

Russell Group priorities after Brexit

4 July 2016

1. Summary

- 1.1 The UK has voted to leave the EU and this paper sets out the areas in which the Russell Group is seeking to secure favourable resolutions as a matter of priority.
- 1.2 As well as short-term reassurances about the protection of staff, students and research, which we welcome, we are concerned about the longer-term prospects for the free movement of people, access to research funding and infrastructure, and our involvement in key projects supported through regional and other funds.
- 1.3 The priority must now be to secure full Associated Country status for the UK if full membership of the EU is off the table.
- 1.4 A summary of our key questions is at **Annex A**. Specifically, we are seeking:

EU Staff and students at Russell Group universities

- Confirmation of the continued working rights of existing and future EU staff and their dependants in our universities
- Confirmation of the immigration status of existing and prospective EU students and their right to remain in the UK for work or postgraduate study
- A role in shaping and influencing the development of any future immigration system to enable Russell Group universities to recruit staff and students from the EU and remain internationally competitive

Tuition fee rates and student loans for EU students

- Assurance that undergraduate and postgraduate students from the EU will be able to access student loans for the duration of their course if they have started (or been accepted to start) prior to the point of UK separation from the EU
- Guidance on what the fee rate for non-UK EU students will move to and when this will come into effect

EU research funding, collaboration and mobility

- Access to EU funding and collaborative activities under Horizon 2020 and future Framework Programmes (in particular ERC grants, the EIT and Marie Skłodowska-Curie actions) by negotiating associated country status for the UK
- Continued freedom of movement for UK and EU researchers
- Access to EU research infrastructures, and in particular preserving the long-term future of UK-headquartered facilities such as the SKA and ELIXR
- Continued participation in Erasmus+ mobility scheme

EIB loans and contract liabilities

- Assurance that EIB loan repayment conditions will remain unchanged and securing the ability to apply for EIB loans in the future
- Assurance on EU contract liabilities, in particular for those spanning several years.

2. Transition Period

- 2.1 Britain's withdrawal from the EU creates significant uncertainty for our leading universities. There are a number of areas of higher education and research policy that will be impacted, and decisions will be shaped by future negotiations between the UK and the European Union. Our initial media statement is at **Annex B**.
- 2.2 The concerns highlighted in this paper are shared across a range of universities (RG and beyond) and more importantly across the regions of the UK including Scotland, Wales and Northern Ireland. A key overall priority is to secure full associated country status for the UK if full membership of the EU is off the table.
- 2.3 We therefore welcome the assurances the Government has been able to give that there will be no immediate changes to:
 - student financing for EU nationals (at least for intakes in the next academic year)
 - the status of EU staff and students
 - Erasmus+, and
 - Horizon 2020 research funding.
- 2.4 The transition to a 'new normal' will clearly take longer than the two-year Article 50 negotiating period, and during this transition period we will seek to ensure our universities have as much clarity and certainty as possible. We will work with the Government to minimise any disruption and ensure we get the best deal for our universities.

3. EU staff & students at Russell Group universities

- 3.1 The Prime Minister has confirmed there will be no immediate changes to the circumstances of EU nationals currently in the UK, as during the two-year negotiation period EU laws still apply. Russell Group universities have also been reassuring their EU staff and students there will be no immediate changes to their right to remain in the UK for study or work.
- 3.2 Despite this, there is understandably a high degree of uncertainty and evidence from our members that some staff and students are changing their minds about accepting places on courses or work contracts. A number of Russell Group universities are already reporting cases of academics (EU, international and returning Brits) who had been offered contracts now turning them down as a result of the referendum outcome; some research proposals under development are also at risk.
- 3.3 We are looking for the free movement of people to be prioritised in negotiations – at the very least supporting the movement of talented EU staff and students

Confirmation of the continued working rights of existing and future EU staff and their dependants in our universities

- 3.4 Confirmation of continued working rights for EU staff is a key priority for the Russell Group. Beyond the 2-year period, EU staff and dependants currently at Russell Group universities (both academic and non-academic), and those who take up positions during the transition period before the UK has left the EU, must retain the same rights to stay and work without a visa that they have now (with no time limit placed on this).

Confirmation of the immigration status of existing and prospective EU students and their right to remain in the UK for work or postgraduate study

- 3.5 We seek to ensure EU undergraduate and postgraduate students retain the right to study in the UK without a visa for the duration of their course, including those that will begin a course during the transition period. We also need clarity on EU students' right to work or begin postgraduate study in the UK following their course.
- 3.6 The position of prospective students regarding the need for a Tier 4 visa or similar in the future once the UK has left the EU also needs to be clarified as early as possible so that future students know in advance about any changed requirements.

A role in shaping and influencing the development of any future immigration system to enable Russell Group universities to recruit staff and students from the EU and remain internationally competitive

- 3.7 We do not yet know what will be negotiated on immigration and the free movement of people but it seems likely there will be new controls on immigration from the EU which will affect the rights of EU nationals to study and work at Russell Group universities. It will therefore be essential that any new immigration rules applying to EU citizens enable our members to continue to attract EU talent over time and minimises administrative burden. We would welcome the opportunity to work with the Government to shape the development of any new system to this effect.
- 3.8 New immigration rules should be phased in gradually, applying only to new arrivals, in order to minimise disruption and make implementation manageable for our universities.
- 3.9 When devising a new system, a number of risks need to be considered:
 - Requiring EU students to apply for Tier 4-style visas along with non-EU international students could result in a steep rise in visa applications, putting a strain on the Home Office.
 - The prospect of applying for a visa as well as limited post-study work could result in the loss of talent as EU students opt for study inside the EU.
 - Sponsoring and administrating additional visas for EU students will increase burden and risk for universities.
 - If the intention is that Tier 2-style visas would be required for EU staff, the annual cap on these visas is already over-subscribed and would need to be increased substantially under a new immigration system.
 - Whilst PhD level positions are currently prioritised within the cap, bringing in applications from EU nationals in future would significantly increase the pressure on the cap and could mean that PhD level positions could be affected negatively. Such an outcome may also make it much harder for universities to recruit to specialist non-PhD roles, such as project engineers, software developers and technicians, from both EU and other non-EU countries.

4. Tuition fee rates and student loans for EU students

- 4.1 Under current EU law, UK universities must charge EU students the same tuition fee rates as home students and allow them access to the same student support mechanisms, notably tuition fee loans and maintenance loans for EU nationals resident in the UK for at least five years.

- 4.2 Depending on what arrangements are ultimately put in place for EU students, it may be possible in the future for universities to charge students from the EU international-level fees.

Assurance that undergraduate and postgraduate students from the EU will be able to access student loans for the duration of their course if they have started (or been accepted to start) prior to the point of UK separation from the EU

- 4.3 BIS has confirmed that EU students eligible under current rules to receive loans and grants from the Student Loans Company will continue to do so for courses they are currently enrolled on or will start in 2016/17 for the duration of their courses.¹ However, we seek further clarification on whether EU students that have accepted offers but deferred the start of their course until 2017/18 will be able to access loans, and what future funding arrangements will be put in place beyond 2017/18.
- 4.4 We need to be able to tell incoming students what their terms will be before they start, so in particular we would be concerned about those starting in 2017/18, 2018/19 or 2019/20 when negotiations may conclude.

Guidance on what the fee rate for non-UK EU students will move to and when this will come into effect

- 4.5 It will be important to establish what fee rate non-UK EU students will move to and when this will come into effect. Any change in fee status will need to be phased in gradually over the recruitment cycle, as universities will be held to contractual liabilities to charge students the fees as advertised for the duration of their course.

5. EU research funding, collaboration and mobility

- 5.1 Research and innovation are global pursuits and are most effective when ideas and people are mobile across borders. The free movement of talent, the networks, collaborations, critical mass of research activity and funding that we gain from EU membership contributes to the competitiveness of our leading universities and the UK economy as a whole. EU funding is increasingly valuable for funding ground-breaking, collaborative and interdisciplinary research, and Russell Group universities alone receive over half a billion pounds annually in competitive research grants.

Access to EU funding and collaborative activities under Horizon 2020 and future Framework Programmes (in particular ERC grants, the EIT and Marie Skłodowska-Curie actions) by negotiating associated country status for the UK

- 5.2 BIS has confirmed that any grants already signed under Horizon 2020 will be honoured, and UK researchers can continue to apply to Horizon 2020 in the usual way until the UK's withdrawal from the EU is complete.
- 5.3 To ensure that our universities continue to play a leading role in European and international research, we seek to secure access to future EU Framework Programmes under the same conditions as EU Member States by securing associated country status for the UK. Our key priority is for access to the first "Excellent Science" pillar of Horizon 2020, comprising ERC grants, Marie Skłodowska-Curie Actions, Future and Emerging Technologies and Research Infrastructures – but ideally we

¹ <https://www.gov.uk/government/news/statement-on-higher-education-and-research-following-the-eu-referendum>

would wish to see access to the full spectrum of EU research funding, programmes and infrastructure as now.

Associated country status

- 5.4 All EU Member States can access EU research funding through Horizon 2020. In addition, associated countries participate in Horizon 2020 under the same conditions as EU Member States. Sixteen countries are currently associated with Horizon 2020 including Norway and Israel. The most recent countries to be granted this status were Armenia and Georgia in 2016. Following a referendum on free movement in 2014, Switzerland was downgraded to ‘third country’ status, but has since negotiated partial association with access only to the excellent science pillar of Horizon 2020.
- 5.5 The legal basis for association to Horizon 2020 is article 7 in the Horizon 2020 regulation². Associated country status is open to countries that are members of the European Free Trade Association (EFTA), EU enlargement countries and countries covered by the European Neighbourhood policy.
- 5.6 **Negotiating full associated country status for the UK should be a priority for the Government following our exit from the EU**, allowing us to continue to access future Framework Programmes under the same conditions as EU Member States. This would require a mutually agreed financial contribution and an Association Agreement between the UK and the EU.
- 5.7 Association Agreements are valid for the entire duration of the Framework Programme. The terms of each Association Agreement differ slightly by country, and can include the development of political, trade, social, cultural and security links.

Continued freedom of movement for UK and EU researchers

- 5.8 One significant benefit of EU membership has been the ability of researchers to work across Europe, permanently, temporarily and occasionally, without the need to navigate complicated visa and immigration restrictions. We would want to see continued freedom of movement for UK- and EU-based researchers form part of the negotiations with the EU.

Access to EU research infrastructures, and in particular preserving the long-term future of UK-headquartered facilities

- 5.9 Russell Group universities have access to over 800 research infrastructures across the EU and beyond which play a vital role in underpinning large, complex and collaborative research projects and help add to the UK’s competitive advantage. The UK is also the headquarters to six major research infrastructures supported by the EU, and hosts ten facilities that are headquartered elsewhere. As part of negotiations of an Association Agreement, the Government should seek to maintain access to all of these research infrastructures under the same conditions, or conditions that are as equivalent as possible to what is available today.
- 5.10 We are particularly concerned about the long-term future of the six Pan-European Research Infrastructures headquartered in the UK which support numerous high quality jobs and represents an important part of the UK research capacity:
 - HIPER – High Power Laser Energy Research Facility (Harwell)

² http://ec.europa.eu/research/participants/data/ref/h2020/legal_basis/fp/h2020-eu-establact_en.pdf

- ELIXR – European Life-science Infrastructure for Biological Information (Hinxton)
- INSTRUCT – Integrated Structural Biology Infrastructure (Oxford)
- ISBE – Infrastructure for Systems Biology-Europe (Imperial College)
- SKA – Square Kilometre Array (Manchester – Jodrell Bank)
- ESS ERIC – European Social Survey (London – City University)

Continued participation in Erasmus+ mobility scheme

- 5.11 Over 15,000 British students took part in the Erasmus+ programme in 2013/14, an experience that is valuable to those individuals and to employers who want graduates with experience of other cultures and language skills.
- 5.12 BIS has confirmed that the referendum result does not affect beneficiaries of Erasmus+ or those considering applying in 2017. The Government should negotiate for the UK to have continued access to the Erasmus+ programme beyond 2017, particularly with regard to recruits to courses that have compulsory years abroad through Erasmus+, for example students recruited in 2016/17 that are due to be on placement in 2018/19.
- 5.13 Any students already abroad at the time of final withdrawal from the EU should be able to complete their programme uninterrupted.

6. EIB loans and contract liabilities

Assurance that EIB loan repayment conditions will remain unchanged and securing the ability to apply for EIB loans in the future

- 6.1 A number of Russell Group universities have benefited from the favourable terms of taking out EIB loans to expand their facilities including UCL (£280 million), Oxford (£200 million), Edinburgh (£200 million), Imperial (£140 million), Newcastle (£100 million) and Bristol (TBC). Whilst the referendum vote should not immediately impact EIB lending in the UK in the short-term, we seek assurances that the loan repayment conditions will remain unchanged and for the government to negotiate the UK's continued participation in EIB loans going forward.

Assurance on EU contract liabilities, in particular for those spanning several years

- 6.2 Many Russell Group universities are working with Local Enterprise Partnerships (LEPs), businesses and other local partners on a range of projects funded by EU Structural and Investment Funds, which in many cases involve additional matched funding from other sources (both private and public). Universities will have technical and legal obligations related to these projects and cannot simply stop them mid-way-through, even when UK is no longer a member of the EU.
- 6.3 We seek clarification on what will happen to projects financed with EU Structural Funds (or other EU sources) spanning several years pre- and post-Brexit, and the extent to which existing contracts and loans will be allowed to run their course.

Annex A – Key questions

- There are almost 23,000 staff from other EU countries working in Russell Group universities. *When we leave the EU, will they retain their rights to work or will they have to apply for citizenship or visas.*
- Students from other EU countries currently study in the UK without a visa and with access to student loans for their tuition fees. *Will EU students who are part-way through their course after the UK leaves the EU retain access to student loans and visa-free study?*
- As a member of the EU, universities in the UK take part in EU-wide research programmes and can receive funding. *Will the Government be looking to maintain the UK's involvement in these programmes?*
- Russell Group universities alone receive over half a billion pounds annually from EU research programmes. *If the UK no longer takes part in these programmes, will the Government replace this investment from the national budget?*
- Researchers at Russell Group universities are already leading EU research projects and are due to receive EU funding in the next few years. *Will they still be able to receive this funding and lead these projects while the UK is negotiating its exit and after the UK leaves the EU?*
- One of the benefits of EU membership has been the ability of researchers to work across Europe, permanently, temporarily and occasionally, without the need to navigate complicated visa and immigration restrictions. This is particularly important now that research endeavours are increasingly international. *Will the Government allow freedom of movement to continue for UK- and EU-based researchers?*
- Over 15,000 British students took part in the Erasmus+ programme in 2013/14, an experience that is valuable to those individuals and to employers who want graduates with experience of other cultures and language skills. *Will the UK continue to take part in this scheme?*
- Some Russell Group universities have loans from the European Investment Bank. *Will there be changes to the terms and conditions of these loans now that the UK is to leave the EU? Will the UK government have to take on the liabilities on these loans?*

Annex B – RG media comment

In response to the decision to leave the European Union, Dr Wendy Piatt, Director General of the Russell Group, said:

“Leaving the European Union creates significant uncertainty for our leading universities but we will work with the Government to minimise any disruption caused by this decision. Throughout the campaign both sides acknowledged the value of EU funding to our universities and we will be seeking assurances from the Government that this will be replaced and sustained long term.

“The UK has not yet left the EU so it is important that our staff and students from other member countries understand that there will be no immediate impact on their status at our universities. However, we will be seeking assurances from the Government that staff and students currently working and studying at our universities can continue to do so after the UK negotiates leaving the EU.

“The free movement of talent, the networks, collaborations, critical mass of research activity and funding from EU membership have played a crucial part in the success of Russell Group universities. We will be working closely with the Government to secure the best deal for universities from the negotiations to come so that we can continue to form productive collaborations across Europe.”

Notes to Editors

1. The UK will now follow procedures set out in Article 50 of the Treaty on the European which establishes a two year timeframe for negotiations between the withdrawing state and the EU. During the two year negotiation period, EU laws still apply to the UK.
2. Our [website](#) sets out some of the benefits we received from EU membership that we will be working to secure from the negotiation process.
3. Russell Group universities received over half a billion pounds a year in EU investment in 2014/15. This is equivalent to the amount Russell Group universities receive from almost three of the seven UK research councils annually.
4. There are 22,880 members of staff from other EU countries working at Russell Group universities - one fifth of our academic staff. Over 58,000 students from other EU countries are studying at Russell Group universities. Both groups make a vital contribution to the success of our universities.

24 June 2016