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Department for Children, Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

# The Assembly Learning Grants and Loans

The Assembly Learning Grants and Loans (Higher Education)(Wales)  
Regulations 2008

student finance wales



## Consultation

Consultation document No: 041/2007

Date of issue: 17 September 2007

Action required: Responses by 26 October 2007

# The Assembly Learning Grants and Loans (Higher Education)(Wales) Regulations 2008

- Audience** Local Authorities; Higher Education Institutions; Further Education Institutions; National Union of Students; Student Loans Company; the Open University in Wales; other interested parties.
- Overview** This consultation seeks views on the proposed policy changes and technical amendments to the existing student support legislation to be contained in the forthcoming Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2008.
- Action required** Any comments which consultees might have on the proposals should be sent to the Welsh Assembly Government by 26th October 2007. Comments can be made in writing to the address below. Comments can also be made by email to [studentfinancedivision@wales.gsi.gov.uk](mailto:studentfinancedivision@wales.gsi.gov.uk).
- Further information** Further information about this consultation can be obtained by e-mailing [studentfinancedivision@wales.gsi.gov.uk](mailto:studentfinancedivision@wales.gsi.gov.uk) or by writing to:  
Student Finance Division  
Welsh Assembly Government  
Cathays Park  
Cardiff  
CF10 3NQ
- Additional copies** This consultation document is available on the internet and can be copied from: [http://new.wales.gov.uk/topics/educationandskills/education\\_and\\_skills\\_consult/?lang=en](http://new.wales.gov.uk/topics/educationandskills/education_and_skills_consult/?lang=en)
- Related documents** The Assembly Grants and Loans (Higher Education)(Wales) Regulations 2007, which can be viewed on the OPSI website at: <http://www.opsi.gov.uk/legislation/wales/wsi2007/20071045e.htm>  
The Assembly Grants and Loans (Higher Education)(Wales) (Amendment) Regulations 2007, No 2312 (W.183), which will be available early September on the OPSI website at: [http://www.opsi.gov.uk/legislation/wales/wales\\_legislation.htm](http://www.opsi.gov.uk/legislation/wales/wales_legislation.htm)

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# **The Assembly Learning Grant and Loans (Higher Education)(Wales) Regulations 2008**

## **Summary**

To underpin the Higher Education student support system in Wales the Welsh Ministers are required to enact the appropriate secondary legislation in the form of Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations for each academic year.

Enclosed is a schedule setting out the policy changes and technical amendments to the existing legislation which are proposed for the 2008/09 academic year.

Due to the compressed timetable to make legislation for 2008, actual draft regulations have not been enclosed and changes to the existing Regulations have been kept to an absolute minimum.

## **Consultation Period**

The consultation will last for a period of 6 weeks and would request for responses to be submitted by the **26<sup>th</sup> October 2007**. A separate proforma for responses has been included and should be sent to:

Natalina Cottrell  
Policy Development and Change Team  
Student Finance Division  
Welsh Assembly Government  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Or by e-mail to: [studentfinancedivision@wales.gsi.gov.uk](mailto:studentfinancedivision@wales.gsi.gov.uk)

Please note that responses may be made available for public inspection in the Assembly Library. The Welsh Assembly Government will assume that you do not object to this approach to openness unless notified otherwise. If you reply by email, any confidentiality clause automatically generated by your provider will not be taken into account unless you specifically request confidentiality. Consultation responses may also be included in a statistical summary and a summary of responses may subsequently be published on the Welsh Assembly Government's website.

# THE ASSEMBLY LEARNING GRANTS AND LOANS (HIGHER EDUCATION) (WALES) REGULATIONS 2008

## Background

1. The Welsh Assembly Government took responsibility for the student support system in Wales from the 2006/07 academic year. To underpin the system the Welsh Ministers are required to put in place annual secondary legislation in the form of the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations.

2. In March 2006 the then Minister for Education, Lifelong Learning and Skills agreed that Wales would adopt the proposal to align the student finance system with the UCAS timetable with effect from the 2009/10 academic year. Following the alignment, students will then be able to apply for student support at the same time as applying for their course in September 2008, for studies beginning in autumn of 2009.

3. The proposal to align the systems formed part of the consultation exercise undertaken for the 2007 Regulations and the responses received have been taken into consideration in the process to be applied for 2009/10.

4. Please note that the Welsh Assembly Government intends to undertake a review of the student support arrangements in Wales over the autumn of 2007, with the aim of delivering a long term student support framework for Wales. The review will consider the lessons learnt from the introduction of the Tuition Fee Grant and the implications of the Department of Innovation, Universities and Skills (DIUS) announcement on major changes being made to the student support system in England from 2008. The Welsh Assembly Government will then consider the way forward, particularly in response to the major change to the qualifying thresholds of the English maintenance grant.

## Legislation and consultation process

5. The Assembly Learning Grants and Loans (Higher Education)(Wales) (Amendment) Regulations 2008 will set out the provisions and eligibility criteria for students undertaking designated higher education courses in Wales for the 2008/09 academic year.

6. The effect of the move to the new cycle results in the need to bring forward the legislation processes for the 2008/09 academic year to enable the regulations governing the 2009/10 academic year to be in place for 1<sup>st</sup> September **2008**.

7. The compression on the timetable means that this consultation will be limited to a schedule setting out the proposed policy changes and technical amendments and will not include actual draft regulations. During this transitional year policy changes have been kept to an absolute minimum to help facilitate the change in the system.

8. The changes included in the schedule will update the existing 2007 legislation governing student support namely: *the Assembly Learning Grant and Loans (Higher Education) (Wales) Regulations 2007 No 1045 (W 104)* and *the Assembly Learning Grants and Loans (Higher Education) (Wales) (Amendment) Regulations 2007 No 2312 (W 183)*.

9. The new 2008 regulations will consolidate the 2007 changes and, subject to the outcome of the consultation, include the new changes set out below.

## Changes for 2008/09

10. The following policy changes and technical amendments have been identified as required for 2008/09 and your views on these proposals are welcomed.

<b>Proposed Policy Change</b>	<b>Impact / Reason for change</b>
<p><b>Part time</b> - implementing recommendations of the Graham Report – to align the targeted grant support with that available to full time students.</p>	<p>This change will result in an extension of the targeted grant support which is currently only available to full-time students. This means the introduction of the means-tested Childcare Grant, Adults Dependants' Grant and Parents' Learning Allowance for part-time students.</p>
<p><b>Disabled Student Allowance</b> - an increase in the levels of support available for Non Medical Helpers (NMH) and for postgraduate students.</p>	<p>The proposal is to raise the cap levels to an amount which will make a real difference to severely disabled students. In particular for those students with profound sensory Impairments, who need expensive human support, e.g. sign language interpreters, etc.</p> <p>The proposals are to raise the levels to:</p> <ul style="list-style-type: none"> <li>• £20,000 for NMH for full time students</li> <li>• £10,000 for NMH for part-time students</li> </ul> <p>In addition, postgraduate students receive a significantly lower maximum level of support and the proposal is to increase this to £10,000.</p>

<p><b>Flexible Initial Teacher Training (ITT)</b> – to align the student support arrangements with those currently in place for conventional Post-Graduate Certificate in Education (PGCE) students</p>	<p>The specific proposals include:</p> <ul style="list-style-type: none"> <li>• New entrants in 2008/09 on flexible PGCE ITT courses of 12+ months – to become eligible to receive tuition fee support products for the first time. They previously have been eligible to receive living cost support under the existing legislation.</li> <li>• New entrants in 2008/09 on flexible PGCE ITT courses of 6 weeks to 12 months – to become eligible for tuition fee support products as these courses will be designated under the Regulations for the first time. These students will not be eligible for living cost support.</li> </ul> <p>To note that the Open University in Wales is the only current provider of flexible ITT courses in Wales having been awarded provisional accreditation as an ITT provider by HEFCW in March 2007.</p>
<p><b>Proposed Technical Amendments</b></p>	<p><b>Impact/ Reason for change</b></p>
<p><b>Uprating for inflation</b> - to be applied to the Tuition Fee Grant, all loans, grants and means-tested thresholds</p>	<p>The Regulations to reflect an inflationary uplift of 2.5% on the levels of grants, loans and means-tested thresholds.</p> <p>To note this results in the following key changes for 2008:</p> <ul style="list-style-type: none"> <li>• Tuition Fee Grant of £1,890;</li> <li>• Maximum fee loan of £1,255;</li> <li>• Maximum maintenance grant of £2,835.</li> </ul>
<p><b>Distance learning</b> – anomaly in the existing legislation.</p>	<p>The anomaly has been identified for 2007 that the existing Regulations make no specific reference to full-time distance learners and the policy intent (conveyed in guidance) of providing eligible distance learners with the package of support provided to part-time students.</p>

	<p>At this time separate amendment Regulations are being prepared for the 2007/08 academic year, to ensure that this omission is rectified. These changes will then also be subsumed within the 2008 legislation. Separate communication on the new amendment Regulations will be issued in due course.</p>
<p><b>Dependant grants mean test – anomaly in existing legislation.</b></p>	<p>The current legislation needs to be amended to correctly cover the application of the various dependant grants available to a student couple with persons who are deemed to be ‘wholly or mainly financially dependant upon them’. The amendments will then reflect the original policy intent for a student couple to each receive half the Adult Dependants Grant and Childcare Grant and for each to be eligible for the full amount of the Parents’ Learning Allowance.</p>
<p><b>Travel grant visas and medical tests - anomaly in existing legislation.</b></p>	<p>Students studying abroad can apply for means tested Travel Grant, to which an expenses disregard of £290 is applied. As part of these expenses some students will require visas and medical tests but these are currently not covered by the disregard. These specific costs are not explicitly covered in the Regulations and could be interpreted as being subject to the disregard, therefore the Regulations will be revised to cover this omission.</p>