

## Implementation plan IND standard as a minimum for new non-EEA PhD Scholarships per 01-01-2025

### Background:

Maastricht University (UM) considers it undesirable that some (groups of) non-EEA PhD candidates with a scholarship (hereafter scholarship PhD candidates) are in a situation that their monthly allowance is below the value of the IND standard. The IND standard is used to determine whether one's income is sufficient to receive a residence permit, and it reflects the income that is required to have a normal living standard in the Netherlands. The IND standard is reevaluated twice yearly and, because of its connection to the minimum wage, increases every six months. Especially over the past years, PhD candidates who started their program at UM with a scholarship, have experienced significant inflation, and because of a lack of (sufficient) inflation correction by the scholarship provider, they are now in the situation where their scholarship is (far) below the current IND standard. This makes scholarship PhD candidates different from other PhD candidates; the scholarship is their primary source of income and UM has received signals that scholarship PhD candidates experience difficulties in making ends meet.

### Short term:

From 1 January 2025, all new scholarship PhD candidates must have a (stacking of) scholarship(s) that at least meets the relevant IND standard and a future adherence to this IND standard. The agreed adherence to the IND standard should be included in the agreement between the scholarship PhD candidate and the scholarship provider. It will no longer be allowed to top-up scholarship(s) below the IND norm with personal financial means.

It is important to stress that IND uses different standards for individual scholarship PhD candidates compared to scholarship PhD candidates who reside in the Netherlands with a family. For the PhD candidates who bring along a family, they are themselves responsible for a top-up toward the relevant IND standard. UM only focuses on adhering to the IND standard for individual scholarship PhD candidates.

For current scholarships PhD candidates, nothing changes. While it is acknowledged that some of these scholarship PhD candidates are also in the situation where their scholarship is below the IND standard, they can resume their PhD under their current contractual agreement.

There is a transition period for scholarship PhD candidates with whom already (contractual) talks have started under former conditions. These scholarship PhD candidates will still be permitted to conduct their PhD at UM.

### Financial backing:

UM will inform and discuss with scholarship providers an increase of the scholarships to the then and future applicable IND standard. It is likely that not all scholarship providers will increase the height of their scholarships in the coming years. Faculties therefore also need to be aware that scholarship PhD candidates indeed receive a scholarship amount that corresponds with at least the IND standard. HR/ISSO will monitor and can verify whether an intended scholarship amount is sufficient in comparison with the current IND standard.

### *Current IND standard*

The currently applicable IND standard fluctuations can be found here:

<https://ind.nl/nl/inkomenseisen-normbedragen#aanvraag-voor-verblijfsvergunning-als-onderzoeker-arts-in-opleiding-of-gastdocent>, under 'Aanvraag voor verblijfsvergunning als onderzoeker, arts in opleiding of gastdocent'.

### *Further financial information*

If the PhD candidate is considered by the tax office to have an employment relationship with the UM (this is the case for 'regular' PhD candidates, but not for scholarship PhD candidates), this means that the PhD candidate is entitled to a collective labor agreement employment with facilities such as grading in salary scales and a pension. Therefore, financial flows must therefore be handled with care, and, to avoid tax or other related issues, no financial means may flow from UM to the scholarship PhD candidate.

Whether the relationship between UM and the scholarship PhD candidate qualifies as employment relationship in accordance with Section 7:610 of the Civil Code depends on the following three criteria:

- A. The presence of an authority relationship;
- B. The obligation to perform personal labor for some time;
- C. The obligation to pay wages.

Condition B is always met. If UM transfers compensation to the scholarship PhD candidate directly (e.g., as a top-up of their scholarship), the risk of classifying the relationship between UM and the scholarship PhD candidate as an employment relationship will significantly increase. Criterion C will then be met.

The only remaining criterion concerns the authority relationship, criterion A. It is understandable that one would like scholarship PhD candidates to be able to provide a teaching role but unfortunately, this is not desirable as the PhD candidate will then meet all criteria to enter into a collective labor agreement. After all, a grantee who is assigned teaching duties falls under UM's authority. An authority relationship may also exist in other situations, where training agreements are signed and must be followed.

### Long(er) term

To ensure that future UM PhD candidates will not again end up in the situation described in the background section, from 1 January 2025 onwards, PhD candidates with a scholarship will only be able to enter a UM PhD trajectory if their financial means adhere to the IND standard **and** correction for inflation is agreed upon. The organization is already informed through a corporate message on UMPLOYEE and a communication message to the relevant policy officers in the faculty, the UM China Team and ISSO.

To ensure that scholarship PhD candidates complete their PhD trajectory within the funded four years, supervisors of scholarship PhD candidates are asked to closely monitor the progress and other relevant aspects (e.g. wellbeing) of their PhD candidates. It is highly undesirable that scholarship PhD candidates need to use their own resources or have to take a side job, in order to fund an extra period to finalize their PhD trajectory.

### Demarcation

This policy only applies to UM scholarship PhD candidates, type 2 according to UNL classification and is not applicable for employed PhD candidates (type 1), externally funded PhD candidates (type 3) and PhD candidates with own resources (type 4).