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Ukraine Scheme Guide

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Overview

In response to Russia's invasion of Ukraine, in March 2022, the UK Government introduced three new visa routes to support Ukrainian nationals and their family members fleeing conflict to come to the UK for up to three years.

The new visa routes that were introduced are the Ukraine Family Scheme, Ukraine Sponsorship Scheme (Homes for Ukraine) and Ukraine Extension Scheme. Collectively, these routes are known as the Ukraine Scheme.

In February 2024, the government announced that from early 2025, all those currently residing in the UK under one of the Ukraine visa schemes will be able to apply to stay in the UK for an additional 18 months under the Ukraine Permission Extension Scheme.

Ukrainians with permission to stay in the UK under any of these routes can work, study, and have access to public funds.

Ukraine Permission Extension Scheme

Following the government's announcement of the Ukraine Permission Extension Scheme earlier this year, Ukrainians who sought sanctuary in the UK in the aftermath of the war in Ukraine will be able to stay for longer.

Existing holders of Ukraine Scheme visas will be able to apply for an 18-month extension within the final 3 months of their permission and continue to have the same rights to access work, education, benefits, and healthcare throughout their stay.

The first Ukraine Scheme visas granted are due to expire in March 2025, and extension applications will open from **early 2025**. This means Ukrainians who came to the UK on the first visas two years ago after being displaced by the conflict will be able to stay here until September 2026.

In addition to extending their stay in the UK by applying to extend their current permission, Ukrainian nationals can remain in the UK by switching to another immigration route, where eligible, even if their visa would not normally allow them to do so.

Ukraine Extension Scheme

The Ukraine Extension Scheme is for those who are in the UK with immigration permission that is not under one of the Ukraine Scheme routes.

The Ukraine Extension Scheme will close to new applicants for permission to stay in the UK from **May 16, 2024** (other than to children born in the UK after March 18, 2022, to parents holding a Ukraine Scheme visa). Ukrainian sponsored students may wish to apply to the scheme before May 16, 2024, to have permission to stay in the UK for up to three years.

To apply to the Ukraine Extension Scheme, applicants must be Ukrainian or the immediate family member of a Ukrainian national who is also applying to the scheme. Applicants must be in the UK when they apply.

It is free to apply to the Extension Scheme. Please note that this route does not lead to Indefinite Leave to Remain (ILR).

For more information on the Ukraine Extension Scheme, please visit the GOV.UK website here.

Changes to the Ukraine Family Scheme and Ukraine Sponsorship Scheme

The Ukraine Family Scheme, which permitted eligible Ukrainian nationals to join family members in the UK, is now closed to new applicants. Individuals with existing permission to stay in the UK under this route will continue to hold this permission despite its closure to new applicants.

The Ukraine Sponsorship Scheme (Homes for Ukraine), which allows Ukrainian nationals and their immediate family members to come to the UK if they are being sponsored by a UK household, remains open to new applicants. However, the initial grant of leave is being reduced from 36 months to 18 months.

Ukrainian Students and Higher Education

It is important to note that applying to the Ukraine Extension Schemes does not guarantee that an individual's visa will be extended long enough to complete their course of study. Students whose course surpasses the permission granted by their Ukraine Scheme visa can apply for a Student visa to extend their leave in order to remain in the UK for the duration of their course.

Ukrainian students granted leave under the Ukraine Scheme may be eligible for 'home' fee status and student finance when studying an approved course at an approved higher education provider in the UK.

Institutions will differ in terms of fees and finance, not solely by the university or college itself but also by its location within the UK (i.e. England, Scotland, Wales, and Northern Ireland).

To qualify for 'home' fee status under the Ukraine Scheme in England, students must meet specific criteria. Read more about the requirements under category 11 on the UK Council for International Student Affairs (UKCISA) website here.

Following the Department of Education granting over £4 million of additional funding to higher education providers to support Ukrainian students in need of financial assistance, many universities have set up scholarships and hardship funds for those affected by the events in Ukraine. Prospective university students are encouraged to contact universities' student advice/ welfare services to obtain university-specific information on topics including housing, benefits, and finances.

In Scotland, individuals with Ukraine Scheme visas are entitled to free tuition and living cost support. In Wales, Ukrainian students can access student finance support, which includes help with living costs.

Ukraine Scheme visa holders receive humanitarian protection status, granting rights to work, study, and claim benefits in the UK, distinct from asylum seekers or refugees. This status is provided because Ukrainians do not meet criteria for refugee status under the

Refugee Convention. Ukrainian nationals are not being persecuted for conventional reasons, i.e. race, religion or political opinion but still require international protection due to facing serious harm as a result of the conflict in Ukraine. However, the humanitarian protection status can pose challenges for Ukrainian students applying to UK universities via UCAS. Some Ukrainian students have found that the UCAS application form does not recognise their status and prevents them from explaining their extenuating circumstances, resulting in classification as international students to pay higher 'international' fees. In response, UCAS claims that individual circumstances can be flagged in the personal statement and references of the application. To help overcome these issues, we strongly encourage our members and their Ukrainian students to collaborate closely with UCAS and prospective universities to obtain support and guidance with the university application process.

Financial Support

Holders of Ukraine Scheme visas are entitled to apply for Government benefits from day one of arrival in the UK. Such benefits include, but are not limited to, Universal Credit, Housing Benefit, Pension Credit and Child Disability Living Allowance. It is important to note that receiving benefits will not impact an individual's right to stay in the UK for three years under the Ukraine Scheme, nor will it impact any future route to settlement in the UK.

Universal Credit is a benefit payment designed to provide financial support to individuals aged above 18 and below the state retirement age who are on a low income or out of work. There are some other cases where it may be possible for Ukrainian nationals to claim Universal Credit, which include children aged 16 and 17 without parental support (i.e. who have travelled alone to the UK without a parent), those who are studying full-time but are responsible for a child, and individuals aged under 21 who are studying for A levels or equivalent and do not have parental support. Please note that Ukrainian university students are expected to apply for student loans to support themselves. For further information regarding student loans, please visit the GOV.UK website here.

Ukrainians with ILR will have recourse to public funds and will be able to claim benefits such as Universal Credit as long as they meet the general rules of entitlement.

Further useful information on financial support for Ukrainians can be found on the Ukrainian Refugee Help website here.

Further Information

BSA Group Legal Team will continue to monitor the situation and provide updates to our members regarding the Ukraine Scheme when further information is available. Should you require any support in relation to the Ukraine Scheme, please contact us on legal@bsagroup.org.uk or +44 (0)207 798 1583.

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