



# Update on Brexit for Council of Deans of Health members

## Briefing Paper – 21 March 2019

This briefing paper provides a current overview of some of the key policy areas affected by Brexit that may impact on our members, in particular on tuition fees for EA/EEA students, Erasmus+, the Immigration White paper, the impact of the health and social care workforce, and how to prepare for a no-deal Brexit scenario.

### 1. Tuition fees for EU/EEA students

Governments across the UK have confirmed that EU students starting a course in 2019–20 (the first cycle post-Brexit) will still be eligible for home fee status and for financial support as per existing rules.

In England, Chris Skidmore MP, the Universities Minister, has confirmed that EU students starting a course in 2019/20 at an English higher education institution will remain eligible for home status even in a no-deal scenario.

The Welsh government has confirmed that the same EU student fee status and financial support arrangements will continue in 2019–20, even in the event of a no-deal Brexit, on its Education and Skills section of the 'Preparing Wales' website. For Scotland and Northern Ireland, announcements for EU students have not been caveated as being subject to a Brexit deal being agreed. The Scottish Government has [assured](#) Scottish students currently study in an EU country that they will receive guaranteed cost of living and tuition fee support to carry on their education at home. The Scottish Government has also published an [action plan](#) for further and higher education.

The fee status of EU and EEA students starting courses at UK universities from 2020/21 has not yet been determined by UK governments.

### 2. Erasmus+

The Government has [underwritten](#) Erasmus+ bids made before 29 March 2019 however there is a lack of clarity of how these underwrites would work in practice.

There is no certainty that the UK will be associated with the Erasmus successor programme and no details on what, if anything, could replace the Erasmus+ programme if the UK were not to be associated with it.

### *Further mitigating actions universities are advised to take to address risk in this area:*

- Apply for a 24-month grant agreement at the next deadline for Erasmus applications (February 2019): Erasmus+ contracts between the university and the National Agency for intra-European mobility are either 16-month or 24-month. Whilst a university cannot apply for two cohorts' worth of funding under one 24-month grant agreement, it allows universities eight months extra to utilise any underspend before returning it to the National Agency at the end of a contract.
- Speak with partners regularly: it would be beneficial for universities to use the opportunity to assess and seek an overview of their Erasmus+ partnerships. Opening dialogue and keeping them as up to date on developments as possible will be integral to ensuring cooperation. Some universities are considering creating parallel/interim partnership agreements that mirror the current Erasmus+ one, but that is separate, so if there is a scenario whereby the UK exits the programme in March 2019, universities could switch to the non-Erasmus+ partnership already agreed very quickly.
- Be mindful of the CMA guidance: Universities should therefore be careful of advertising periods abroad as an 'Erasmus+ year/period' or an 'Erasmus+ funded period abroad', or even when advertising certain destinations without caveating that the partnership may be dependent on the UK's position on the Erasmus+ programme, or other similar phrases.

Universities UK has launched a [#SupportStudyAbroad campaign](#), asking the UK government to commit to continue funding study abroad opportunities for UK students, even if the UK cannot negotiate continued participation in the Erasmus+ programme.

## 3. Immigration White Paper

On 19 December 2018, the Government published a [policy paper](#) on the UK's future skills-based immigration system. After the UK's exit from the EU and following the Implementation Period, the Government will end the current free movement system for EU citizens so that the UK immigration rules will apply to EU and non-EU migrants alike in a single skills-based system.

Chapter 7 of the White Paper focuses on coming to the UK to study. There will continue to be no limit on the number of international students who the UK can recruit to study here under the future border and immigration system. EU citizens will not be subject to visa checks until the new immigration system is introduced, likely to be in January 2020. In the interim different rules will apply depending on whether we are facing a deal or no deal scenario. (UUK has [FAQs](#) which set out what will happen in both cases.) The EU Settlement Scheme will not apply to individuals arriving after 29 March 2019 in a no-deal scenario. Instead, EU and EEA individuals (including students) will be able to stay in the UK for up to three months, after which they will need to apply for European Temporary Leave to Remain. This will enable them to work, study and live in the UK for up to 3 years. Once their Leave to Remain expires, they will have to apply under the future immigration system (operational from 2021) for the relevant visa. The Government's White Paper on immigration, which sets out the general direction of the post-2021 immigration system, may be found [here](#).

International undergraduate and postgraduate students can stay in the UK for six months after completing their studies, and PhD students for 12 months.

Proposal of a 3-year temporary leave to remain scheme could have a detrimental impact on Scottish universities/4-year degrees.

The Government is engaging with a range of stakeholders over a 12-months period to seek their views on how the proposed immigration rules would affect them.

## 4. Brexit and the health and social care workforce

As a member of the Cavendish Coalition, the Council has continued to work closely with other umbrella organisations to influence Government policy in relation to the impact of Brexit on the health and social care workforce.

The Cavendish Coalition commissioned the National Institute of Economic and Social Research (NIESR) to produce the policy report [\*Brexit and the health & social care workforce in the UK: Incentivising the domestic workforce and securing clear, reasonable routes for immigration both during and after the UK's exit from the EU\*](#), which was published in November 2018.

The Cavendish Coalition also:

- submitted [written evidence](#) to the Health and Social Care Committee to its "Impact of a no deal Brexit on health and social care" inquiry (23 October 2018)
- submitted [written evidence](#) to the Home Affairs Select Committee to inform its post-Brexit migration policy inquiry of the impact upon the health and social care sector (July 2018)
- created a [working paper](#) on future immigration policy options (June 2018)

Representatives from the Home Office and the Migration Advisory Committee have presented at several Cavendish Coalition meetings on the Settled Status scheme and immigration policy post-Brexit. The Home Office and representatives of the DHSC joined the Cavendish Coalition meeting on 12 March to discuss the health and social care sector's views on the Immigration White Paper.

## 5. No Deal Brexit

The following resources provide guidance for the Council's members on what would happen in a no-deal scenario.

### NMC

The NMC has [confirmed](#) that registration of EU registrants will not be affected by Brexit.

### UK Government

- [Guidance](#) for no deal preparations for higher education institutions
- An [employer toolkit](#) for EU settlement scheme has been published

## Universities UK

- [Guidance](#) for universities in a no-deal Brexit
- [Recommendations](#) for government and universities in a no-deal Brexit
- Brexit [FAQs](#)

## NHS Providers

- [Briefing](#) on NHS Trust contingency planning in the event of a no deal Brexit
- Brexit 'no deal' [briefing](#) for trust communications leads

### 4.1. EU student fee status/financial support

Governments across the UK have confirmed that EU students starting a course in 2019/20 (the first cycle post-Brexit) will still be eligible for home fee status and for financial support as per existing rules. These announcements have not been caveated as being subject to a Brexit deal being agreed, and UUK has been informed by the Department for Education that these commitments (for England) would be honoured even in the event of no deal.

Under EU law, students from EU countries are currently eligible for free tuition for undergraduate degrees in Scotland. The [Scottish government](#) and [Universities Scotland](#) have confirmed that there has been no change in current funding arrangements for EU students. This means that eligible EU students already studying in Scotland, including those that commenced their studies the current academic year, or those that are applying for 2019/20, will continue to benefit from free tuition for the full duration of their course and, for those who meet the residency requirement, associated living cost support.

#### *Further mitigating actions universities are advised to take to address risk in this area:*

- In order to not breach CMA guidelines, universities should make sure they are not advertising their courses in a way that implies EU students enrolling from academic year 2020/21 will be eligible for 'home' fee status and financial support as at present.
- In assessing the level of risk of any potential fluctuation in demand from prospective EU students, consider conducting an internal analysis of how EU students have historically funded themselves, and how this might differ between subjects/courses/level of study. Across the sector, in 2015/16, 28% of EU students paid their own fees without any financial backing, although this varied substantially by country – 9% of Romanian students were self-supported, compared to 57% of French students. Overall, around 40% of EU students who pay their own fees are from France, Italy and Germany.

### 4.2. EU funded research programmes in no deal scenario

The UK Government will [guarantee](#) funding for competitively bid for EU projects submitted before we leave the EU, including [Horizon 2020](#) projects. This guarantee will cover all successful bids submitted by UK participants before the UK exits the EU, for the full duration of the projects.

### 4.3. Mutual recognition of qualifications

The Brexit [White Paper](#) and providing services [technical notice](#) states that the government wants to establish a system on mutual recognition of professional qualifications (MRPQ) that covers the same range of professions as the existing MRPQ Directive. The Government has prepared legislation to update the Recognition of Professional Qualifications Regulations. This will bring a new system into force for exit day. Parliament is currently considering this [legislation](#). There is also an [Explanatory Memorandum](#), which explains the legislation and the changes it will make to the Recognition of Professional Qualifications Regulations in more detail. This legislation will be supplemented by sector specific legislation to cover certain professions.

#### *Further mitigating actions universities are advised to take to address risk in this area:*

In order to not breach CMA guidelines, universities should make sure they are not advertising their courses in a way that implies they will be eligible for automatic recognition.

## 6. Areas of uncertainty

- What future immigration rules and requirements will be in place for EU nationals arriving after 29 March 2019
- How the Government's underwrites would work in practice, including who would distribute the funds, how any contracts would continue and what reporting and audit requirements there would be
- Whether UK universities could access replacements to mono-beneficiary parts of Horizon 2020, such as the European Research Council (ERC)
- Whether a replacement to Erasmus+ would be made available to UK universities
- What would be the legal status of Erasmus+ participants and institutional partnerships between UK universities and their Erasmus+ partner universities

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