

UK Permanent Residence: where can EU students get information?

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The issue of [Comprehensive Sickness Insurance \(CSI\)](#) and residency for EU students has become a focal point following the outcome of the Brexit referendum. **Bethan Owens** has been advising on the requirements for CSI in relation to dual-EU/Non-EU nationals accessing their right of free movement for five years at the LSE. She writes that dual-EU/Non-EU students often do not have the right to a European Health Insurance Card (EHIC) and the requirement for CSI is often not found out until their dependant is refused a residency permit.



Why wasn't I told I needed CSI?

In many institutions across the sector, information has been available to EU students advising them to obtain an EHIC prior to travelling to the UK well before the outcome of the referendum. EHIC meets the requirements for CSI, so long as the individual plans to remain in the UK temporarily and they have a valid card throughout their stay in the UK. You can often find this in your orientation information or on institutional websites.

Unless a student is not eligible for EHIC, we cannot say that a person “*should*” obtain medical insurance rather than opt for an EHIC. The assumption from this statement is that the person plans to remain permanently in the UK. This may not be the case and it could suggest to students that they have to obtain expensive medical cover, which may not be required for their particular circumstances. Those students would equally be justified to complain that they could have benefitted from the free EHIC alone and consequently spent unnecessary money based on the advice their institution gave. This is why, when advisers publish guidance on web pages, we use terminology such as “*may*”. We are covering the advice for many rather than the individual, unless they contact us directly.

It is also unlikely that the question, “*Do you have CSI?*” would be included in the application process by universities as it is not relevant to the academic requirements of an offer. If we were to compare this to non-EU students applying for Tier 4, they do not pay the Immigration Health Surcharge (IHS) until they apply for their visa, but more on this later.

The assumption from the government both in the case of EU nationals and non-EU nationals is that the person reads the information available prior to travelling, so that they know what is required for their personal circumstances. Of course people's circumstances change. Not everyone who originally entered as a temporary migrant may have considered applying for residency. We could not have predicted when many students started their programmes that leaving the EU would become a reality for the UK. However, we cannot presume that not everyone was aware of the requirement for CSI. I recently met an undergraduate student who has been in the UK for her education for nine years and who maintained a valid EHIC card and medical insurance throughout.



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Why is it clearer for Tier 4 students?

The Immigration Health Surcharge (IHS) was introduced in 2015. For students, the cost of the IHS is £150 per year of study, plus the additional time on their visa. Therefore, an LSE student undertaking a four year PhD would have to pay an additional fee of £675 for the IHS as well as the cost of the visa application. Their dependants will also be required to pay the same amount. The IHS is payable in-full at the point of submitting the visa application rather than on a yearly basis, so when it was introduced in 2015, many students had not factored in this additional cost. If a visa application is refused, the IHS is refunded. However, should a Tier 4 student withdraw from their programme or have to interrupt their studies, they will not obtain a refund on the IHS.

Whilst it is clearer how much a Tier 4 student is required to pay towards healthcare in the UK, there are additional legal requirements they must meet to obtain permission to study. These include interviews to prove they are a genuine student, evidence of their qualification and that they have sufficient finances in a required format outlined by the UKVI. Rules change frequently and often impact on students unexpectedly. For example, in April 2016, a change in the rules meant that some LSE students were required to return home in the summer to apply for a new Tier 4 visa to be able to complete their programme.

It could be argued that the IHS is discriminatory, but on balance, the Tier 4 immigration route is more restrictive and non-EU students have been facing changes to the rules every year since its introduction in 2009. EU students may wish to speak to one of their Tier 4 peers to gain a student's perspective on the situation.

What is the current situation and where can you get advice?

As it stands, the right for EU nationals to be able to study in the UK has not currently changed, nor are they required to obtain documentation to prove they have the right to live in the UK as an EU citizen. However, students and their family members must ensure that they have CSI for the period of their study. An excellent source of advice is the [UK Council for International Student Affairs](#) (UKCISA), the national advisory body for international students and those who work with them. They constantly update their advice not only on CSI but also the possible implications for tuition fees in the future.

Across my network of visa / international student advisers in HE, the best way we can support our international students is an almost daily topic of conversation. International student advice teams are upskilling to gain a better understanding of the requirements for EU students and are sharing best practice and contacts amongst institutions. We are constantly updating our advice for EU students. It could be said that this is being done in a reactive manner, but this is often the nature of our work because of the way in which immigration rules are clarified.

International student advisers are bound by the regulations of the Office of the Immigration Service Commissioner to only advise within the remits of our level of training. Do not be disappointed if your international student adviser is unable to give detailed advice to your specific question. Whilst we may not have all of the answers, we can refer you to credible external sources of information and advice. Again, as with Tier 4 students, it may not be possible for an institution to provide the exact documentation you require, but we will provide the information that we can.

As to what the future holds, we do not know. However, when change comes we will do our best to support our EU students in the way that we have been with non-EU students for many years.

This post represents the views of the author and not those of the LSE Brexit blog, nor the LSE.

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