



The All-Party Parliamentary
University Group

14 November 2018

Agenda

The subject of the meeting of the All-Party Parliamentary University Group is Brexit and higher education

- 6:00pm** **Dr Roberta Blackman-Woods MP**, Chair, All-Party Parliamentary University Group
- c6:05pm** **Sir Keir Starmer MP**, Shadow Secretary of State for Exiting the European Union (followed by **Paul Blomfield MP**, Shadow Minister for Exiting the European Union)
- c6:15pm** **Vivienne Stern**, Director, Universities UK International
- c6:25pm** **Professor Richard Catlow**, Foreign Secretary and Vice-President, The Royal Society
- c6:35pm** Questions, comments, and discussion with university leaders, MPs and peers
- 7:30pm** Speaker meeting concludes.

Speaker Biographies

Sir Keir Starmer MP



In October 2016, Keir was appointed to the Shadow Cabinet, taking up the role of Shadow Secretary of State for Exiting the EU.

Keir was elected as Labour MP for Holborn & St Pancras in May 2015.

Prior to becoming an MP, Keir was a human rights lawyer. He co-founded Doughty Street Chambers in 1990, and conducted cases in a wide range of international courts, including the European Court of Human Rights.

From 2002-2007 Keir worked as human rights advisor to the Policing Board in Northern Ireland. In 2008 Keir was appointed Director of Public Prosecutions (DPP) and Head of the Crown Prosecution Service for England and Wales, a role he held until 2013.

Paul Blomfield MP

Paul Blomfield was elected Member of Parliament for Sheffield Central at the 2010 general election and has served as Shadow Minister for Exiting the European Union since 2016.

Previously he was PPS to Hilary Benn as Shadow Leader of the House of Commons, Shadow Secretary of State for Communities and Local Government and Shadow Foreign Secretary.



In 1994 Paul joined the Board of Sheffield City Trust and between 1997 and 2008 was its Chair.

After studying Theology at St.John's College in York, and qualifying as a teacher, Paul returned to Sheffield and worked at the University of Sheffield.

Vivienne Stern

Vivienne is the Director of Universities UK International (UUKi) which represents UK universities around the world.

Prior to her role in UUKi, Vivienne was Head of Political Affairs at Universities UK. In this role she led the sector's response to several major pieces of legislation relating to universities, including the Higher Education Act 2004.



She previously worked in the UK Parliament for the Chair of the Education and Skills Select Committee, and as a higher education policy specialist working on topics including quality, student experience, innovation and university-business links.

She is a Director of Universities UK; a member of the Board of the UK India Research and Innovation Initiative and the Strategic Partnerships in Higher Education Fund; she is a member of the British Council's Education Advisory Group and a number of other Boards and Committees.

She is a graduate in English Literature from the University of Cambridge.

Professor Richard Catlow

Professor Richard Catlow was elected Foreign Secretary of the Royal Society in 2016. He was elected to the Fellowship of the Royal Society for 'pioneering the development and application of computer modeling in solid state and materials chemistry' in 2004.



Richard is developing and applying computer models to solid state and materials chemistry — areas of chemistry that investigate the synthesis, structure and properties of materials in the solid phase. By combining his powerful computational methods with experiments, Richard has made considerable contributions to areas as diverse as catalysis and mineralogy.

His approach has also advanced our understanding of how defects — missing or extra atoms — in the structure of solids can result in non-stoichiometric compounds. Such compounds have special electrical or chemical properties since their contributing elements are present in slightly different proportions to those predicted by chemical formula.

Richard's work has offered insight into mechanisms of industrial catalysts, especially involving microporous materials and metal oxides. In structural chemistry and mineralogy. Simulation methods are now routinely used to predict the structures of complex solids and silicates, respectively, thanks to Richard's demonstrations of their power. Professor Catlow's research has led to over 800 publications.

Briefing: Brexit and Higher Education

Prepared for members of the All-Party Parliamentary University Group

This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either house or its committees. All-Party Parliamentary Groups are informal groups of members of both houses with a common interest in particular issues.

This briefing document has been produced by Universities UK which provides the secretariat for the University APPG.

Introduction

This meeting of the All-Party Parliamentary University Group will explore the implications of the UK's exit from the European Union for the higher education sector, with contributions from speakers with a range of views and experiences.

The uncertainty surrounding the details of Brexit have led to much speculation on the impact that this could have for universities in the UK. Universities have benefited significantly from the access to research funding that the EU provides and the ability to recruit high-quality staff and students.

This guide will give further information about the political context of Brexit and will provide further information as to how this could come to affect the higher education sector through changes to immigration laws, access to research funding and EU educational programmes and collaboration with European higher education institutions.

Political landscape and key issues

Negotiations over the UK's exit from the European Union have been taking place following the Government's triggering of Article 50 in March 2017, setting a definitive date for the UK's withdrawal on 29th March 2019, which is fast approaching. At the time of publication a deal is yet to be agreed upon between the Government and the EU which would set out the terms of the UK's withdrawal and an overarching structure of the relationship that the UK will have with the EU post-exit. The UK and EU have just a matter of weeks left to agree the terms of a withdrawal agreement and political declaration on the future UK-EU relationship. If a deal is reached, this will then need to be ratified by the UK parliament (via a "meaningful vote") by early January 2019, and by the European parliament.

Brexit creates multiple uncertainties for higher education institutions including: the rights of UK and EU students and staff currently studying and working at each other's universities; future migration rules between the UK and EU; the continued participation of UK students and academics in flagship EU programmes for research, innovation and student exchange, and higher education institutions' access to EU funding schemes. All of these need to be considered and included in any deal governing the UK's exit.

The university, research and science sectors have lobbied extensively on the above set of Brexit-related issues, both here in the UK but also in Brussels and other EU member states. Key organisations working to secure an effective Brexit settlement for higher education and research include Universities UK, Russell Group, Wellcome Trust and Royal Society.

Universities are particularly concerned that Brexit will result in a sudden, steep decline in EU student enrolments and that the UK will lose academic talent from the EU. Students from EU countries studying in the UK totalled 134,835 in 2016/17, and their numbers can be very significant for some institutions. EU students are crucial for the academic environment of higher education institutions with international PhD students providing an important part of research teams and as such contributing to research outputs, including publications and research trials, and often go on to become academics in the UK.

In 2016-17, 30% of all academic staff (61,580) came from outside the UK (58% of which were from other EU countries), rising to 33% of all academic staff in STEM subjects, 47% in electrical, electronic and computer engineering, and 55% in chemical engineering. The proportions are even higher for those on research-only contracts, with 48% staff from outside the UK, including 66% of mathematics staff and 68% of chemical engineering staff.

The recent Migration Advisory Committee Report on EEA workers stated that future UK-EU immigration requirements are likely to feature as part of the withdrawal agreement governing the future relationship between the UK and the EU. As part of this, there is a possibility that provisions on the movement of citizens could feature as part of any UK-EU trade deal. However it also recommended no preferential treatment for EU citizens, on the assumption UK immigration policy will not be included in agreement with the EU.

In regards to student fees, many universities are apprehensive that the UK's exit from the EU will lead to changes to the status of EU students in terms of fees. If students from the EU were now to be charged international fees, which can vary in price from £10,000 a year up to £35,000, it is uncertain whether EU student numbers would remain at their current level; this makes long-term financial planning very difficult. Given the uncertainty around the future of higher education funding and student fees for domestic students, it is becoming increasingly difficult for institutions to undertake long-term financial planning.

Another area of concern is research collaboration and whether the partnerships that exist between UK HEIs and their European counterparts can continue post-Brexit. Over the past few decades, EU programmes have been crucial in supporting

research and innovation within UK universities. In 2015-16, UK universities received £840 million of research income from EU sources, primarily through Horizon 2020 and EU structural funds. The UK has been disproportionately successful at competing for research funding through framework programmes, with 15.2% of the overall funding available through Horizon 2020 going to UK researchers (second only to Germany at 16.7%).

Support for research collaboration is shared across the political divide with almost all political parties recognising the benefits that partnerships between UK universities and those in the EU bring. Therefore many MPs have already spoken out about the need to preserve these links and create an environment in which research can thrive post-Brexit.

UK Universities also fear that they would lose eligibility for the Erasmus programme which currently facilitates student mobility exchanges with European Universities. Erasmus+ is the EU's programme to support education, training, youth and sport in Europe. It is best known for its role in aiding the mobility of university students, allowing UK students to study, volunteer or work abroad for up to a year in the other thirty-two participating programme countries. University staff also benefit from mobility opportunities, thus strengthening international academic collaboration. Leaving the EU creates uncertainty for UK universities around their future ability to participate in the Erasmus+ programme, which supports around 50% of all UK student outward mobility. The UK's participation in Erasmus+ continues to grow year-on-year, with 15,645 students from UK universities spending a period abroad in 2015–16, up from 14,801 students in 2014–15.

The next Erasmus programme is due to start from 2020, and although the Prime Minister has given assurances that the UK will continue to take part until the end of 2020, there is little indication that Erasmus+ will be an available option to UK universities after this period.

A major issue surrounds universities' access to EU funding schemes with around a third of all EU expenditure on research, development and innovation invested through structural funds, which target less economically developed areas. European Structural and Investment Funds (ESIF) will be worth £9.5 billion across the UK from 2014-2020, and universities have delivered more than £1 billion of local development projects between 2003-04 and 2014-15. Structural funds support research and innovation infrastructure, skills training programmes, technology transfer and support for research-intensive businesses.

Universities have received more than €2.6 billion from the European Investment Bank (EIB) since 2006, with finance being used largely to fund campus

developments, including to upgrade or expand research and teaching facilities. The long-term nature of EIB loans, the favourable interest rates, and the flexibility of funding available provide much added value. It is unclear what impact the UK's exit from the EU will have on this relationship, and whether UK universities will continue to be able to access this funding. The concern is that without this investment the UK will not be able to continue much of the world-leading research for which our universities are responsible.

The government has proposed for this funding to be replaced by the UK Shared Prosperity Fund, but so far there have been little details released as to how this will work in practice.

Progress to date

Following the UK-EU phase one agreement on 15 December 2017, the UK will be able to participate in Erasmus+ until the end of the programme in 2020, providing there is a final exit deal agreed upon. This should allow staff and students to complete mobility periods, and receive funding, through the Erasmus+ programme until the end of the academic year 2020/21.

The UK-EU phase one agreement envisions that the UK will remain in the Horizon 2020 research programme and other EU funding programmes that are part of the multiannual financial framework (MFF) until the end of 2020, as confirmed by the UK-EU phase one agreement. This will allow for UK participants to continue to apply and use EU programmes until the end of its current inception. This includes long-term projects that are to continue after Horizon 2020 has finished.

The joint report outlines the residency rights of EU nationals currently living in the UK and of UK nationals living in other EU countries. The cut-off for EU nationals to be covered by the withdrawal agreement is the date the UK leaves the EU therefore anyone residing in the UK on or before this date will be covered. The UK and 27 EU Member States can require those concerned to apply to obtain status conferring the rights of residence and be issued with a residence document. EU nationals living in the UK will be able to apply for 'settled status' if they have been a resident in the UK for five years. EU nationals who have been in the UK for less than that, are entitled to remain in the UK to build up five years residency and then apply. Those with settled status will be able to leave the UK for up to five years without losing their status.

The government has already committed to a number of stability measures beyond March 2019. The Home Secretary, Sajid Javid MP, has indicated that the UK-EU draft agreement on citizens' rights will be honoured, even if the UK is unable to reach "an acceptable deal with the EU 27" and that "EU citizens living lawfully in the UK will

be able to stay. No matter what happens". The draft withdrawal agreement makes explicit that all EU citizenship rights will continue to apply to EU nationals and their family members (as defined by EU law, rather than domestic law) throughout the transition period. This also confirms that EU/UK nationals and their family members would acquire the rights of 'permanent residence', termed settled status, after accumulating five years' continuous lawful residence in accordance with EU law.

In June 2018 the Home Office announced details of how the process for EU citizens wanting to acquire settled or pre-settled status in the UK would function. Those applying under the scheme will only need to complete 3 key steps: 1: prove their identity; 2: show that they live in the UK; and 3: declare that they have no serious criminal convictions. It is proposed that an application will cost £65 and £32.50 for a child under 16. An initial trial at 12 NHS trusts and 3 universities in the North West of England took place between August and October 2018. EU staff at universities are eligible to participate in the second pilot phase, launching on 15th of November. The Scheme will gradually open more widely until it is fully open by the end of March 2019.

The UK Government published a policy statement on 28 February 2018 making clear that it was seeking to restrict the rights of EU nationals moving to the UK after Brexit day (29 March 2019). In particular it wanted to limit the rights of family reunification, receipt of child benefit, and continued oversight by the CJEU. It also announced that EU citizens entering the UK after Brexit day and staying for more than 3 months will need to register with the UK government, but it has yet to announce details of how this scheme will work.

Governments across the UK have confirmed that EU students starting a course in 2019/20 (the first cycle post-Brexit) will still be eligible for home fee status and for financial support as per existing rules. These announcements have not been caveated as being subject a Brexit deal agreed, and it is envisioned that these commitments would be honoured even in the event of no deal.

In July 2018, the UK government extended a commitment to underwrite payments of Horizon 2020 awards so that it covers grants applied for even after the UK leaves the EU in March 2019. The same government guarantee of EU funding also underwrites the UK's allocation for structural and investment fund projects under the EU budget period to 2020. These guarantees will apply even in the event of a 'no deal' scenario.

The above UK government guarantee to underwrite the payments of all competitive grants also includes centralised Erasmus+ actions (e.g. collaborative bids). On mobility specifically, the government has also agreed to underwrite successful Erasmus+ grant agreements applied for between the National Agency and

institutions whilst the UK remains a member of the EU, essentially going as far as covering mobility in 2019/20.

Remaining challenges

Despite these guarantees, if the Brexit negotiations end without a deal there would be great uncertainty on whether any commitments agreed as part of the Draft Withdrawal Agreement in December 2017 on citizens' rights and continued participation in Horizon 2020 and Erasmus+ still apply. Plus, there would be no certainty on what the UK's future relationship with the EU would look like, including in areas like the mobility of citizens and access to EU programmes.

There remains a lack of clarity as to how the government's underwrites would work in practice and how these could be enacted to ensure minimal disruption to UK and EU researchers. In addition, if replacements are established to mono-beneficiary parts of Horizon 2020, such as the European Research Council (ERC), it is uncertain whether UK universities would have access to this as well as any replacement to Erasmus+. The legal status of Erasmus+ partnerships between UK universities and their Erasmus+ partners would also be unclear.

The European Commission published its proposal for Horizon Europe on 7 June 2018, with a proposed budget of €100 billion, compared with €74.4 billion for Horizon 2020. The budget increase has been spread across all three pillars (Open Science, Global Challenges and Industrial Competitiveness and Open Innovation). The government has not yet committed to seeking full association to Horizon Europe, and particularly the 'Open Science' pillar which incorporates the European Research Council and Marie Skłodowska Curie Actions. This creates great challenges for universities given that research consortia can take over 18 months to form and thus long-term assurances are necessary for this process to work effectively.

Currently the government has provided very few assurances on Erasmus+ and has given little indication that they would want to take part in the next Erasmus programme that will run from 2020. Some students who are already on the programme are due to go abroad from September 2021 and thus would expect to receive information from their universities about mobility options available to them in autumn 2019.

Any impact from a no deal Brexit could result in the following outcomes taking effect on 29 March 2019:

- The residency rights of EU nationals already working in universities would be unclear,

- EU nationals entering the UK could be subject to non-EEA immigration rules and requirements,
- The UK's ability to participate in Horizon 2020 and Erasmus+ could cease, because there would be no legal obligation for the UK to pay any financial settlement on exit.

Next steps

The next EU summit is scheduled for 13-14 December. There were rumours that European leaders had agreed to hold an extra Brexit summit on 17-18 November but this is looking less likely as the date approaches. The final summit that the UK is expected to attend as a member of the EU is scheduled for 21-22 March. Before the withdrawal date that has been set on the 29th March, both the UK and EU parliaments will have to give its approval to the final withdrawal agreement, provided there is one agreed. The end of the transition period is currently set for 31 December 2020.



The All-Party Parliamentary **University Group**

Future meetings

Wednesday 5 December 2018

Data in Higher Education

08:30-10:00, Terrace Dining Room B (breakfast meeting)

Wednesday 16 January 2019

A Celebration of Universities

10:00-14:00, Attlee Suite

For more information about the group please email appug@universitiesuk.ac.uk or visit www.universityappg.co.uk