

GENUINE STUDENT RULE

As part of the Student Route visa application process a caseworker must assess whether you are a genuine student.

The caseworker will consider various factors when assessing whether your plans to study in the UK are genuine. You may be invited to attend a credibility interview as a result of the assessment.

Please note that not all applicants are interviewed. Sometimes interviews are arranged at random and other times they are arranged on the basis of the perceived level of risk e.g. certain nationalities/areas of the world.

It is important to note that the Home Office is permitted to discriminate on the grounds of nationality. A ministerial authorisation ([DEP2015-0246](#)) sets out when nationals of certain countries can be subjected to greater scrutiny than other applicants.

If a caseworker is not satisfied on the balance of probabilities that you intend to study and comply with all relevant requirements your application will be refused.

To help you understand what factors are considered, please read this information carefully.

Factors considered when assessing if a student is a “genuine” student

Please note that this is not an exhaustive list and will not be appropriate in every case. Other issues that arise may be taken into consideration as well. The information in this section is based on the [Student and Child Student Caseworker Guidance](#)

<p>IMMIGRATION HISTORY</p>	<ul style="list-style-type: none"> • Previous UK visa applications and refusals • Time spent in the UK and other countries on some type of visa • Has applicant complied with visa terms on previous visas
<p>EDUCATION HISTORY, STUDY AND POST-STUDY PLANS</p>	<ul style="list-style-type: none"> • the amount of time that has elapsed since the applicant last studied, and whether the applicant has sound reasons for returning to, or commencing, formal study of this subject, particularly after any significant gap • whether the applicant demonstrates sufficient commitment to the course • whether the course represents academic progression • the credibility of the applicant’s rationale for, knowledge of, and research into the proposed course of study and the sponsoring institution • the credibility of the applicant’s rationale for, knowledge of, and research into living arrangements in the UK

	<ul style="list-style-type: none"> • how the circumstances of any dependant may affect the ability or motivation of the applicant to study • the relevance of the course to post-study plans in the UK or overseas • whether the applicant intends to comply with the terms of their permission, including the requirement to leave the UK when their permission comes to an end (or, where lawful and appropriate, to apply to extend their permission under the Student route or to switch to another immigration route). <p>The caseworker must not refuse an applicant based on an applicant's knowledge of the location where they will be studying, for example, if the applicant has a lack of knowledge of bus routes, or of the geography of the town or city.</p>
THE PERSONAL AND FINANCIAL CIRCUMSTANCES OF THE APPLICANT AND ANY DEPENDANT	<ul style="list-style-type: none"> • the economic circumstances of the applicant and any dependant • whether the applicant has a credible source of funds to meet course fees, and living costs – both for themselves and any dependants – for the duration of the course in the UK, in cases where they would have a limited, or no, ability to work in the UK • how the applicant was able to acquire the necessary funds for course fees, as well as accommodation and living expenses in the UK for themselves and any dependant • the distance between the applicant's place of study and their proposed accommodation in the UK the average monthly expenditure for the applicant and any dependant in the UK • the applicant's personal circumstances, where these might make it difficult to complete a course of study <p>The caseworker must take account of the fact that the applicant will need to make a considerable investment to gain a qualification from the UK.</p>
THE QUALIFICATION, COURSE PROVIDER AND AGENTS	<ul style="list-style-type: none"> • if the applicant is applying to study at an institution that is under investigation or has been identified by the Home Office as an institution of concern in relation to immigration compliance • where the application is being managed by an agent about whom the Home Office has concerns
ENGLISH LANGUAGE ABILITY	<p>If the caseworker has concerns over the applicant's English language ability potentially falling short of the required level they should consider this when assessing the genuine student requirement.</p>
ROLE OF DEPENDANTS	<p>The caseworker must consider carefully whether they are satisfied that the applicant is a genuine student where a main</p>

	reason for the application is the employment, education, or healthcare benefits for any accompanying dependants.
PULL FACTORS	<p>Pull factors are known to influence students' choice of the UK as a study destination. They can give an indication of an applicant's motivation for coming to the UK, and whether the applicant is a genuine student. Examples include:</p> <ul style="list-style-type: none">• if the applicant chose the UK because of the reputation of its academic and education institutions compared to those of other countries• if the ease of working during or after the course of study was a deciding factor