

Kevin Foster MP
Minister for Future Borders and Immigration
2 Marsham Street
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11 December 2020

Dear Kevin

As you will be aware, the pandemic has meant that many universities and colleges have provided students with the opportunity to study remotely at home. A significant number of EU students have taken up this option, likely as a consequence of electing not to travel or because they are not allowed to leave their country of origin.

As a result, some students who were scheduled to arrive in the UK to commence their studies in 2020 will not arrive until 2021 and, therefore, do not comply with the EU Settlement Scheme because they will not be living here by the end of 2020. This means they will need to apply for a student visa under the current Immigration Rules, when coming to the UK in 2021 to continue their studies.

Students in this position will be faced with visa application costs of £348 and an annual health charge of £470. Anecdotal evidence suggests there will be a reasonable number of EU students in this position and I am aware of a number of cases of students at Scottish universities, but currently studying remotely, who have been advised by the Home Office that they will incur the above costs if they wish to come to the UK from 2021.

I am therefore writing to ask you to amend the Immigration Rules. All EU students who enrolled at a Scottish higher education institute in the academic year 2020-21 but were unable to travel here due to Covid restrictions should be deemed to have met the residency requirements when applying to the EU Settlement Scheme, even if they arrive here after 31 December 2020.

I would ask you to address this issue urgently to ensure all EU students who have chosen to study here in 2020-21 are able to meet the residency requirements of the EUSS. I would be grateful if you could respond to this letter at the earliest available opportunity.

Regards,



Ben Macpherson MSP
Minister for Public Finance and Migration