

STUDENT SUPPORT INFORMATION NOTE:

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

TO:

LOCAL AUTHORITIES AND CENTRAL PROCESSING UNIT
(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

SSIN 02/09

2008

Dear Colleague

HIGHER EDUCATION STUDENT SUPPORT IN ENGLAND IN 2009/10:

**THE EDUCATION (STUDENT SUPPORT) (No 2) REGULATIONS 2008
(2008 No.1582)**

The Education (Student Support) (No 2) Regulations 2008 were laid before Parliament on 26th June 2008 and will come into force on 1st September 2008, with the exception of Schedule 5, which amends the Education (Student Support) Regulations 2008, and which will come into force on 18th July 2008.

The Regulations apply, in the main, to students attending or undertaking an HE course during the academic year 2009/10. They have been introduced early so as to enable delivery of the Government's Customer First initiative which allows students to apply for their student support at the same time as they apply for university courses. There are a number of other policy changes, including new provisions regarding students who have equivalent or higher level HE qualifications (ELQs) whether gained in the UK or overseas,

previous periods of HE study whether in the UK or overseas, and the pro-rating of support for prisoners. Full details of these and other changes are listed in the Annex. The regulations also introduce some amendments that affect support for students undertaking an HE course in 2008/09. 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) (No 2) Regulations 2008 (Statutory Instrument No.1582) 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

CHANGES FOR 2008/09**a) Social work students**

From 1st September 2008 graduates studying a second undergraduate degree in social work are included in the definition of 2008 cohort student. This corrects an omission in the 2008 Student Support Regulations.

b) Extending the definition of a designated course

From 1st September 2008 students who have had eligibility conferred on them by virtue of undertaking a full-time distance learning course can have that status converted or transferred when they move to a part-time or full-time course. This change is necessary as full-time distance learning courses only became designated in 2007 and 2008 is the first year that a student could move from a full-time distance learning course onto a full or part-time designated course.

c) Persons who are settled in the UK and have exercised a right of residence elsewhere

From 1st September 2008 new students who are settled in the UK but who left England and exercised a right of residence in the EEA and Switzerland before returning to study at an institution in the UK will be eligible for student support on their return.

d) Pro-rating the maintenance support available to students who have been prisoners during the academic year

It is Government policy that prisoners should not receive maintenance support whilst they are in prison. From 1st September 2008 students who have been prisoners for any part of the academic year will only be eligible for maintenance support on a pro-rated basis for any periods of time in which they are not in prison. In exceptional circumstances, Local Authorities will have the discretion to pay maintenance support to students for periods they have spent in prison if stopping or reducing payments will cause them financial hardship and prevent them from continuing their course. New provisions have been made in the (No 2) Regulations 2008 to reflect this change and the 2008/09 Regulations will be amended at the same time as the (No 2) Regulations 2008 are laid. Any applications for support from prisoners for the 2008/09 Academic Year should be held until the amended 2008/09 Regulation come into force on 18 July 2008.

e) Taper amount

Assessing household income in order to determine the amount of support a

student will receive is subject to the application of a defined taper, where the income exceeds a certain level. In the cases of eligible part-time students studying at “level 3” intensity and eligible full-time distance learning students, the amount of fee grant to which they are entitled in 2008/09 should be reduced by £50 plus £1 for every £7.58 by which household income exceeds £16,090. Although regulation 137(6)(a) of the 2008/09 Regulations applies the correct taper of £7.58 to eligible part-time students studying at “level 3” intensity, regulation 120(2)(a) applies an incorrect taper of £7.60 to full-time distance learning students. The figure of £7.60 was the taper that applied for 2007/08 and should have been amended to £7.58 for 2008/09. The correction to the error in regulation 120(2)(a) accordingly ensures that full-time distance learning students are paid correctly from the start of the 2008 academic year.

CHANGES FOR 2009/10

f) Earlier application date

The Regulations enable students applying in the autumn of 2008 for full-time courses that start on or after 1st September 2009 to apply for their student finance at the same time. This will mean that, when assessing financial eligibility, instead of looking at the household income of the financial year immediately before entering higher education, it will be necessary to look at the information for the year before that i.e. the financial year ending April 2008 for students starting their courses in September 2009 (the prior financial year).

The impact of this change is that:

- Household income thresholds for assessing financial entitlement will be broadly held at the 2008 rate so that students will generally receive the same package of support in real terms as they had in 2008/09;
- Continuing students studying from 1st September 2009 will also have their income assessed on the financial year ending in April 2008 for their support for the academic year starting in September 2009;
- In order to avoid hardship, if the student’s circumstances change resulting in a drop in household income to 95% or less of the income on which their support was assessed, the student can ask for a reassessment. The previous threshold for reassessment was set at 85%.

g) Support for students who have studied on a previous Higher Education course

From 1st September 2009 most new students applying for student support for a second HE course that is equivalent or lower in level than their first HE

course will be excluded from any fee and maintenance (grant and loan) support. This will apply if the student has a degree from a UK institution or, for the first time, from an overseas institution.

However, new students taking courses in medicine, veterinary science, architecture, social work and undergraduate Initial Teacher Training (ITT) will continue to be eligible for maintenance loan support, though not fee loan or maintenance grant support, even if they already hold an equivalent or higher level qualification. Students eligible for a means-tested NHS bursary will continue to be eligible for a reduced rate loan whether or not they already hold an equivalent or higher level qualification.

Students taking postgraduate courses of ITT will continue to be eligible to apply for the full package of fee and maintenance (grant and loan) support.

New students with a lower level HE qualification will be eligible for fee and maintenance support to 'top-up' to a higher level qualification only.

New students who have previous study on a full-time, full-time distance learning or compressed degree course, but who did not achieve a qualification, will have those years of previous study deducted from their fee and maintenance grant entitlement, if the course was undertaken at an institution which attracted public funds, whether in the UK or overseas. (Study on a previous part-time HE course or a wholly privately funded course will continue not to be taken into account if that study did not lead to a qualification).

These changes will apply to students starting their course on or after 1st September 2009. Students continuing on their course from 1st September 2009 (i.e. those who have undertaken study on the course during previous academic years) will be subject to the support arrangements that applied in previous years (i.e. before 1st September 2009).

h) Removing subjects from the list of courses eligible for support for second undergraduate degrees

From 1st September 2009 new full-time students who already hold a degree will no longer be eligible for maintenance loan support for courses leading to qualifications in landscape architecture, landscape design, landscape management, town planning or town and country planning. This is because postgraduate courses now exist as entry into these professions for graduates. Students who already hold a degree and who started studying these courses before 1st September 2009 will continue to be eligible for support.

i) Ensuring undergraduate courses which include a postgraduate professional qualification are excluded from eligibility.

It is Government policy that courses leading to a professional qualification where the entry requirement would ordinarily be a degree should not attract student support funding. (The only exception to this remains ITT). An

amendment has been made to prohibit support for students following courses that include, as an integrated part of the course, a professional qualification normally only available to a graduate.

j) Further simplification of the calculation of financial contribution by a student towards student support – split contributions

The existing split contributions provisions are complex. As the introduction of the 2008 cohort adds another potential calculation, a simplification to this aspect of the Regulations has been made for households including two or more students, so that the income-assessed contribution for each full-time student in such a household is simply divided by the number of students. There will no longer be any reallocation of contributions for students in the same cohort to ensure the assessed contribution is used up, nor will there be any reassessment in-year of entitlement for the remaining family members should one leave their course during an academic year.

k) Removal of the separate student support arrangement for new students in Houses of Religious Orders

From 1st September 2009, this category of independent student will be removed from the Regulations. The provision was originally introduced to provide a tailored support package for students attending a number of religious courses abroad. However, these courses are no longer supported, and as a result this obsolete provision has now been removed from the Student Support Regulations.

Students who already define themselves as living in Houses of Religious Orders and who are continuing their courses in the 2009/10 academic year will remain eligible for their existing package of support.

l) Undergraduate initial teacher training (ITT) courses

From 1st September 2009 new and continuing students taking undergraduate ITT courses where the periods of full-time attendance during the academic year (including attendance for the purpose of teaching practice) are between 6 weeks and 10 weeks will be eligible for a fully means-tested maintenance grant of £1,453. They will also be eligible for a full-rate loan for living costs (25% of which is means-tested).

This change will align the levels of maintenance grant support for undergraduate ITT courses with attendance on those courses.

m) Scottish Healthcare bursaries

Previous Regulations included a provision that part-time students would not be eligible for financial support via fee and course grants if they were in receipt of a Scottish Healthcare Allowance. Part-time students are no longer offered this type of bursary and thus the wording in the regulations is obsolete

and has been removed.

This change applies to part-time students and full-time distance learning students (who receive the part-time financial support package).

n) Pensions

Income in the form of benefits under a pension arrangement that is paid to an ex-partner under an order made pursuant either to the Matrimonial Causes Act 1973 (inserted by the Pensions Acts 1995 and 2004) or the Civil Partnership Act 2004, will, from 1st September 2009, be excluded from the income taken into account for the means test for student support. Conversely those students whose household is in receipt of income under a pension arrangement made under an order pursuant to the above legislation will be required to include it in the means test for student support. This will ensure that pension income that is not available to a household is not included in the means test. This will apply to both new and continuing students.

o) Adding academies to the list of institutions where courses cannot be designated

A small change is made in the Regulations to add academies to the list of institutions whose courses are not designated for student finance. Academies are a relatively recent addition to secondary education and are neither maintained schools nor independent schools, as they receive funding from both independent sources and directly from the Department for Children, Schools and Families. The change merely tidies up the regulations to take account of changes elsewhere and is not a policy change.