

Brexit planning: FAQs for staff in the event of a ‘no deal’ exit

Note: these FAQs relate to the UK leaving the EU at 11pm on Thursday 31st October 2019 without an agreement in place with the EU, referred to as a ‘no deal’ Brexit. They are based on the information we have available to us on 29th August 2019.

Citizens’ rights

Current EEA/Swiss staff

I’m originally from an EEA country/Switzerland, can I continue to live and work in the UK after the UK leaves the EU?

Yes. As an EEA/Swiss national resident in the UK before the UK leaves the EU, you will be able to continue living and working in the UK as you do now. However, you will need to obtain evidence of your right to stay by applying to the EU Settlement Scheme. If there is no deal exit from the EU, you’ll need to apply by 31 December 2020.

You can find out more about the Scheme and how to apply on the [HR webpages](#). These contain a detailed set of FAQs which have been informed by the questions raised by staff who have already applied and gained a settlement status.

There is also comprehensive information about the Scheme on the [UK Government’s dedicated website](#).

Do I have to do anything before the UK leaves the EU?

No, you don’t have to do anything before exit date (i.e. 31 October 2019). Although the EU Settlement Scheme is running now, you don’t have to apply now, but you may choose to do so.

You will need to apply before the ‘no deal’ deadline of 31 December 2020.

I’m from the Republic of Ireland? What do I need to do?

You don’t need to do anything. You have a special status and are treated as being settled since the day you came to the UK. However, you can do so if you so wish and so obtain official confirmation of your status. Please note that if you have a family member who originates from outside the UK or Ireland, they may need to apply.

Current non-EEA/Swiss staff

I’m a non-EEA/Swiss member of staff and the family member of an EEA/Swiss citizen, can I continue to work in the UK after the UK leaves the EU?

Yes, but as above, you will also need to apply to the EU Settlement Scheme by 31 December 2020.

I’m a non-EEA/Swiss member of staff with a time-limited visa (e.g. Tier 2). Is there any impact on me?

No. Brexit has no impact on your right to live and work in the UK, You can continue to do so in line with your visa conditions. If you have time-limited right to remain in the UK, you’ll continue to apply for a visa extension or indefinite leave to remain.

Who should I contact if I have any queries?

For general queries regarding citizens’ rights – in either a ‘deal’ or ‘no deal’ Brexit - please email eustaffquery@ed.ac.uk.

Leaving and re-entering the UK after the UK leaves the EU

I'm an EEA/Swiss member of staff, what impact would a no-deal Brexit have on my ability to leave and re-enter the UK?

As you have been resident in the UK before the UK leaves the EU, you will have until 31 December 2020 to apply to the EU Settlement Scheme.

During this period, you will be allowed to leave and re-enter the UK using your current passport/travel document. You will not be expected to demonstrate that you were resident in the UK prior to the date the UK leaves the EU. If your absences during this time will be more than 6 months, please contact us on eustaffquery@ed.ac.uk

However, if you'll be returning to the UK on or relatively soon after the UK leaves the EU, we will be happy to provide with you with a letter confirming your employment at the University of Edinburgh, to have to hand with your passport/biometric residence card. Please contact your local HR team to request this.

[College HR Teams](#)

[Professional Services HR Teams](#)

I'm an EEA/Swiss member of staff – I have a family member joining me for the first time after the UK leaves the EU. How would the UK leaving the EU without a deal affect them?

Non-EEA family members, e.g. your children, spouse/partner, parents and grandparents will be able to join you in the UK after 31 October 2019, provided they have a Family Permit before travelling. Once in the UK, they will be able to apply to the EU Settlement Scheme. If your relationship existed before the UK leaves the EU, your family member(s) will need to enter before 29 March 2022. If it did not, they will need to enter the UK by 31 December 2020.

If your family members are **EEA or Swiss nationals** and they arrive after 31 October 2019, they can enter the UK on their passports for an initial three months and will then need to apply for European Temporary Leave to remain (ETLR). They will not be eligible for the EU Settlement Scheme unless they arrive before 11pm on 31 October 2019.

Please note: the UK Government has recently announced that the ELTR arrangement may be replaced by an alternative. As soon as we have more information we will update these FAQs and our general webpages.

I'm a UK member of staff – how would the UK leaving the EU without a deal affect my ability to travel to/in Europe?

The European Council has recommended to the European Parliament that UK citizens travelling to any of the 26 countries¹ within the Schengen area for a short stay (90 days in any 180 days) should be able to do so without the need to obtain a travel visa - provided the UK reciprocates, does not require citizens of those countries to obtain a short stay visa.

¹ [Austria](#), [Belgium](#), [Czech Republic](#), [Denmark](#), [Estonia](#), [Finland](#), [France](#), [Germany](#), [Greece](#), [Hungary](#), [Iceland](#), [Italy](#), [Latvia](#), Liechtenstein, [Lithuania](#), Luxembourg, [Malta](#), [Netherlands](#), [Norway](#), [Poland](#), [Portugal](#), [Slovakia](#), [Slovenia](#), [Spain](#), [Sweden](#), and [Switzerland](#).

Further information - including **the requirement to have at least six months remaining on your passport before it expires and needs to be renewed – and what you may need if you intend to drive abroad** is provided on the [Government website](#).

You are advised to keep up to date with information on this website and sign up for relevant updates.

Would a no-deal Brexit affect flights?

The UK government envisages allowing EU airlines to continue to operate flights between the UK and the EU - and expects EU countries to reciprocate. The European Commission has also proposed a set of contingency plans should the UK leave the EU without a deal. However if the European Parliament (i.e. all EU 27 countries) does not agree these plans, there could be delays to some flights.

More information can be found on the [UK Government website](#).

Should I cancel/delay my travel plans?

No. Whilst there could be some travel disruption, there is no reason for you to cancel plans you've already put in place or postpone your plans. Please refer to this webpage for updates and keep up to date with updates provided by the UK Government. If the UK leaves the EU without a deal, we'll provide more detailed information and guidance, including who to contact if you encounter any difficulties while you are outside of the UK.

Will my European Health Insurance Card (EHIC) be valid?

If there is no deal, your EHIC may no longer be valid. You'll need to have travel insurance which covers health care – just as you have to do now if you're visiting a non-EU country. You can find out more about healthcare when travelling abroad on the [NHS website](#).

Who should I contact if I have any queries?

Information on travel insurance for University business is available on our Finance website. If you're travelling to Europe on business on or soon after the UK leaves the EU please contact the Insurance Department at finance.helpline@ed.ac.uk for specific advice.

Prospective employees

I'm an EEA or Swiss national due to take up a post with the University after the UK leaves the EU. Can I still do so if the UK leaves the EU without a deal?

Yes – and we're very much looking forward to you joining us.

If you are already living in the UK: you will need to apply to the EU Settlement Scheme, if you haven't already done so. Information regarding this is set out under 'Citizens rights' in this document.

If you are entering the UK for the first time after the UK leaves the EU: the information currently available from the UK Government indicates that you will be able to come to the UK for an initial period of three months, but will need to apply for a European Temporary Leave to Remain (ETLR) visa which will allow you to stay for a further three years. When this expires, you'd need to apply for a further visa in line with the new immigration rules which will come into effect from January 2021. More information regarding ETLR can be found on the [Government website](#).

If the UK leaves the EU without a deal, we will provide more information when you take up your post and again before you need to apply for your visa. The University has in place a number of support mechanisms to help its staff from outside the EU to navigate the UK's immigration system and is committed to extending this to EEA/Swiss nationals.

Please note: the UK Government has recently announced that this arrangement may be replaced by an alternative. As soon as we have more information we will update these FAQs and our general webpages.

Who should I contact if I have any queries?

Please keep in touch with your future line manager. You can also email your query to eustaffquery@ed.ac.uk.