GUIDANCE NOTES TO HELP COMPLETE THE FEE ASSESSMENT FORM

Criteria to be assessed as ‘home’
The guidance below gives the main details of the categories of students who are eligible to be assessed as ‘home’ students. Universities and other higher education institutions in England and Wales may charge fees to ‘international’ students at a higher rate than to ‘home’ students. It is the responsibility of individual higher education institutions to assess the fee status of potential students. For further information, we recommend that you read the UKCISA Guidance “Fee Status in England: Higher Education” which can be downloaded from the UKCISA website.

Category 1:
You should be classified as a ‘home’ student if you meet ALL of the three conditions summarised below. The first thing you must do is work out the “First Day of the First Academic Year of the Course - FDFAYC”.

If the academic year starts:

- on/after 1 August and before 1 January = “FDFAYC” 1 September
- on/after 1 January and before 1 April = “FDFAYC” 1 January
- on/after 1 April and before 1 July = “FDFAYC” 1 April
- on/after 1 July and before 1 August = “FDFAYC” 1 July.

- **Condition 1**: You must be settled in the United Kingdom on the ‘FDFAYC’. You are ‘settled’ in the United Kingdom if you are a British citizen or you have the Right of Abode in the UK or if you have Indefinite Leave to Enter or Remain in the United Kingdom.

  (If ordinarily resident in the UK as the result of having moved from either the Channel Islands or the Isle of Man (‘the islands’) for the purpose of undertaking a course, you will be considered to be settled in the islands, not the UK)

- **Condition 2**: For the three year period before the ‘FDFAYC’ you have been ordinarily resident in the United Kingdom, the Channel Islands and the Isle of Man. Ordinary residence may be summarised as being lawfully, habitually and normally resident from choice and for a settled purpose, apart from temporary or occasional absences.

- **Condition 3**: No part of the three year period of residence described above was wholly or mainly for the purpose of receiving full-time education.

If you are unable to fulfil any one of the three conditions described above you may still be charged fees at the ‘home’ rate if you can meet ALL the conditions that apply to one of the six limited categories outlined below:

**Limited Category 1:**

- You are a national of a member state of the European Union (EU) (see note 2 on page 5) or are the ‘relevant family member’ of such a national (see note 12 on page 6).

- You have been ordinarily resident in the European Economic Area (EEA) (see note 3 on page 5) and/or Switzerland and/or the Overseas territories (see note 4 on page 5) for the three year period before the ‘FDFAYC’.

- Your ordinary residence for the three years must not have been mainly for the purpose of receiving full-time education.
• If you are a non-UK, EU national, your EU family member must either be exercising a right of residence in the UK as a self-sufficient person or as a student or be a UK national.

**Limited Category 2:**
• You are a national of a member state of the EU (see note 2 on page 5).
• You are ordinarily resident in the UK and Islands on the ‘FDFAYC’.
• You have been ordinarily resident in the UK and Islands for the three year period before the ‘FDFAYC’.
• If your ordinary residence for the three years was for the main purpose of receiving full-time education, you must have been ordinarily resident in the UK or anywhere else in the European Economic Area (EEA) (see note 3 on page 5) or Switzerland immediately prior to the start of that three year period.

**Limited Category 3: with effect from September 2011**
• You are the ‘relevant family member’ (see note 12 on page 6) of a non-UK EU national (see note 2 on page 5) and that non-UK EU national is in the UK as a self-sufficient person or as a student; OR
• You are the ‘relevant family member’ (see note 12 on page 6) of a UK national who has exercised a right of residence in another EU member state (see note 2 on page 5), for more than three months, as a self-sufficient person, a student or a worker; AND
• Your ‘relevant family member’ has been ordinarily resident in the European Economic Area (EEA) (see note 3 on page 5) and/or Switzerland and/or the overseas territories (see note 4 on page 5) for the three years before the ‘FDFAYC’ that you are studying.

**Limited Category 4:**
• You are an EEA or Swiss migrant worker in the UK or the ‘relevant family member’ of such a person (see note 12 on page 6).
• The migrant worker must be a national of an EEA country (see note 3 on page 5) or Switzerland who has entered the United Kingdom for the purpose of employment in the United Kingdom.
• The potential student must also have been ordinarily resident in the EEA and/or Switzerland for the three year period before the ‘FDFAYC’.

**Limited Category 5:**
• You are the child (see note 13 on page 6 for a definition of the word ‘child’) of a Swiss national living in the UK on the ‘FDFAYC’.
• You have been ordinarily resident in the EEA (see note 3 on page 5) or Switzerland for the three year period before the ‘FDFAYC’.
• Resident for a purpose other than full-time education.
• However, if the purpose of your residency in the EEA or Switzerland was for full-time education and you were ordinarily resident in the EEA or Switzerland immediately prior to this three year period of residency then you may be eligible to pay the ‘home’ rate of fee.

**Limited Category 6:**
• You are the child of a Turkish national (see note 13 on page 6) who is living in the UK on the ‘FDFAYC’
• Who is, or has been, lawfully employed in the UK; AND
• You have been ordinarily resident in the EEA (see note 3 on page 5), Switzerland or Turkey for the three year period before the ‘FDAYC’.

**Limited Category 7:**
• You are an exchange student studying in the UK on a fully reciprocal basis.

**Limited Category 8:**
• You are a refugee recognised by Her Majesty’s Government or you are the family member of such a recognised refugee (see note 10 on page 6), and
• You have been ordinarily resident in the UK (including the Channel Islands and the Isle of Man) since you were recognised as a refugee
• If you are the spouse/same sex civil partner, you must have been the spouse/civil partner on the date on which the application was made.
• If you are the child or step-child (see note 13 on page 6 for definition of the word ‘child’) of a refugee”, you must be aged under 18 on the date on which the asylum application was made.

**Limited Category 9:**
• As an outcome of your asylum application, the Home Office has granted you ‘Humanitarian Protection’ or you are the spouse, same sex civil partner or child (see note 13 on page 6 for definition of the word ‘child’) of such a person; **AND**
• You have been ordinarily resident in the United Kingdom (including the Channel Islands and the Isle of Man) since you were granted that status; **OR**
• If you are the spouse/civil partner, you must have been the spouse/civil partner on the date on which the application was made. If you are the child or step-child (see note 13 on page 6 for definition of the word ‘child’) of a person with ‘Humanitarian Protection’ you must be aged under 18 on the date on which the asylum application was made.

**Limited Category 10:**
This is a new category, which can be used for an academic year beginning on/after 1 August 2016.

(a) you must be either:
(i) under the age of 18 and have lived in the United Kingdom throughout the seven-year period preceding the first day of the first academic year of the course; or
(ii) aged 18 years old or above and, preceding the first day of the first academic year of the course, have lived in the United Kingdom throughout either:
   (aa) half your life; or
   (bb) a period of twenty-years;

and

(b) you must be ordinarily resident in England; and

(c) you must have been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and

(d) your residence in the United Kingdom and Islands must not have been, during any part of the period referred to in paragraph (c), wholly or mainly for the purpose of
receiving full-time education [unless you are to be treated as having been ordinarily resident in the UK & Islands due to either you, or a relevant family member, having been temporarily employed outside the UK & Islands].

Concession currently offered to asylum seekers at the University of Manchester who have not received a decision from the Home Office:

Undergraduate
- Full-time undergraduate applicants are eligible
- MBChB and BDS courses are ineligible
- You must have applied to UCAS before the deadline of 15 January in the year you intend to commence your studies
- You must have applied for asylum in the UK before you applied to UCAS

Postgraduate
- Full-time, non-clinical Postgraduate applicants (taught and Research) are eligible from 2017/2018
- You must have applied for asylum in the UK before you applied to study at the University of Manchester

Please note: If you meet the above criteria you will be classified as an 'international' student but allowed to pay the 'home' rate of fee. However, if your asylum case is decided during your course of study at the University, your fee status will change to 'home' with effect from the next academic year.

The tuition fee bursary will cease if:
- Either you, your parents, or your spouse/civil partner are recognised as a refugee by the UK Government, and you have been ordinarily resident in the UK since you were granted this immigration status. If you are the spouse/civil partner of a refugee, you must have been the spouse/civil partner on the date that the application was made. If you are the child/step-child of a refugee, you must be aged under 18 on the date that the asylum application was made.
- As a result of an asylum application you, your parents, or your spouse/civil partner are granted Humanitarian Protection in the UK and you have been ordinarily resident in the UK since you were granted this immigration status. If you are the spouse/civil partner of a refugee, you must have been the spouse/civil partner on the date that the application was made. If you are the child/step-child of a refugee, you must be aged under 18 on the date that the asylum application was made.

If you are granted some other form of immigration status as a result of the case decision, your 'international' fee status will not change, but the home fee bursary will stop.

Change of international fee status:
Exceptionally, an international student’s fee status can change part way through their course but only with effect from the next academic year:
- If you or your ‘relevant family members’ become nationals of an EU country during your period of study and you have been ordinarily resident in the EEA for the three year period before the ‘FDFAYC’ for a reason other than to receive full time education.
• If you or your parents or your spouse/same sex civil partner become an EEA migrant worker in the UK during your period of study and you have been ordinarily resident in the EEA for the three year period before the ‘FDFAYC’ for a reason other than to receive full time education
• If you or your ‘relevant family members’ are recognised as refugees by the UK Government and are granted Indefinite or Leave to Enter/Remain in and you have been ordinarily resident in the UK since you were granted this immigration status
• As the result of an asylum application you or your ‘relevant family members’ is granted ‘Humanitarian Protection’ in the UK and you have been ordinarily resident in the UK since you were granted this immigration status
• If the country you or your ‘relevant family members’ are a national of becomes a member state of the EU during your period of study, you have been ordinarily resident in the EEA for the three year period preceding the ‘FDFAYC’ for a reason other than to receive full time education
• If you become the child (see note 13 on page 6) of a Swiss national or Turkish worker during your period of study and you have been ordinarily resident in the EEA for the three year period before the ‘FDFAYC’ for a reason other than to receive full time education

We will require appropriate evidence to support such a change.

DEFINITION OF TERMS

1)  United Kingdom (U.K.)  England, Northern Ireland, Scotland, Wales
2)  European Union (E.U.)  Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark (excluding Greenland and the Faroe Islands), Estonia, Finland (including the Aland Islands), France (including the overseas departments of Guadeloupe, Martinique, French Guyana, Reunion, and St Pierre et Miquelon), Germany (including Heligoland), Greece, Hungary, Ireland (Republic of), Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (excluding Antilles), Poland, Portugal (including Madeira and the Azores, but excluding Macao), Romania, Slovakia, Slovenia, Spain (including Ceuta, Melilla, the Balearics, and the Canaries), Sweden, United Kingdom (including Gibraltar)
3)  European Economic Area  Member States of the E.U. (including the whole of the island
of Cyprus) plus Iceland, Liechtenstein and Norway (including Svalbard).

A bilateral agreement was ratified between the EU and Switzerland on 1 June 2002. Whilst this does not mean that Switzerland has joined the EU or EEA it gives Swiss nationals similar freedom of movement rights to non-EEA nationals (ie, nationals of Norway, Iceland and Liechtenstein).

4) Overseas territories

Anguilla, Aruba, Bermuda, British Antarctic Territory, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Ducie & Oeno Islands, Falklands Islands, Faroe Islands, French Polynesia, French Southern & Antarctic Territories, Greenland, Henderson, Mayotte, Monsterrat, Netherlands Antilles (Bonaire, Curacao, Saba, Sint Eustatius & Sint) Maarten, Pitcairn, South Georgia & South Sandwich Islands, St Helena & Dependencies (Ascension Island & Tristan de Cunha), Turks & Caicos Islands, St Pierre et Miquelon, The Territory of New Caledonia & Dependencies, Wallis & Futuna.

5) First day of the first academic year of the course

The fees regulations define the ‘FDFAYC’ for fee assessment purposes as “if the academic year starts:

- On/after 1 August and before 1 January = 1 SEPTEMBER.
- On/after 1 January and before 1 April = 1 JANUARY
- On/after 1 April and before 1 July = 1 APRIL
- On/after 1 July and before 1 August = 1 JULY”

6) Indefinite Leave to Remain or Enter (ILR or ILE)

You do not need to seek U.K. Government approval periodically to remain in the country. Therefore, there is no time limit on the time you may stay in the country.

7) Settled

You have either the Right of Abode or Indefinite Leave to Enter or Remain. If your passport describes you as a ‘British Citizen’ then you have the ‘Right of Abode’.

8) Ordinarily Resident

“Ordinarily resident” is defined as “habitually, normally & lawfully resident from choice for a settled purpose throughout the prescribed period, apart from temporary or occasional absences.” (House of Lords’ judgement).

9) Right of Abode

You can check whether you have the Right of Abode by looking at your passport. If your passport describes you as a ‘British Citizen’ then you have the ‘Right of Abode’ or you may have a sticker in your passport saying that you have the right of abode.
10) Refugee Status
Having the status of a person recognised by UK Government, as a refugee within the meaning of the United Nations Convention of 28 July 1951.

11) Humanitarian Protection
A person who has been informed by the Home Office that they do not qualify for recognition as a refugee, but nevertheless should be allowed to stay in the UK, and therefore has been granted ‘Humanitarian Protection’; and whose period of leave is still current, or has been renewed and the new leave is still current, or is waiting for the outcome of an in time application for renewal, or is waiting for an appeal concerning their leave.

12) Relevant Family Member
**EU nationals**
- Spouse or civil partner
- Direct descendants of the EU national, or of the EU national’s spouse or civil partner, for example child/grandchild who must be under the age of 21 or if aged 21 or over dependent on the EU national or dependent on the EU national’s spouse or same sex civil partner

**EEA/Swiss migrant workers in the UK**
- Spouse or civil partner
- Direct descendants of the EEA national, or of the EEA national’s spouse or civil partner, for example child/grandchild who must be under the age of 21 or if aged 21 or over dependent on the EEA national or dependent on the EEA national’s spouse or same sex civil partner
- Dependent direct ascendants of the EEA worker or of the EEA worker’s spouse/civil partner, for example parents, grandparents (there is no provision for the ascendants of Swiss workers).

**Turkish workers**
- Child (see note below)

**Definition of an EEA/Swiss ‘worker’**
‘Worker’ includes an EEA or Swiss national who is:
- Employed
- Self-employed

A ‘frontier worker’ who is employed or self-employed
- A ‘frontier worker’ is an EEA/Swiss national working in the UK but who “resides in Switzerland or the territory of an EEA State other than the United Kingdom and returns to their residence in Switzerland or an EEA state, at least once a week”.

What kind of work?
- The work must be in the UK.
• The work can be full-time or part-time.
• ‘Remuneration’ can include low wages and payment in kind.
• ‘Work’ must be ‘effective and genuine’.
• If you give up work to start a course, you should still be treated as a migrant worker if your course of study is related to your job or area of work.
• If you have become ‘involuntary unemployed’, you do not have to show that your course of study is related to your previous job – for example, if your post was made redundant, or if your contract ended and was not renewed. If you lost your job through misconduct, you would not be considered ‘involuntarily unemployed’.
• It can be work that you are doing while you are on the course, unless it is ‘ancillary’ to the course. ‘Ancillary’ means the work is part of the course or work you were offered because you have been accepted on a particular course.
• Work that is taken purely for the purpose of obtaining Student Support or ‘home’ fees could be disregarded.

13) Definition of a Child

The following categories include eligibility for a child:
• EEA and Swiss migrant workers
• Child of a Swiss national
• Child of a Turkish worker
• Refugees
• Those refused refugee status but granted ‘Humanitarian Protection’ in the UK.

The Fees and Student Support regulations specify that: “parent” includes a guardian, any other person having parental responsibility for a child and any person having care of a child, and “child” shall be construed accordingly”.

There is, therefore, no age requirement and ‘child’ includes a step-child or adopted child.