

Student Finance After Brexit Webinar

The Impact on Eligibility and Entitlement in England, Wales
and Northern Ireland

Funding Information Services Team

February 2021

Contents

Webinar content will follow the structure below, leading from an overview of post-Brexit policy changes through to key messages on student funding eligibility (with examples) and ending with a live question and answer session:

1. Citizens Rights & The EU Settlement Scheme
2. AY 2021/22 Student Finance Eligibility for EU/EEA Students & Their Family Members
3. EEA Migrant Workers, Frontier Workers & Other Eligibility Categories
4. Other Relevant Groups (Including Irish Citizens & UK Nationals in the EEA)
5. Supporting Applications & Key Student Messages



Key Messages will be highlighted as we progress through the slides, so look out for this text box and **we hope you find the following presentation useful and informative!**



EU, EEA & Swiss Nationals:

Citizens' Rights and the EU Settlement Scheme

Post-Brexit: Citizens' Rights

The UK's exit from the EU took place on **31st January 2020** and the subsequent transition period ended on **31st December 2020**:

- Free movement for EU, EEA, Swiss nationals and UK nationals could continue until the end of the transition period, but from **1st January 2021** new post-EU exit, points-based immigration rules will apply
- EU, EEA and Swiss nationals and their respective family members who are living in the UK by the end of the transition period (31st December 2020) will have Citizens' Rights
- These rights were granted under the EU Withdrawal Agreement, a similar EEA-EFTA (Iceland, Liechtenstein and Norway) Separation Agreement and the Swiss Citizens' Rights Agreement
- Those with Citizens' Rights have the right to continue to legally reside in the UK and enjoy associated rights
- The rights of those moving to the UK **after the end** of the transition period (unless they have Citizens' Rights as a family member of a person already in the UK) will be subject to the points-based immigration system

Post-Brexit: The EU Settlement Scheme

EU, EEA and Swiss nationals (and their family members) who have Citizens' Rights can apply for a status under the Home Office's EU Settlement Scheme (EUSS) before **30th June 2021** if they wish to remain living in the UK:

- In certain circumstances, family members can join an EEA or Swiss national (with valid EUSS status) in the UK **after 31st December 2020** and apply to the EU Settlement Scheme once they are here
- EUSS applications in this circumstance can be considered **after 30th June 2021** and family member granted a status will have the same rights in the UK, whether or not they arrived by the end of the transition period

Applicants to the EU Settlement Scheme will be awarded;

- **Settled** status (indefinite leave to remain) if they have the requisite minimum of **5 years** of continuous lawful residence in the UK, or
- **Pre-Settled** status (5 years leave to remain from date awarded) with a shorter period of UK residence

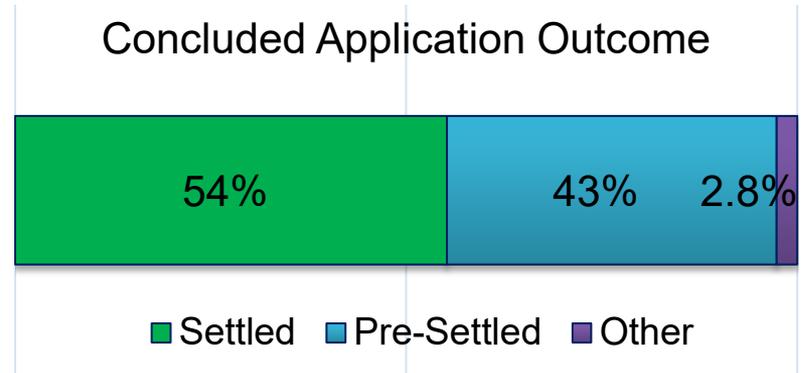


After 5 years of continuous UK residency, individuals can apply to change Pre-Settled status to Settled status, but they must do so before their Pre-Settled status expires

Post-Brexit: The EU Settlement Scheme

As at 31st December 2020, **4.88 million** EUSS applications had been made, with **4.49 million** concluded:

EUSS applications by nation as at December 31 st 2020		
England	4,413,900	91%
Scotland	243,600	5%
Wales	80,700	2%
Northern Ireland	78,500	2%



Other includes: Rejected, Withdrawn, Void and Invalid applications

Post-Brexit: The EU Settlement Scheme

As well as being able to remain living in the UK, those granted either Settled status or Pre-Settled status under the EU Settlement Scheme will be able to;

- Work in the UK and access free healthcare through the NHS
- Enrol in education or continue studying
- Access public funds such as benefits and pensions, if eligible for them
- Travel in and out of the UK

For **student finance** purposes, if their course starts on/after the **1st August 2021**, individuals from the EU, EEA or Switzerland (and their family members) will **not be eligible** for home fee status or funding unless;

- They are able to benefit from the Citizens' Rights agreements and have status granted under the EUSS
- They are an Irish national living in the UK or Ireland (the Common Travel Area arrangement)

Post-Brexit: The EU Settlement Scheme

Example for an EU national **not entitled** to student support for a course starting in AY 2021/22 because they **do not have** Citizens' Rights or EUSS Pre-Settled or Settled status:

Daniela is a Romanian national who arrives in England in April 2021 and will be subject to the points-based immigration system as she arrived after 31st December 2020

- Daniela previously lived in France and she starts a degree course at an English HEP in October 2021

Daniela is **ineligible** for any support as;

- She is an EU national who **does not have Citizens' Rights** and does not qualify for equal treatment and non-discrimination rights under the Withdrawal Agreement
- This means she **cannot get a status** under the EU Settlement Scheme



Individuals will **not be eligible** for support if they do not have an EUSS status or if they are not joining their EU national family member in the UK and then able to be granted a status

Post-Brexit: The EU Settlement Scheme

Example for an EU national with **5 years** UK residency but **does not apply** to the EU Settlement Scheme before the closing date so is ineligible for student support for a course starting in AY 2021/22:

Eliska is a Czech national who moved to the UK in March 2016

- However, Eliska **does not apply** to the EU Settlement Scheme before the 30th June 2021 closing date
- She applies to SFE for support for a course starting in England in September 2021

Eliska is **ineligible** for support as;

- She did not apply for a status under the EU Settlement Scheme and so **does not have** either Pre-Settled status or Settled status in the UK



Ensure any EU, EEA or Swiss nationals you advise who can apply for status under the EUSS has their application submitted before the **30th June closing date**

Post-Brexit: AY 2020/21 & Continuing Students

All four UK territories confirmed that student support policy rules (and home fee status) are unaffected by EU exit for all students who start a course in **AY 2020/21** or earlier; their eligibility is therefore preserved:

- Support will continue on the same eligibility grounds until these students complete their period of study
- This applies whether or not the period of study started **after the end of the transition period** in AY 2020/21 (from 1st January 2021 to 31st July 2021 inclusive)
- EU, EEA, Swiss national students and their eligible family members will **continue to be entitled** to student support from all four UK territories according to the regulatory residency rules that were in force at the outset of AY 2020/21 (they must still be granted an **EUSS status** to lawfully remain in the UK after June 2021)

Points of note;

- These rules apply regardless of the duration of a student's period of study on an eligible AY 2020/21 course
- The period of study is not terminated where the student **transfers** course

Impact: EU Student Application Numbers AY 2019/20

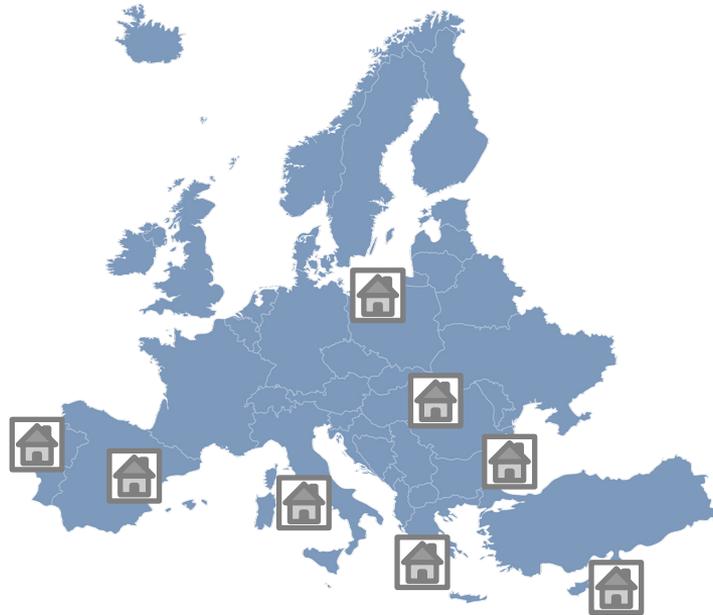
For an idea of the number of students who may be impacted by such a regulation change, in AY 2019/20, a total of **56,145** EU students received Tuition Fee Loan support from SFE, SFW and SFNI:

Romania 5,883

Italy 5,187

Poland 5,101

Cyprus 4,482



Portugal 4,633

Spain 4,163

Bulgaria 3,394

Greece 3,367

Impact: EU Student Application Numbers AY 2019/20

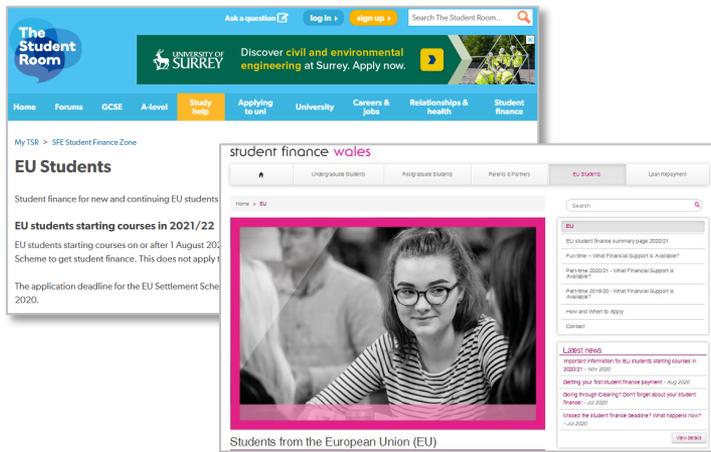
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EU Applications AY 2019/20			
Nationality	SFE	SFW	SFNI
Romania	5,883	86	7
Italy	5,187	62	3
Poland	5,101	318	12
Cyprus	4,482	135	-
Portugal	4,633	56	3
Spain	4,163	92	8
Bulgaria	3,394	90	7
Greece	3,367	117	3
Lithuania	3,158	32	8

EU Applications AY 2019/20			
Nationality	SFE	SFW	SFNI
France	1,596	27	5
Germany	1,552	36	9
Ireland	1,488	68	265
Hungary	1,363	52	-
Czech Republic	1,341	76	1
Latvia	948	23	3
Slovakia	882	41	1
Croatia	580	23	-
Estonia	475	19	-

Communicating New Eligibility Rules

Information and guidance for both students and practitioners regarding the post-Brexit student finance eligibility changes will be available across government and SLC websites and our social media channels:



Guidance

Studying in the UK: guidance for EU students

What citizens of the EU, Iceland, Liechtenstein, Norway and Switzerland studying, or planning to study in the UK should consider.

Published 31 January 2020

Last updated 21 December 2020 — [see all updates](#)

From: [Department for Education](#)

Contents

- What all EU students should do to continue living in the UK
- Erasmus+ placements in the UK in the 2020 to 2021 academic year
- Course fees and funding to study in the UK in the 2020 to 2021 academic year
- Changes to funding from the 2021 to 2022 academic year



- www.gov.uk/guidance/studying-in-the-uk-guidance-for-eu-students
- www.gov.uk/government/publications/student-finance-eligibility-2021-to-2022-academic-year



EU, EEA & Swiss Nationals:

Students with EUSS Settled & Pre-Settled Status

Students With EUSS Settled Status

EUSS Settled status will be awarded to EU/EEA and Swiss citizens (and their family members) who were living in the UK by 31st December 2020 and have lived in the UK and Islands for a **continuous 5 year period**:

- Within this 5 year period they can only leave the UK for **up to 6 months** in every 12 month period **without breaking** their continuous UK residency (or a **single absence up to 12 months** for an important reason)
- Those granted Settled status can stay in the UK **as long as they like** and can apply for British citizenship, if they are [eligible](#) to do so

Students with EUSS Settled status will be able to access **full** undergraduate support (Tuition and Maintenance), Postgraduate Loans and Advanced Learner Loans (domicile specific), however they must;

- Be ordinarily resident **in the UK for 3 years** prior to the start of the course
- Be ordinarily resident **in the home domicile** on the first day of the first academic year of their course

If they have been awarded Settled status, individuals can spend **up to 5 years** in a row outside the UK without losing the overarching status (**up to 4 years** in a row for Swiss citizens and their family members)

Students With EUSS Settled Status

Example for an EU national granted **Settled** status through the EU Settlement Scheme and eligible to apply for **full SFE support**:

Adelina is a Spanish national who moved to the UK in March 2015

- She is granted Settled status under the EU Settlement Scheme in June 2020
- Adelina applies to SFE for support for a course starting in England in September 2021

Adelina is eligible for **full SFE support** as;

- She has EUSS **Settled** status, and
- She is **ordinarily resident in England** on the first day of the first academic year of the course, and
- She has been **ordinarily resident** in the UK and Islands **for 3 years** prior to the first day of the first AY of her course

EUSS Settled Status: Continuous UK Residency

Example where an EU national with EUSS Settled status and 3 years of residence in the UK, Gibraltar, EEA and Switzerland is entitled to **fee support only** as they **break their continuous UK residency**:

Hans is a German national who arrives in the UK in June 2015 and prior to that he lived in Germany

- Hans is granted EUSS Settled status in August 2020 and returns **to live in Germany** in October 2020, he then returns to the UK in August 2021 to start a course in September 2021
- Hans is **ineligible** for full support as he does **not have 3 years** of ordinary residence in the UK and Islands prior to the first day of the first AY of his course which is required for a settled person to get full support
- Under these circumstances, Hans' time outside the UK could not be deemed as a **temporary** absence
- Hans is eligible for **fee support only** as an EU national with Citizens' Rights who has 3 years of ordinary residence in the UK, Gibraltar, EEA and Switzerland prior to the first day of the first AY of his course

Those with **Settled** status can spend up to 5 years in a row outside the UK, but any absence from the UK must be able to be deemed as **temporary** under SLC assessing rules



Students With EUSS Pre-Settled Status: SFE

EUSS Pre-Settled status will be awarded to those EU, EEA and Swiss citizens (and their family members) who were living in the UK by 31st December 2020 but have a **shorter period of UK residence**:

- After **5 years of continuous lawful UK residence**, individuals can apply to **change** their Pre-Settled status to Settled status but they must do so before the Pre-Settled status expires (5 years from the day granted)

EU nationals (and their family members) with Pre-Settled status will be able to apply for **SFE Tuition Fee Loan** support (full support if eligible as a Migrant Worker) Postgraduate Loans and Advanced Learner Loans, however they must;

- Be ordinarily resident in the UK, Gibraltar, EEA and Switzerland **for the 3 year period** prior to the first day of the first AY of their course (ordinary residence in England on the first day of the first AY is not required)

Those with Pre-Settled status can spend up to **2 years** in a row outside the UK, but they need to **maintain** their continuous UK residency if they want to change to Settled status at a later date (**6 month** absence rule applies)



Non-EU EEA or Swiss nationals with **Pre-Settled** status are only eligible for support as non-family members if they qualify as a Migrant (or Frontier) Worker and maintain that status

EUSS Pre-Settled Status: General Residency

Example for an EU national with EUSS Pre-Settled status and 3 years of residence in the UK, Gibraltar, EEA and Switzerland and eligible for **fee support only**:

Antonia is an Italian national who arrives in the UK from Italy in September 2019

- She applies for and is granted Pre-Settled status under the EU Settlement Scheme in October 2020
- Antonia moves to Germany to live in February 2021 and returns to the UK in June 2021
- As a person with Pre-Settled status, Antonia can leave the UK for up to six months in every twelve month period without losing this status or breaking her continuous residence under the EUSS

Antonia starts a course in September 2021 and is eligible for **fee support only** as;

- She has EUSS **Pre-Settled** status on the first day of the first AY of the course
- She has 3 years of ordinary residence in the UK, Gibraltar, EEA and Switzerland prior to the first day of the first AY of her course

Students With EUSS Pre-Settled Status: SFW & SFNI

As regulations differ between England and Wales and Northern Ireland, EU nationals granted EUSS **Pre-Settled** status will be eligible to apply for **full support from SFW or SFNI** if they;

- Have been granted Pre-Settled status under the EUSS
- Are ordinarily resident in **Wales or Northern Ireland** on the first day of the first AY of their course and have been ordinarily resident in the UK and Islands for 3 years prior to the first day of the first AY of the course

Example: **Tomas** is a Portuguese national who moved to the UK in July 2018 and has been living in Wales since October 2020. He is granted Pre-Settled status under the EUSS in November 2020

Tomas applies to **SFW** for support for a course starting in September 2021 and is eligible for **full support** as;

- He has EUSS **Pre-Settled** status
- He is ordinarily resident in Wales on the first day of the first AY and has been ordinarily resident in the UK and Islands for the 3 years prior to the first day of the first AY of his course



Family Members:

EU Nationals & Non-UK Family Members of UK Nationals

Family Members of EU, EEA & Swiss Nationals

In certain circumstances, family members can join an EU, EEA or Swiss national in the UK after 31st December 2020 and apply to the EU Settlement Scheme once they are here:

- EUSS applications will, in this circumstance, be considered **after 30th June 2021**
- General EUSS guidance for family members joining an EU national in the UK is that their relationship began before 31st December 2020 and they are still in the relationship when they apply to join the family member

Definition of 'family member' for this category is as follows;

- The person's spouse or civil partner
- Direct descendants of the person or of the person's spouse or civil partner who are;
 - a) Under the age of 21, or
 - b) Dependents of the person or the person's spouse or civil partner
- Dependent ascending line relatives of the person or the person's spouse or civil partner

Family Members of EU, EEA & Swiss Nationals

In certain circumstances, family members can join an EU, EEA or Swiss national in the UK after 31st December 2020 and apply to the EU Settlement Scheme once they are here:

- Family members who are granted an EUSS status will have the same rights in the UK whether or not they arrived by the end of the transition period
- If the family member is a child aged under 21 they are likely to be granted the same status as their parent
- If the family member is a spouse or civil partner then they will be granted Pre-Settled status
- Once granted EUSS status, the **EU family member** can apply for student support from the administration where they are undertaking the course (England, Wales or Northern Ireland)
- Regardless of the EUSS status awarded, EU nationals and their family members who **do not have** 3 years of ordinary residence in the UK/Islands would not be eligible **for full support** (unless as a Migrant Worker)



EU nationals and their family members who have **Settled** status but only 3 years residency in the UK, Gibraltar, EEA or Switzerland rather than 3 years in the UK can get **fee support** only

Non-UK National Family Members of UK Nationals

Full support (or FE/PG support) will be available to non-UK national family members **of UK nationals**, from AY 2021/22 where **both** the UK national **and** the family member were;

- Resident in the EEA/Switzerland on or before **31st December 2020**, or
- Resident in the UK on **31st December 2020** and resident in the EEA/Switzerland immediately before moving to the UK (they must have returned to the UK **within 3 years** of 31st December 2020), **and**
- Both the UK national and their eligible family member were ordinarily resident in the UK, Gibraltar, EEA and Switzerland for **3 years** prior to the first day of the first AY of the course

Family members eligible under this category must be the person's spouse or civil partner, or

- Direct descendants of the person or of the person's spouse/civil partner under the age of 21 or dependants of the person or the person's spouse/civil partner



Eligibility on these grounds will only be available for courses starting **up to 7 years** from the last day of the transition period (i.e. on **31st December 2027** at the latest)

Non-UK National Family Members of UK Nationals

Example where **full support** is available to a non-UK national family member of a UK national in AY 2021/22:

Lana who is a Spanish national and her UK national mother both live in Spain before Lana comes to the UK in June 2021 to start a course in September 2021. Lana will be **under 21** on the first day of her course

- Lana is not eligible to apply for EUSS Pre-Settled or Settled status as she did not arrive in the UK by the end of the transition period

However, Lana is eligible for **full support** as;

- She is the non-UK family member of a UK national
- She and her UK national parent were living in the EEA or Switzerland on **31st December 2020**
- She and her UK national parent were both ordinarily resident in the UK, Gibraltar, EEA and Switzerland for 3 years prior to the first day of the first AY of her course

Non-UK National Family Members of UK Nationals

Where the UK national and the family member were resident in the UK on **31st December 2020** immediately following a period of residence in the EEA or Switzerland, they must have returned to the UK **within 3 years** of 31st December 2020 (i.e. their return date must be **on or after 1st January 2018**):

- Where the family member of a UK national does not meet the requirements of this category, but has been living in the UK/Islands for **3 years** prior to the start of the first AY, they may **be eligible for fee support**
- Eligibility on these grounds is **not subject to a time limit**

For example: **Alfonso** is a Costa Rican national who is married to a UK national and has been living in the UK since 1st August 2018 and prior to that he lived in Costa Rica

- Alfonso starts a course in England in September 2021 and is eligible for **fee support only** as;
- He is the non-UK family member of a UK national and has been ordinarily resident in the UK and Islands for the **3 years** prior to the first day of the first AY of his course



EU, EEA & Swiss Nationals:

Migrant Workers, Frontier Workers & their Family Members

EEA & Swiss Migrant Workers

The Migrant Worker eligibility category (and home fee status) **will be removed** for students who start a course from academic year 2021/22:

- This is unless the student (and the Migrant Worker, where the student is a family member) has been granted **Pre-Settled** status under the EU Settlement Scheme
- EU, EEA and Swiss nationals (and their family members) arriving in the UK **on or after** 1st January 2021 will need to be joining a close family member already resident in the UK with Citizens' Rights and EUSS Settled or Pre-Settled Status
- If a student is eligible under the Migrant Worker category, they will retain eligibility and the entitlement to **full support** for their period of study, unless they no longer meet Migrant Worker status requirements
- If a student or the family member loses Migrant Worker status, the student can be awarded **fee only** funding where they are eligible under that category and have **Pre-Settled** status under the EUSS



As per current practice, Migrant Workers need to provide evidence of acceptable employment in the UK and will be subject to ongoing SLC checks carried out during their course

EEA & Swiss Migrant Workers

Example for a Migrant Worker with EUSS Pre-Settled Status and 3 years residency in the UK, Gibraltar, EEA and Switzerland:

Rafael is a Spanish national who arrived in the UK in April 2020. Prior to that he lived in France for 5 years

- Rafael is granted Pre-Settled status under the EU Settlement Scheme, starts a course in September 2021 and **continues to work** while studying

Rafael is eligible for **full support** as;

- He has **Pre-Settled** status and is a Migrant Worker whose **UK employment continues** during his course
- He is ordinarily resident in the relevant home domicile (England, Wales or Northern Ireland) on the first day of the first AY of his course
- He was ordinarily resident in the UK, Gibraltar, EEA and Switzerland for the 3 years prior to the first day of the first AY of the course

EEA & Swiss Migrant Workers: Change of Status

Example for an EU national with EUSS Pre-Settled status who **becomes a Migrant Worker** during their course and can be reassessed from SFE **fee only to full support**:

Anya is a Polish national who arrived in the UK in January 2018 and was granted Pre-Settled status under the EU Settlement Scheme in March 2020

- Anya starts a course in England in September 2021 and is awarded **fee support only** as she has EUSS **Pre-Settled** status and has been ordinarily resident in the UK, Gibraltar, EEA and Switzerland for 3 years prior to the first day of the first AY of her course
- In September 2022, Anya **begins working** 22.5 hours per week at a museum and applies for support as a Migrant Worker in AY 2022/23
- Anya is eligible for **full SFE support** for AY 2022/23 as she has Pre-Settled status and is considered to be a **Migrant Worker** whose work is not marginal or ancillary



If Anya had been eligible to apply to **SFW or SFNI**, she could have received **full support** from the start of her course as she has Pre-Settled status and 3 years of ordinary UK residency

Children of Former EEA Migrant Workers

Under previous policy, if a student's EU/EEA national parent/step parent was living and working in the UK and the student had been in **UK general education** at the same time, they could be eligible for support as a **Child of a Migrant Worker in General Education**:

- Once this eligibility and evidence had been confirmed and the student had been accepted the student would be approved for the full duration of their course
- The student's parent/step parents would not need to supply evidence that they are continuing to work in the UK throughout the duration of the student's course

This eligibility category (and home fee status) will be **removed** for students starting courses from AY 2021/22:

- This is unless **the student has been granted Pre-Settled status** under the EU Settlement Scheme
- Where a student is the Child of a Former Migrant Worker and they are remaining in the UK to complete their education, the former Migrant Worker parent/step parent **does not need** to have EUSS Pre-Settled status

EEA Frontier Workers

Frontier Workers (workers who are resident outside the UK while working in the UK) will not be able to apply to the EUSS and will instead be awarded a **Frontier Worker Permit** as evidence of their status:

- This permit is only available to those who were **working in the UK by 31st December 2020**. **Irish** Frontier Workers do not need a permit, but they do need to have been working in the UK by 31st December 2020
- **Family members** of Frontier Workers can apply for status under the EUSS providing they were **living in the UK by 31st December 2020**, even though the Frontier Worker is resident elsewhere

General example: **Marco** is a Dutch national working in England who returns to his home in Belgium at weekends and he is awarded a Frontier Worker Permit as he had been working in the UK by 31st December 2020

Marco starts a course in September 2021 and is eligible for **full support** as;

- He is a Frontier Worker whose **work continues during his course** and he was ordinarily resident in the UK, Gibraltar, EEA and Switzerland for **3 years** prior to the first day of the first AY of his course



The **Irish family member** of a Frontier Worker does not need EUSS Pre-Settled status, but if studying in England or Wales, they need to have been living in the UK by 31st December 2020



Other Eligibility Categories & Criteria:

Overview of Status & Eligibility Changes

Impact: Other Eligibility Categories

Other student support eligibility categories affected by the post-Brexit policy changes include;

Children of Swiss Nationals:

This category (and home fee status) will be **removed** for children of Swiss nationals starting a course from AY 2021/22 unless the Swiss national parent has been granted EUSS Pre-Settled or Settled status

- The **child** of the Swiss national must have EUSS Pre-Settled status. They can join the Swiss national in the UK after the end of the transition period and still apply for and be granted this status

Children of Turkish Workers:

This category (and home fee status) will be **removed** for students starting courses from AY 2021/22 unless;

- The Turkish worker was in the UK **by the end of the transition period** (31st December 2020) and has been allowed by the Home Office to temporarily extend their leave in order to remain in the UK, and
- The child of the Turkish worker also arrived in the UK by **31st December 2020**

Impact: Other Eligibility Categories

Right of Permanent Residence (ROPR):

Updated regulatory definitions will be in place for courses starting from AY 2021/22 and those with ROPR under Directive 2004/38 will be **required to update their status** to ROPR under the Withdrawal Agreement:

- In doing so, they will be granted EUSS **Settled status**, and can apply as settled persons for **full support** for a course starting in AY 2021/22
- Anyone with ROPR can have it exchanged for the new status, but **must apply** to do so by **30th June 2021**
- ROPR granted under Directive 2004/38 **becomes invalid** after the end of the transition period and will **no longer be recognised** as a valid status by the Home Office
- Those that are **yet to apply** to the EUSS will be covered by Article 18(2) of the Withdrawal Agreement **until 30th June 2021**, so can still apply for support for a course starting in AY 2020/21 as a settled person



Students who started their course in AY 2020/21 or earlier and who were eligible on the basis of having ROPR will continue to be eligible until the end of their continuous period of study

Impact: Student Funding Eligibility 'Events'

Policy '**Events**' will still be available to those **with Citizens' Rights** who acquire EUSS Pre-Settled status, and those who become a **family member** of a person with Citizens' Rights, with the following exceptions;

- If a **state accedes to the EU** where the student is a national of that state or a family member of a national of that state or if the student becomes the **Child of a Turkish Worker**

Where an Event occurs during an AY, a student may qualify for **fee support*** in respect of the AY in which the Event occurred (provided that it occurred within the first 3 months of the AY), and in any subsequent AYs:

- Full PG Master's or Doctoral Loan funding would be available for the entire course following an Event

Acquiring EUSS **Settled** status will be treated as an Event for those starting a course in AY 2021/22:

- This will only apply where a student has been granted **Pre-Settled** status and subsequently applies for and is granted **Settled** status

*They will be reassessed for maintenance support from the start of the academic quarter after the quarter in which the Event took place, or in respect of remaining term days for SFW



Student Funding Eligibility 'Events'

Example where an EU national with EUSS Pre-Settled status becomes settled after the first day of the first AY of the course and their eligibility **changes from fee only support to full support**:

Claudine is a Dutch national who arrives in the UK in December 2016. Prior to that she lived in Germany

- She applies for and is granted Pre-Settled status under the EUSS in December 2020 and starts a course in England in September 2021

Claudine applies to SFE and is eligible for **fee support only** as;

- She has EUSS Pre-Settled status and the required 3 years of ordinary residence in the UK, Gibraltar, EEA and Switzerland prior to the first day of the first AY of the course
- This is required for a Pre-Settled person to get **SFE fee support only**



If Claudine was eligible to apply to **SFW or SFNI**, she could be assessed for **full support** as she has EUSS Pre-Settled status and 3 years of ordinary residence in the UK and Islands

Student Funding Eligibility ‘Events’

Example for an EU national with Pre-Settled status who becomes settled after the first day of the first AY of their course and their eligibility **changes from fee only support to full support, continued;**

In November 2021, **Claudine** applies to have her EUSS status **changed to Settled status**, effective as of 10th December 2021 as she has **been in the UK for 5 years** by that time

- Claudine contacts SLC to advise of this change and as **acquiring EUSS Settled status is an Event** in the Regulations, she **can be reassessed**
- Claudine’s eligibility for fee support is unaffected and she will be reassessed for Maintenance and Targeted Support (if applicable) starting **from the following AY quarter** (from 1st January 2022)

As a settled person, Claudine must satisfy the following;

- Be ordinarily resident in England on the first day of the first AY of her course
- Be ordinarily resident in UK and Islands for the **3 years** preceding the first day of the first AY

Student Funding Eligibility 'Events'

Example for an **EEA-EFTA national** with Pre-Settled status who becomes settled after the first day of the first AY of the course and goes from being **entitled to no support to entitled to full support**:

Harald is a Norwegian national who arrives in the UK in June 2017. He is granted EUSS **Pre-Settled** status in October 2020 and starts a course in September 2021

- Harald is **ineligible** for support at the start of the course as he is an **EEA national** with **Pre-Settled** status so does not qualify under any of the standard residency categories and he **is not a Migrant Worker**
- In June 2022 Harald applies to have his EUSS status **changed to Settled**, effective as of 30th June 2022 as he has **been in the UK for 5 years** by that time
- Harald contacts SLC to advise of this change and as **acquiring EUSS Settled status is an Event** in the Regulations, he can be assessed as eligible for **full support** from the start of the next AY (2022/23)



If Harald had **Settled** status on the first day of the first AY, he would only need to have 3 years ordinary UK residency prior to the first day of the first AY to be eligible for **full support**



Other Relevant Student Groups:

Irish Citizens, People of NI & Gibraltar Residents

Irish Citizens & People of Northern Ireland

There is no change to the current policy rules for Irish citizens studying in the UK who have been resident in the **UK and Islands** for the **3 year** period prior to the first day of the first AY of their course:

- These students can apply for **full support** under the settled status category as their **rights are maintained** under The Common Travel Area (CTA) agreement
- The CTA allows **free movement** of British and Irish citizens between the UK and the ROI and was formed before either the UK or ROI were members of the EU

Fee support (or FE/PG support) will be available to Irish citizens studying in **England or Wales** who have been resident in the CTA* for **3 years** prior to the first day of the first AY of their course (with at least part of the 3 year residency period spent in Ireland)

- Or for Irish citizens resident in the UK, Gibraltar, the EEA and Switzerland for the 3 years prior to the first day of the first AY of the course, if studying in **Northern Ireland**

*3 years of ordinary residence in the UK, Gibraltar, the EEA and Switzerland prior to the first day of the first course AY for Irish citizens resident in the **UK before 31st December 2020**



Irish Citizens & People of Northern Ireland

Family members of Irish citizens will be able to apply for **fee support** (and FE/PG support), where the family member has been granted **Pre-Settled** status under the EUSS:

- **Full support** will be available if they have **Settled** status and meet the ordinary UK residency requirements
- Family members of an Irish citizen will have Citizens' Rights as an EU national family member, and are able to apply to the EUSS if the Irish citizen was resident in the UK **by the end of the transition period**

Fee support (or FE/PG support) will be available to **family members of People of Northern Ireland (PONI)**, where the family member has been granted EUSS* Pre-Settled status:

- The PONI must be British, Irish or have dual citizenship at the time of the family member's EUSS application

The family members of either Irish citizens or People of Northern Ireland must be ordinarily resident in the UK, Gibraltar, EEA and Switzerland for the **3 years** prior to the first day of the first AY of the course

*Family members of People of Northern Ireland can apply to the EUSS for a status in order to equalise their treatment with the family members of Irish citizens



Irish Citizens & People of Northern Ireland

Example where the student is the family member of an Irish citizen and the **family member** has EUSS **Settled Status** so can apply for **full support**:

Elena is a Russian national who has been living with her **Irish civil partner** in England since August 2016 and prior to that she lived in Russia

- Elena initially applies for and is granted **Pre-Settled** status under the EUSS
- In August 2021 she applies for and is granted **Settled** status, as she now has **5 years UK residency**

Elena starts a course in England in September 2021 and is eligible for **full support** from SFE as she;

- Has EUSS **Settled** status
- Is ordinarily resident in England on the first day of the first AY of her course
- Has been ordinarily resident in the UK for 3 years prior to the first day of the first AY

Gibraltar Residents

Fee support only (or FE/PG support) will be available to EU nationals (and their family members) and the family members of People of Northern Ireland (PONI) with a **right of residence in Gibraltar** and UK nationals starting a course from AY 2021/22, who are;

- Ordinarily resident in Gibraltar, undertaking a designated course in the UK, and ordinarily resident in the UK, Gibraltar, the EEA and Switzerland for the **3 year** period before the first day of the first AY of their course

UK nationals, EU nationals (and their family members) and family members of People of Northern Ireland will be **eligible** on these grounds for courses starting up to **7 years** from the last day of the transition period:

- An EU national, their family members or the family member of a PONI must have been **awarded a right of residence in Gibraltar** under the Withdrawal Agreement from the Government of Gibraltar
- EU nationals, their family members and family members of PONIs with a right of residence in Gibraltar under the Withdrawal Agreement and UK nationals will also retain **home fee status** indefinitely



The number of applicants in this category are expected to be **extremely low** as the Gibraltar government already provides fee and maintenance support to its residents



Overseas Territories:

Guidance Changes

Overseas Territories: Guidance Changes

Changes to **home fee status** for those in Overseas Territories who start courses from AY 2021/22:

- With the exception of those resident in Gibraltar these students do not receive any student support, so the impact to SLC will be limited to **guidance changes only**
- **UK nationals** (but not their family members) resident in **British Overseas Territories (BOTs)** **retain access** to home fee status **indefinitely** and there is no change to this policy

UK nationals and their family members resident in **EU Overseas Territories (EUOTs)** will **retain access** to home fee status if they;

- Were resident in the EEA, Switzerland or an EUOT at the end of the transition period
- Remained ordinarily resident in the UK, EEA, Switzerland or an EUOT since the end of the transition period
- Have 3 years residency in the OTs, UK, EEA/Switzerland prior to the first day of the first AY of the course



Entitlement to home fee status for UK nationals in EUOTs will only be available for courses starting up to **7 years** from the last day of the transition period

Overseas Territories: Guidance Changes

Changes to **home fee status** for those in Overseas Territories who start courses from AY 2021/22:

- **EU nationals, their family members and family members of People of Northern Ireland** who are resident in BOTs and EUOTs **will not** get home fee status if starting a course from AY 2021/22
- This is the case whether or not they were resident in the BOT or EUOT by the end of the transition period

The exception to this rule is if;

- They are resident in Gibraltar
- They are resident in another Overseas Territory if they have moved there after getting status under the EUSS and are therefore covered by the Withdrawal Agreement
- If so, they will **retain eligibility** for home fee status **indefinitely** and entitlement to **fee support** for courses starting up to **7 years** after the end of the transition period (**31st December 2027** at the latest)



The Right to Reside:

Settled Persons (Including UK Nationals)

UK Settled Persons in the EEA or Switzerland

Persons who are **settled in the UK** and have **exercised a right of residence elsewhere** will remain eligible for support in AY 2021/22 providing they were exercising a right of residence **in the EEA/Switzerland** at the end of the transition period (31st December 2020 or before):

- If a settled person moves from the UK to the EEA /Switzerland **after the end** of the transition period, they are not exercising a right of residence and **will not be eligible** under this category
- Where a student has exercised a right of residence and **then returns to the UK**, student support (and home fee status) will only be available for courses starting up to **7 years** from the last day of the transition period
- This is courses starting on **31st December 2027** at the latest
- The student must have exercised right of residence **in the EEA or Switzerland**, however part of the 3 year ordinary residence period can be spent in the UK and Gibraltar



The **7 year period** is to allow a child the sufficient time to undertake and complete secondary school education and then come to the UK to undertake an FE/HE course

UK Settled Persons in the EEA or Switzerland

Example for a UK national who left the UK to live in the EEA and returns to the UK **within** the 7 year time limit so can apply for **full support**:

Bill is a UK national who lived in England until March 2008 when he goes to live and work in Spain

- He returns to the UK in July 2021 and starts a course at a HEP in England in September 2021

Bill is eligible for **full support** from SFE as;

- He was ordinarily resident in England before exercising a right of residence
- He is ordinarily resident in the UK on the first day of the first term of his course
- He was ordinarily resident in the UK, Gibraltar, the EEA and Switzerland for the 3 year period preceding the first day of the first AY of the course
- His course start date is **within the 7 year time limit** from the last day of the transition period

UK Nationals Never Resident in the UK

Full support will be available to UK nationals **who haven't** exercised a right of UK residence (or moved to reside outside of the EEA and Switzerland) where they;

- Were resident in the EEA or Switzerland **before the end of the transition period**, and
- Were resident in the UK, Gibraltar, the EEA and Switzerland for **3 years** prior to the first day of the first AY of the course

Students should apply for support from the UK territory **where they undertake their course**, England, Wales or Northern Ireland (ordinary residence in that territory on the first day of the first AY of the course is not required):

- If the student **was not** living in the EEA/Switzerland on 31st December 2020, and had returned to the UK by that date, they **must have** returned to the UK from the EEA/Switzerland **on or after 1st January 2018**
- Eligibility on these grounds will also only be available for courses starting up to **7 years** from the last day of the transition period

UK Nationals Never Resident in the UK

Example for a UK national resident in the EEA/Switzerland **at the end of the transition period** who satisfies the UK, Gibraltar, EEA and Switzerland 3 year ordinary residence requirement so can apply for **full support**:

Stuart is a UK national who **has never lived in the UK** (Stuart's UK national parents had **left the UK** to reside permanently in Spain prior to his birth)

- Stuart is resident in Spain until he arrives in the UK in February 2021
- He starts a course at a HEP in England in September 2021

Stuart is eligible for **full support** from SFE as;

- He was resident in the EEA or Switzerland at the end of the transition period, and
- He was ordinarily resident in the UK, Gibraltar, EEA and Switzerland for the **3 years** prior to the first day of the first AY of his course (1st September 2018 to 31st August 2021)

Persons Settled in the Common Travel Area

Fee support only (or FE/PG support) will be available to settled persons studying in **England or Wales** who were ordinarily resident in the Common Travel Area (the UK, Islands and Ireland) for the 3 years prior to the first day of the first AY of the course (with at least part of that residence period spent in Ireland):

- If studying in **Northern Ireland**, this will be UK nationals who were ordinarily resident in the UK, Gibraltar, the EEA and Switzerland for the 3 years prior to the first day of the first AY of the course
- The student should apply for support from the UK territory where they **are undertaking the course** (England, Wales or Northern Ireland)
- Ordinary residence in that territory on the first day of the first AY of the course is not required
- Eligibility on these grounds is **not time limited for 7 years**
- UK nationals resident in Ireland **before** the end of the transition period who start a course before **1st January 2028** could be eligible for full support, so would not need to apply for fee support only under this category



Additional Information:

Supporting Applications & Key Student Messages

EUSS: Student Finance Applications

To enable us to accurately assess applications, EUSS and the associated status categories will be built into our application forms and students will need to provide evidence accordingly:

- Application forms will clearly display Settled and Pre-Settled status options in the residency sections, and will ask for the date that the student was granted their EUSS status

Settled status
This includes settled status under the EU Settlement Scheme or indefinite leave to remain.

Pre-settled status
This includes pre-settled status under the EU settlement scheme including EU national or family member of an EU national, a child of a Swiss national or EEA or Swiss worker.

When was your status issued?

For example, 3 5 2019

Day Month Year

[I don't have an issue date](#)

- Students with an EUSS status will be required to provide (through digital upload in the interim) a **valid EUSS share code** which we will then verify with the Home Office, and their initial EUSS status award letter

Share codes are valid for **30 days** and have to be generated to prove status when applying for employment, benefits and student support etc: www.gov.uk/view-prove-immigration-status



EUSS: Key Student Messages

EU/EEA/Swiss nationals (and family members) wishing to stay in the UK after June 2021 need to apply for and be awarded status under the EUSS. This also applies if they want to access student support from AY 2021/22:

Other **Key Messages** regarding EUSS status and student support applications include;

- EUSS applications should be made as soon as possible so students can apply for their funding on time
- The Home Office state that it usually takes around **5 working days** for EUSS applications to be processed if no further information is required, but they could take up to a month, or even longer if complex
- As we will be verifying information with the Home Office, it is vital that students give us their name and other details **exactly** as they were provided as part of their EUSS application
- Although we will aim to confirm identity from the information we receive back from the Home Office following share code verification, students may still need to provide other supporting evidence and documentation



Evidence could include; a valid passport/ID document, address history, UK employment details (if a Migrant Worker) and National Insurance Number so it is important they can access these

Application Messages: Other Student Groups

Other residency categories that are not affected by Brexit changes will not be subject to the new requirements described in these slides and applications still need to be submitted according to the student's status:

- These include UK nationals, Rest of the World nationals with Indefinite Leave to Remain/Enter and people with a protected residency status as granted by the Home Office

Protected residency status' include;

- Refugee Status and Humanitarian Protection
- Calais Leave, Section 67 Leave and Stateless Persons
- ILR as a Victim of Domestic Violence
- ILR as a Bereaved Partner (new from AY 2021/22)
- Those with Limited, Discretionary or Exceptional Leave and eligible under the UK Long Residency rules

- Humanitarian protection**
I (or my husband, wife, civil partner, parent or step-parent) have been granted humanitarian protection.
- Long residence**
 - I'll be under 18 on the first day of my course and have lived in the UK for at least 7 years.
 - I'll be 18 or over on the first day of my course and have lived in the UK for at least half my life or at least 20 years.
- Stateless status**
I (or my husband, wife, civil partner, parent or step-parent) have been granted stateless person status by the UK government.
- Section 67 leave to remain**
I have (or am the dependant child of someone who has) been granted limited leave to remain under section 67 of the Immigration Act.

Thank you for attending and we look forward to working with you again!

Funding Information Services Team

Partner Services, Student Loans Company

- ✉ fundinginformationpartners@slc.co.uk
- 📞 www.practitioners.slc.co.uk
- 📞 www.studentfinancewales.co.uk/practitioners