

## **Students Advice Service: Conditions of Service**

This document outlines the conditions under which advice is provided by the Student Advice Service, part of the Student Advice and Wellbeing team, SOAS, University of London.

### **The regulation of immigration advice and codes of standards and ethics**

The provision of immigration advice is regulated by the [Immigration Advice Authority \(IAA\)](#). This regulatory body sets out the principles and standards by which immigration professionals must comply.

The designated members of staff at SOAS, University of London who are appropriately trained and regulated by the IAA to provide immigration advice and services are:

- John Hitchman, Student Advice Service Manager
- Carrie McMinn, Student Advisor (Immigration and Finance)
- Kathryn Smart, Student Advisor (Immigration and Finance)

The Student Advice Service advise in good faith, based on information that you give us about your situation. We ensure that our advice is accurate. However, it is important to note that immigration legislation is subject to change and often at short notice.

We cannot accept responsibility for any errors or omissions, for consequences arising from the use of our advice nor for decisions made by UK Visas and Immigration (UKVI) or other agencies. It is your responsibility to check the visa requirements which apply to you before you take any action about your situation.

We are unable to provide immigration advice to you if you are already being advised or represented by another agency (this includes solicitors, immigration advisers), as this could present a conflict of interest.

### **Data protection**

The Student Advice Service operate in accordance with the [SOAS Student Privacy Notice](#). We will not pass on personal information about you to anyone outside of the Student Advice and Wellbeing team department, subject to the following exceptions:

- Where we have your explicit verbal or signed consent;
- Where we believe you or others are in danger;
- Where we are required to do so by law, for example, breaches in visa conditions may need to be reported to our Student Visa Compliance Manager, who may then investigate and report to UK Visas and Immigration (UKVI) if required, in line with our sponsor duties.

- Where we are involved in an IAA investigation/inspection.
- Where we are required to do so by law and where failure to do so would lead to civil or criminal court procedures.

We would encourage you to pass on the information yourself and would attempt to obtain your consent if possible.

## **Conflict of interest**

The role of the Student Advice Service is to provide immigration advice and to protect the University's sponsor license. This means that there may be instances where there is a real or potential conflict of interest.

### **Example 1**

A master's student on a Student visa asks an Advisor for visa guidance and at the same time discloses that they have been working over 20 hours a week. In this scenario, a Student visa holder who's BRP states a 20-hour working limit would be in breach of their visa conditions. The conflict of interest occurs when the Advisor tries to help the student with the visa application but at the same time knows that they are breaching their visa conditions. In this scenario, as the student disclosed this information, the Student Advice Service have a duty to report the suspected breach to the Student Visa Compliance Manager.

### **Example 2**

A PhD student on a Student visa is planning on extending their visa and tells an Advisor that they are working as a freelance translator alongside their studies. Self-employment is prohibited on a Student visa. The conflict of interest occurs when the Advisor tries to help the student with their visa application but at the same time knows that the student is breaching their visa conditions by being self-employment. In this scenario, as the student disclosed information that they are engaging prohibited work, the Student Advice Service have a duty to report the suspected breach to the Student Visa Compliance Manager.

The Advisor will explain if there is a real or potential conflict of interest, and you will be given sufficient time to consider whether you wish to seek external immigration advice.

## **Liaison and correspondence**

It may be appropriate for the adviser to liaise with a third party, for example, your academic department, Registry, Admissions or UKVI. This is so that we can advise you accurately about your situation and the impact of this on visa issues.

## **Record keeping**

It is professional practice for Advisors to keep written case notes on students and their enquiries. Case notes from an advice session will be recorded as a summary of the main points raised by you, and the advice or information given by the Advisor. Any agreed action to be taken will also be recorded with details of any follow-up action and correspondence. It is not possible for us to record the whole discussion.

All case notes and documents are kept secure electronically within the Student Advice Service. In line with the [SOAS Student Privacy Notice](#), case notes are kept for a period of six

years from the end of the academic year to which they relate. After this time, they are destroyed securely.

## Supervision/consultation

In line with our professional requirements, the Student Advice Service may discuss visa/immigration issues with the UK Council for International Student Affairs (UKCISA) to provide considered advice. We do not identify you by name if we speak to UKCISA about your situation. The purpose of doing this is so that we can offer you clear, accurate and professional advice.

## Statistics

We keep general statistics about student queries who use our Service along with the nature of their enquiry. These statistics do not contain information from which you can be identified. They are used to monitor and improve the effectiveness of our service for students and to report patterns and trends to senior management at SOAS.

## How to access the service

The Student Advice Service provide advice by email or by appointment: in-person, online or by telephone appointment. Our working hours are Monday to Friday, 9am to 5pm. (excluding [UK bank holidays](#) and [School closure days](#)).

If you are a current SOAS student, you can contact our service by raising a query through the [Student Information Desk \(SID\)](#) or by email [advice@soas.ac.uk](mailto:advice@soas.ac.uk).

If you are a SOAS applicant, you can email [advice@soas.ac.uk](mailto:advice@soas.ac.uk) for advice.

## Complaints

If you have a complaint regarding our service, please let us know and we will do our best to resolve the matter swiftly and informally. If you are still unhappy, please see the [SOAS Student Complaints policy](#).

## Useful links and contacts

- The [UK Council for International Student Affairs \(UKCISA\)](#) can give you free immigration guidance and advice whilst you study in the UK. They have a free advice line. Phone +4420 7788 9214 (Monday – Friday, 1 - 4pm)
- The [Immigration Advice Authority \(IAA\)](#) have an advisor finder, where you can search for an immigration advisor
- [Immigration Law Practitioner's Association \(ILPA\)](#) If you need external legal assistance, you can use ILPA to search for a solicitor that is right for you.
- [The Law Society](#) regulates legal professionals and has a database which will allow you to search for a lawyer in your area.
- The [Aire Centre](#) provide EU/EEA specific immigration advice and also have a free telephone advice service you can access.