Introduction

NUS Scotland brings together students from colleges and universities all over Scotland to fight for changes which make a real difference to all students’ lives. Our democratically elected officers represent roughly 500,000 students across universities and colleges in Scotland. We work closely with the European Students’ Union to contribute to debate and influence the European Union, with the Scottish Government on the Bologna Follow Up group and the Bologna process, the Council of Europe and UNESCO. ESU is also a member of the European Youth Forum. Being part of the EU brings enormous benefits to students studying in the UK, to our education and research sector through European students and staff, and to a young and mobile workforce. The EU brings protections and legislation to support people from marginalized groups and geographical areas which directly impact on the wellbeing of our membership.

The National Union of Students Scotland proudly campaigned to remain in the European Union, following policy passed at the NUS Scotland Conference in 2015, as a leading member of Scotland Stronger in Europe. The result of the referendum was disappointing in the context of both the majority of Scottish voters (62%) and 18-24 year olds (66% according to an on-the-day survey by YouGov) voting remain. We firmly believe that 16 and 17 year-olds should have been given the right to vote, as they had previously for the Scottish Independence Referendum. Research by NUS revealed that 76 per cent of 16 and 17 year-olds would have voted in the EU referendum if they could. It was a once in a generation vote, but the people who will be most affected were denied the chance to have their say.

Our focus now is to minimise any negative impact that this decision will have on young people and how we can best prepare for this. It is vital that young people are central to the conversations about what happens next. The UK Government denied 16 and 17 year-olds a vote in the referendum, we should not further deny young people a voice on their future. By leaving the European Union, NUS risks changes to its International student population as EU students could potentially face international student-level fees, students opportunities would suffer through the loss of the Erasmus program, and our role in ESU and other cross-European initiatives would be compromised. Furthermore, our institutions risk losing valued European staff and European students face uncertainty over visa status and freedom of movement.

Status of EU citizens

Students from outside the UK – be that within the EU, or beyond it - bring immense cultural, economic, and educational benefits to our universities and colleges, as well as wider Scottish society, and we believe that it must be a priority for those students

to continue to be able to come and study in Scotland. We welcomed the recent reassurance issued by the Scottish Government and Universities Scotland to EU students for 2016/17 but believe that clarity on further years is needed urgently as prospectuses for 2017/18 have already been issued. European students considering applying to Scottish institutions from 2017 onwards face uncertainty over whether their fees will rise to that of international students and if they may require a visa. While ultimately it should remain a case of 'status quo' until the point at which article 50 has been triggered, negotiations completed, and the UK formally withdraws from the EU, there is a real and pressing need to ensure that students have those certainties set in stone. To not do so risks compromising EU students coming to Scotland, and the hugely negative effects that would have.

We have further concerns regarding the status of students whose education journey takes more than the traditional four years and who do not start their first year at university level. There are students who might start in further education at college before articulating to a higher education course. These students are likely to be studying for longer than four years and we urgently seek clarification on whether the assurance for EU students beginning their studies in 2016/17 also applies to EU students taking this alternate route.

Failure to clarify the funding and immigration status of EU nationals is likely to affect the number of applicants to Scottish Universities as students will not want to apply if they consider it possible that their studies may be interrupted part way through their course. A survey of EU students by Hobsons found that 82% would view the UK as a less attractive option for study if it voted to leave the EU.\(^2\) We would want to see free movement remain a key principle of the UK’s political engagement with the EU and for EU students to retain their current ‘home student’ fee status; Scottish students support the current fee arrangements for EU students according to a 2015 HEPI survey\(^3\).

The benefits of EU students to our campuses and communities

As part of the wider community in which they are situated, universities and colleges play a key role in sharing the benefits of their European and international student population with the local community. Through organised cultural events, targeted outreach programmes to schools, community groups and others, and daily interactions with local residents, the university contributes to a greater understanding of other nations, and their cultures, traditions and perspectives. Research conducted by Universities Scotland has shown the social, cultural and educational benefits to all students from a diverse international learning environment, many of which are lifelong.\(^4\)

The British Council’s ‘Influence and Attraction’ report further discusses a number of ways that communities and culture both benefit from cultural exchange and


highlights these as reasons for governments to support such exchanges.\(^5\) These include:

- Cultural understanding reduces conflict at both international and interpersonal level.
- Driving tourism.
- Increased employability of those involved who have gained cultural sensitivity and language skills.
- Improved innovation, learning and enquiry.

Cultural diversity is not the only way Scotland benefits from EU students. In any given year, there are over 20,000 students studying in Scotland from other EU countries and it is estimated that one in five postgraduate students studying at Scottish universities are from other EU countries. A reduction in the number of EU students would have consequences for the local economy with a loss of both income and jobs. EU students generated \(£414.1\text{m}\) for the economy and 3,743 jobs in Scotland, according to analysis from Universities UK for 2011-12.\(^6\)

EU students also help to address potential future demographic concerns. From a high in the mid-70s, Scotland witnessed a slow decline in population for a number of decades. The census of 2011 showed that this decline was starting to reverse; however, it also showed that Scotland’s population was ageing. Some of this decline in population has been attributed to net inward migration, and that includes that as a result of free movement within the EU. Currently, around 3.4 per cent of Scotland’s population is EU born (excluding the UK). This is lower than the UK as a whole, however, and shows that Scotland can, and should, continue to encourage and celebrate the migration of those from the EU, and globally.

If maintaining the current funding status of EU students is not possible then it is highly important that all current students at the time are provided some form of ‘transitional protection’; students who started courses on a given set of regulations should be able to complete their course under those same conditions. We would encourage temporary arrangements to be put in place whilst negotiations are finalised, either by the Scottish Government or universities and colleges committing to supporting students so they can complete their course.

Finally, Scotland has consistently performed at the top of participant countries in the Bologna process, which seeks to ensure comparability in the standards and quality of education across Europe and foster much greater links across Europe based on this shared education. While this does not specifically require EU membership, it is clear that much of our success has been as a result of EU membership. Most importantly, this has encouraged the Scottish Government to go further in promoting full outward study opportunities to students, where they undertake their full degree in another EU country. This has resulted in a trial currently taking place where student support for Scottish students will be made fully portable for them to study elsewhere in the EU (i.e. they will be eligible for the same support as they would if they studied in Scotland). This is a really positive move, and one that would be very unlikely if not for EU membership. NUS Scotland hopes that the results of this trial are fully


\(^6\) [http://www.universitiesuk.ac.uk/news/Pages/eu-students-vital-to-regional-economies.aspx](http://www.universitiesuk.ac.uk/news/Pages/eu-students-vital-to-regional-economies.aspx)
evaluated and that the programme is considered on its merits, not on Scotland’s EU membership status.

**Loss of EU funding**

It is well accepted that Scotland currently punches above its weight (compared to the UK as a whole, and even globally, on a population share) when it comes to securing competitive research grants, and this is no different with EU research funding. Scotland’s universities receive almost £90m of research funding a year from EU sources, accounting for 13 per cent of the total research funding Scottish universities receive. For EU Framework funding alone, Scotland received 10.4 per cent of all funds, higher than our population share. At the same time, regeneration funds from European sources have been significantly higher than funds received from the UK Government for the same purpose.

Organisations in Scotland have secured €217 million in Horizon 2020 research and innovation funding since 2014, enhancing our scientific and business reputation around the world, our ability to attract and retain world-class researchers, and our opportunities to access new markets and funding. Scottish higher education organisations and research institutes have been the main beneficiaries, securing over €173 million to March 2016, and boosting our investment in core research and knowledge exchange. Scottish businesses have secured over €39 million. In the period 2007-13, higher education organisations and research institutes were awarded €630 million of a total €730 million awarded to Scottish organisations.7

While the statement from the UK Government on underwriting existing research was progress, it does little to address the research bids and opportunities that are currently being lost, and the funding that institutions are not receiving as a result. We are already hearing anecdotal evidence that research bids are being rejected on the view that British and Scottish institutions are not sustainable partners in the long term. This has a number of consequences not only for university funding but also for the wider economy.

Our colleges also benefit hugely from Scotland’s EU membership, and associated funding. A key part of the criteria for European Structural Funds has been a focus on youth employability, and links with the ‘youth guarantee’. The Scottish Government has introduced its own form of this (‘Opportunities for All’, which ensures places in education, training or employment for young people), with colleges being a key beneficiary, given the great work they do on employability and boosting opportunities. Scotland’s colleges have received tens of millions of pounds in recent years from ESF, and student places have also been boosted by this. For example, in 2014, 3,500 extra college places were created with £13m of ESF. Equally, many colleges have relied on ESF to ensure access to opportunities and support for their students.

**Scotland’s relationship with the EU**

Research has shown that Scotland is the most pro-EU section of the UK. The Future of England survey (which now includes a representative sample of those from Scotland and Wales) found that positive attitudes towards membership of the EU

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was highest in Scotland, with 43% saying it is a good thing, compared to 27% for bad. In the referendum, Scotland voted by 62% to 38% to stay in the EU, with all 32 council areas backing remain.

In addition to the benefits received through international study, there are also a number of economic benefits that stand to be lost upon leaving the EU. Since 2006, the cash value of exports to the EU has risen year on year, and are worth in excess of £12bn every year. EU states account for 46 per cent of all Scotland’s international exports, slightly above the UK level of 45 per cent. At the same time, EU businesses account for over £15bn GVA (gross value added) to the Scottish economy, and Scotland has a 15 per cent of all UK GVA from EU businesses, the highest share in the whole UK.

Between 2007 and 2013 Scotland received around €800m in European Structural Funds. During the 2014 to 2020 Multiannual Financial Framework, Scotland is likely to receive around €985 million in funding. Taking this, the business benefits, and significant contribution of tourism, Scotland benefits from inward investment from the EU more than any other part of the UK. Once again, universities and colleges have been clear and significant beneficiaries, with education being a key industry.

**EU Withdrawal process**

Given the untested nature of withdrawal via Article 50, we would encourage negotiation wherever possible to maximise Scotland’s position within and working with the EU. We were concerned that the UK Government’s ‘The process for withdrawing from the European Union’ document, which was released prior to the vote, does not reference education once while focusing on a number of the other areas that are likely to be affected, and call on the Scottish and UK Government’s to ensure that education gets the focus it deserves.

We must also protect the rights of Scottish domiciled students to be outwardly mobile, and study in other EU countries, with the rich educational and social benefits this brings. The UK’s membership in the EU allows UK students to study in countries where free education is a founding principle of their education system and UK graduates and apprentices to follow their career paths without the constraints of borders, through programmes such as Erasmus+. In 2012-13, under the previous higher-education only scheme, 1,441 students from Scottish HE institutions participated in Erasmus exchanges abroad and Scottish HE institutions welcomed 2,831 incoming Erasmus students. Importantly, Scottish students accounted for 13% of UK participation, suggesting again that Scotland enjoys a higher share of outwardly mobile students than the rest of the UK, based on the student (and wider) population. If we cannot negotiate our continued participation in schemes such as Erasmus+, losing free education on the continent for home students, we face an unfair system where international study becomes a privilege only for the rich.

We expect the withdrawal negotiations to be open and fair, with all affected policy areas discussed in necessary detail. Students should be consulted throughout the process, particularly on the issues that will most affect them, such as research funding and Erasmus+ participation. We would particularly like to see 16-17 year olds consulted since it is arguably their future that will be affected most. Scotland

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8 [http://www.gov.scot/Publications/2015/05/6659/7](http://www.gov.scot/Publications/2015/05/6659/7)
should have a key role to play in negotiations over the UK’s withdrawal, both as one of the component nations and as a strong voice for those who want to maintain close ties with the EU. We call on the UK Government to work closely with all of the devolved governments and to ensure that those who voted to remain are represented.

**Effects of EU Withdrawal on legislation**

Students (and all UK citizens) currently benefit from a number of human rights developments courtesy of the EU. EU legislation protects employees from discrimination and unequal treatment on the grounds of disability, age, sexual orientation, religion and belief through the Employment Equality Directive. This benefits Britain and British people who work in other EU countries. Furthermore, being part of the European Union allows us to unite with people in other member states to fight on issues such as climate change. It also provides access to healthcare, work, universal phone chargers, and standard entitlements for workers. These all aid creating a more universal lived experience for many Europeans which could now be lost.

Since the establishment of the Coalition Government in 2010, the UK has witnessed a gradual weakening and undermining of our equality and human rights legislation. In 2010, the Coalition Government rolled out the ‘Red Tape Challenge’ - a programme of work that threatened the Equality Act and the Public Sector Equality Duty. Significantly, it led to a weakening of employer liabilities and changes to employment tribunal responsibilities to prevent discrimination. It also caused substantial cuts to the Equality and Human Rights Commission’s (EHRC) budget – the national body mandated to challenge discrimination, and to protect and promote human rights in the UK.

Most recently, the Conservative Government has announced it wants to repeal the Human Rights Act with a ‘British Bill of rights.’ It is unclear what rights a British Bill will include but NUS and many others are concerned the bill will lead to a reduction in the protections we currently have under the Human Rights Act. On top of this, we know many parts of the Welfare State protecting the wellbeing of marginalised and vulnerable people in the UK is being stripped away.

By being part of the EU we are bound by directives and treaties which protect human rights, promote equality and reduce discrimination across Britain and the EU. Given the Government’s current record, it is difficult to argue that if we were to leave they would *increase* protections and rights already included in EU directives. It would also potentially lead to instability in this area depending on the will of elected Governments every 5 years.

NUS Scotland welcomes the Scottish Government’s previous statements regarding the protection of human rights legislation and believe that this is more important than ever that the rights afforded to UK citizens under EU membership are maintained if Scotland ceases to be a member and that our human rights progress is not stalled. It is imperative that the UK government is not allowed to use the UK’s withdrawal from the EU as a reason to replace current legislation with the proposed ‘British Bill of Rights’.