

## Coronavirus/Brexit Update – 10<sup>th</sup> March 2020

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The last few months have been uncertain for many independent boarding schools and today we are seeking to clarify two issues that are currently of great concern to many of you:

- Coronavirus, and
- Brexit

We would firstly like to state that due to the rapidly changing global health and political situation; government advice unfortunately cannot remain static and is changing as and when required. The advice provided in this newsletter is valid on the day it is released and we will seek to keep you informed of any updates.

### **Coronavirus – Covid-19**

We will summarise the points we believe are most relevant to the independent school sector, in relation to Tier 4 students unable to attend their studies due to illness/serving a quarantine period/inability to travel caused by coronavirus:

- Schools do not have to report student/employee absences related to coronavirus which they have authorised.
- Schools do not have to withdraw sponsorship if they consider there are exceptional circumstances when a student cannot attend school for more than 60 days.
- The government has acknowledged that the current coronavirus situation is ‘exceptional’ and will not take any compliance action against students/employees who cannot attend their studies/work due to the coronavirus outbreak.
- Similarly, schools which authorise absences and continue to sponsor students/employees despite absences will not be penalised for doing so.
- However, the government is keeping this under review, in particular if absences become lengthy and a repeat of a period of study is looking likely.

### **Chinese Nationals**

Due to the travel restrictions currently in place following the outbreak of the Covid-19 virus in China, many Chinese nationals are either choosing or forced to remain in the UK longer than anticipated. UKVI are sympathetic to this and have relaxed the rules to allow Chinese nationals to remain in the UK beyond the validity length of their current visas.

The [current government guidance](#) (updated on 27th February 2020) states:

- Chinese nationals who have a visa expiry date between 24<sup>th</sup> January and 30<sup>th</sup> March 2020, who have not breached the conditions of their visa before the coronavirus epidemic, will receive an extension until 31<sup>st</sup> March 2020.

- Chinese nationals on a long-term standard visitor visa that lasts 2, 5 or 10 years who have reached their maximum stay of 180 days between 20<sup>th</sup> January and 30<sup>th</sup> March 2020, will also have their visa extended until 31<sup>st</sup> March 2020.
- The extension will be automatically received and the new expiry date will be added to UKVI's systems. A new BRP card or visa will not be issued.
- Chinese nationals who have had their visas extended in such a manner will be subject to the same visa conditions as previously.
- The government has not released any guidance for short term students or student visitors in the UK – however, we have written to the Home Office asking them to clarify their position regarding similarly relaxed timescales and they have confirmed that this is not possible at this time.
- We have also asked the Home Office to clarify if any Chinese students attending taster courses in the UK could make applications from within the UK which would normally be required to be made outside the UK. Unfortunately, the Home Office has confirmed this is not possible at this time.

## **Brexit**

As you will be aware, the UK left the European Union on 31<sup>st</sup> January 2020. We will summarise the points we believe are most relevant to the independent school sector:

- Free movement rights will continue until the end of the transition period (31<sup>st</sup> December 2020).
- Any students arriving to the UK for the first time after 31<sup>st</sup> December 2020 will require entry clearance to travel to the UK for longer than 6 months.
- The UK has reached separate agreements with EEA EFTA states (Iceland, Liechtenstein and Norway) and Switzerland for protecting citizens' rights after Brexit.
- Any EU student/employee who arrived in the UK before 31<sup>st</sup> December 2020 **must apply for either 'pre-settled status' or 'settled status' through the [EU Settlement Scheme](#) (EUSS) to continue living, studying or working in the UK by 30<sup>th</sup> June 2021.**
- Any EU nationals arriving after 31<sup>st</sup> December 2020, will be subject to new immigration rules which should come into effect by January 2021.
- The UK Visas and Immigration – White Paper – The UK's Future Skills Based Immigration System – Published 19<sup>th</sup> of December 2018 states:  
*"All students coming to the UK under the future system will be sponsored by the institution at which they are studying, as is currently the case for non-EEA students. We recognise that this will increase the volume of students whom institutions will need to sponsor."*
- All indications suggest that future EU students will become part of the Tier 4 process and will need sponsoring under the existing routes.
- The system will be phased in from autumn of this year. We do not believe this will have any impact on your September 2020 intake.
- CAS allocations should be requested as normal until the new immigration system becomes active. Home Office recognises that the number of student who will need CAS is likely to increase, but there are no indications that this needs to be factored into allocations yet.

So in conclusion, we would advise schools to:

- Encourage and aid existing EU/EEA students/employees to apply for ‘pre-settled’ or ‘settled status’ through the [EU Settlement Scheme](#). Further details on this will be provided on another Update sheet.
- Where a student has obtained ‘pre-settled status’ or ‘settled status’ keep a record of this on school systems.
- Begin extending some of their compliance measures to include EU nationals where this is not currently done (such as the retention of passport copies and parental consent letter)

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We hope that this clarifies matters for now and will continually provide updates as and when we receive them.