

Children, Young People, Education and Skills Policy

Title:	Access to publicly funded education
Issued:	2 July 2014
Last updated	October 2021

1. Overview

This policy outlines the access to education services (to a specified level of qualification).

2. Scope

This policy¹ applies to children and young people accessing education provided in Jersey² at the following phases:

- Pre-school Education (3-4 years)³
- Compulsory School Age (5-16 years)⁴
- Post 16 Education (16-18 years)^{5 6 7 8}
- Further Education (19+ years)^{9 10}
- Higher Education (19+ years)^{11 12}

3. Immigration Controls

Access to subsidised or wholly maintained education is available to:

- British & Irish children¹³
- Third country nationals¹⁴ holding the relevant Immigration permission

¹ This Policy relates to immigration status and Access to Publicly Funded Education in Jersey. It assumes compliance with the Control of Housing and Work (Jersey) Law 2012.

² 'Education in Jersey' is education that is provided at an educational establishment in Jersey.

³ The period in which a child's fourth birthday falls between 1st September and ending on 31st August.

⁴ As defined in the Education (Jersey) Law 1999, Article 2.

⁵ Post 16 Education is defined as the period in which a child of non-compulsory school age aged 18 or under as of 31st August commences a course of study.

⁶ Access to publicly funded post-16 education is only available for recognised qualifications and delivered at CYPES funded establishment.

⁷ Students must be ordinarily resident in Jersey for a minimum of one year before the course commences, however access to publicly funded post-16 education is available for students moving from compulsory education within a Jersey school to post 16 education.

⁸ Students must be living with their parents or a family member who has parental responsibility for them.

⁹ Further Education (excluding Higher Education) is defined as the period in which an adult aged 19 or over as of 1st September commences a course of study. This does not include adult education courses.

¹⁰ Students must be ordinarily resident in Jersey for a minimum of one year before the course commences.

¹¹ Degree level and above qualifications.

¹² Rules about accessing Higher Education funding are detailed in the [Education \(Grants and Allowances\) \(Jersey\) Order 2018](#).

¹³ 'British' includes the Channel Islands.

¹⁴ Third country nationals are all nationals other than British or Irish

Relevant Immigration Permission - Third country nationals

Third country nationals can receive permission to access subsidised education in the same way as a British or Irish national but granted under categories:

- Limited Leave to Remain as the dependent of someone who has been granted immigration permission to work or settle in Jersey
- Indefinite Leave to Remain
- Pre-settled status
- Settled status

Other third country nationals may access education by paying the full cost at a fee-paying provided or fee-paying non-provided school and maintaining themselves whilst in Jersey. Jersey Customs and Immigration Service (JCIS) will require the student to first provide evidence/correspondence, from the school¹⁵ they plan to attend, of how fees will be paid.

Access is categorised as follows:

- Those granted entry via a student visitor (for less than 6 months), many nationals do not require a visa and access will be granted at the border on entry.
- Those issued with a student visa.

¹⁵ If the school receives government funds then CYPES must also be contacted – [List of primary schools](#) / [List of secondary schools](#)

Appendix 1

European Nationals Immigration Permission from 1st January 2021

This document provides information in support of the CYPES policy relating to access to publicly funded education.

For the purposes of this document references to EU nationals means EEA¹⁶ and Swiss nationals but excludes those that are British or Irish.

From 1st January 2021 all EU nationals require an Immigration permission to be present in Jersey in the same way non-EU nationals did prior to 2021.

For the purposes of the CYPES Policy all nationals other than British and Irish nationals are now third country nationals.

Jersey Customs & Immigration Service has an obligation to align its immigration rules to that of the UK, as members of the CTA. However, there are certain differences to UK rules, which will depend on the Island's specific needs.

Those EU nationals that were resident in Jersey prior to 2021 are eligible for pre-settled or settled status. Those that acquire pre-settled or settled status continue to be treated in exactly that same way for education purposes in the Island.

Those third country nationals not eligible to the settlement scheme must acquire a visa to come to the Island to live or work in the Island. If their immigration permission allows them to bring in their dependant family, then their children may attend any school in the Island.

Third country nationals not eligible to the settlement scheme must acquire a visa to come and study in the Island if they intend to come for more than 6 months. This cohort have always previously been restricted to wholly maintained education and maintaining themselves whilst in Jersey.

¹⁶ Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden.