

## UK-EU TRADE AND COOPERATION AGREEMENT Implications for universities

January 2021

The wide-ranging agreement reached between the UK government and the European Union on a future relationship has several implications for universities, their staff and students, and an initial summary of these is provided below.

First and foremost, this includes a clear indication on the UK's relationship with new EU programmes starting in 2021 (Horizon Europe and Erasmus+) but also other important academic and operational matters that universities need to be aware of.

It is important to note that, while agreeing an overarching 'deal' does reduce the likelihood of disruption the sector might have otherwise faced in a 'no deal' scenario, some uncertainties remain based on what has and has not been agreed. It is on addressing these points of uncertainty where Universities UK (UUK), as the membership body for 140 universities across the four nations of the UK, will now focus its efforts to ensure disruption is minimised as far as possible and new opportunities are realised.

### Research collaboration: Horizon Europe

**What has been agreed:** The UK will participate in the Horizon Europe programme as an associated country. This is subject to a final agreement once the relevant EU legal texts have been finalised, but it is expected the UK will be able to participate in the first funding calls due in the spring. This is to be strongly welcomed.

In practice, this means that all UK-based researchers will be able to apply for and receive EU funding from these programmes in the same way as they could when the UK was still a Member State. This includes the prestigious European Research Council funding calls, and Marie Skłodowska Curie Actions. UK researchers can still lead projects and UK officials and experts can still attend programme committees and working groups, albeit as observers rather than full participants. UK recipients will be subject to the same auditing and anti-fraud checks as they were as Member State recipients.

The agreement lasts for the duration of the programmes covered (seven years, except for Euratom RTP which runs until 2025). It is subject to a number of suspension or early termination clauses, but in any case, suspension or termination would not be immediate and would be preceded by mediation to resolve the issues through the Specialised Committee on Participation in Union Programmes that has been established. The agreed financial contribution includes a GDP-based operational contribution plus a pro-rated participation fee, which starts at 0.5% in 2021 and increases to 4% by 2027. In case of the UK's receipts exceeding its contribution by more than 8%, the UK will be required to top up its operational contribution. If the UK receipts fall below 88% of its contribution it can request that 'appropriate measures' be taken

to redress the imbalance and, if they fall below 84% of its contribution, the UK can give notice that it intends to withdraw from the agreement.

UUK will work with our university members to maximise UK researchers' success rate for funding calls for programmes within Horizon Europe to ensure continued value for money from the scheme.

### Remaining questions

- Where will the funding for Horizon Europe participation come from, and how will this spend affect the wider research budget?
- How has the agreement on the UK's participation in Horizon Europe affected plans for a standalone UK Discovery Fund as outlined in the government's July 2019 [Research and Development \(R&D\) Roadmap](#)?

## Student mobility: Erasmus+ and Turing Scheme

**What has been agreed:** The UK government decided not to seek participation in the new Erasmus+ programme. This means students based at universities in England, Scotland and Wales will not be able to participate in the programme when the first call for funding launches\*. Existing funding that had already been granted to UK universities under the previous Erasmus+ scheme is unaffected.

In place of Erasmus+, the UK government will instead launch the [Turing scheme](#), which will provide £100 million in funding for 35,000 students in universities, colleges and schools to go on placements abroad from September 2021. This funding is for one-year only, and a submission will be made for a multi-year funding settlement at the next Spending Review. The British Council and Ecorys have been confirmed as the delivery partner for the first year of the scheme.

While we await further details on the scale and scope of the new programme, it is already evident that the fund will:

- be global in nature (rather than Europe-specific)
- target students from disadvantaged backgrounds
- not provide any funding to facilitate inbound student mobility
- not provide funding for staff mobility

UUK is seeking urgent clarification from the UK government on how this new scheme will work in practice, but we welcome the government's swift introduction of a mobility scheme in the absence of Erasmus+.

### Remaining questions

- How will the UK government incentivise students from EU countries to undertake work and study placements in the UK given they will not receive funding to do so through the Turing Scheme?
- How will any overlapping issues between Erasmus+ programme and Turing Scheme be managed?
- Will the submission for multi-year funding for this scheme be more ambitious in its scope, to include inbound mobility and staff mobility?
- When will the first calls for the Turing Scheme open, and what will the criteria be for bidding for funding?

*\*The Irish government has [committed](#) to fund students from universities in Northern Ireland to participate in the new Erasmus+ programme. UUK is awaiting further details on how this will work in practice.*

## Immigration rules

**What has been agreed:** Separately to the Brexit agreement, the UK's new Points-Based Immigration system came into effect from 1 January 2021. This new set of rules applies to all EU/EEA citizens coming to the UK, apart from those from Ireland, as freedom of movement has now ended. That means international students – including those from the EU – looking to study in the UK will now need to apply for permission in advance.

There are a range of different routes under the new system which individuals can apply, such as the [Student visa](#) (replacing Tier 4), the [Skilled Worker visa](#) (replacing Tier 2) and the [Global Talent visa](#) (replacing Tier 1). A new [Graduate visa](#) will also be launching in Summer 2021 to provide international graduates with up to two years (three years for PhD students) to work or look for work in the UK after they have graduated. This is something Universities UK has long campaigned for and should be welcomed and promoted internationally.

As per the Withdrawal Agreement, EU citizens who arrived in the UK prior to 31 December 2020 still have until 30 June 2021 to apply to the [EU Settlement Scheme](#). [The Home Office has confirmed that](#) EU, EEA and Swiss students who were studying in the UK, but who have returned home during the pandemic and are continuing with their course online in their home country (when they would otherwise be studying in the UK), are able to apply to the EU Settlement Scheme from outside the UK, so long as they are able to prove that they are still continuously resident in the UK.

UK nationals visiting the EU as tourists will have access to visa-free travel for up to 90 days within a 180-day period, but there may be additional requirements for work or study. Shortly, UUK International (UUKi) will publish legal advice on the immigration requirements from 1 January 2021 onwards for UK students going on study or work placements in the 27 EU Members States, Iceland, Switzerland, and Norway. This will also include advice on any requirements for business trips.

UUK is also seeking clarification over how incoming short-term mobility arrangements will be facilitated under the UK's new immigration system.

### Remaining questions

- Can the Department for Education (DfE) and Home Office (HO) confirm that the current Erasmus+ programme will not be removed from the Tier 5 Government-Authorised Exchange (GAE) list of approved schemes before 2023?
- Will the DfE and HO look to reduce the fees charged to international students coming to the UK for short-term mobility arrangements of up to 12 months?
- Will the DfE and HO look to introduce a new 'Educational Exchange' immigration route covering short-term study, work, and clinical placements to support incoming short-term mobility?
- Will the 6 April date by which international students starting on UK courses in Autumn 2020 have to be physically in the UK to qualify for the Graduate route be reviewed given the ongoing international travel restrictions?
- Will the HO look to extend the period to which EU, EEA and Swiss nationals can spend outside the UK without breaking the EUSS continuous residency rules in light of the on-going pandemic?

## Data protection and data transfers

**What has been agreed:** A four-month data adequacy bridge has been agreed, with the potential to extend this to six months.

This means, for a maximum of six months from 1 January 2021, personal data can continue to flow between the UK and EU (as well as the EEA) as it did before. During this time, the UK will have to abide by the General Data Protection Regulation (GDPR). It is expected that the UK and EU will agree a longer-term adequacy agreement. The interim period ends as soon as the EU's adequacy decision is adopted by the European Commission. If the UK during this interim period amends its data protection regime without the agreement of the EU, the interim period shall end immediately.

## Mutual recognition of professional qualifications (MRPQ)

**What has been agreed:** The mutual recognition of professional qualifications between the UK and EU has now ended. This means that UK-qualified professionals who wish to supply services in the EU should now seek recognition for their qualifications using the national rules in EU member states, and vice versa.

Those persons that previously have had their professional qualifications recognised, or that have applied for a recognition decision before the end of the implementation period (meaning that the application was submitted by 31 December 2020), are unaffected.

Under the UK-EU Trade and Cooperation Agreement, professional bodies and associations have the option to submit joint recommendations for arrangements on the recognition of professional qualification (such as Mutual Recognition Agreements) covering the UK and all 27 EU Member States. Consequently, if such a joint recommendation for the recognition of a professional qualification would be approved, then it would apply to the UK and the EU as a whole. This does not preclude professional bodies or associations in the UK and across Europe to seek other arrangements on a country-to-country bilateral basis.