

STUDENT SUPPORT INFORMATION NOTE:

**2009/10: ARRANGEMENTS FOR STUDENTS
FUNDED UNDER THE STUDENT SUPPORT
REGULATIONS**

TO:

LOCAL AUTHORITIES (for the attention of Student Support Awards Officers)

INSTITUTIONS OF HIGHER EDUCATION
IN THE UNITED KINGDOM PROVIDING DESIGNATED HIGHER
EDUCATION COURSES

DEVOLVED ADMINISTRATIONS

THE STUDENT LOANS COMPANY (including CENTRAL PROCESSING
UNIT).

SSIN 03/09

November 2008

Dear Colleague

HIGHER EDUCATION STUDENT SUPPORT IN ENGLAND IN 2009/10:

**THE EDUCATION (STUDENT SUPPORT) (AMENDMENT) (No 3)
REGULATIONS 2008 (2008 No.2939)**

The Education (Student Support) (Amendment) (No 3) Regulations 2008 were laid before Parliament on 25 November 2008 and will come into force on 17 December 2008.

The Regulations apply, in the main, to students commencing a full time HE course during the academic year 2009/10. They implement the changes to the methodology outlined in the Secretary of State's announcement to Parliament on 29th October by which financial assessments for students starting their courses on or after 1st September 2009 are to be made. They also make a technical amendment to the Education (Student Support) Regulations 2008, as amended, and further technical amendments and corrections to the Education (Student Support) (No.2) Regulations 2008, as amended. They additionally address a concern raised by the Joint Committee on Statutory Instruments (JCSI) that the Education (Student Support) (No.2) Regulations conflicted with policy intention in one area.

The changes set out on 29th October are intended to maintain the policy intention announced on 5th July 2007, that two thirds of new students starting their courses on or after 1st September 2009 will receive a full or partial grant in 2009. The upper threshold for entitlement to partial grant has therefore been revised. One of the consequences of this change is the creation of another category of student – ‘2009 cohort student’ – for most new students starting their courses on or after 1st September 2009. Those students who started their courses before 1st September 2009 will continue to receive their entitlement to support based on the thresholds in place when they started their courses.

In addition, the Regulations reverse a change in the 2008 (No.2) Regulations and return the re-assessment threshold to 85% from 95%.

Full details of the changes are listed in the Annex. All the changes are summarised in the Explanatory Memorandum which is available on the Office of Public Sector Information (OPSI) website at:

<http://www.opsi.gov.uk/si/si200801.htm>.

Electronic copies of the Education (Student Support) (Amendment) (No 3) Regulations 2008 (Statutory Instrument No.2939) can be downloaded from the OPSI website at:

<http://www.opsi.gov.uk/si/si200801.htm>

Those organisations needing paper copies of the regulations and Explanatory Memorandum should phone, email or write to the Stationery Office (please see contact details below).

ENQUIRIES

If you have any queries about the Student Support Regulations, please contact, in the first instance, the Student Loans Company Contact Centre in Darlington - telephone 0845 6020583; email SSIN_queries@slc.co.uk

ORDERING COPIES OF THE STUDENT SUPPORT REGULATIONS

The Regulations can be ordered from The Stationery Office at:

TSO Orders/ Post Cash Dept
PO Box 29
Norwich
NR3 1GN

Telephone: 0870 600 5522

Email: customer.services@tso.co.uk

SUMMARY OF CHANGES FOR 2009/10

a) Creation of '2009 cohort student' (Regulation 2(1)).

The introduction of revised maintenance/special support grant thresholds and tapers and increased maximum maintenance loans for students starting full time courses in the 2009/10 academic year has necessitated the creation of another cohort of student. Most new students starting their courses after 1st September 2009 will therefore be classed as being in the 2009 cohort. This is defined as a current system student who begins their current course on or after 1st September 2009 and where one of the following applies:

- The student has not previously undertaken any course which began before 1st September 2008 and which is a previous course.
- The student is a type 1 or type 2 teacher training student.
- The course leads to a qualification as a social worker, medical doctor, dentist, veterinary surgeon or architect.

This change will not affect students who started their courses in the 2008/09 academic year who are currently defined as 2008 cohort students, and who will remain as 2008 cohort students. These are defined as current system students who begin their current course on or after 1st September 2008 and where one of the following applies:

- The student has not previously undertaken any course designated for the purposes of section 22 of the 1998 Act and which began before 1st September 2008.
- The student is a type 1 or type 2 teacher training student.
- The course leads to a qualification as a social worker, medical doctor, dentist, veterinary surgeon, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner.

(Please also see item e) on page 5)

Students who are eligible for the pre-2008 package of maintenance support will be described as 'current system students who are not 2008 cohort or 2009 cohort students'.

b) Revision of household income thresholds for eligibility for partial maintenance grant from £60,032 to £50,020 and consequential changes to maintenance loan entitlement (Regulations 57A, 60A, 68B, 68C, 72 and 101).

Most new 2009 cohort students will be assessed for maintenance grant support on the basis of a lower income threshold of £25,000 (the same as for 2008 cohort students) and an upper income threshold of £50,020, with two

separate tapers; one of £1 for every £5 increase in income from £25,000 up to £34,000 and the second of £1 for every £15.17 increase in income from £34,000 up to £50,020. This upper income threshold is lower than that which applies to 2008 cohort students (£60,032). 2009 cohort students who are eligible for a maintenance grant will have their maintenance loan entitlement reduced by £0.50 for every £1 of grant payable up to a maximum of £1,453.

2009 cohort students whose incomes exceed £50,020 but do not exceed £50,778 will not be eligible for a grant. However they will receive the maximum maintenance loan which has been increased for 2009 cohort students (£4,950 – for students living away from home and studying outside London; £6,928 – for students living away from home and studying in London; £3,838 – for students living at home). 2009 cohort students whose income exceeds £50,778 will have their maintenance loan entitlement reduced by £1 for every £5 increase in income up to the point where 72% of the maximum loan is reached.

2009 cohort students eligible for the special support grant will have their grant support assessed in the same way and for the same amounts as those eligible for the maintenance grant. However 2009 cohort students eligible for the special support grant will also be eligible for the full maintenance loan up to a household income threshold of £50,778. 2009 cohort students eligible for the special support grant whose household income exceeds £50,778 will have their maintenance loan entitlement assessed in the same way as students eligible for the maintenance grant.

2009 cohort students on postgraduate (or equivalent) initial teacher training courses (referred to as type 1 or type 2 teacher training students in the Regulations) will continue to receive a guaranteed minimum maintenance or special support grant regardless of income. Full-time 2009 cohort PGCE students will receive a guaranteed grant of £1,106 and most part-time 2009 cohort PGCE students will receive a guaranteed grant of £553. Although these figures are marginally lower than for PGCE students who started their courses in 2008, 2009 starters will receive broadly similar overall maintenance support as they will receive an increased loan entitlement.

c) Reinstating re-assessment threshold to 85% (Schedule 4, paragraph 5(3)).

The income threshold for re-assessments for all students from the 2009/10 academic year was changed from 85% to 95%. In 2008 and previous academic years, if a student's household income for the financial year following the one on which they had been assessed fell to 85% or less than the assessed income, they could be re-assessed on the lower income. As part of the changes for 2009, the threshold was revised from 85% to 95%. However, the original 85% threshold is now reinstated as part of the general threshold amendments.

TECHNICAL AMENDMENTS

2008/09 Academic Year

d) Ensuring students who have studied on a previous course are excluded from the 2008 cohort (Regulation 2(1) of the 2008 Regulations).

Students who have undertaken a previous designated full-time distance learning course or a previous part-time course undertaken by distance learning that started before 1st September 2008 are currently defined as '2008 cohort' students, as the 2008 Regulations currently only take account of previous courses which the student has attended. However this fails to meet the general policy objective which is to exclude students from the 2008 cohort if they have studied on any previous designated course starting before 1st September 2008, whether or not they actually attended the course.

The definition of a '2008 cohort' student is therefore now defined as one who has not previously ***undertaken*** any course designated for the purposes of section 22 of the 1998 Act which began before 1st September 2008'

Changing 'attended' to 'undertaken' ensures that previous study on a designated distance learning course, or part-time course taken on a distance learning basis, generally excludes a student from the 2008 cohort and ensures policy is applied consistently.

The number of students affected by this change is likely to be very small; and the amendment will apply only to applications received after the Regulations come into force, i.e. 16th December 2008. Assessments undertaken for students who have already had their applications processed for the 2008/09 academic year should not be re-visited. Any new applications received should be processed according to the amendment regulations.

2009/10 Academic Year

e) Students who transfer courses (Regulations 13, 14, 20 and 65).

When a student transfers from one course to another, they retain their entitlement to the same package of student support that was in place when they started their course. However, for 2009/10 starters, new rules were introduced which (a) denied eligibility to a student who had gained a qualification at a level equal to or higher than that they are currently studying, whether or not that study had been carried out abroad and (b) widened the definition of what constitutes previous study. As a result of these changes, some students who had previously studied overseas, but who were eligible for student support in 2008/09 would lose their entitlement to support if they transferred to another designated course in 2009/10.

This amendment ensures that students transferring courses in 2009/10 will continue to be subject to the previous study arrangements in place in

2008/09. This will mean that the student support arrangements that were in place in 2008/09 will continue for transferring students in 2009/10.

f) Definition of “end-on” courses (Regulation 2(1)(d)).

An “end-on” course is defined in the Regulations as a course which, disregarding any intervening vacation, a student begins immediately after ceasing to attend a previous course. However, the word “immediately” is omitted in Regulation 2(1)(d) of the 2008 (No 2) Regulations. The amendment reinserts “immediately” to ensure that policy is correctly expressed.

g) Correcting an error in regulation 132(12) as well as making typographical corrections to regulations 68(9) and 68A (2).

Regulation 132 deals with conditions under which students are eligible for the part-time student support package. The date of “1st September 2009” in regulation 132(12) was inserted in error and has been amended to read “1st September 2007” as the provision is unchanged from regulation 132(12) in the 2008 Regulations for the 2008/2009 academic year. Typographical errors in regulations 68(9) and 68A (2) have been corrected.

h) Amending drafting to address issue raised by JCSI in their 28th report (Regulation 10 (1))

The 2009 Regulations were introduced early to enable students to apply for support at the time they applied to study HE, almost a year before the relevant course starts. However, the wording of Regulation 10 states that the application should be made within *9 months* of the start of the academic year. The JCSI, who consider the content of Statutory Instruments (Regulations), were of the opinion that Regulation 10(1) conflicted with the intention to allow early application. Regulation 10(1) is therefore amended accordingly, providing students with a final date by which an application has to be made. The Regulation now requires that an application should be made no later than 9 months after the start of the relevant academic year. However, Local Authorities and SLC retain discretion to authorise applications received after this date.