and resource amongst the BIA approved accreditation bodies.. Ofsted will also assist the Home Office to accredit the accreditors in order to help assure the bona fides of the inspection bodies themselves. This is seen as a welcome development as Ofsted is much better qualified to assess whether the inspection service provided by an accreditation body provides a suitable test of the bona fides of an educational institution than BIA staff.

Respondents to the consultation

Sector	Total responses
Public Further Education	74
Publicly Funded Higher Education	63
Private Institution in receipt of public funds	32
Private Institution	420
Independent School	105

3. Options

3.1. Initial decision on direction of travel

22. The initial proposal to Home Office ministers that entry to the register of sponsors be dependant upon some form of mandatory quality assurance was accompanied by four options, including a do nothing option, with a request for a decision as to which should be pursued. These options are outlined below.

23. Following initial agreement to Option 4, further developments resulted in an additional Option 5 being included. Option 5 is now the option that is being pursued.

Option	Description
1. Do nothing	Accept transfer all institutions on the DfES Register of Education providers onto the sponsors register
2. Require quality assurance of new providers only	Place all institutions on the DfES register on the register of sponsors and set <u>additional</u> requirements for some form of quality assurance of new sponsors.
3. Introduction of a mandatory national accreditation scheme	Such a scheme could be formed under the auspices of either a) an external, independent body, charged under statute to administer accreditation services; or b) an internal, Government-run function to perform the same role. It would run alongside public sector inspection such as

	that required of state schools, colleges and universities and accredit the private sector only.
4. Require all private education sector sponsors to have existing quality assurance (accreditation) as approved by the Home Office	All private sector colleges wishing to sponsor overseas students would need to demonstrate accreditation or inspection by an accrediting body approved for these purposes by the Home Office. To ensure that the whole institution is bona fide, institutional rather than course accreditation would be required. Institutions inspected by public bodies will be automatically approved.
5. Require all private education sector sponsors to have existing quality assurance (accreditation) as approved by the Home Office with support from Ofsted	<p>All private sector colleges wishing to sponsor overseas students would need to demonstrate institutional rather than course accreditation by an accrediting body approved for these purposes by the Home Office with support from Ofsted or be directly inspected by Ofsted. This is to ensure that the whole institution is bona fide.</p> <p>Ofsted initially will play a dual role:</p> <ol style="list-style-type: none"> 1. They will assist existing accreditation bodies by directly inspecting some of the institutions requiring accreditation in order to qualify for the Sponsor Register until there is sufficient expertise and resource amongst the other accreditation bodies themselves. (NB Public sector Institutions already inspected by one of the public inspection bodies will be deemed to automatically meet this requirement for T4 Sponsor registration). 2. Ofsted will also simultaneously assist the Home Office to accredit the accreditors in order to help assure the bona fides of the accreditation bodies themselves.

3.2. Potential impacts of the Five options

24. The relative impact of Option 5 is likely to be high, yet at a lower cost to the sector with the only difference being that the cost to government will be marginally increased.
25. The tables which follow summarise the key benefits, drawbacks, relative ability to deliver our policy objective (robustness of entry to the register of sponsors) and relative cost of the five options in terms of costs to Government, private institutions and the private education sector as a whole.

Summary of impact and costs of the proposed schemes for accreditation

	Option 1	Option 2	Option 3	Option 4	Option 5
Robustness of entry requirements relative to the do nothing option	N/A	Same	High	Moderate to High	High
Compliance costs	High	High	Low – all sponsors will be trusted	Moderate – some oversight of accrediting bodies needed	Moderate – some oversight of accrediting bodies needed
Cost to government	Moderate to High (£8-40m)	Moderate (£8m if prioritise and risk assess before visits)	High Start up costs- £8-10m + annual running costs- £6-8m	Moderate £20,000 selection costs and ongoing monitoring - £15,000	Moderate £50,000 selection costs and ongoing monitoring - £20,000
Cost to institutions	Low – no additional costs	Moderate – nil for existing providers but between £7-14,000 for accreditation for each new provider every 4 years	High estimated costs - £4,000 per institution every 4 years	Moderate £4,000 every 4 years for current unaccredited institutions	Moderate £4,000 every 4 years for current unaccredited institutions
Overall cost on sector	Low - but ongoing damage to UK education sector reputation	Low but ongoing damage to UK education sector reputation	High - £8m pa	Low to Moderate - £7.4m over years	Low to Moderate £7.4m over years

OPTION 1	Do nothing
Key benefits	<ul style="list-style-type: none"> • Low cost to institutions • Zero regulatory impact aside from other requirements of sponsorship under the PBS.
Key drawbacks	<ul style="list-style-type: none"> • BIA continues to be reactive to abuse rather than proactive; • Bogus colleges continue to trade and circumvent Immigration controls until detected; • BIA would need to devote resources to a full inspection of all institutions on the sponsor register to remove bogus colleges; • Little immediate benefit for legitimate colleges who will continue to lose trade to bogus providers.
Robustness of entry requirements	Low. No change from present where only the most basic documentary checks of legal legitimacy and educational provision are conducted. Risk of loss of internal and public confidence in new register at an early stage.
Compliance costs	High. Need for compliance visits to ensure that all those on the register are bona fide and greater likelihood of enforcement action against bogus colleges. Each visit is estimated to cost between £1,000 and £5,000. It is estimated that 8,000 education establishments are active in bringing international students to the UK and so if all are visited then the compliance costs could be between £8m and £40m)
Cost to government	Moderate to High. Although initially the costs of this option appear to be low, this will need to be offset against the increased need for compliance following the introduction of the PBS (see above). In addition, loss of confidence in sponsorship would threaten the basis of the new points-check for immigration applications and is a major risk to the programme for Tier 4.
Cost to institutions	Low. No change from present. For those operating without accreditation it will be nil. Others likely to continue to pay for accreditation at an average cost of £1,000 per year over a 4 year period
Overall cost on sector	Low. However, this must be weighed against the potentially damaging effects of bogus colleges to the reputation of UK education.

OPTION 2	Quality assurance for new providers only
Key benefits	<ul style="list-style-type: none"> • Proactive stance towards new institutions; • Regulatory impact limited to new sponsors, estimated by DIUS to be registering at around 5 per month.
Key drawbacks	<ul style="list-style-type: none"> • No quality assurance for existing colleges with all drawbacks for option 1; • Discriminates against new providers and thus acts as a barrier to their competition with existing institutions.
Robustness of entry requirements relative to the do nothing option	Same. The number of new applicants to the REP is now at around twenty per month, including reapplications. Such a requirement would not help us to distinguish between private institutions on the already on the REP.
Compliance costs	High. As for option 1.
Cost to government	Moderate. Similar costs to operating a wider programme of quality assurance (option 4) but without the compliance payoff.
Cost to institutions	Moderate. Additional costs to new providers similar to those in option 4.
Overall cost on sector	Low. Small number of institutions affected by a process which would most likely use existing forms of accreditation.

OPTION 3	Introduction of a mandatory national accreditation scheme
Key benefits	<ul style="list-style-type: none"> • Proactive stance on quality assurance ensures that all of those on the register are bona fide; • Single set of criteria applied across the education sector with advantage that the scheme can incorporate sponsorship at the heart of its accreditation process; • Secondary benefits to the private education sector from a single, marketable accreditation marques.
Key drawbacks	<ul style="list-style-type: none"> • Significant immediate and ongoing costs, which will need to be recovered from the education sector or else paid by the taxpayer. A previous estimate made for the English Language sector alone suggested a figure of £2-3 million in start up costs and annual running costs of £1.5-£2m • A new scheme would do no more than replicate many of the existing accreditation schemes and inspections performed by private sector bodies; • Applying a single set of standards and inspections to the diverse institutions within the private sector will be complicated, with uncertain costs and potentially lengthy build phase.
Robustness of entry requirements relative to the do nothing option	High. A bespoke accreditation/inspection system could be more responsive immigration needs than existing systems and designed specifically to compliment our compliance functions.
Compliance costs	Low. Potential synergies between educational inspection and immigration compliance may permit devolution of certain functions to new accrediting scheme.
Cost to government	High. Significant start up and running costs, possibly a need for further legislatio .Estimated at £8-10 million in start up costs with ongoing running costs of £6-9m a year
Cost to institutions	High. Those with existing accreditation might not incur significant extra inspection costs, but all private institutions would incur administration costs such as compliance with new assessment criteria. Estimated cost -£4,000 per inspection every 4 years
Overall cost on sector	High. In addition to administration and inspection costs, existing accreditation schemes would have to be either rolled up or incorporated into the new programme. Total cost likely to be around £8m per year based on 8,000 education providers

OPTION 4	Require all private education sector sponsors to have existing quality assurance (accreditation) as approved by the Home Office
Key benefits	<ul style="list-style-type: none"> • Proactive stance on quality assurance ensures that all of those on the register are bona fide; • Moderate cost to institutions needing to seek accreditation; • Uses existing accreditation - allows providers to choose most appropriate body for their institution and does not place a further burden on those already accredited or inspected; • Secondary benefits to quality of UK education and hence the attraction of the UK to international students.
Key drawbacks	<ul style="list-style-type: none"> • Home Office needs to evaluate whether accreditation schemes are fit for purpose, incurring a cost; • Increased cost for providers without suitable accreditation but without benefits that would derive from a universal requirement.
Robustness of entry requirements relative to the do nothing option	Moderate to High. Independent quality assurance would verify educational bona fides, with the level of assurance required being chosen by the Home Office. Certain forms of assurance are more robust than others, as discussed below.
Compliance costs	Low to moderate. Whilst not offering the same opportunities for devolving costs as a fully tailored solution there may be opportunities for synergies between educational inspection and immigration compliance work.
Cost to government	Moderate. Need to approve existing organisations providing quality assurance more than outweighed by having inspection undertaken externally and without cost to the Home Office or other departments.
Cost to institutions	Moderate. No change for those already with acceptable accreditation. Costs incurred by 1,850 unaccredited colleges if they all decide to seek accreditation - £7.4m over 4 years
Overall cost on sector	Low to moderate. Existing schemes used so no change beyond cost to unaccredited institutions.

OPTION 5	Require all private education sector sponsors to have existing quality assurance (accreditation) as approved by the Home Office with support from Ofsted OR to be directly inspected by Ofsted
Key benefits	<ul style="list-style-type: none"> • Ofsted’s involvement in helping the Home Office to select the approved accreditation bodies means that by proxy the majority of institutions on the Sponsor Register will also be Ofsted approved. This ensures all education sponsors are bona fide and also demonstrates a proactive stance on quality assurance. • By adopting a consistent approach and clear accreditation framework with the Home Office minimum criteria set with Ofsted’s assistance will create greater consistency among existing accreditation bodies. • Benefits the reputation and quality of UK education and hence the attraction of the UK to international students. • Uses existing accreditation - allows providers to choose most appropriate body for their institution and does not place a further burden on those already accredited or inspected; • Moderate cost to institutions needing to seek accreditation.
Key drawbacks	<ul style="list-style-type: none"> • Ofsted’s involvement will ensure consistency of approach and the maintenance of minimum accreditation standards by linking a HMI into each existing accreditation body, but these will result in some marginal start up costs for government. • Small increased cost for providers without suitable accreditation and who opt for a direct Ofsted inspection. • Initial start-up costs of £50k will be met by government • Ofsted will assist with the re-approval of the accreditation bodies after the first 2years and every 4 years thereafter and this will carry a notional fee.
Robustness of entry requirements relative to the do nothing option	High. Independent quality assurance would verify educational bona fides, with the level of assurance required being underpinned by Ofsted’s recommendation for approval.
Compliance costs	Low to moderate. Whilst not offering the same opportunities for devolving costs as a fully tailored solution there may be opportunities for synergies between educational inspection and immigration compliance work.
Cost to government	Moderate. Marginal increase in costs to government. Ofsted have stated that start-up costs in the region of £50K are required. This will be equally shared between

	DIUS and Home Office.
Cost to institutions	Moderate. No change for those already with acceptable accreditation, moderate additional costs for those that need to obtain accreditation. Costs incurred by 1,850 unaccredited colleges if they all decide to seek accreditation - £7.4m over 4 years
Overall cost on sector	<p>Low to moderate.</p> <ul style="list-style-type: none"> • There is no cost initially to the education sector as start-up costs will be met by government. • Ofsted will assist with overseeing the quality of inspection provided by existing accreditation schemes and charge a notional fee for re-inspection which is likely to be every 2years. • Unaccredited institutions will be required to seek accreditation either from a Home Office approved accreditor or be directly inspected by Ofsted, incurring a cost but ultimately benefiting from being in a position to apply for entry on the sponsor register.

3.3. Further consideration and consultation on option 5

This section briefly describes the further proposals which have been developed into the new Option 5. It looks particularly at the dual role to be played by Ofsted, the selection of appropriate accrediting bodies, international accreditation and short term students.

OFSTED – Dual Role

Discussions with Ofsted have resulted in their agreement to help with the quality assessment of existing accreditation bodies as well as provide direct inspection to those institutions who are currently without accreditation and who will require it if they are to be education sponsors under the PBS. Ofsted are much better placed than staff in BIA to determine whether an accreditation body is doing a good job in assessing what an education provider is doing. As such Ofsted will initially play a dual role:

- Ofsted will evaluate the inspection regimes of the existing accreditation bodies in order to set a minimum standard for accreditation and make recommendations to the Home Office for their final approval.
- Ofsted will also directly inspect any private institution who is currently without accreditation until such time as there is sufficient capacity and expertise amongst existing accreditation bodies.

Private institutions without accreditation will retain the ability to choose an accreditation provider that best suits their needs. Therefore they can opt for an Ofsted direct inspection or approach an existing accreditation body which has been approved by the Home Office.

Ofsted Approval Process for accreditation bodies

26. A preliminary list of accrediting bodies known to exist was also included in the consultation and respondents were invited to name further bodies that they felt should be considered. A large number of these did not meet the draft requirements, largely because they focused on course accreditation or assessment, or were irrelevant to quality assurance (such as the public funding councils, which use inspectorates or schemes such as ISO9001 and Investors in People). The current list of bodies is displayed in Annex C and these have been assessed by BIA with help from Ofsted. Further bodies may join this list in the future if they have been approved by BIA.
27. As already mentioned, the need to seek quality assurance will apply only to private institutions. We will not expect the thousands of publicly funded and inspected bodies to seek any further accreditation/inspection than that which they currently hold. Nor do we anticipate that independent schools will need to seek further accreditation, as these must by law already be inspected by either the Independent Schools Inspectorate or Ofsted.
28. The focus is instead on private institutions which present a greater risk to our immigration controls and for which there is no independent guarantee of educational legitimacy. It has therefore been proposed that some form of approved accreditation will be required of those wishing to enter onto the sponsor register. Private institutions with existing accreditation from these bodies which is valid at the time Tier 4 is introduced for students, will, subject to meeting the additional requirements of sponsorship, be eligible for entry to the register of sponsors. Those without such accreditation will need to seek it from one of the approved bodies or directly from Ofsted.
29. Ofsted will help BIA to oversee the quality of inspection provided by the existing accreditation schemes. As such they will seek to set a minimum standard for accreditation

and ensure that all institutions are inspected to this minimum quality standard. Consistency of approach to accreditation is Ofsted's key priority. In order to work quickly towards this, Ofsted is to link a HMI with each existing accreditation body to look at how the business is currently organised and also to help share best practice. Neither BIA nor Ofsted will not operate an independent appeals process on behalf of those institutions who wish to appeal against decisions taken by the accreditation bodies.

30. The process for an accreditation body to gain BIA approval is as follows:

- BIA sends the candidate accreditation body its criteria and the candidate accreditation bodies will need to reply setting out how they meet the criteria;
- BIA will then arrange for Ofsted to assign an inspector to the candidate body to work with them, meet their inspectors— observe some inspections etc and encourage best practice and write a report;
- The written submissions and the Ofsted inspector's report will then be analysed by the BIA before formal approval is given to a successful body for use in relation to the Sponsor Register
- Ofsted will continue to assist BIA to monitor the performance of the approved bodies to make sure they are maintaining their standards and arrange workshops and training days to share best practice.

New institutions

31. The accreditation of new institutions was raised on several occasions during consultation with stakeholders. New institutions are often currently unable to seek accreditation before they have been in business for a minimum period. Under these proposals, the effect of this would be that they could not recruit from outside the EU until they successfully applied for accreditation. The Home Office does not wish to disproportionately affect new businesses and is working with the accreditation bodies to resolve this issue as effectively as possible without compromising the effectiveness of their quality assurance processes.

International accreditation

32. The consultation demonstrated the importance of bona fide study-abroad providers that are offshoots of universities overseas and who will be affected by our sponsorship proposals. These programmes enable students enrolled at institutions overseas to study for a short period in the UK under the tutelage of their university. Where we are satisfied that the degrees offered by such universities are on a par with those offered in the UK, we will accept their overseas accreditation in lieu of accreditation by one of the approved bodies.

33. To ensure that the concession is robust against abuse and operable at the lowest possible cost to institutions and the Home Office, it will not be extended to overseas providers outside of universities operating UK-based study abroad programmes. The Home Office will use the National Recognition Information Centre (NARIC) to verify that the degree level study is equivalent to a UK degree. Those whose students remain in the UK for periods longer than one or two semesters, are studying below degree level or provide study abroad programmes on a franchised basis will therefore require UK accreditation. It is important to emphasise that accreditation is applied to the entire institution and not merely the course.

Institutions recruiting short term students

34. From 1 September 2007, Short term students will be required under the new student visitor Rules to be attending –an institution on the current REP. When the PBS is introduced such

students will sit outside of it but will be required to attend an institution which is accredited by one of the approved accreditation bodies. Student Visitors will not be required to obtain a Certificate of Sponsorship and if their institution operates solely on the basis of attracting Student Visitors it will not be required to register on the PBS sponsor register, but will need to hold valid accreditation.

4. Costs and benefits

35. This section examines in greater detail at the likely impact of the chosen option as developed above.

4.1 Impact of Option 5 on institutions, students and UK Competitiveness, and government

The key impact of our preferred policy (option 5) will be that institutions will need to seek some form of suitable accreditation where they do not already possess this either directly from Ofsted or from an accreditation body that has been approved by BIA with Ofsted's help.

4.1.1 Impact on institutions

How many institutions will need accreditation?

36. The majority of educational institutions already on the REP are publicly funded and inspected and will therefore not need to seek further accreditation should they wish to recruit international students. In addition, a significant number of private institutions already have suitable accreditation. There were, however, an estimated 1848 private colleges without accreditation on the REP as of June 2007. The potential numbers of accredited and unaccredited colleges wishing entry to the register of sponsors are given in the table below.

Institutions currently on the REP as at 20 March 2007

ABLS	32
BAC	208
Accreditation UK (British Council)	332
ISC	1229
<i>Totally privately inspected</i>	<i>1801</i>
Independent schools inspected by Ofsted	1217
Publicly funded/inspected (England)	8776
Publicly funded/inspected (Devolved authorities)	1099
<i>Total publicly funded/inspected</i>	<i>9875</i>
<i>Other institutions with accreditation/funding above for which specific details are not held</i>	<i>1394</i>
<i>Institutions with no accreditation</i>	<i>1848</i>
Total	14918

37. However, it is by no means certain that all 1848 private non-accredited institutions are still active in recruiting international students. A recent data matching exercise in which educational establishments on the REP were linked to grants of Entry Clearance and further Leave to Remain identified some 500 unaccredited colleges that are currently recruiting

international students. Data quality issues suggest that far more are actually still active. Meanwhile, around twenty institutions a month are applying for entry to the REP, some of whom will have applied (and been refused) before or be making a reapplication following a previous removal. Our best estimate, therefore, is that there is a stock of between 500-1000 institutions and a flow of at most 250 new institutions per year who will all require accreditation.

38. DIUS have estimated that of those private institutions who applied to join the REP (the 1848) around 500 are English language colleges. There are therefore around 1300 institutions that will need to seek accreditation outside of the English Language sector.

What is the cost of accreditation?

39. The existing accreditation bodies have different inspection regimes, requirements and pricing structures and the costs incurred will vary accordingly. In addition, the cost will be born unequally by small providers who recruit fewer international students, although these costs are already willingly taken on by many institutions for the purpose of quality control and marketing. The following sections break down the absolute and relative costs of accreditation. This analysis has been based on information provided by the approved accrediting bodies. In section 4.2 there is an analysis of the impact such costs will have on smaller firms.

40. As the expectation ultimately is that Ofsted will help to oversee the quality of inspection provided by the approved accrediting bodies (and charge a notional fee for this service matching the actual cost of providing this service) rather than carry out direct inspections itself –when the approved bodies have developed the capacity to accredit all the institutions, it is difficult to assess how many of the currently unaccredited institutions will be likely to opt for direct Ofsted accreditation.

41. Our current estimates show that there are currently 1848 unaccredited private institutions on the REP. Some 500 of these are English Language schools and so could choose to be accredited by Accreditation UK (a British Council Scheme). Of the remainder some will choose BAC or ASIC and some may not even bother if they decide they are unlikely to pass. Our best estimate is that between 700 and 1848 institutions may seek an Ofsted inspection. The costs of an Ofsted inspection will need to be borne by institutions and will be similar to those incurred for accreditation by one of the approved bodies.

Inspection regime and pricing structure for approved accreditation schemes

Accrediting/ Inspecting body	Inspection cycle	Costs of inspection in first year	Additional costs in first four years	Total costs in first four years
<i>ASIC</i>	Initial inspection followed by a spot check within a year and every four years thereafter. Unannounced visits are also to be carried out to randomly selected colleges and in response to adverse information.	£4,050 for initial application plus two inspections (preliminary +full)	Annual fee charged = £1,000 up to 200 FTE students £2,000 for 200-400 FTEs and £3000 for 400+ FTEs	£7,050 - £13,050
<i>AUK</i>	Initial inspection followed by a spot check within a year and every four years thereafter. Unannounced visits are carried out to randomly selected colleges and in response to adverse information.	£1,250-3,400 depending on size of provider.	£150 administration fee £300 spot check fee £600-800 annual fee. £1,250-3,400 reinspection cost.	£4,200-7,050 depending on the size of provider.
<i>BAC</i>	Initial inspection followed by a revisit to institutions after a year and a one day interim visit after 2-3 years. Unannounced visits are carried out to randomly selected colleges and in response to adverse information or a significant change of circumstances.	£2,500-3,500 depending on size of provider.	Annual accreditation fee of between £1,000 and £4,500 depending on the number of students (2006/7). Re-inspection costs of £1,800-3,000 depending on size of the provider.	£4,300-13,000
<i>OFSTED</i>	Initial quality assessment of existing accreditation bodies. Do they meet the minimum criteria to become Ofsted approved	Met by Government	Ofsted fee for re-inspection	£4000-£5000
<i>OFSTED</i>	Direct Inspection of institutions without accreditation who approach Ofsted for approval	£4,000-5,000	No additional costs	£4,000-5,000 as inspection valid for 4years

42. The bodies currently operate on cycles of three to five years, with new institutions requiring re-inspection within the first year. Inspection costs are higher for new members and vary by the size of the provider. However, we suggest that the cost of accreditation for a new provider would be around £4,000-7,000 in the first four years (depending on the chosen accrediting body and the size of the provider) and a little less in subsequent cycles.
43. The accrediting bodies themselves have agreed that it is difficult to estimate the costs associated with passing an inspection, such as teacher training and to upgrade facilities and processes. However, it is generally held that schools offering a reasonable quality of teaching provision will already have these in place.
44. Our estimate of the total cost of mandatory quality assurance for those with accreditation is therefore between £7.2million and £12.6 million in the first four years in which mandatory quality assurance is required, or £1.8 and £3.2million per year for the same period.
45. The direct costs associated with mandatory accreditation are likely to be borne more heavily by smaller institutions. An analysis of this impact is in section 4.3.

Total costs to private education sector in the first four years following introduction of the mandatory accreditation requirement

	Upper estimate	Lower estimate
Stock of existing colleges		
Estimates of number of establishments	1848	500
Estimates of costs in first four years	£7000	£4000
Total costs	£12,600,000	£2,000,000
Flow of new colleges in first four years		
Estimates of number of establishments in four years	960	960
Estimates of costs in first four years	£7000	£4000
Total costs	£6,720,000	£3,840,000
Total costs to private education sector in the first four years following introduction of the mandatory accreditation requirement		
Stock plus flow costs	£16,660,000	£3,840,000
Annual costs	£4,165,000	£960,000

Benefits of mandatory inspection or accreditation

46. The key benefit of mandatory inspection/accreditation will be to reduce the scope for low quality colleges to operate as a source of student visas for those with no intention to study. Such activities harm the reputation of the UK as a centre for educational excellence and the business of genuine providers. A secondary benefit of our proposals will therefore be to the business of genuine providers and the welfare of international students. In addition, accreditation by AUK or BAC allows access to the Education UK marketing network and branding. Furthermore all private institutions on the sponsor register will also be by proxy Ofsted approved, this in itself carries a high quality benchmark of what quality an international student can expect from a UK education.
47. Last year's consultation provided some further data as to the perceived benefits of accreditation, particularly in respect to the costs currently accepted by the private education

sector and the widespread support for our proposals. The annual costs of accreditation reported by our respondents were:

- £100 to £800 - 96 (17.7% of respondents);
- £801 to £2000 – 188 (34.8%);
- £2001 to £4000 – 126 (23.3%);
- Other – 131 (24.2%), for which the average payment was £10,500. However, this included some very large costs associated with the accreditation of US educational bodies.

48. The majority of respondents, then, are already paying a similar amount for quality assurance as that provided by the accrediting bodies listed above (around £1000 pa). Indeed, some 50% of private sector respondents to the question ‘What accreditation or inspection does your institution undergo?’ are already accredited or inspected by a public body or one of the private bodies detailed above.

49. In addition, our consultation indicated considerable support for our direction of travel. Some 85% of institutions answering the question ‘Having read the proposed criteria for accreditation for the purposes of the Points Based System, do you think these are appropriate?’ answered ‘yes’, including almost 80% of those institutions without accreditation or inspection from a public body or one of the private bodies detailed above.

4.1.2 Impact on international students and UK competitiveness

50. Additional costs incurred by private institutions in seeking accreditation are likely to be passed onto students, which may affect international competitiveness. However, it is widely recognised that the UK’s ongoing success in attracting international students is related to perceptions of quality rather than cost (Vision 2020 study).

51. It should be noted here that the transfer of costs to students will have an observable effect on the fees charged by the smallest institutions. However, for the majority of unaccredited colleges the impact is likely to be minor compared to the total costs of the course, equal to about £50 per full time equivalent international student over the first four years of the scheme for institutions of 20 students, or around 1.5% of a year’s full-time General English tuition charged to students in a sample of private, unaccredited language colleges responding to our consultation (see section 4.3 for a fuller analysis of this). In reality the increase will be less because increased costs are likely to be passed on to all students at a college (for instance, those from the EU), not just those subject to immigration control.

52. Any increase in fees directly attributable to the accreditation process are therefore likely to be marginal when considered against the significant costs of living in the UK (around £600 per month outside of London and the south-east according to the British Council) or tuition fees. It should be noted that these projected costs will not affect the 45% of private colleges on the Register of Education Providers who are already accredited and do not take account of domestic and EU students at private institutions.

53. Against these costs must be weighed the benefit of quality assurance in teaching, student welfare and institutional practice to those seeking to study at private institutions in the UK. This benefit derives from the Home Office’s aim to prevent bogus colleges recruiting international students, as those seeking to facilitate entry to the UK for reasons other than study also pose a threat to genuine international students whose good intentions may be exploited by the unscrupulous. The Home Office has noted with some concern the increase in private institutions offering very cheap courses, including non-UK recognised degrees, often without adequate facilities or teachers. This suggests that the interests of legitimate students and providers will be served by the Home Office’s proposals. Indeed, the ever

greater uptake of accreditation services within the private sector suggests that reputable colleges derive significant marketing benefits from the quality assurance process that outweigh any additional costs. This will be even more the case with some additional Ofsted approval.

54. The impact of increasing quality at the expense of a slight increase in cost is therefore uncertain. However, an influential study has noted that the perception of the UK as a safe and welcoming destination for high quality education is critical to the UK's international image. This image is likely to be enhanced if the aims of the Home Office's mandatory accreditation requirement are communicated accurately so that the international student can see that the action is intended to prevent them suffering from the poor quality and potentially harmful practices of a small number of institutions.

4.1.3 Impact on government

Costs to government of administering the accreditation requirement

55. The chosen option 5 requires Ofsted to help assess the minimum standard of accreditation provided by existing accrediting bodies. This is likely to be carried out by the submission of evidence, including a visit and a panel meeting. The purpose of this process is to ensure that putative accrediting bodies are bona fide and of sufficient standard to maintain the quality of the sponsor register. This will entail some cost in terms of start up costs for Ofsted. These have been estimated at £50K. This cost will be shared between DIUS and the Home Office. Following recognition, those sponsors accredited by the new body will need to be monitored and further work undertaken with the accrediting body where sponsor compliance is a concern.
56. The Border and Immigration Agency will also have to assess the validity of accreditation when applications for entry to sponsor register are received. Until the process for receiving and evaluating such applications have been mapped in greater detail (see section 3.3), it is difficult to assess the resource implications of this stage. However, it is anticipated that in most instances this should involve some form of web-based check.
57. In extremis, the BIA will remove an accrediting body's recognition and those bodies accredited by it from the sponsor register. Although it is not anticipated that this will be necessary, any such action would incur an uncertain cost in terms of human and legal resources.

Benefits to government

58. The primary benefit to be derived from the accreditation requirement will be to ensure that all sponsors are bona fide providers of education. This will reduce abuse of our managed migration route, which affects international perceptions of Britain's education system and supports illegal immigration, money laundering, people smuggling and other forms of trans-national criminal activity.
59. In addition, the measure will enable the BIA to target its compliance resources where they are most needed. Those organisations that can not meet the accreditation criteria would be unlikely to meet other criteria for Sponsor registration and meet immigration requirements, thus releasing BIA resources that would otherwise be occupied considering applications to join the register, representations from failed applicants and removing bogus colleges from the new register. The BIA's compliance resources will therefore be available for proactive

compliance checks on existing sponsors and promoting best practice and closer working with the BIA through a network of account managers.

60. Whilst the benefits of preventing abuse are not easily quantified in terms of a monetary value, the cost benefits for BIA can be inferred from the experience of the REP, specifically the resource requirements for removing colleges found not to be bona fide.
61. The Compliance Team in BIA conduct investigations into allegations about institutions on the REP about which there are concerns. These investigations are therefore largely reactive and can be very time-consuming, involving risk assessments, evidence gathering, visits to the suspect institutions, report writing and, where a college is recommended for removal from the REP, the possibility of legal challenge. It is estimated that each investigation can cost up to £5,000 with an average of 400 being undertaken each year. The total costs to Government per annum is therefore estimated to be around £2 million

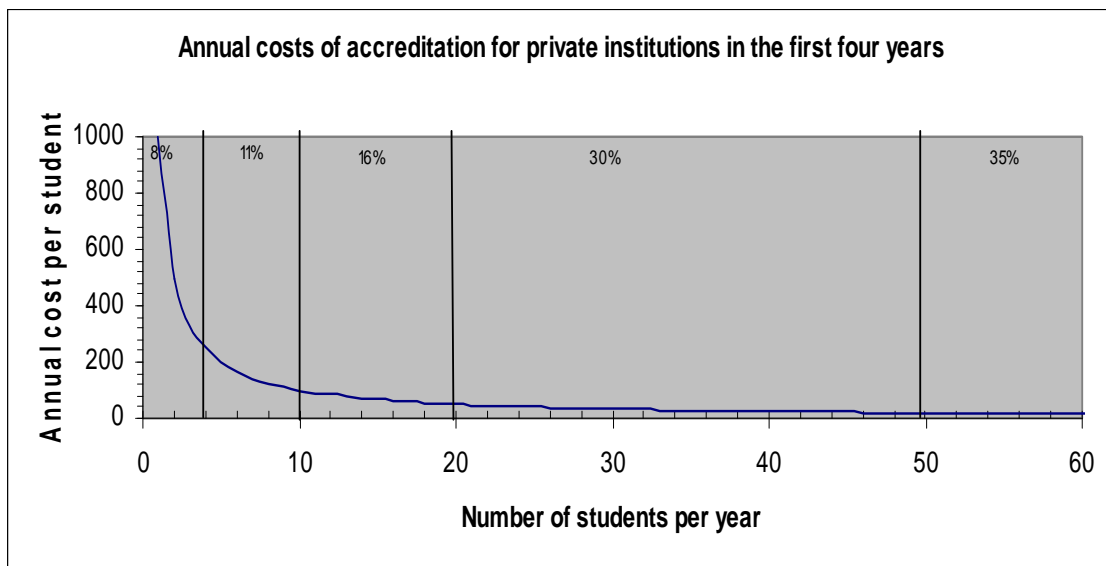
4.2 Small-firm impact assessment

62. The private education sector contains a large number of unaccredited small providers for whom the demands of mandatory accreditation will be more onerous than for larger providers. It is likely, therefore, that the extra costs of accreditation passed on to students will be higher in smaller schools.

63. There are three reasons why the cost of accreditation will be disproportionately higher for small institutions.

- **Small private institutions are less likely to be accredited already.** Amongst private institutions responding to the Home Office consultation, some 70% of those recruiting fewer than 51 students per year did not have suitable accreditation, as opposed to only 35% of those recruiting 51 students or more.
- **As the cost of accreditation is relatively constant for smaller institutions (around £4000), the cost per student will be inversely proportional to the number of students studying at the institution.** Therefore the cost of accreditation as a proportion of the student fee will be far higher for those recruiting very small numbers of students. As demonstrated in the figure below, an annual cost of £1000 for accreditation in the first four years would cost £100 for each of 10 full time students, but only £10 per student where an institution has 100 students.
- **New institutions, often starting on a small scale, are often currently unable to seek accreditation before they have been in business for a minimum period.** During this time they would therefore be unable to recruit international students (see 3.4 above).

64. The percentage of institutions recruiting smaller numbers of international students is displayed below to give some idea of the impact, using figures taken from our consultation. As students are recruited for various lengths of study, it is useful to think of international students in terms of their full time equivalents, or those studying for around 40 weeks per year. It can be seen that the accreditation costs for some 65% of unaccredited institutions are likely to be equal to or less than £50 per FTE international student per year in the first four years in which accreditation is held. This would equate to around £1.25 per international student week.



65. Increased costs resulting from accreditation are likely to be passed on to students. It is not felt that this will impact upon the competitiveness of the UK as a whole, but accreditation could have significant impact on the competitiveness of very small institutions within the UK. Although some small institutions occupy niche markets (such as private tuition, or highly specialised vocational programmes), many are within highly competitive parts of the education sector where the price of courses might play a significant part in student choice. Those smaller institutions which are currently unaccredited may find it harder to compete with larger institutions that are able to spread the costs of accreditation over a greater number of students, or smaller institutions that are already accredited.
66. Although mandatory accreditation will certainly represent an additional cost to business, it is difficult to estimate how this might translate into an increase in the course fee. Comparison of a large number of institutions is only possible in the English Language sector, where most institutions offer a basic teaching package of 15 hours per week, although obviously there will be considerable variation in the actual quality of provision and facilities available. For data taken from the Home Office's recent consultation, it can be shown that the cost of accreditation above is around 1.5% of the average monthly fee charged to an international student for a General English course of 15 hours per week at an institution taking 20 international students per year, or 0.4% at an institution taking 50 international students.
67. However, there are several reasons why this figure does not accurately represent the increased cost as a proportion of the student fee. Firstly, any actual increase in fees charged to international students is likely to be lower than the absolute cost of accreditation, as the data used does not include those students who are not subject to immigration control. Secondly, private institutions will price their courses on the basis of many factors, so that the cost of accreditation might not be fully or directly recouped from students. Similarly, it is hard to predict how a successful accreditation might change an institution's outlook and attractiveness to international students. An analysis of the fees charged by small private institutions who responded to our consultation indicates that accredited institutions recruiting fewer than 51 students per year charge around 85% more for General English courses of 15 hours per week than similarly sized unaccredited colleges. This difference indicates that students are willing to pay far more to attend an institution that has undergone some form of quality assurance.

Annex A: Report of the accreditation consultation

Document attached separately refers.

GUIDANCE FOR ACCREDITATION BODIES WISHING TO BECOME BIA APPROVED BODIES FOR THE PURPOSES OF ACCREDITING PRIVATE EDUCATION PROVIDERS INVOLVED IN THE RECRUITMENT OF INTERNATIONAL STUDENTS UNDER THE NEW POINTS BASED SYSTEM

This document is intended to offer guidance to Accreditation Bodies (ABs) who wish to become approved bodies for the purposes of accrediting private education institutions involved in the recruitment of international students from outside the European Union. The Border & Immigration Agency has worked with Ofsted to establish and monitor the criteria to be used to assess ABs involved in accrediting organisations which want to be accepted as Tier 4 sponsors under the new Points Based System for managing migration.

Accrediting bodies will conduct inspections and provide accreditation at the request of the education providers themselves. ABs will be required to conduct inspections on a four-yearly cycle, and to develop ways of making the results publicly available. Fees for inspection will be by arrangement between the individual education provider and the AB concerned. AB Inspections will be subject to monitoring by Ofsted, to ensure consistency across the education sector.

Ofsted will help monitor the quality of an inspection system on behalf of the Border & Immigration Agency to seek to ensure that:

- **judgements are fair and accurate and have been reached objectively;**
- **they are rooted in sufficient and secure evidence;**
- **are clear, concise and well-argued;**
- **regulations are fully covered by the accreditation model;**
- **inspectors establish and maintain good professional relationships with the institution;**
- **the system secures continuous improvement in the quality of education and training provided;**
- **the accreditation process results in reports which may be made available to the public;**
- **reports are clear, coherent and fit for purpose. They indicate whether or not the provider is approved, and give reasons for the decision.**

Please supply information to the Border & Immigration Agency on how your accreditation system meets these requirements by providing a brief account of how your organisation meets the criteria outlined under the following key areas, clearly cross referenced to a portfolio of your existing documents and procedures.

Key areas

1. The organisation

How will you demonstrate that –

1.1 The organisation possesses sufficient resources to meet any legal challenge regarding your accreditation decisions;

1.2 There are appropriate arrangements, and sufficient capacity and capability to respond to requests for accreditation, and to manage an ongoing four-year cycle of inspection?

1.3 The organisation will share information

Examples of appropriate evidence

Appropriate insurance, financial resources, evidence of previous challenges

Business plan and outline of resources available

Policies and procedures

Key areas

with the Border & Immigration Agency to ensure that institutions are bona fide providers of education. Procedures are in place to inform the Border & Immigration Agency promptly when an institution's accreditation is removed and to take prompt action to check institutions when Border & Immigration Agency staff report concerns

2. The inspectors

How will you ensure that:

- 2.1 inspectors have appropriate qualifications and relevant skills needed to apply the inspection framework;
- 2.2 they know and understand the regulatory requirements of the Border & Immigration Agency;
- 2.3 they have appropriate knowledge and understanding of the type of institution being inspected;
- 2.4 inspection teams are well-matched to the particular needs of the institution;
- 2.5 inspectors work to a Code of Conduct consistent with that used by Ofsted, and
- 2.6 inspectors are well-trained and kept up to date?

3. Objectivity

How will you ensure that

- 3.1 inspectors are not connected with the institutions that they inspect;
- 3.2 the organisation has no interest which might hinder the impartiality of the inspection

3.3 inspectors make consistent and objective judgements in relation to the regulations?

4. The inspection framework

How you ensure that

- 4.1 your inspection framework is rigorous and accurately determines whether or not a provider should be approved

Examples of appropriate evidence

Recruitment criteria. Qualifications and experience of inspectors

Training records, information supplied to inspectors

Qualifications and experience of inspectors

Inspection planning procedure

Code of conduct. Monitoring procedures.

Training records

Procedure for allocation of inspectors and arrangements for identifying potential conflicts of interest

Your procedures for ensuring impartiality. List of organisations where a conflict of interest might occur

Inspection quality assurance procedures

- the structure (pre-inspection; inspection, post-inspection, unannounced inspection) and the timescales involved;

- the inspection framework to be used, indicating how it addresses both regulatory and teaching and learning quality issues. Regulatory issues include gathering information to show the legal status, size of premises of providers and procedures to ensure that providers notify the accrediting body of any significant change in ownership or management of the provision.

- teaching and learning issues include

Key areas

Examples of appropriate evidence

achievement rates, the appropriateness and validity of awards, and the promotion of equality of opportunity;

- arrangements for moderating inspection judgements
- guidance on criteria for approval
- the inspection methodology including key documentation used by inspectors;
- the format of feedback to be provided
- an example report
- arrangements for publication/dissemination of inspection reports, including provision of information to the Border & Immigration Agency.

5. Inspection management

How will you ensure that:

5.1 inspections are effectively planned, staffed and organised;

Procedures for planning, scheduling and allocating inspectors to inspections

5.2 management information systems (MIS) are adequate to enable you to meet the Border & Immigration Agency's regulatory requirements;

MIS procedures and records of inspections and their outcomes

5.3 there are appropriate support systems for inspection; and

Procedures to provide support and guidance to inspectors

5.4 there are appropriate contingency arrangements in place?

Contingency procedures, such as for unforeseen absences

6. Quality assurance

How will you:

6.1 monitor the quality of inspections;

Inspection quality assurance procedures

6.2 provide support and guidance for inspectors;

Procedures to provide support and guidance to inspectors (handbook, helpline, updates);

6.3 assure the quality of reports; and

Inspection quality assurance procedures

6.4 hold and maintain records which would be available for scrutiny by Ofsted/Border & Immigration Agency?

Policy for maintaining records. MIS procedures and records of inspections and their outcomes

7. Handling complaints

How will you ensure that:

7.1 complaints are promptly and fairly.

A copy of your complaints and appeals procedures, with examples where appropriate.

Before approving an accreditation body for the purposes of accrediting education establishments for the PBS sponsor register, the Border and Immigration Agency will also need to be satisfied that:

- There are no reasons to believe that the potential accreditation body represents a **threat to immigration control**; and
- The organisation is committed to complying with its **obligations as an approved accreditation body**.

A candidate accreditation body will therefore not be approved by the BIA where either its Directors or its inspectors or any other person who is involved in approving education providers has been convicted of an offence listed in Appendix A. These are offences that undermine the immigration control. (Convictions that are “spent” under the Rehabilitation of Offenders Act 1974 will not be taken into account).

Your submission to the Border & Immigration Agency should also be signed to confirm that no one in your organisation has been convicted of any of these offences.

In addition, in order to be approved, your organisation will also need to agree to some ongoing monitoring by the Border & Immigration Agency and Ofsted. (eg. this monitoring may include ad-hoc visits by Ofsted inspectors to institutions you have accredited). You will also be expected to participate in a Standards and Consistency Committee involving Ofsted and the Border & Immigration Agency and the other approved accreditation bodies. Meetings of this forum will take place regularly to share information and experience; develop reporting mechanisms and produce management information on both approved and rejected institutions.

Appendix A- Offences conviction for which may lead to the refusal of an application to go on the register, to the award of a B-rating or to removal from the Register.

Act	section	description of offence
Immigration Act 1971	S.24A(1)(a)	Use of deception to seek or gain Leave to Enter (LTE) or Leave to Remain (LTR)
	S.24A(1)(b)	Uses deception to avoid / postpone / revoke enforcement action
	S.25	Act which knowingly facilitates breach of immigration law by non EU citizen.
	S.25A	Knowingly, for gain, facilitates entry into UK of asylum seeker
	S.25B	Assisting entry in breach of Deportation Order
	S.26A(3)(a)	Makes false registration card
	S.26A(3)(b)	Alters registration card with intent deceive/for another to deceive
	S.26A(3)(c)	Possession false/altered registration card without reasonable excuse
	S.26A(3)(d)	Uses/attempts to use false registration card for purpose which a card is issued
	S.26A(3)(e)	Uses/attempts to use altered registration card with intent to deceive
	S.26A(3)(f)	Makes article to be used in making false registration card
	S.26A(3)(g)	Makes article to alter registration card with intent to deceive/enable another to deceive
	S.26A(3)(h)	Possession, without reasonable excuse, of articles to be used to forge or alter a registration card
	S.26B (1)	Possession immigration stamp without reasonable excuse
	S.26B (2)	Possession replica immigration stamp without reasonable excuse
Asylum & Immigration Act 1996	S.8 (1)(a)	Employ person over 16 who does not have LTE / LTR
	S.8(1)(b)	Employ person over 16 whose leave is not valid/subsisting or is subject to condition prohibiting employment
	S.106	Makes dishonest representations with a view to obtaining any asylum benefit, other payment or advantage
Asylum & Immigration (Treatment of Claimants etc) Act 2004	S.2	Entering UK without passport
	S.4	Trafficking people for exploitation
	S.35	Deportation or removal: non-co-operation with re-documentation
Immigration, Asylum and Nationality Act 2006	S21	Knowingly employing an illegal worker
Sexual Offences Act 2003	Sections 57-59	Trafficking people for sexual exploitation

Annex C: Accrediting bodies

- 1. The Accreditation Service for International Colleges – ASIC**
- 2. Accreditation UK**
- 3. The British Accreditation Council - BAC**

Other accreditation bodies may be added to this list where they are assessed to meet the criteria listed at Annex B.