



**AMCIS Annual  
Conference**

**An update and insight  
into the future of Tier 4  
following Brexit**

May 2019

**FRAGOMEN**

# With you today

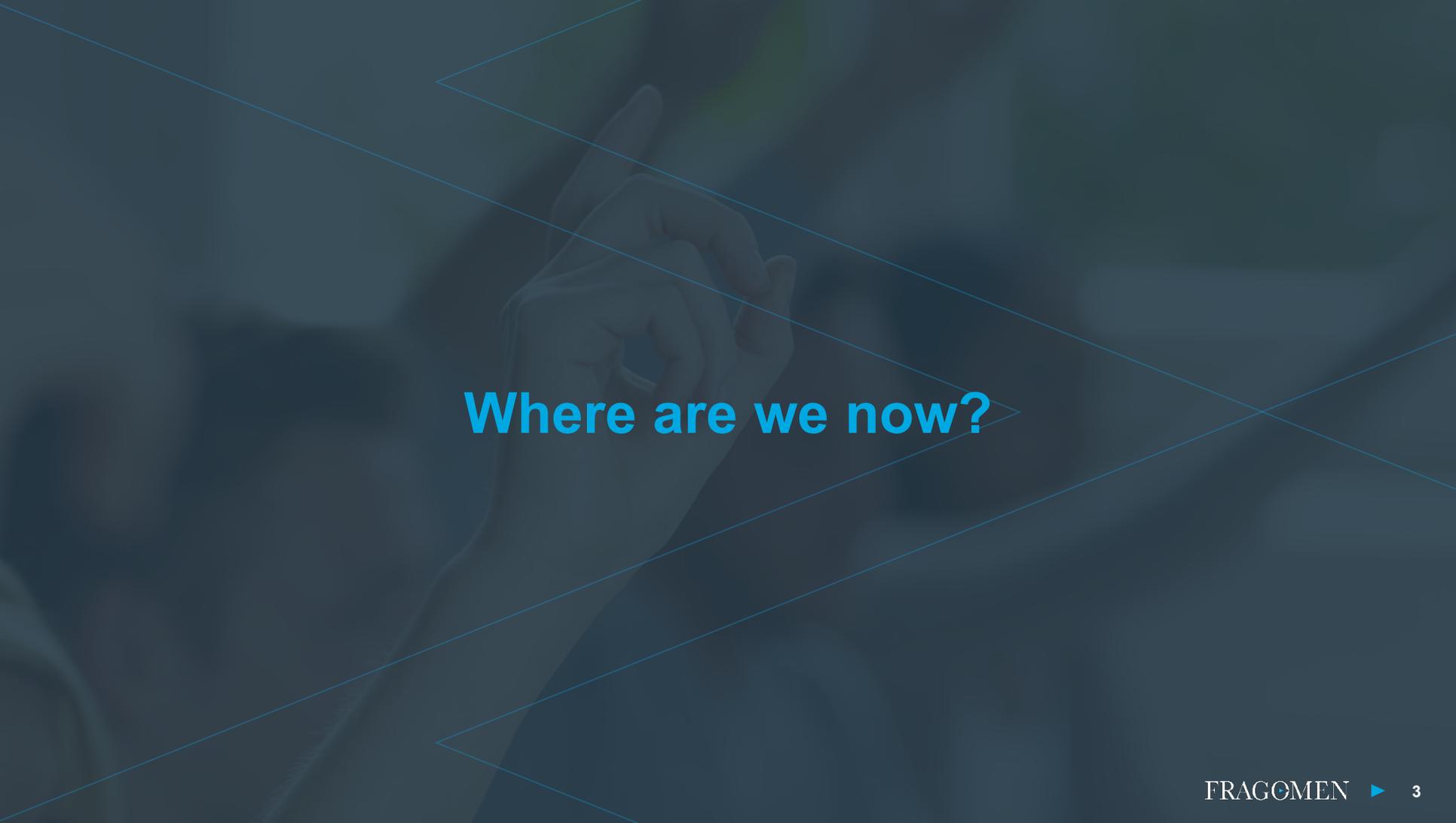


**Jonathan Hill**

**Senior Tier 4 Compliance Consultant  
Based in Sheffield**

**T: +44 (0)114 289 2149**

**E: [jonathan.hill@fragomen.com](mailto:jonathan.hill@fragomen.com)**



**Where are we now?**

# Brexit - Timeline

## AUTUMN 2018

Home Office began to accept pre-settled status and settled status applications from certain institutions

## 30 MARCH 2019

EU nationals can apply for pre-settled or settled status.

## 01 JUNE 2019

If the UK does not hold European Parliament elections in May, it will leave the EU on this date, with or without a deal.

## 31 DECEMBER 2020

In a 'no deal' scenario, the deadline for applying for pre-settled or settled status may be as early as 31 October 2019. If there is a deal, EU nationals have until 31 December 2020 to apply for the Scheme.

## 29 MARCH 2019

The pre-settled and settled status application system is open to all applicants

## 23 MAY 2019

Parliamentary Vote expected in relation to the PM's deal before European Parliament elections on 23 May 2019.

## 31 October 2019

The UK is due to leave the EU. In a no deal, those entering during this period for over three months may need to register their presence and after 3 months apply for 'European Temporary Leave to Remain'

## 1 JANUARY 2021

Transition period ends, as does free movement. New entrants will need a 'visa' and permission to live in the UK

# Key points to bear in mind



In case of a **Deal**, the EU Settlement Scheme will apply. EU pupils and staff members will have until **01 January 2021** to make an application for either settled or pre-settled status before the new Immigration system is introduced.



In case of a **No Deal**, there will be no transition period. The EU Settlement Scheme will only be open to EU pupils and staff members who were resident in the UK before **31 October 2019** who will have until **31 December 2020** to make an application for either settled or pre-settled status. New entrants to the UK will fall within the new Immigration system.



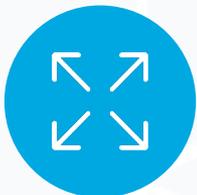
In case of a **Second referendum**, freedom of movement will remain & the EU Settlement Scheme may no longer be required.

# Brexit: Risk register

	<b>Scenario 1: Deal</b>	<b>Scenario 2: No Deal</b>
	Free movement continues until 1 January 2021.	Free movement ends as early as 31 October 2019.
<b>EU pupils / staff already in the UK</b>		
<b>EU pupils / staff entering the UK after 31 October 2019</b>		
<b>EU pupils / staff entering the UK from 01 January 2021 onwards</b>		

# EU Settlement Scheme

# What is going to happen?



**The UK will leave the EU,**  
except for if there is a  
second referendum



In a deal scenario a Brexit  
transition period will run until 31  
December 2020, during which  
time EU nationals will retain free  
movement rights in the UK



EU nationals living here before the  
end of the transition period will need  
to make an application for status



Five years residence will  
lead to settled status with a  
bridging pre-settled status  
for new arrivals



Applicants who do not want to  
be without their passport will  
be able to submit biometrics  
using an app



The Home Office says it will look  
to grant applications and only  
serious criminals should expect  
to be refused

# EU Settlement Scheme

*"We want to make it as easy as possible for EU citizens and their family members in the UK to secure their rights"*



Quick, easy and **free**



Online submission as far as possible



Presumption in favour of granting applications



Engaging and flexible approach to documentation



Most applications are being processed in 5-9 days where no additional information is required

# Applying for the Scheme



Will need to download the app on an **android device** to apply for the scheme



Able to apply for the scheme using the app with no requirement to attend a UKVI centre



Can apply for the scheme from outside the UK, but must be within Europe



Recommend the use of a letter from the school to confirm the applicants study / employment and residence in the UK

# Settled and pre-settled status

## Pre-settled status

- Less than 5 years in the UK
- Resident in the UK by 31 December 2020 (unless no deal)
- Free to apply for the scheme
- Quick processing time

## Settled status

- 5 years or more in the UK
- Resident in the UK by 31 December 2020 (unless no deal)
- Free to apply for the scheme
- Quick processing time
- Absence of up to 6 months in any 12 month period allowed

# What documents do you need?

## EU Pupils

- Android device with access to the app
- Original valid **biometric** passport
- A letter from the school to confirm; physical attendance / enrolment on a course, its duration, and confirmation of fees paid to date
- Parental consent to the application

## EU staff members

- Android device with access to the app
- Original valid **biometric** passport
- National Insurance number
- Optional - Proof of residence may be required and can be a document such as; Employer letter, P60s, bank statements, utility bills etc.

# Current system updates

# Sopra Steria System



System used by applicants applying from within the UK



Pupils required to book their biometric appointment on Sopra Steria



Sopra Steria locations around the country, although further travel is likely to be required in comparison to the previous Post Office system



Pupils also required to upload scanned copies of all their supporting documentation on Sopra Steria prior to their biometric appointment



All documentation uploaded is required to be in PDF, JPG or PNG format, and each file cannot exceed 6MB

# Overseas Document Upload System



Pupils applying from overseas are directed to either the VFS Global or Teleperformance webpage after submission to upload their documents



Pupils are required to book their visa appointment on either VFS Global or Teleperformance



Pupils are required to select Document Scanning Assistance or upload all their own supporting documentation on the system prior to their appointment



Document Scanning Assistance enables pupils to bring their original supporting documentation to the visa application centre and for staff to scan their documents for them for an additional fee

# Tier 4 vs Short Term Study



Both routes are viable for pupils studying in the UK for less than 6 months



No extension from STSV, whereas a Tier 4 visa holder (studying at an independent school) can extend this visa in-country



Short Term Study route under close scrutiny at the moment as it was seen by the UKVI as a visa route which attracted abuse



Short Term Study refusals will not directly impact your Sponsor Licence whereas Tier 4 will



Tier 4 is the overall more expensive of the two visa routes for pupils



# Preparing for Tier 4 post-Brexit

# Tier 4 post-Brexit

*“...EU students will be subject to the same arrangements as students from the rest of the world and we will consider ways in which we can streamline sponsorship and make it more “light-touch”.*



The end of free movement



No limit on ‘genuine’ student numbers - The UK will remain ‘open’ and continue to welcome international pupils who want to study at independent schools in the UK



Recording keeping requirements for EU pupils



Resource to handle additional EU sponsorship requirements



More stringent attendance monitoring for EU pupils



Additional CAS requirement

# Future Immigration System



Single immigration system encompassing all nationalities but will differentiate based on risk



Sponsor system is likely to be streamlined and 'light touch'



English language requirement for EU students aged over 16?



Likely to be **more and more emphasis on compliance** given the 'light touch' approach

# How can your school prepare?



Compliance is not going away and is likely to be relied upon more upon the development of the new immigration system



Communicate with pupils, families and agents in relation to the latest updates and how this will effect them



As visa processes change, parents may become confused about the correct system which is a risk to your Sponsor Licence through your BCA



Ensure you resource so that come 2021 you are able to accommodate the sponsorship of EU pupils



Ensuring you have simple but effective processes with more than one person responsible is vital



Questions?

[Jonathan.Hill@fragomen.com](mailto:Jonathan.Hill@fragomen.com)

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