

Residence Eligibility Form

Staff use only:

Learner reference number:

S

2023-24

Please complete all relevant sections of the form in **BLOCK CAPITALS & BLACK PEN** (tick where appropriate).

Surname/family name (legal name)

First & Middle name

Date of Entry to UK

Standard Residency Eligibility

UK nationals and other persons with right of abode

- ☐ Must have a right of abode in the UK and been ordinarily resident in the UK, British Overseas Territory or Crown Dependencies (Isle of Man and Channel Islands) for the past 3 years.

UK nationals (and their family members*) in the EEA and Switzerland

- ☐ Must have lived in the EEA or Switzerland for at least the previous 3 years on the first day of learning.

EEA and Switzerland nationals in the UK with EU Settlement Scheme

- ☐ EEA and Switzerland nationals who have obtained either pre-settled or settled status under EUSS, and have lived continuously in the EEA, Switzerland, Gibraltar, or the UK for at least the previous 3 years on the first day of learning.

Irish Citizens in UK or Ireland

- ☐ Must have been ordinarily resident in the UK and Islands, and/or Ireland for at least the previous 3 years on the first day of learning.

Irish citizens in EEA and Switzerland

- ☐ Must have resided in the EEA, Switzerland, Gibraltar or UK for at least the previous 3 years on the first day of learning.

Other non-UK nationals

- ☐ Must have lived in the UK and Islands for at least the previous 3 years on the first day of learning, have permission granted by the UK government to live in the UK and such permission is not for educational purposes only, or have obtained pre-settled or settled status under EUSS.

Family members** of EU nationals

*A 'family member' is the husband, wife, civil partner, child, grandchild, dependent parent or grandparent of a EU national (principal).

- ☐ Must have pre-settled or settled status under EUSS, and the EU national (principal) has obtained pre-settled or settled status under EUSS and has been ordinarily resident in the UK, EEA and/or Switzerland for at least the previous 3 years on the first day of learning.

Family members of an eligible person of Northern Ireland***

- ☐ The eligible person of Northern Ireland (principal) has been ordinarily resident in the UK by 31 December 2020, for at least the previous 3 years on the first day of learning, the family member has pre-settled or settled status under EUSS and has lived in the UK since 31 December 2020.

Joining family members under the EU Settlement Scheme

- ☐ Joining family members have 3 months to apply to EUSS from the date they apply in the UK, and will be eligible for funding during those 3 months and pending the outcome. Must also be ordinarily resident in the UK, Gibraltar, EEA, and/or Switzerland for at least the previous 3 years on the first day of learning.

Notes

*A "family member" for these purposes is either:

- the husband, wife, civil partner of the UK national (principal) or
- the child, grandchild, spouse's child or spouse's grandchild of the UK national (principal) who is either
- under 21, or
- dependant on the principal and/or his/her spouse

**A "family member" for these purposes is either:

- the husband, wife, civil partner of the EU national (principal) or
- the child, grandchild, spouse's child or spouse's grandchild of the UK principal who is either:
- under 21, or
- dependant on the principal and/or his/her spouse, or
- the dependant parent or grandparent of the principal or of the principal's spouse

***A "family member" for these purposes is either:

- the husband, wife, civil partner of person of Northern Ireland (principal) or
- the child, grandchild, spouse's child or spouse's grandchild of principal who is either
- under 21, or
- dependant on the principal and/or his/her spouse, or
- the dependant parent or grandparent of the principal or of the principal's spouse

Residence Eligibility Form

Immigration Status

Learners must present evidence of their immigration permission (e.g. Biometric Residence Permit BRP and letter from Home Office if required).

The learner has been awarded, and can provide evidence to the College of the following:

- ☐ Refugee status ☐ Discretionary leave to enter or remain
- ☐ Exceptional leave to enter or remain
- ☐ Indefinite leave to enter or remain. This includes Afghans eligible under the Afghan Relocation and Assistance policy (formally known as Locally Engaged Staff under the intimidation policy).
- ☐ Humanitarian protection ☐ Leave outside the rules
- ☐ Ukraine Family Scheme ☐ Ukraine Sponsorship Scheme (Homes for Ukraine)
- ☐ Ukraine Extension Scheme
- ☐ The husband, wife, civil partner or child of any of the above
- ☐ Section 67 of the Immigration Act 2016 leave. A child of a person who has received leave under section 67 of the Immigration Act 2016 will come under this bullet point where they have been granted "leave in line" by virtue of being a dependent child of such a person.
- ☐ Calais leave to remain
A child of a person who has received Calais leave to remain will come under this bullet point where they have been granted "leave in line" by virtue of being a dependent child of such a person
- ☐ British Nationals evacuated from Afghanistan under Operation Pitting
- ☐ British Nationals evacuated from Afghanistan by UK government before 6 January 2022

Asylum Seekers

- ☐ The learner is an Asylum Seeker and has lived in the UK for 6 months + whilst the Home Office consider their claim and where no decision has been made.
- ☐ The Asylum Seeker is receiving local authority support under section 23C or section 23CA of the Children Act 1989 or the Care Act 2014.
- ☐ The learner is receiving local authority support for themselves under Section 23CA of the Children's Act 1989.

The learner has been refused asylum but

- ☐ Has been granted support under Section 4 of the Immigration and Asylum Act 1999.
- ☐ They have appealed against a decision made by the UK government against granting refugee status and no decision has been made within 6 months of lodging the appeal.
- ☐ The learner has been granted Stateless Leave and has been ordinarily resident in the UK and Islands throughout the 3 year period preceding the start of their course.

Child of a Turkish worker

- ☐ The learner is a child of a Turkish worker where the Turkish worker has been lawfully employed and resident in the UK before 1st January 2021 and has Turkish European Community Association Agreement (ECAA) rights or extended ECAA leave and the child has been ordinarily resident in the UK, EEA and/or Turkey for at least the previous 3 years on the first day of learning and is resident in the UK on or before 31 December 2020.

16-18 years old @ 31.08.2023

- ☐ The learner is accompanying or joining parents or spouses or civil partners who have the right of abode or leave to enter or remain in the UK (or accompanying or joining relevant family members, usually parents, who are UK or Irish nationals), or those who are children of diplomats
- ☐ The learner is a dependant of a teachers coming to the UK on a teacher exchange scheme
- ☐ The learner is residing legally in the UK (including those entering the UK in the last 3 years who are or were not accompanied by their parents) who are British (or Irish) citizens or those whose passports have been endorsed to either show they have the right of abode in this country or to show that they have no restrictions on working in the UK
- ☐ The learner is a dependant of adults residing legally in the UK who have been given immigration rights as workers to reside in the UK
- ☐ The learner is a dependant of foreign students where the accompanying parent or legal guardian has a Student visa (the accompanying parent or legal guardian is excluded from our funding as set out in paragraph 71)
- ☐ The learner is an asylum seeker
- ☐ The learner has been granted leave under section 67 of the Immigration
- ☐ The learner has been granted Calais leave to remain
- ☐ The learner is (including unaccompanied asylum seekers) placed in the care of social services or those in receipt of Section 4 support

Standard Residency Eligibility

Please provide details of why learner should be considered for funding:

Assessment of Funding

The learner is:

☐ Eligible for funding ☐ Ineligible for funding

Please record details of supporting evidence in the box below. **DO NOT** photocopy confidential documents.

Assessed by

Staff Signature

Date

I certify that my residence status has been assessed

Student Signature

Date

I understand I may be contacted to provide further evidence.

Terminology

Ordinary Resident

Habitually normally and lawfully resides from choice and for a settled purpose in the country

Settled

Having indefinite leave to enter or remain (ILE/R) or having the Right of Abode in the UK

Right of Abode

Right of abode (United Kingdom) The right of abode is a status under United Kingdom immigration law that gives an unrestricted right to live in the United Kingdom. It was introduced by the Immigration Act 1971

For example, those with EU – United Kingdom, Great Britain, and Northern Ireland passports, those with passports endorsed to show Right of Abode in the UK, those with a certificate of naturalisation or registration as a British citizen

Spouse, Civil Partner

A person who has participated in either a formal state recognised marriage or civil partnership ceremony

EU, EEA and Overseas Territories

Member state (of) the EU

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden.

The European Economic Area (EEA)

The EEA includes EU countries and also Iceland, Liechtenstein and Norway. It allows them to be part of the EU's single market. Switzerland is neither an EU nor EEA member but is part of the single market - this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals.

British Overseas Territories

Learner from these territories are eligible subject to the usual 3 year residency rule: Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn Islands, Saint Helena, Ascension and Tristan da Cunha, South Georgia and the South Sandwich Islands, Sovereign Base Areas of Akrotiri and Dhekelia, Turks and Caicos Islands

Territories that fall within the EU

Finland	Includes the Aland Islands
France	French Guiana (Guyana), Guadelope, Martinique, Reunion, Saint – Pierre et Miquelon, French Overseas Department (DOMS)
Germany	Includes territory of the former German Democratic Republic prior to German unification, Tax-free port of Heligoland
Portugal	Includes Madeira and the Azores, Macao is excluded.
Spain	Balearic Islands, Canaries, Ceuta and Melilla
Note:	Andorra, Monaco, San Marino and the Vatican are not part of the EU

Overseas Territories of other EU Member States (included for funding subject to usual 3 year rule on residency)

Denmark	Greenland and Faroe Islands
Netherlands	Antilles (Bonaire, Curacao, Saba, St Eustatius and St Maarten) and Aura
France	New Caledonia and Dependencies, French Polynesia, Wallis and Fortuna, Mayo and French Southern and Antarctic Territories, Saint Bathelémy