

Mr. Robert Simpson  
[[mailto:request-84915-](mailto:request-84915-@)  
[@](#) ]

(FOI)Home Office Ref: 19869

Date: 21st September 2011

Dear Mr. Simpson

Thank you for your e-mail of 1 September in which you have asked to be sent:

- All material used by UKBA in assessing whether EEA citizens are considered to have “sufficient resources” to qualify as either a “self-sufficient person” or a “student”.
- All material used by UKBA in assessing whether an EEA applicant’s comprehensive sickness insurance” meets the requirements to qualify as either a “self-sufficient person” or a “student”. Including but not limited to, lists of specific providers and policies which are sufficient or which are not sufficient, or guidelines for evaluating the specific medical insurance policy document that an applicant has submitted.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

With regards to your request for all material used in assessing sufficient resources, we believe that the information you have requested is already reasonably accessible to you. It can be found in pages 32 to 35 of the modernised guidance document “European Economic Area (EEA) and Swiss nationals: free movement rights” which has been published on the UK Border Agency website. For your reference you can access this document here:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/modernised/working/>.

Section 21 of the Freedom of Information Act exempts the Home Office from having to provide you with this information, because it is already in the public domain. If you have any difficulties in accessing this information at the source which I have indicated, please contact me again.

With regards to your request for all material relating to the consideration of comprehensive sickness insurance I can confirm that the Home Office holds some of the information you have requested.

Please find enclosed the instruction issued to caseworkers dealing with applications for documentation from EEA nationals and their family members. This guidance is also used by UK Border Agency call centre staff who deal with queries about documentation for EEA nationals and their family members. As you will see it highlights what evidence does and does not meet the comprehensive sickness requirement as laid down in Directive 2004/38 ("the Free Movement Directive") and provides guidance on the transitional arrangements for students. This guidance has been incorporated into Annex A of Chapter 4 and Annex B of Chapter 6 of the European Casework Instructions which are available on the UK Border Agency website. For your reference you can access the European Casework Instructions here: <http://www.bia.homeoffice.gov.uk/sitecontent/documents/policyandlaw/ecis/>

The Home Office does not hold a list of specific insurers or insurance policies that would meet the requirements of the Regulations relating to comprehensive sickness insurance. Applications received by the UK Border Agency are assessed on a case by case basis and in accordance with the operational guidance issued.

In keeping with the Freedom of Information Act 2000, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference FOI 19470. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team  
Home Office  
Ground Floor, Seacole Building  
2 Marsham Street  
London SW1P 4DF  
e-mail: [FOIRequests@homeoffice.gsi.gov.uk](mailto:FOIRequests@homeoffice.gsi.gov.uk)

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

S Bryant  
Policy Manager  
European Operational Policy Team  
North West region  
UK Border Agency

