

Preparing for Brexit: guidance for Further Education and apprenticeship providers

Advice to Further Education and apprenticeship providers in England on how to prepare in the event that the UK leaves the EU without a deal.

Background

Leaving the EU with a deal remains the government's top priority. This has not changed. However, a responsible government must plan for every eventuality, including a no deal scenario. We are intensifying and accelerating no deal planning to ensure we are fully prepared.

The government has launched a public information campaign to ensure that UK citizens, businesses, EU citizens living in the UK and UK nationals living in the EU are well informed about how EU Exit will affect them and the practical steps they may need to take to prepare. Some of the advice applies in both a deal and no deal scenario. All information will be published on the [Prepare for EU Exit website](#).

These pages will enable you to find the latest advice and information on any aspect of EU Exit that affects you. The Department for Education, and other government departments, will publish further information and update information already available.

EU, EEA EFTA and Swiss nationals and the EU Settlement Scheme

In a no deal exit, EU, EEA EFTA and Swiss nationals¹ and their family members living in the UK before 29 March 2019 will be able to remain in the UK and work, study, and access benefits and services on broadly the same terms as now.

EU, EEA EFTA and Swiss citizens will need to apply to stay in the UK if they are planning to continue living in the UK after 2020. In a no deal scenario, the EU Settlement Scheme would be open to those living in the UK by 29 March 2019. The deadline for applying will be 31 December 2020 if the UK leaves the EU [without a deal](#).

Further Education providers can play a role in bringing the EU Settlement Scheme to the attention of EU, EEA EFTA and Swiss employees, students and their families. It is also important that EU, EEA EFTA and Swiss citizens undertaking apprenticeships in England are aware of the EU Settlement Scheme. A [toolkit for employers](#) and details of the [EU Settlement Scheme](#) are available.

Irish citizens' right to live in the UK will not change after the UK has left the EU. They can continue living their lives here as they do now. Irish citizens do not need to apply for the EU Settlement Scheme, but their family members who are not Irish or British citizens will need to. The rights to work, study, access benefits and services will be preserved on a reciprocal basis for UK and Irish nationals. There will also be full protection and maintenance of the current arrangements for journeys between the UK and Ireland. For more information, read our guidance on [Citizens' rights - UK and Irish nationals in the Common Travel Area](#).

New arrivals

In the event of no deal and following the ending of free movement once the Immigration Bill is enacted, European temporary leave to remain will be granted to EU, EEA EFTA

¹ The EU refers to the 27 member states of the European Union, EEA EFTA refers to Norway, Iceland and Liechtenstein. The EEA comprises the EU and the three EEA EFTA countries. EFTA refers to Norway, Iceland, Liechtenstein and Switzerland.

and Swiss citizens newly arriving in the UK after exit to live, study and work here for a period longer than 3 months.

EU, EEA EFTA and Swiss citizens will continue to be able to study in the UK during the transition period. After an initial 3-month period, they can remain in the UK for 36 months if they successfully apply for leave to remain.

Irish citizens will not need to apply for European temporary leave to remain, but their non-British or non-Irish dependants will.

Further guidance is available on [gov.uk](https://www.gov.uk).

Eligibility for places and funding

EU, EEA EFTA and Swiss nationals within scope of the citizens' rights EU Settlement Scheme will continue to be eligible for funding for further education and training. This covers young people aged 16 to 19 years and adults aged 19+. They will also be able to access benefits and public services on broadly the same terms as now. Receipt of certain benefits may also [qualify students for free schools meals in further education](#).

The published documents "[Funding guidance for young people 2018 to 2019: funding regulations](#)" and the '[Adult Education: performance management and funding rules 2018 to 2019](#)' set out the eligibility rules that apply for all of the funding year 1 August 2018 to 31 July 2019 and provides that EU, EEA EFTA and Swiss nationals are eligible for funding.

We expect to publish the funding guidance for 2019 to 2020 in spring 2019.

The UK government is firmly committed, in the context of the [Common Travel Area](#) arrangements, to maintaining the right of Irish nationals to access further education courses in the UK on a reciprocal basis. This includes entitlement to home fee status; access to funding for 16-19 education and training, including student support; access adult education funding; and apprenticeships subject to meeting the relevant eligibility criteria, on terms no less favourable than those for UK nationals.

We have also agreed with the Government of Gibraltar that British Citizens residing in Gibraltar will continue to be eligible in England for further education funding subject to meeting the relevant residency and eligibility requirements, and subject to concluding a reciprocal agreement for UK students studying further education institutions in Gibraltar.

UK nationals returning to England will be able to access 16-19 education and training (including student financial support to help with participation costs such as travel, meals, books equipment etc.) provided they are living in the UK at the start of study programme. UK returners, including those who have been living within the EEA/Switzerland for at least 3 years before the start of their course, wishing to access adult education and training in England will be able to do so subject to meeting the eligibility criteria. For apprenticeships, tools and facilities are also available through the National Apprenticeships Service including the [Find an Apprenticeships website](#).

Preparations as an employer

The government has published advice to [inform employers of the potential implications of a no deal exit](#) and steps they can take to prepare. It covers issues such [as workplace rights and protections that come from EU law](#).

Data protection

In the event that the UK leaves the EU on 29 March 2019 without a deal, UK organisations will need to ensure they continue to be compliant with data protection law. For organisations that operate only within the UK there will be no immediate change. For organisations that operate internationally or exchange personal data with partners in other countries or whose data is hosted in the EU, there may be changes that need to be made ahead of the UK leaving the EU to ensure minimal risk of disruption. It is important to review whether you would be affected. For those that would be affected, early action is advised as changes may take some time to implement. [The Information Commissioner's Office \(ICO\) sets out in six steps what](#)

[organisations should be doing to be prepared for EU exit](#). Further information and resources on EU exit can be found on the [ICO website](#) and on [gov.uk website](#).

European Social Fund

The government's underwrite guarantee applies here. In case of a no deal, its guarantee for EU programmes, including the European Social Fund (ESF), would guarantee projects that would have been funded under the 2014-20 ESF programme. This provides certainty for UK organisations and guarantees investment in skills and employment until the launch of the UK Shared Prosperity Fund. Learners currently undertaking an ESF programme will be able to continue with their study and institutions in receipt of funding will be covered by the underwrite guarantee.

The government has published [guidance for organisations in receipt of EU funding](#) and on the [European Social Fund](#) .

Erasmus+

We recommend that Erasmus+ and European Solidarity Corps projects that are currently contracted continue being delivered, and applications are submitted to the UK National Agency for the 2019 Call for Proposals as normal. We have recently issued further guidance in the form of a [technical notice](#).

Travel to the EU

If there is no EU Exit deal, you will need to take new action before travelling to an EU destination. There are a number of issues you will need to be aware of when planning travel to the EU for staff or students. The government has published [information on the actions that you will need to consider, including in relation to passports, health cover and transport](#).

If there is no EU Exit deal, after March 2019, UK nationals will need to check the details of their passports and, if necessary, apply for a new one before travel to a Schengen Area country. For most people no action will be required, but if the passport has less

than six months validity remaining on the date of travel, it will need to be renewed in advance. Read the guidance on [passport rules after Brexit](#). There will be [full protection and maintenance of the current arrangements for journeys between the UK and Ireland for UK and Irish citizens](#).

You can also read the [information on travel insurance](#) and [transport issues](#).