

Global Connections TCK Forum 2nd November 2016

TCKs and academic re-entry to the UK

Summary of residency status in university admissions process

Most applications are clearly UK or overseas resident. Where there is any doubt, as with our TCKs applying without having lived in the UK or EEA for the past 3 years, the fee status is put into pending which means that an assessment and judgement has to be made. If the tutor making the decision is still undecided the applicant is sent a fee status questionnaire.

The assessment is made on the information and evidence provided and remains "pending" until the fee status is resolved. A student can't have a pending application and enrol. If it is not resolved by the start of the course then the student is automatically charged an international fee.

The key issue on fee status is whether the applicant is 'settled' and 'ordinarily resident'. To be classed as settled the applicant has to be a UK citizen or have an immigration status that is not time-bound – such as Indefinite Leave to Remain (ILR). Ordinarily resident is harder to define as it is possible to be ordinarily resident in more than one place at the same time.

The children of Crown Service employees (diplomatic and/or military) overseas are automatically classed as UK residents, as are children who *remain* in the UK at boarding school while the parents are overseas for work – this is because education is not their only reason for being in the UK. However, this does not apply if a child is sent to a UK boarding school from a family home overseas - students in this situation will still need to show that they are ordinarily resident in the UK or EEA.

The advising university would give UK-residency status to applicants whose parents can show clearly that they are on a temporary overseas assignment. They would not include someone though who has lived their entire lives outside of the UK/EEA – in their experience most of these tend to be UK/US or UK/Australian dual nationals. On the whole, this university tends to be generous and uses a broad interpretation of the guidelines. Other universities are less generous which accounts for the varied decisions being made.

Advice on establishing that an applicant is settled and ordinarily resident

1. Check out the latest information on the UKCISA website below (obviously the exact page will change with time, but up to date guidance should be posted on the site) <http://www.ukcisa.org.uk/Information--Advice/Fees-and-Money/England-fee-status#layer-6082>.
2. Do not proffer information that has not been requested, but be ready to provide evidence such as
 - Tax being paid in the UK/EEA
 - National Insurance payments
 - The applicant's own NI number
 - Any property owned in the UK/EEA or rental agreements in the UK/EEA

- Family members that the applicant routinely visits, evidence of regular review and debriefing with the sending agency – records of flights and other travel
- A standard format letter from the mission agency and/or sending church confirming that you are on a temporary overseas assignment.
- Any contract of employment from the sending agency

Steve Bryant, October 2016

[For further more detailed information, please also see [UK Residency Status for university tuition fees and student loans](#)]