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One sector, two regulators: The Office for Students, UK Visas and Immigration and the challenge of regulatory coherence in international education

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Foreword

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It is a decade since the Higher Education and Research Act (2017) first established England's Office for Students (OfS) and it is even longer since UK Visas and Immigration (UKVI) was set up in 2013.

Much has happened since to both the regulation of higher education and the oversight of migration policy. Indeed, there has been so much change that people working in higher education sometimes long for stability even at the cost of maintaining imperfect rules.

This paper makes a different argument, however. It considers in close detail how the OfS, which reports to the Department for Education, and UKVI, which reports to the Home Office, seek similar information from higher education institutions when going about their duties.

Both organisations are interested in who enrols, what their continuation rates are and how they perform at the end of their courses. Yet the rules, procedures and thresholds used by the OfS and UKVI diverge.

For example, as Dr Aluko-Daniels shows, UKVI expect a completion rate for international students of at least 90 per cent while the OfS's threshold for full-time first-degree students is 75 per cent. Even though UKVI's test is higher, their punishment for falling below the threshold is more draconian.

Such differences have become more noticeable in recent months, partly as a result of changes to the Basic Compliance Assessment, and they are part of the high and costly administrative burdens placed on institutions. Universities UK has found that each university has, on average, 17.6 full-time staff 'dedicated solely to regulatory compliance'.[1]

So this Policy Note makes a series of practical and workable suggestions aimed not at weakening regulation or democratic accountability but instead at gathering and using information in smarter ways, while always keeping the interests of learners central.

Such changes could be made relatively swiftly but they need not preclude other bigger changes that might also prove beneficial, such as adopting a truly cross-government approach to the internationalisation of education.

Has the time come for the Home Office to share formal responsibility for international students with the three Whitehall Departments that sponsor the Government's *International Education Strategy* (the Foreign, Commonwealth and Development Office, the Department for Education and the Department for Business, Innovation, Science and Trade)? For some, that might remain a step too far, but it would surely encourage more rounded and better-informed policymaking of the sort we need.

International higher education: a volatile sector

International higher education is often characterised by volatility. Political change in source countries, geopolitical tensions, currency fluctuations and shifts in government policy have long influenced where students choose to study and institutions' ability to recruit.[2] Educational institutions involved in international education have therefore become accustomed to operating in an environment of uncertainty.

Since COVID-19, however, that volatility has become more pronounced. Recruitment patterns have become less predictable, competition between destination countries has intensified and international students have increasingly become part of wider political debates about immigration.

Recent data illustrate both the sector's scale and the changing nature of the UK international student market. In 2024/25, 685,565 international students were studying at UK higher education providers, 6 per cent fewer than in the previous year, while non-UK entrants to taught Master's programmes fell by 10 per cent.[3] Immigration data indicate continuing falls in demand: in the year to June 2026, 365,868 Sponsored Study visas were granted to main applicants, 12 per cent below the previous year.[4]

These changes are not uniform. In 2024/25, entrant numbers from India, China and Nigeria fell by 12 per cent, 5 per cent and 33 per cent respectively, while those from Pakistan increased by 5 per cent. Nepal provides an especially striking contrast: 17,385 Nepalese students entered UK higher education in 2024/25, compared with 1,165 in 2020/21. HESA notes this growth coincided with tighter visa restrictions in Australia and a resulting shift towards the UK.[5] International student flows are shaped not only by conditions within the UK but also by the accessibility of competing study destinations. The market is not simply contracting or expanding; its composition is changing rapidly.

Institutions recruiting international students therefore operate at the intersection of two regulatory regimes: the Office for Students (OfS), which focuses on higher education quality, standards and outcomes, and UK Visas and Immigration (UKVI), which oversees immigration compliance and the integrity of the Student route. Under the Immigration Rules, the Student route is for people aged 16 or over studying with a licensed sponsor on an eligible course, including further or higher education, while the Child Student route is for those aged between 4 and 17 at independent schools.[6]

The central issue is not the existence of two regulators, but how their respective requirements influence institutional behaviour, international recruitment and the student experience. This is most apparent at key points in the student journey, including recruitment, admissions, attendance monitoring, continuation and completion, where institutional decisions may have implications under both regimes.

This paper examines those points of convergence and considers whether greater alignment between the two frameworks could preserve regulatory integrity while supporting proportionate institutional decision-making and positive student outcomes.

Two regulators, different definitions of success

Although the OfS and UKVI both place expectations on institutions, they do so for different reasons. Their respective frameworks ask different questions of providers and use different measures to assess performance. Understanding these differences matters because institutions must meet both sets of requirements.

The OfS's *Regulatory framework* focuses on whether students receive the high quality academic experience and graduate outcomes they should reasonably expect from higher education providers. Under Registration Condition B3, the OfS considers three student outcome measures: continuation, completion and progression.[7]

For full-time undergraduate students, the current thresholds are 80 per cent for continuation, 75 per cent for completion and 60 per cent for progression. The thresholds differ according to mode and level of study. For example, for full-time postgraduate taught Master's provision, the thresholds are 80 per cent for continuation, 80 per cent for completion and 70 per cent for progression.[8]

UKVI approaches institutional success differently. Its concern is whether institutions can be trusted to exercise the responsibilities that come with sponsoring international students. The Basic Compliance Assessment (BCA) therefore measures three indicators: visa refusal, enrolment and course completion rates. The visa refusal rate measures the proportion of visa applications supported by a sponsor's Confirmation of Acceptance for Studies (CAS) that are refused by UKVI, in accordance with the rules set out in the *Student Sponsor Guidance*. Since 1 June 2026, a Student sponsor is required to maintain a visa refusal rate below 5 per cent, an enrolment rate of at least 95 per cent and a course completion rate of at least 85 per cent. For assessments submitted from 1 June 2027, the completion threshold will rise to at least 90 per cent.[9]

The contrast can be summarised quite simply:

Regulatory framework	Metric	Threshold
OfS – full-time first degree	Continuation	80%
	Completion	75%
	Progression	60%
UKVI BCA – from June 2026	Visa refusal	<5%
	Enrolment	≥95%
	Course completion	≥85%
UKVI BCA – from June 2027	Course completion	≥90%

The OfS and UKVI use these metrics for different purposes. The OfS focuses on educational outcomes, while UKVI focuses on whether institutions are meeting their responsibilities as Student sponsors. They also apply to different student populations: OfS measures apply to the relevant higher education student population, while UKVI's measures apply specifically to sponsored international students.

However, within institutions, the processes through which these metrics are managed, including enrolment, attendance, continuation, withdrawal and completion, are closely connected. For sponsored international students, a single event such as withdrawal or non-completion may therefore have implications under both regulatory frameworks.

Completion provides an interesting example

Completion is perhaps the clearest example of this emerging tension. For the OfS, completion is an educational outcome. It helps answer whether students who enter higher education go on to gain qualifications. UKVI is interested in completion for a different reason: whether students sponsored to undertake courses actually see those courses through.

From June 2027, therefore, a Student sponsor will need a course completion rate of at least 90 per cent to meet UKVI's core BCA requirement. By comparison, the OfS numerical threshold for completion for full-time first-degree provision is 75 per cent.[10]

The 75 per cent and 90 per cent figures are not directly comparable. For example, the OfS 75 per cent completion threshold applies to full-time undergraduate students within the relevant B3 population, which is not restricted to students requiring immigration sponsorship. UKVI's course completion measure, however, applies specifically to students sponsored under the Student or Child Student routes who enrol with the sponsor. Nevertheless, institutions must respond to both regulatory frameworks. Completion therefore operates both as an indicator of educational outcomes and, for sponsored international students, as a sponsor compliance metric, with the same broad concept serving two distinct regulatory purposes.

The regulatory consequences also differ. Falling below an OfS threshold does not automatically breach Condition B3; the OfS considers contextual factors before deciding whether a provider's outcomes raise regulatory concern. UKVI's Basic Compliance Assessment, by contrast, forms part of the requirements for maintaining Student sponsor status, and failure can result in compliance action that affects an institution's ability to sponsor international students. The numerical thresholds should therefore not be read as equivalent regulatory tests.

There is an additional complication too. Not every legitimate student journey ends with the originally intended qualification. Students sometimes change programmes, interrupt their studies or leave with recognised intermediate or exit awards. A student who successfully completes the first year of their degree may, in appropriate circumstances, receive a Level 4 Certificate of Higher Education. Academically, that student has achieved a recognised higher education qualification even though they have not completed the degree they originally enrolled in. In the *Post-16 Education and Skills* white paper, the Government sought to encourage exit qualifications of this type by threatening to make 'student support for level 6 degrees conditional on the inclusion of break points in degree programmes'.[11]

Immigration regulation necessarily looks at the issue differently because it asks whether the sponsored course has been completed. The difficulty lies in how institutions reconcile the two. As the completion threshold rises, these questions become more than technical matters for registry, compliance or quality teams. They can influence institutional behaviour.

Regulation does not simply measure behaviour

Regulatory metrics do not simply measure institutional behaviour; they also shape it. Where performance against a regulatory threshold may trigger intervention, reputational consequences or restrictions affecting a provider's ability to recruit international students, institutions will understandably seek to manage that exposure.

The revised *Student Sponsor Compliance Guidance* introduced in June 2026 reinforces this dynamic. Alongside tighter Basic Compliance Assessment requirements, the new Red-Amber-Green (RAG) framework provides a more graduated assessment of sponsor performance against key compliance metrics. Under the new framework, sponsors are assessed across visa refusal, enrolment and course completion, with their overall RAG rating generally determined by their lowest-rated metric (subject to transitional arrangements).[12]

These consequences create clear incentives for institutions to manage regulatory exposure before a student enrols. For a provider approaching the visa refusal threshold, an additional visa application refused by UKVI is not simply an unsuccessful outcome for the individual applicant;

it also contributes to the sponsor's compliance risk. Providers may therefore increase scrutiny of recruitment channels, strengthen credibility interviews and financial assessments, expand the use of pre-CAS interviews or adopt a more cautious approach to applicants and markets perceived to present higher compliance risks. Such measures may be reasonable and, in some circumstances, necessary. They nevertheless illustrate how regulatory requirements can influence institutional decision-making well before a student reaches the classroom.

The wider question is whether managing institutional risk can also influence student opportunity. Measures intended to protect sponsor compliance may affect who is recruited, who progresses through admissions and, ultimately, who gains access to UK higher education. Their effects may therefore extend beyond immigration compliance to market diversification, widening participation and student choice.

Visa refusal rates are important indicators of sponsor performance, but they do not measure academic potential, and admissions processes cannot eliminate all immigration risk. The question is therefore not only whether regulatory metrics achieve their intended objectives, but also what behaviours they incentivise and what consequences those behaviours may have for access to UK higher education.

When regulatory decisions become student risk

The case of the Bloomsbury Institute brings the challenge into sharper focus. In August 2026, the Home Office revoked the Bloomsbury Institute's Student sponsor licence after it failed its Basic Compliance Assessment.[13] The judgement was conducted under the previous requirements: a visa refusal rate below 10 per cent, enrolment of at least 90 per cent and course completion of at least 85 per cent. The Home Office also said the institution would have failed under the higher standards in place from June 2026.

The Home Office stated that existing sponsored students could continue studying for a short period, while a small number unable to complete within that period would need to transfer to another institution. Those who did not transfer would need to qualify for another immigration route or leave the UK.[14] Significantly, the Government confirmed the Home Office would work with the institution, the Department for Education, the Office for Students and relevant sector bodies to manage the consequences for students.

The consequences did not remain confined to immigration compliance. The Bloomsbury Institute decision quickly became a matter of wider interest as it highlighted where sponsor compliance, student protection and educational continuity intersect. A compliance decision affecting one institution has implications that extend far beyond immigration regulation. So even though regulatory systems may begin in different places, they eventually converge around the student.

A UKVI decision on sponsor compliance can quickly become an OfS concern about students, continuation, completion and their ability to achieve the outcomes for which they enrolled. More importantly, it becomes a problem for the students, whose education may be disrupted by circumstances unrelated to their academic performance.

This is precisely why the relationship between the two regulatory regimes matters.

Regulatory risk and student opportunity

Students from markets perceived as higher risk may engage fully with their studies, progress successfully and achieve positive outcomes. Regulatory risk may be assessed at cohort or market level, while educational potential lies with the individual student.

The challenge is therefore not whether institutions should manage risk. The challenge is how to do so proportionately on the basis of secure evidence, reducing the chance that compliance will become an unnecessary barrier to educational opportunity.

Student experience starts before enrolment

We often discuss student experience as though it begins at enrolment. For international students, it begins much earlier. Their experience starts when they decide to study in the UK and continues through admissions, credibility checks, deposits, Confirmation of Acceptance for Studies (CAS) issuance and the visa process. By the time they enrol, they may have already spent months engaging with UK higher education.

This is important because institutional responses to regulatory requirements become part of that experience. Students do not always distinguish clearly between requirements imposed by UKVI and those introduced by their chosen institution – and why should they? They experience a single journey towards studying in the UK. Additional interviews, financial checks and documentary requirements that institutions see as necessary compliance measures may be experienced by applicants as additional hurdles in their journey.

There is a wider policy tension

This regulatory debate is taking place within a wider and potentially competing set of government objectives. The UK's *International Education Strategy* commits the Government to recruiting high-quality international higher education students from a diverse range of countries. At the same time, it sets an ambition to increase the value of UK education exports to £40 billion annually by 2030.[15]

Government policy seeks both to support sustainable growth in international education and to strengthen oversight of the Student immigration route. It also places increasing emphasis on educational quality and student outcomes. Each objective is legitimate, but it is not clear that the objectives are being considered sufficiently together.

Recent experience shows how quickly international student flows respond to changes in the policy environment, as with the falls arising from the January 2024 restrictions on the dependants of international students on taught Master's courses in the UK.[16]

The *International Education Strategy* also seeks to extend the international reach of UK education through transnational education (TNE). This is already a substantial and growing part of the UK's international education landscape. In 2024/25, 669,950 students were studying wholly overseas for UK higher education qualifications, an increase of 8 per cent on the previous year and 37 per cent since 2020/21.[17]

TNE growth raises a wider question about the coherence of the UK's international education offer. Successful TNE depends on long-term relationships with governments, institutions and students in overseas markets, and on the UK's reputation as a trusted education partner. At the same time, institutions recruiting international students to study in the UK are operating within an increasingly demanding immigration compliance environment. These objectives are not necessarily incompatible, but their interaction deserves more attention. If the UK wants to be a partner of choice for education internationally, then how it approaches students from those same markets may also shape how that partnership is perceived.

Protecting the Student route differently

Institutions sponsoring international students should have robust admissions processes, understand who they are recruiting and from where, undertake appropriate credibility assessments, monitor engagement and attendance and act promptly where students no longer meet the conditions of sponsorship. In addition, the OfS should hold providers accountable for student outcomes.

So the question is not whether the Student route should be protected, but how. Where particular behaviours undermine its objectives, there is a case for addressing them as directly and proportionately as possible. Regulatory interventions are most effective when they closely align with the risks they are intended to manage.

But as the consequences of failing compliance measures increase, providers are adopting more cautious approaches to recruitment and admissions that make it harder to achieve the Government's own targets for more educational exports.

Towards regulatory coherence

The solution is not to merge the Office for Students (OfS) and UK Visas and Immigration (UKVI). They have distinct responsibilities and should retain them. What is needed is greater regulatory coherence where their responsibilities overlap, so that different regulatory objectives can be pursued without creating unnecessary complexity or conflicting incentives for institutions. Five practical steps would help achieve this.

- Where both regulators use completion as a measure, institutions need greater clarity on how their definitions align, including how they treat intermediate qualifications, transfers, interruptions and other recognised educational outcomes.
- There should be a formal mechanism for considering the cumulative impact of regulation on institutional behaviour, international recruitment, student experience and the UK's wider education strategy.
- The student journey should be considered as a whole. Regulatory requirements that shape the pre-enrolment experience should form part of wider discussions about the student experience.
- Greater coherence requires more formal coordination between the OfS and UKVI where their responsibilities intersect. This need does not have to compromise their distinct statutory roles. Structured dialogue could focus on areas such as completion, interruption and student protection, supported by clearer mapping of regulatory definitions and expectations. Where action against a student sponsor could materially disrupt existing students' education, an agreed protocol involving UKVI, the OfS and the Department for Education could establish how educational continuity, transfer arrangements and communication with affected students might be managed.
- More regular engagement between the OfS, UKVI and the sector could help identify areas where regulatory expectations overlap, resolve emerging tensions and reduce the risk of unintended consequences for institutions and students.

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