

Student Support Information Note

Student Support Amending Regulations –
changes to Student Support in England for EU
nationals living in the UK and Islands

To: Higher Education Practitioners/England

SSIN 06/2016

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Dear Colleagues

The Education (Student Support) (Amendment) Regulations 2016 (SI.2016 No. 270) - New eligibility criterion in England for EU nationals with five years residence in the UK

The Education (Student Support) (Amendment) Regulations 2016 (S.I. 2016 No. 270) were laid before Parliament on 3 March 2016. Provisions within these Regulations will come into force on 25 March 2016, subject to consideration by Parliament. The Regulations amend the Education (Student Support) Regulations 2011 (S.I. 2011/1986).

Changes to student support in England for the 2016/17 academic year and made through these amendment Regulations, confirm the proposals announced through the Written Ministerial Statement of 1 March 2016. Details can be found here:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statements/>

The amending regulations extend the residency requirement for EU nationals undertaking higher education courses to qualify for grants and loan for living and other costs. EU nationals will require five years ordinary residence in the UK and Islands, prior to the first day of the first academic year of the course before they may qualify for living cost support.

This change has no impact on the eligibility of EU nationals for tuition fee loans or home fee status, nor does it change the eligibility requirements for EEA migrant workers and their family members.

Policy Background

The policy change was subject to consultation in September – November 2014 and a full consultation response and equality impact assessment was published on Gov.uk.

<https://www.gov.uk/government/consultations/higher-education-living-cost-support-eu-nationals-residency-requirements>

EU nationals currently in the system qualify for living cost support once they have been ordinarily resident in the UK and Islands for three years in the period immediately before the first day of the first academic year of the course. Evidence suggests this is more generous than the support available in many other European countries; with almost half not providing any support to students towards living costs.

An increasing number of EU students are accessing living cost support in England adding further pressure on the budget for higher education. The pressure increases if EU nationals return to their home country after graduation, as recovery of loans then becomes increasingly difficult.

The increase from three to five years residency in the UK and Islands more closely aligns with the five year residency requirement for support in Austria, Belgium, Denmark, Finland, France, Germany, the Netherlands and Sweden.

The change will come into effect for applications submitted to the Student Loans Company after the amending regulations have come into force, for new entrants into Higher Education on or after 1 August 2016. Students already in the system are unaffected by this change.

Electronic copies of the Education (Student Support) (Amendment) Regulations 2016 (S.I. 2016 No. 270) can be downloaded from the 'legislation.gov.uk' website at:

<http://www.legislation.gov.uk/ukxi/2016/270/contents/made>

ENQUIRIES

If you have any queries about the Student Support Regulations, please contact, in the first instance, the Student Finance England Practitioner Support Team – telephone 0300 100 0618; email SSIN_queries@slc.co.uk