



Scottish Funding Council

Promoting further and higher education

Comhairle Maoineachaidh na h-Alba

A' brosnachadh foghlam adhartach agus àrd ìre

# Guidance

## National policy for further education bursaries: 2011-12

18 March 2011

This guidance stipulates the conditions of use of bursary funds allocated to colleges by the Scottish Funding Council and sets out the rates for calculation for academic year 2011-12.

FAO: Principals and directors of Scotland's colleges

Contact: Jane Scott, Policy Officer, Finance & Corporate Resources, Tel: 0131 313 6660, email: [jscott@sfc.ac.uk](mailto:jscott@sfc.ac.uk)

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## 1. Introduction

- 1 This policy supports the aims of the Scottish Funding Council (SFC) corporate plan 2009-12. Working with Scotland's colleges we will seek a system of further education (FE) in which, through the provision of high quality education and learning, students have enhanced their general and specific skills, their confidence, self-reliance, motivation and capacities in ways that:
  - meet the needs and expectations of employers in Scotland, the rest of the UK and internationally and which address the particular economic demands of the plan period;
  - lead to an improved utilisation of those skills in the work place;
  - allow individuals over time to develop their skills and capacities for learning without the need for unnecessary repeated study; and which
  - are underpinned by a system of financial support for students that targets support where it is most needed, so that, as far as practicable, opportunities to learn are determined solely by a person's capacities and ambitions.
- 2 The policy stipulates the conditions of use of bursary funds allocated to colleges by the SFC and sets out the rates for calculation for academic year (AY) 2011-12.
- 3 **The bursary fund is cash limited. Students who are eligible for support from this fund are not automatically entitled to this support.**
- 4 This policy is similar to the 2010-11 policy, with more specific changes noted in paragraphs 12 to 16 below. Aspects of the bursary scheme previously contained in the *Further Education Bursaries (Scotland) (no.3) Direction 2005* have been included in relevant sections of this policy.
- 5 As part of our annual policy review process, the SFC's executive consults with the Further Education Student Support Advisory Group (FESSAG), an advisory group to the SFC's Chief Executive whose role it is to advise on technical changes to the student support policy.

- 6 In response to continuing demand on the budget and discussions with FESSAG, we have sought wider feedback on the changes to this year's policy through the consultation paper (SFC/02/2010C), issued in November 2010. A full analysis of the consultation responses and the decisions taken are on the SFC's website at: [http://www.sfc.ac.uk/news\\_events\\_circulars/Consultations/2010/Consultations\\_SFC022010C.aspx](http://www.sfc.ac.uk/news_events_circulars/Consultations/2010/Consultations_SFC022010C.aspx)
- 7 The rates and scales within this policy are aligned with those used by the Student Awards Agency for Scotland (SAAS) for advanced students and there is no increase from AY 2011-12.
- 8 This policy has been produced for bursary and student support officers within colleges. We recommend that colleges publish their own individual policies for advising students on student support matters. This will ensure the students receive information that is relevant to their own circumstances and local community.
- 9 The terms of this policy do not affect how colleges use other student support funds, unless referred to in the policies for those particular funds or referred to in this policy.
- 10 Where a college chooses to supplement bursary funds with its own resources, it may use the additional resources as it sees fit.
- 11 This policy includes a glossary of terms (see paragraph 197 onwards). Student support staff may also wish to refer to the SFC's webpage for student support administrators at:  
[http://www.sfc.ac.uk/funding/colleges/collegefundingstreams/student\\_support/info\\_links\\_for\\_student\\_support\\_admin.aspx](http://www.sfc.ac.uk/funding/colleges/collegefundingstreams/student_support/info_links_for_student_support_admin.aspx)

### **Specific changes to 2011-12 policy**

- 12 There has been no change to the student support allowances for AY 2011-12, they will remain at the levels set for AY 2010-11.
- 13 The policy for AY 2011-12 will be subject to the following changes:
  - bursary awards – only a maximum of two weeks should be paid in advance;

- bursary payments can only be backdated to the start of course if the complete application is received within six weeks of the start of the course;
  - overseas study trips can no longer be funded from bursary funds;
  - UK study trips can no longer be funded from bursary funds. An exception will be made for students on continuing courses where this is expected to be part of their course of study in AY 2011-12;
  - Study items – colleges are asked to achieve best value when purchasing these items and retain study items that can reasonably be reused.
- 14 In addition the policy provides advance warning of changes to the audit requirements for AY 2012-13.
- 15 A change has been made to the order of Section 3 – Administration of the award - with a view to making the information contained in this section flow more meaningfully. In addition a presentational change has been made to Section 4 to aid the understanding of the eligibility criteria.
- 16 The table below details all the changes to the AY 2011-12 bursary policy as well as notifying the changes to be made in AY 2012-13.

## Text changes to student support and fee waiver policies AY 2011-12

Section	Paragraph number/s	Reason for change to AY 2011-12 policy
<b>Changes to Bursary policy arising from consultation exercise undertaken winter 2010</b>		
Calculation of award  Study expense allowance -	108	Bullet point – “mandatory study trips” has been removed from this paragraph
Study Trips	113 & 114 now paras 120-122	<p>These paragraphs have been removed and replaced as follows:</p> <p>Following review undertaken in both spring and winter 2010 the following changes will now be implemented.</p> <ul style="list-style-type: none"> <li>• overseas study trips cannot be funded from bursary funds. This change was intimated in the bursary policy for AY 2010-11; and</li> <li>• UK study trips are no longer fundable from bursary funds. An exception will be made for students on continuing courses where this is expected to be part of their course of study in AY 2011-12. Colleges who are affected should confirm this with the SFC.</li> </ul> <p>To clarify what is meant by study trip – this means any trip associated with any course of study i.e. a short trip to museum etc, a day trip out of college, and overnight or longer as associated with sports or travel and tourism courses. (please note that list is not exhaustive and only provides examples)</p> <p>Colleges may opt to use their teaching funds or non-SFC funds to fund this element of the course. Colleges are reminded that they cannot charge students additional fees to complete essential items of the course.</p>

Section	Paragraph number/s	Reason for change to AY 2011-12 policy
Study items	111 now paras 124-125	<p>This paragraph is amended as follows:</p> <p>As an outcome of the recent consultation on student support policies, we have considered a review of study items and the £500 threshold for study items paid for from FE discretionary funds. Feedback from the sector established that further investigation is needed on this issue. The threshold will therefore remain at £500 for AY 2011-12. Colleges are being given advance notice that this will be reviewed for AY 2012-13.</p> <p>However in reaching a decision in respect of the retention of study items purchased using the study allowance colleges should:</p> <ul style="list-style-type: none"> <li>• be achieving best value when purchasing study items;</li> <li>• retain any study items that can be reused; and</li> <li>• allow the student to retain any items that cannot be reused.</li> </ul>
<b>Other changes to be implemented in AY 2011-12</b>		
Audit and data collection requirements	35 now paras 37-41	<p>Has been amended to read:</p> <p>The individualised student support return (ISSR) will become part of the FES return from AY 2010-11. The ISSR will ultimately replace the aggregated student support return. At present the FES/ISSR are finalised and returned to us by <b>31 October</b> and the audited aggregate return is due to be returned to the us by <b>31 December</b>. These dates will remain for the AY 2010-11 returns.</p> <p>In summary for AY 2010-11</p> <ul style="list-style-type: none"> <li>• the ISSR will be collected as part of the FES - return date 31 October;</li> <li>• colleges will still be required to</li> </ul>

Section	Paragraph number/s	Reason for change to AY 2011-12 policy
		<p>provide an audited aggregated student support return – <b>return date 31 December</b>; and</p> <ul style="list-style-type: none"> <li>• note that no audit opinion on the ISSR will be required until AY 2012-13.</li> </ul> <p>In recognition of planning and resource implications for colleges of changing audit arrangements, notice is now being given of the intention to move the return date for all of these returns to the 31 October, starting with the 31 October 2012.</p> <p>Subject to any remaining data quality issues, the audited aggregated return will be dropped from AY 2011-12 and an audit opinion will be required on the ISSR starting with 31 October 2012.</p> <p>Colleges should note the change planned for the returns due in respect of AY 2011-12 and that more information will be provided in the forthcoming audit guidance.</p>
<p><b>Changes resulting from last year’s consultation exercise - Spring 2010 To be applied AY 2011-12</b></p>		
<p>Administration of award –  Limit advance payments to students to two weeks</p>	<p>58 now paras 72-73</p>	<p>Bursary awards – only a maximum of two weeks should be paid in advance.</p> <p>Colleges who already operate systems of paying more than two weeks in arrears may continue doing this.</p> <p>This change does not impact on the purchasing of study items, only the financial payments to students.</p>
<p>Administration</p>	<p>58</p>	<p>Bursary payments can only be backdated to</p>

Section	Paragraph number/s	Reason for change to AY 2011-12 policy
of award – Payments in arrears no more than six weeks	now para 74	the start of the course if the complete application is received within 6 weeks of the start of the course. (This does not include any delay incurred due to the need for official documentation.)
Calculation of award – Study expense allowance - Overseas trips	113 now para 120	Overseas trips are no longer fundable from bursary funds.
<b>Changes to improve consistency</b>		
Fund management  Clawback	38-39 now paras 42-44	<p>Are amended to reflect the change to carry forward in unspent funds.</p> <p>The SFC will recover any funds which remain unused at the end of the academic year.</p> <p>Colleges are reminded that they cannot carry forward any unspent funds as set out in circular <a href="#">SFC/30/2009</a> <i>In year management of student support funds:2009-10</i>.</p> <p>The available funds are taken to be the allocation for a year (as announced in the relevant main grant letter). Where appropriate, the available funds also take account of funds received or relinquished as part of the in-year redistribution process. Unspent funds are the available funds less the audited spend.</p>
Eligibility of	71, third	This has been updated to make reference to

Section	Paragraph number/s	Reason for change to AY 2011-12 policy
award  Eligibility of student	bullet point now para 81, third bullet point	<p>paragraph 125, (Additional support needs for learning) to clarify the position where students already receive funding for travel.</p> <p>Is updated to provide the link to the relevant section from Scottish Government's Partnership Matters. See section on Motability paragraph 4.6.9 which can be found via the following link:</p> <p><a href="http://www.scotland.gov.uk/Resource/Doc/272118/0081086.pdf">http://www.scotland.gov.uk/Resource/Doc/272118/0081086.pdf</a></p>
Calculation of award	125  now paras 130 & 142	<p><u>Additional support needs for learning allowance.</u></p> <p>This paragraph has been updated the include the relevant section from Scottish Government's Partnership Matters. See section on Motability paragraph 4.6.9 which can be found via the following link:</p> <p><a href="http://www.scotland.gov.uk/Resource/Doc/272118/0081086.pdf">http://www.scotland.gov.uk/Resource/Doc/272118/0081086.pdf</a></p>
Student assessment	159, table 2	Invalid care allowance removed – known as carers allowance.
Parental assessment	164, table 3	Back to work bonuses removed – no longer exists.
Parental assessment	159, table 5	Invalid care allowance removed – known as carers allowance.

## 2. Conditions of grant

### Context

- 17 The college governing body has power under section 12(2)(c) of the *Further and Higher Education (Scotland) Act 1992* to provide to students of its college such assistance of a financial or other nature as it considers appropriate.
- 18 It is a condition of the *Education (Access Funds) (Scotland) Direction 2009*, that the SFC shall administer student support funds, in conjunction with the fundable bodies, in accordance with the requirements of section 73ZA of the *Education (Scotland) Act 1980*, the *Education (Access Funds) (Scotland) Regulations 1990*, the *Education (Access Funds) (Scotland) Determination 2010*.

### Use of bursary allocations

- 19 Colleges should apply the terms of this policy when using the funds allocated to them from the SFC for bursary purposes. Funds may only be used for student support purposes, as described in this policy.
- 20 Colleges should also apply all relevant legislation and any supplementary guidance the SFC may issue from time to time when using bursary funds.
- 21 Under the *Education (Access Funds) (Scotland) Determination 2009*, residential criteria for bursaries are as set out in Schedule 2, where “Scotland” excludes the local authority areas of Orkney Islands and Shetland Islands. A bursary payable to or in respect of a person who is eligible for a bursary only by virtue of Part 2 of Schedule 2 may include sums only in respect of tuition and other fees payable in respect of that person (see paragraph 69 “The college may also determine support for tuition and other fees”)
- 22 General conditions of grant also apply, as described in the 2011-12 main grant letter for colleges ([MGL SFC/09/2011](#)).
- 23 **Colleges must apply to the SFC for dispensation to vary or add to the terms of this policy, including the limits set on the use of funds.**

- 24 Colleges cannot use bursary funds allocated to them by the SFC in a way that does not adhere to the guidance in this policy or a variation agreed by the SFC. Any college wishing to discuss this should contact Jane Scott, Policy Officer, Finance & Corporate Resources, Tel: 0131 313 6660, email: [jscott@sfc.ac.uk](mailto:jscott@sfc.ac.uk)

### **3. Fund management**

- 25 This policy sets out the minimum criteria, maximum rates and minimum contribution scales that a college must apply in allocating bursary funds. The bursary fund is cash-limited and colleges may have to exercise discretion to target support to meet local priorities and the needs of their students.
- 26 Colleges can choose to hold bursary funds in a separate bank account but this is not a condition of grant. There is no requirement to apply any interest earned on these funds to the fund balance.
- 27 Colleges should have in place systems, which minimise incorrect payments of bursary funds. However, where there has been overpayment for any reason and funds are recovered these should be credited to the fund balance at the time of recovery. The administrative costs of recovering these funds, in line with other administrative costs relating to SFC student support funds, should be met from core college funds.
- 28 Spend on study costs must not exceed 15 per cent of the college's initial bursary allocation for 2011-12, unless otherwise agreed in advance (see paragraph 46). Colleges are reminded that this cap does not apply to funds colleges spend on meeting the additional study costs incurred by students as a direct result of a disability, through the additional support needs for learning allowance.

#### **Using bursary funds for childcare**

- 29 Colleges cannot vire or transfer funds from bursaries to childcare but they may spend bursary funds on childcare. The maximum amount of bursary funds which colleges may spend on childcare is 50 per cent of the amount they were allocated for the childcare fund.
- 30 The SFC expects colleges to use their childcare fund in full before using bursary funds as childcare funds (see the national policies for FE & HE childcare and FE discretionary funds for information on the use of childcare funds). If a college wishes to use bursary funds for childcare but has not spent its childcare allocation in full then the college must contact the SFC for permission to spend bursary funds as childcare funds.

- 31 **Colleges must ensure they explain this in writing when submitting their audited statement for student support funds (see paragraphs 37 to 41). Colleges need to renew this request annually.**

### **Using FE & HE childcare and FE discretionary funds as bursaries**

- 32 Colleges may use their FE & HE childcare and FE discretionary funds to meet shortfalls in their bursary allocations. This is in line with the announcement made in circular [SFC/54/2008](#), Student support funds preliminary in-year redistribution. This introduces flexibility between bursary, FE childcare and discretionary funds to meet the needs of students. The combined guidance for FE & HE childcare will allow colleges the same flexibility.
- 33 **In order to fulfil our duty to account for the proper use of public funds, any college that wishes to do this must first apply in writing to the SFC to request this flexibility. Colleges need to renew this request annually.**
- 34 Any FE childcare and discretionary funds used in this way must meet the conditions of the bursary policy in full. Colleges cannot use FE childcare and discretionary funds to meet bursary needs of students who are not eligible for bursary funds.
- 35 **Please ensure that you have met the childcare needs of students who are already being supported at the college before considering using these funds for bursary purposes.**
- 36 Please note that this is not a virement of funds and to avoid clawback you should record your spend under FE childcare and discretionary funds in your audited student support return.

### **Audit and data collection requirements**

- 37 The individualised student support return (ISSR) will become part of the of the FES return from AY 2010-11. The ISSR will ultimately replace the aggregated student support return. At present the FES/ISSR are finalised and returned to us by **31 October** and the audited aggregate return is due to be returned to us by **31 December**. These dates will remain for the AY 2010-11 returns.

- 38 In summary for AY 2010-11:
- the ISSR will be collected as part of the FES - return date 31 October;
  - colleges will still be required to provide an audited aggregated student support return – return date 31 December; and
  - note that no audit opinion of the ISSR will be required until AY 2012-13.
- 39 In recognition of planning and resource implications for colleges of changing audit arrangements notice is now being given of the intention to move the return date for all of these returns to the 31 October, starting with the 31 October 2012.
- 40 Subject to any remaining data quality issues, the audited aggregated return will be dropped from AY 2011-12 and an audit opinion will be required on the ISSR starting with 31 October 2012.
- 41 Colleges should note the change planned for the returns due in respect of AY 2011-12 and that more information will be provided in the forthcoming audit guidance.

### **Clawback**

- 42 The SFC will recover any funds which remain unused at the end of the academic year.
- 43 Colleges are reminded that they cannot carry forward any unspent funds as set out in circular [SFC/30/2009](#) *In year management of student support funds: 2009-10*.
- 44 The available funds are taken to be the allocation for a year (as announced in the relevant main grant letter). Where appropriate, the available funds also take account of funds received or relinquished as part of the in-year redistribution process. Unspent funds are the available funds less the audited spend.
- 45 Unspent funds for AY 2011-12 will be clawed back by the SFC in the last months of AY 2012-13.
- 46 Colleges that overspend on their study cap should note that this overspend does not count as qualifying bursary spend in the bursary

clawback calculations. Such overspend must be met from other college resources.

## **4. Administration of the award**

### **Conditions of bursary**

- 47 Every bursary shall be held subject to the following conditions:
- the holder shall comply with the requirements of the course of education in respect of which the bursary is awarded;
  - the college shall be satisfied as to the conduct and progress of the holder; and
  - the holder shall provide the college with such information and such documents as they may from time to time require to enable them to exercise their functions in line with this policy.
- 48 If the above conditions are not complied with, or if the holder receives from any other source any sum which, in the opinion of the college, makes it unnecessary for the holder to be assisted by means of a bursary, the college may suspend payment of the bursary or terminate the bursary.
- 49 It shall be a condition of payment of a bursary that the applicant gives a written undertaking to pay to the college any amount of which they may request repayment in the circumstances specified above. See paragraph 77 for further details.
- 50 Where the college is satisfied that there has been an overpayment of bursary for any reason and requests repayment of all or part of the overpayment, and the holder has given an undertaking as above, the holder shall be obliged to pay to the college the amount requested.

### **Attendance requirement**

- 51 Bursary awards should only be made available for attendance of at least above 90 per cent of planned classroom hours.
- 52 The SFC expects colleges to:
- produce their own rules for measuring satisfactory attendance;
  - to produce their own guidance for authorised absence;

- to operate these rules and guidance consistently across the college.
- 53 When producing rules for satisfactory attendance, colleges should have regard to disability discrimination legislation (see paragraph 56)
- 54 Colleges should withhold payment and demand refunds for periods of unsatisfactory attendance (see paragraph 51). In undertaking this, colleges should take account of the student's circumstances.

### Legal considerations

- 55 Colleges should be aware of equality legislation in relation to student support matters. This currently still includes the *Disability Discrimination Act* and the *Race Relations (Amendment) Act 2000* and the *Equality Act 2006* but now also includes the *Equality Act 2010* which will be rolled out in stages to replace all other equalities legislation.
- 56 **Disability Discrimination Act:** The *Special Educational Needs and Disability Act 2001* amended the *Disability Discrimination Act 1995*. This legislation makes it unlawful for bodies responsible for providing post-16 education, including colleges, to discriminate against disabled students and other disabled people. The *Disability Discrimination Act 2005* came into effect in December 2006 – this relates to the functions of public authorities, including colleges, not covered by the earlier stages of legislation.
- 57 **Race Relations (Amendment) Act 2000:** The SFC reminds colleges that it is a legal requirement to record and monitor student ethnicity. The SFC recommends that student support applications and awards are also recorded and monitored.
- 58 **Equality Act 2006:** Human rights and gender duty requirements: Colleges must be aware of any gender or gender reassignment issues when making awards. Further guidance can be obtained from the Equality and Human Rights Commission.
- <http://www.equalityhumanrights.com>
- 59 **Equality Act 2010:** This Act brings together all previous equality legislation and includes a new public sector equality duty, which will come into force in stages from 6 April 2011 and replaces the separate duties relating to race, disability and gender equality and includes

some new provisions such as:

- indirect disability discrimination;
- discrimination arising from disability;
- new protected characteristics;
- pregnancy and maternity; and
- new positive action provisions.

60 Further guidance can be obtained from the Equality and Human Rights Commission:

<http://www.equalityhumanrights.com>

61 **Data Protection Act:** All personal data must be processed in accordance with the eight principles of the *Data Protection Act 1998*. Colleges should inform students that they, the SFC and other colleges may use the information students provide on their application form for audit, monitoring and fraud avoidance purposes.

62 In extraordinary instances where personal student data needs to be transferred to the SFC or any other agency or institution this should be carried out securely by encryption and in accordance with an agreed data sharing protocol.

[http://www.opsi.gov.uk/acts/acts1998/ukpga\\_19980029\\_en\\_1](http://www.opsi.gov.uk/acts/acts1998/ukpga_19980029_en_1)

### **Documentary evidence**

63 As above, all students and relevant parents or partners should supply supporting documentary evidence whenever they are required to do so. In line with any requirements agreed with college auditors, colleges should record evidence that they have seen the original documents supporting a student's claim to eligibility for an award, through for example, age, marital status or receipt of benefits. The retention of photocopies of this evidence is at a college's discretion and should be in line with current Data Protection principles.

64 Colleges may apply to the SFC for dispensation to accept, at their discretion, clear and certified copies of required documents. Such copies must be certified by a recognised public official, whose contact details must be provided to the college. Dispensation requests should

outline the range of copied documents to be accepted and procedures for verifying their validity.

65 Where this information is not provided, or where the college believes a student or relevant parent or partner is withholding information that may be relevant to the student's application, colleges may use their discretion to:

- offer the student a provisional award (see paragraph 50); or
- refuse to offer the student an award.

66 If the required documentation is not available at the time of application a college may (at its own discretion) approve a provisional award until such time as that documentation becomes available. However, if the provisional award exceeds the final award the college should demand refund for any overpayment given.

### **Data retention**

67 The SFC recommends that a reasonable period to keep this information is one year after the student's period of support has expired.

### **Amount of bursaries**

68 The amount of a bursary shall be determined by the college. This may include sums in respect of:

- the maintenance of the holder and of any person dependent on the holder during periods of full-time study and during vacations;
- travelling expenses necessarily incurred, or to be incurred, by the holder in undertaking the course of education in respect of which the bursary is awarded; and
- other expenses incurred, or to be incurred, by the holder in taking advantage of educational facilities.

69 The college may also determine support for tuition and other fees payable in respect of the holder of a bursary (or other students within the eligibility criteria set by the SFC). This support should be within the terms of the Fee Waiver Grant Policy AY 2011-12, issued at the same time as this policy, drawing on the fee waiver grant allocation

specified in the main grant letter for AY 2011-12.

- 70 In determining the amount of a bursary, the college may take account of the sums, if any, which in their opinion the holder of the bursary, the holder's parents and the holder's spouse or civil partner can reasonably be expected to contribute towards the holder's expenses<sup>1</sup>.
- 71 The amount of a bursary may be revised at any time if the college thinks fit, with regard to:
- the failure of the holder to comply with the conditions of the bursary; or
  - all the circumstances of the holder or his or her parents or both as the case may be; or
  - any error made in the computation of the amount of the bursary.

### **Payment of student bursaries**

- 72 The equivalent of two weeks of any bursary award is the **maximum** amount of bursary funds that can be paid in advance to any student. However, any college which operates a system of paying more than two weeks in arrears may continue to do so.
- 73 This change does not impact on the purchasing of study items, it only affects the financial payments to students.
- 74 Bursary payments can only be backdated to the start of the course if the complete application is received within six weeks of the start of the course. (This does not include any delay due to the need for official documentation.)
- 75 The SFC recommends that colleges pay students their award by BACS in instalments, at least once a month.
- 76 Colleges can pay students these instalments in advance and should reserve the right to withhold, stop or demand refunds for bursary

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<sup>1</sup> The 'holder's spouse' shall, where the college considers it appropriate, include the other member of a couple who are not married to each other but who are living together as husband and wife and 'holder's civil partner' shall, where the college considers it appropriate, include the other member of a couple who are not civil partners to each other but who are living as civil partners to each other. (See also the glossary definitions of "married" and "partner" at paragraphs 197 and 203 respectively.)

payments based on a student's suspension and/or commitment to progress.

- 77 Students should sign a declaration on the bursary application form undertaking to refund on demand any overpayment made. This includes overpayments due to miscalculation, re-evaluation of eligibility, unsatisfactory attendance or failure to comply with the college's code of conduct. The student should acknowledge that repayment methods may include reduction or suspension of future payments.

### **Amending an award**

- 78 Colleges can use their discretion to amend a bursary award if they discover changes in student circumstances but this must be supported by documentation. (See also paragraphs 171 and 184)

### **Student appeals**

- 79 We recommend that grievances concerning the application of this policy be made in the first instance to the relevant college student support staff. If the student is still unhappy with the result, systems should be in place to allow the student to take this grievance further. This system should include people who are impartial to the case. The SFC is willing to provide explanations of policy but should not be involved as part of the appeal process.

## 5. Eligibility for award

80 A bursary award may only be offered if both the student and their course are eligible for support. Colleges should establish eligibility before considering a student for an award. There is no automatic entitlement to bursary funds, even where eligibility is established (see paragraph 25).

### Eligibility of student

81 A student should only be deemed eligible for an award if all of the following criteria apply:

- **they are residentially eligible.**

To be residentially eligible, the student should satisfy the legislative conditions contained within the *Education (Access Funds) (Scotland) Determination 2009* or subsequent updates (see paragraph 21);

- **they are beyond their statutory school leaving date and have left school.**

If a student has not reached their statutory school leaving date when they start the course, but they will have before the end of the course, they are eligible for support from the first day after they reach their statutory school leaving date;

However, a college can buy equipment for such a student before they reach their statutory school leaving date. In this case, the college may purchase equipment for that student and then reimburse this cost from bursary funds once that student becomes eligible for a bursary award, provided they are still attending the course at that date. This practice must meet all conditions placed on study allowances. Please refer to paragraphs 118 to 127 for more details;

- **they are not or will not be eligible to receive alternative funds.**

If either (i) or (ii) below applies, then the student will not be eligible to receive the full relevant allowance in this policy during the time they are receiving those alternative funds.

- (i) the student already receives and will continue to receive funding towards all or some of the costs covered by a bursary award; or
- (ii) the student will become entitled to receive funding towards all or some of the costs covered by a bursary award during their course.

If the value of alternative funding is less than the student would have received through the bursary policy then the college may choose to top-up the alternative funding (on a means-tested basis). However, the total amount must not exceed the value of funds that a student would have received if funded solely through bursary funds.

Students eligible for Education Maintenance Allowances (EMAs) are not eligible to receive an at home maintenance allowance from bursary funds. However, they may be considered for travel, study and other allowances, including an *away from parental home allowance* for students under 18 (see paragraphs 99 to 101).

Bursary maintenance allowances are not deemed to cover additional living costs incurred by virtue of a disability. However, if a student is in receipt of funds to cover additional living costs, such as disability living allowance, then these funds should not result in a deduction or replacement of any maintenance allowance for which that student is eligible.

Where a student already receives funding for travel, such as through the Motability scheme, colleges may, at their discretion use the additional support needs for learning allowance to top-up but not duplicate existing funding. See paragraph 141 which refers to the Scottish Government's guidance *Partnership Matters* which can be found via the following weblink:  
<http://www.scotland.gov.uk/Resource/Doc/272118/0081086.pdf>

- **they have not previously received bursary or SAAS support or equivalent towards their maintenance, study or travel costs.**

Any previous ‘fees only’ awards or support for students received while aged under 18 (including, for instance, EMA, SAAS or bursary awards) should be disregarded for this purpose.

Students who are ineligible for the above reason may still be eligible to receive bursary support, if both (i) and (ii) below apply.

- (i) The student’s cumulative support (including bursary, SAAS support or equivalent) covers less than the full-time equivalent of three years or less within the last six years. This includes support given to students who did not complete their course but excludes the support currently being applied for. (Three years equals 129 weeks of full-time bursary support or 156 weeks of full-time SAAS support.)

Students with disabilities may take longer to complete a course for reasons directly related to their disability. If their course has been extended for this reason, they may also have received a longer period of support. In such cases, the period of support received should be assumed to be the same as the period of the standard course, not the extended course. Supporting evidence/ documentation should be required;

and

- (ii) at least one of the following circumstances applies to the student:
  - they last received support at least four years ago; or
  - they last received support at least two years ago and immediately prior to enrolling on the course had been registered as a jobseeker for a continuous period of no less than three months; or
  - they last received support for a course which enabled them to progress towards the course they now require support for; or

- they did not complete and/or failed the course that they previously received support for on medical or compassionate grounds. This includes situations where the student is re-sitting the course. Students should submit medical reasons to colleges with a doctor's certificate and should submit compassionate grounds to the college in writing; or

- any other reason, but only if the student has not relied on this paragraph to receive an award within the previous four years.

Colleges should base when a student last received support on the final day of the course that they received support to attend at college (or equivalent) and not on the day on which the final support payment was made;

- **they are not adding to or improving an existing advanced level qualification.**

This is regardless of whether or not the student had received funding for their previous course. If the student possesses a qualification equivalent to SCQF level 7 or above, a college can deem them to be eligible if their current qualifications are obsolete in the workplace or to them and/or unrelated to the course they wish to pursue;

- **they are eligible for recurrent funding from the SFC<sup>2</sup>.**

The only exception to this is if the student is repeating a course and they are otherwise eligible for support. The reason for this exception is that recurrent funding is not available for students who are repeating a course within an academic year. Colleges should refer to the SUMs guidance letter for 2011-12; and

- **they can be defined as<sup>3</sup>:**

- (iii) a student under 18; or
- (iv) a parentally supported student; or
- (v) a self-supporting student.

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<sup>2</sup> Although a requirement for recurrent funding eligibility, students are **not** required to have completed a defined proportion of their course before becoming eligible for consideration for bursaries

<sup>3</sup> please refer to the glossary of terms for more details on each student type

## Eligibility of course

82 A course is eligible to receive support if all of the following five criteria apply:

- it is eligible for recurrent funding from the SFC. Colleges should refer to the SUMs guidance letter for 2011-12;
- it is of a level that does not qualify for support from SAAS;
- it is a non-advanced course;
- it progresses to or results in a qualification. A course that does not progress to such a qualification may be eligible, provided the course either:
  - (i) lasts no more than the full-time equivalent of 18 weeks; or
  - (ii) falls under the terms of the dominant programme group 18. Colleges should refer to the SUMs guidance letter for 2011-12.

Courses not defined in (i) or (ii) that do not progress to, or result in a qualification may still be eligible if they exclusively cover basic skills. Colleges running such courses should contact the SFC to discuss their eligibility; and

- it results in a qualification within the full-time equivalent of three years. A qualification should normally be achieved within the full-time equivalent of one year and a course is not eligible if it takes more than the full-time equivalent of three years to achieve.

This excludes courses for students who require Extended Learning Support, provided the student's personal learning support plan anticipates that the course will take them more than three years to complete.

## 6. Calculation of award

### General

83 If both the student and the course are eligible for support then the college should calculate the student's award. An award can only feature the following allowances:

- maintenance allowance;
- dependant allowance;
- study expense allowance;
- travel expense allowance; and
- additional support needs for learning allowance.

Where a student has access to alternative funds, this renders them ineligible for the relevant full allowances (see paragraph 81, bullet point 3).

A student's alternative funds may cover only some of the purposes for which bursary allowances may be awarded. In such cases, where the student is otherwise eligible, the college may, at its discretion, consider offering support from other bursary allowances.

84 Under no circumstances should colleges offer a student an allowance based on a category that does not define the student. A student can be defined as either:

- a student under 18; or
- a parentally supported student; or
- a self-supporting student.

These definitions are explained further in the glossary at the back of this document.

### Means-testing

85 Students should be means-tested for any allowance received, except as specified in paragraph 86. The dependant allowance is also subject

to a deduction in respect of the adult dependant's income.

- 86 The only circumstance where a college should not means-test students for allowances paid to them are when the college is awarding:
- a travel or study allowance to a student under 18; or
  - an additional support needs for learning allowance to any eligible student.
- 87 In addition, colleges should not take into account benefits covering the equivalent of a maintenance allowance when assessing for travel and study only awards.
- 88 Please refer to paragraphs 190 to 196 for advice on awards for part-time students or those who are studying on an open learning basis.

### **Period of support**

- 89 Maintenance and dependant allowance rates are weekly rates for which students attending full-time courses may be assessed. These allowances can cover the duration of the course including short holidays but not breaks between academic years.
- 90 Funding should not exceed 43 weeks in any one academic year. If it is college practice to have full-time courses running for more than 43 weeks the college must apply to the SFC for dispensation to provide students with any additional support required.
- 91 Awards should only cover the periods of attendance spent at college and, where appropriate, the short holidays. A college should calculate any maintenance and/or dependant allowances payable over the short holidays in line with the student's typical award during term-time.

### **Maintenance allowances**

- 92 Maintenance allowances should only be offered to students on courses requiring a full-time commitment. Allowances set out below should only be paid to students meeting the defined categories.

### ***Self-supporting students***

- 93 The *maintenance allowance* for self-supporting students is **£89.07** per week.

### ***Parentally-supported student***

#### *At parental home*

- 94 The ‘at parental home’ maintenance allowance is **£70.48** per week.
- 95 For a student to be eligible the college must:
- (i) deem the student’s parental home to be within reasonable travelling distance of the college; and
  - (ii) not deem the student to have an established permanent home of their own.

#### *Away from parental home*

- 96 The *away from parental home maintenance allowance* for parentally supported students is **£89.07** per week.
- 97 For a student to be the college must:
- (i) deem a parentally supported student’s parental home not to be within reasonable travelling distance of the college; and/or
  - (ii) deem that the student has an established permanent home of their own.

### ***Students under 18***

#### *At parental home*

- 98 Students who are under the age of 18 and are not defined as self-supporting will usually be entitled to an EMA. This forms the equivalent to an *at parental home maintenance allowance*. The EMA programme is distinct from bursaries and the allowance is paid from another source of funds. Students under 18 cannot be paid an *at parental home maintenance allowance* from bursaries (see paragraphs 208 and 224)

### *Away from parental home*

- 99 The *away from parental home allowance* amounts to **£35.40** per week. Colleges may pay students this element over the short holiday periods.
- 100 Students under 18 may be considered for an *away from parental home maintenance* element payable from bursaries, subject to the criteria in paragraphs 81,82 and 101. This allowance takes account of and is offered in addition to any EMA allowance.
- 101 For a student under 18 to be eligible the college must:
- (i) deem the student's parental home not to be within reasonable travelling distance of the college; and/or
  - (ii) deem that the student has an established permanent home of their own.

### ***College approved accommodation***

#### *Parentally supported or self-supporting students*

- 102 As an alternative to the *away from parental home maintenance allowance* for a parentally supported student and the *maintenance allowance* for a self-supporting student, the college may use bursary funds to contribute to the costs of college approved accommodation. Only students who meet criteria i) and ii) in paragraph 97 above, staying in college accommodation or college approved lodgings may receive this support. In this situation, the student would be eligible to have a contribution towards his or her rent paid from bursary funds and to receive a *personal allowance* of **£27.58** per week.

#### *Students under 18*

- 103 The college may also use bursary funds to contribute to the accommodation costs of a student under 18, who meets criteria i) and ii) in paragraph 101 above, staying in college accommodation or college approved lodgings, as an alternative to the relevant *away from parental home maintenance allowance*. In this situation, no *personal allowance* may be paid. The student would be eligible for an allowance contributing to their rent only.

### *General*

- 104 Under no circumstances should the amount provided to contribute towards rent exceed **£105.30** per week.
- 105 If the student is not required to pay for this accommodation over any short holiday period then the maintenance allowance should revert to the weekly rate the student would otherwise have been eligible to receive.
- 106 Colleges must bear in mind that by providing this allowance they are approving the accommodation as suitable to live in and as such the college must be satisfied that it meets all expected legal requirements, such as houses in multiple occupation (HMO) standards.

### **Dependant allowance**

- 107 This allowance is **£50.77** per week
- 108 Full-time students can receive this allowance if they have care, financial or legal responsibilities for an adult dependant. A student can only claim for one dependant adult.
- 109 Claims of eligibility for a dependant allowance must be supported by documentary evidence such as proof of benefits. This evidence could include proof of receipt of a carer's allowance received by the student for the adult dependant.
- 110 A dependant allowance can only be included as part of a student's bursary award when the adult dependant's weekly income is lower than **£50.77**.
- 111 Students cannot claim a dependant allowance for anyone eligible to receive FE or HE student support.

### ***Partial caring responsibilities***

- 112 In situations where a student is claiming for an adult dependant who they do not care for on a full-time basis, then the college should only give the allowance if they are satisfied that the student is the primary carer of that adult dependant.
- 113 A student cannot claim for an adult dependant who someone else is claiming for as part of his or her FE or HE award.

- 114 Where the adult dependant will suffer hardship because the student is undertaking the course but the student is not the primary carer, the college may use its discretion to decide if the student's award should include a dependant allowance.

### ***Reducing the dependant allowance***

- 115 A dependant allowance should be reduced on a pound for pound basis, according to the adult dependant's income, prior to being added to the rest of the student's award to be means-tested (see the Financial Assessment section).
- 116 This pound for pound reduction should be calculated by including all earned and unearned income available to the adult dependant over the period of support requested by the student.
- 117 For the purposes of the pound for pound deduction, colleges should ignore any income that will also be included in the student's overall means-test.

### **Study expense allowance**

- 118 Colleges may use this allowance to fund study expenses that the student would otherwise have to meet. The specific items allowable will be dependent on the course but only the following types of expenses may be included:
- items that are essential to that course eg essential texts but not additional reading;
  - items that, if absent, do not prevent the course being taught but will prevent the student participating and learning, such as specific clothing, footwear and tools; and
  - items that are required for health and safety reasons.
- 119 These costs can include the costs of paying for eligible students to have a criminal check.
- 120 Following the reviews undertaken in both spring and winter 2010 the following changes will now be implemented.
- overseas study trips cannot be funded from bursary funds. This change was intimated in the bursary policy for AY 2010-11; and

- UK study trips are no longer fundable from bursary funds.

An exception will be made for students on continuing courses where this is expected to be part of their course of study in AY 2011-12. Colleges who are affected should confirm this with us.

- 121 To clarify what is meant by study trip – this means any trip associated with any course of study i.e. a short trip to museum etc, a day trip out of college, and overnight or longer as associated with sports or travel and tourism courses (please note that list is not exhaustive it only provides examples).
- 122 Colleges may opt to use their teaching funds or non-SFC funds to fund this element of the course. Colleges are reminded that they cannot charge students additional fees to complete essential items of the course.
- 123 Colleges may not use bursary funds to pay for basic stationery that a student would need regardless of their choice of course.
- 124 As an outcome of the recent consultation on student support policies, we have considered a review of study items and the £500 threshold for study items paid for from FE discretionary funds. Feedback from the sector established that further investigation is needed on this issue. The threshold will therefore remain at £500 for AY 2011-12. Colleges are being given advance notice that this will be reviewed for AY 2012-13.
- 125 However in reaching a decision in respect of the retention of study items purchased using the study allowance, colleges should:
- be achieving best value when purchasing study items;
  - retain any study items that can be reused; and
  - where a study item cannot be reused it can be retained by the student.
- 126 However, if a student does not complete the course and/or attain the planned qualification, the college may insist that these items should remain the property of the college, as it is assumed that the student will not require the materials/equipment for their future vocation.
- 127 A cap of 15 per cent of the year's allocation of bursary funds is set on the level of funds that colleges can use to meet study costs. This cap

will not apply to additional study costs payable to students eligible through the additional support needs for learning allowance.

### **Travel expense allowance**

- 128 If the student will be using a car to travel then the college should pay the public transport equivalent cost. In situations where there are no public transport equivalents or the student has additional support needs that justify the use of a car, the college should use a mileage rate of **18.37 pence per mile**.
- 129 Students who live more than two miles from the college are eligible for consideration for a travel allowance to meet the costs identified in paragraph 132. With the exception of students eligible to receive an additional support needs for learning allowance, colleges should not award travel costs to students living within two miles of the college.
- 130 For those students whose cases are considered, priority should be given to those in greatest need of travel support and to those whose most economical and direct travel costs are the highest. The college has discretion to consider the most appropriate route or modes of transport (including bicycle or foot) for each student's travel allowance application.
- 131 Colleges may use their discretion to establish a greater limit of distance in considering applications for travel allowances. Such limits should take account of the accessibility, frequency and cheapness of available transport within and outwith their boundaries. Consideration may also be given to locally recognised geographical boundaries and/or obstacles, including safety issues. We would expect neighbouring colleges to take a consistent approach. Where this discretion is used, the revised limit should be clearly defined and available to students. In all cases the college should seek to fund the most economical direct return route.
- 132 This allowance is dependent on the student's circumstances and may cover one or more of the following expenses:
- students without dependent children: return travel from a student's term-time address to the college for the days when they are attending college;
  - students with dependent children: on the days the student is attending college, return travel between:

- (i) their term-time address and the student's childcare provision for the student and the children in childcare; and
  - (ii) the childcare provider and the college for the student.
- students living away from their permanent home: travel from a student's permanent home to their term-time address to start their course and to return to their permanent home at the end of the course. In addition to this, the student may receive an allowance for return journeys between their term-time and permanent home address for each of the college's short holidays. This excludes weekends, bank and public holidays. A student may not receive support for more than the equivalent of eight single journeys between their term-time and permanent addresses in any academic year; and
  - students on mandatory placements: return travel from the student's term-time address to their placement, including travel to college if applicable, for the days on which it is a mandatory requirement of their course to be on this placement.

133 Travel expenses do not include:

- travel between campuses;
- additional residential expenses; or
- post-course travel expenses such as job interviews.

***Alternative travel allowance***

134 Colleges may use their bursary funds to meet some or all of an eligible student's travelling expenses where these are eligible for inclusion in a travel allowance by:

- securing a transportation agreement with a local transport provider; and/or
- purchasing their own transport for students; and/or
- running their own transport for students.

135 The SFC requires evidence of need and value for money from colleges who intend to use bursary funds in the above manner. If the

SFC does not consider the alternative to be value for money then it will instruct colleges to return those funds.

- 136 Colleges who wish to operate an alternative travel allowance must inform the SFC before using bursary funds for this purpose. Colleges should ensure that this request highlights:
- evidence of the need for an alternative arrangement to the standard travel allowance;
  - value for money ie that the alternative arrangement is more economical and better value than the standard travel allowance. This comparison must be after means-testing of the standard travel allowance has taken place; and
  - the academic year or period for which they wish to use their bursary funds in this manner.

### **Additional support needs for learning allowance**

- 137 Additional support towards study and travel-related expenses may be offered to a disabled student who, by virtue of their disability, is obliged to incur additional personal expenditure arising from their attendance at college. For example, colleges can use bursary funds to pay for taxi transportation for a student. This allowance should not be means-tested.
- 138 Colleges can pay support to students with additional support needs for learning out of uncapped funds. Colleges should record these funds as additional support needs for learning allowances on the 2011-12 audited return forms.
- 139 Where a student already receives funding for travel, such as through the Motability scheme, colleges may, at their discretion, use the additional support needs for learning allowance to top-up but not duplicate the existing funding.

### ***Eligible students***

- 140 A student who is on a course which the SFC defines as dominant programme group 18 or is receiving Extended Learning Support from college funds will normally be eligible for this allowance, if required. However, it is recognised that there may also be cases where, on assessment, a student's disability does not bring them into either of these categories but additional support needs are identified

which must be met to allow them to access learning. Where this support is not the responsibility of any other body or fund, the college may consider meeting these costs from this allowance.

- 141 The Scottish Government's publication *Partnership Matters: a guide to local authorities, NHS boards and voluntary organisations on supporting students with additional needs in further education* describes the roles of relevant agencies in providing support to people with disabilities (See section on Motability, at paragraph 4.6.9). A copy can be found at:

<http://www.scotland.gov.uk/publications/2009/05/08155445/0>

### ***Needs assessments***

- 142 The costs of assessments of additional study support needs should be covered by core college funds, not bursary funds. Guidance on responsibility for other needs assessments is available in the Scottish Government's *Partnership Matters: a guide to local authorities, NHS boards and voluntary organisations on supporting students with additional needs in further education* (see paragraph 140).
- 143 Colleges should not normally use bursary funds to pay for diagnostic assessments.

### ***Use of funds***

- 144 Items bought using this allowance and costing **in excess of £500** are assumed to remain the property of the college. The college may use its discretion to pass ownership to the student where appropriate.
- 145 Other items purchased by using this allowance should remain the property of the student, even if the college buys these items centrally. However, as with the study expense allowance, if a student does not complete the course and/or attain the planned qualification, the college may insist that these items should remain the property of the college.
- 146 If the student faces higher rent costs as a direct result of their disability and these are not the responsibility of another body, then the college may use this allowance to top-up the student's maintenance allowance to meet this additional rent. This does not include additional rent charged for college accommodation. If a college is using this fund to top-up a maintenance allowance to meet

this additional rent then the top-up section of the maintenance allowance should not be subject to any means-testing.

## **7. Financial assessment**

### **General**

- 147 This section sets out the financial assessment processes for students attending full-time courses. The financial assessment of students on part-time or open learning courses is set out in the following section (paragraphs 190 to 196).
- 148 Where a student's household can afford to help support the student during their course, they are expected to do so. The financial assessment works out whether the household can afford to help support the student and how much the college should assume this support might be. Similarly, account should be taken of other income the student will receive during their course.
- 149 The financial assessment set out here reflects the common financial assessment for both FE and HE as established in the Scottish Government's 2009-10 policy document.
- 150 The bursary financial assessment will take into account benefits which provide replacement living costs and benefits which provide for additional costs (such as those related to a disability) will be disregarded.
- 151 Annexes A, B and C replicate the tables below, indicating how various forms of income are to be treated. Although full, these are not exhaustive. College staff may consult the SFC executive for advice on any other forms of income.

### **Means-tested allowances**

- 152 Having considered the student's access to alternative funds, the college should determine the student's eligibility for each of the bursary allowances. The combination of these allowances forms the potential award available to the student, which must then be means-tested.
- 153 As explained in paragraph 85 all allowances are means-tested except:
- travel and study allowances for students under 18; and

- additional support needs for learning allowances for all eligible students.

154 The dependant allowance is also subject to a deduction (prior to means-testing) in respect of the adult dependant’s income. Please refer to paragraphs 115 to 117 for more details.

155 All other allowances that make up a student’s award are subject to the following financial assessment.

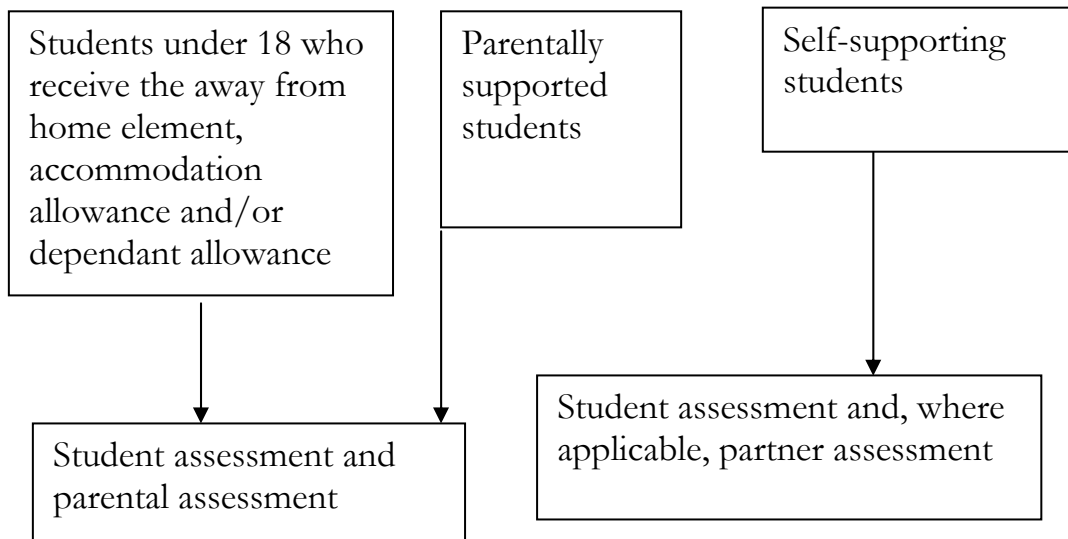
**Financial assessment outline**

156 The college should take into account the monies available to the student to determine the amount of the bursary award to be offered. The monies available should include, where applicable, income from their parents, parent’s partner or the student’s partner.

157 Colleges should ensure they disregard alternative funds (eg EMAs, income support) when making this assessment. Please refer to paragraph 81 for more details.

158 Colleges must request documentary evidence to clarify the nature and value, if any, of child support allowance and/or maintenance payments paid either into or out of the household. This should be from a reliable and authoritative third party such as a social worker.

The diagram below identifies whose income to assess:



## Student assessment

### *Assessing the student's available income*

159 The college should assess the student's income in terms of the money available to them over the period of support required.

- The following income received, over the period of support required, should be excluded:
  - (i) any income identified at paragraph 81 as additional living costs;
  - (ii) any income from the student's own earnings;
  - (iii) adoption and fostering allowance (both elements);
  - (iv) all "additional cost" benefits (including child benefit);
  - (v) child tax credit and child maintenance;
  - (vi) war pension, the disability element only;
  - (vii) any loan income or payment from the FE discretionary fund or childcare fund; and
  - (viii) any funds the student receives from privately funded grants or scholarships for educational purposes.

Table 1 gives further information.

<b>Table 1</b> INCOME NOT USED IN STUDENT ASSESSMENT
Additional cost benefits, including:
Attendance Allowance
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child's Special Allowance
Cold weather payment
Council Tax Benefit
Constant attendance allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian's Allowance
Housing Benefit
In-work and Return-to-work credits or Back-to-work credits
Social Fund Payments
Winter Fuel payments
Educational endowment
Income from student loans, discretionary funds or childcare funds
Part 1 and Part 2 Adoption/Fostering fees
Child maintenance (paid for the student's child(ren))
War pension – disability element only

160 Unearned income received above **£20.52 per week**, over the period of support required should be **included**. This includes:

- (i) all trust income;
- (ii) income replacement benefits;
- (iii) maintenance payment paid to the student for the student; and
- (iv) other unearned income.

161 Table 2 below gives further information

<b>Table 2</b>
<b>INCOME USED IN STUDENT ASSESSMENT</b>
Trust income
Pension income (other than those listed in table 1)
Bank/ Building society interest.
Dividends
Income from property, boarders/casual fees
Working tax credits (not childcare element or disability element)
Income replacement benefits (other than those mentioned in table 1), including:
Bereavement Allowance
Carers allowance
Employment and support allowance ( both income related and contributory)
Income support (to strikers or those involved in trade disputes)
Incapacity Benefit (long-term and short-term)
Income support
Industrial Death benefits scheme pension
Industrial Injuries Benefit
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension

162 The income identified above should then be reduced by all child support or maintenance payments that the student will have to pay

over the period of support required. This only includes payments made for any children and/or former partner not living in the household.

### ***Reducing the student's award: the student's contribution***

- 163 The college should reduce the student's award on a pound for pound basis based on the income remaining after applying paragraph 162

### **Parental assessment**

- 164 The college should assess the assessable parent's income to identify how much, if anything, they should contribute towards the student's support. If the assessable parent has a partner, that partner's income will be included as income available to the assessable parent.

### ***Exemptions from parental assessment***

- 165 Students who are estranged from their assessable parent may, at the college's discretion, be exempt from providing income details of their assessable parent. However, the college must be satisfied that the student's relationship with their parents has broken down and that they cannot be supported by their assessable parent. The onus is on the student to provide documentary evidence from a reputable source such as a social worker.
- 166 In line with practice for the EMA programme, young people who are in the care of the local authority, living in foster homes or in children's homes should be eligible for support without recourse to an assessment of the assessable parent's income, as long as they meet other eligibility criteria. Please refer to paragraph 81 for eligibility criteria.
- 167 Colleges should process the award by entering £0 for the parental income. Unless otherwise eligible, these students should not be assessed as self-supporting students.

### ***Assessing the available parental income***

- 168 The incomes that should be included and excluded in this calculation are shown below. Under no circumstances can a college calculate a parent's income on a pro-rata basis (see paragraph 179) to pro-rata the contribution).

- The following income received over the previous full financial tax year should be excluded:
  - (i) all “additional cost” benefits (including child benefit, child tax credit and disability living allowance);
  - (ii) any loan income; and
- if the parent is also a student, any payment from bursaries, FE hardship/discretionary fund, childcare funds or SAAS equivalent and any student loan income.

Table 3 below gives further information.

<b>Table 3</b>
<b>HOUSEHOLD INCOME NOT USED IN ASSESSING PARENTAL INCOME</b>
Additional cost benefits, including:
Attendance Allowance
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child’s Special Allowance
Cold Weather Payment
Council Tax Benefit
Constant Attendance Allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian’s Allowance
Housing Benefit
In-work and Return-to-work credits or Back-to-work credits
Social fund Payments
Winter fuel Payments
Educational endowment
Income from student loans or hardship/discretionary funds
Part 1 Adoption/Fostering fees

- All other earned and unearned income received over the previous full financial tax year should be included.

Tables 4 and 5 below give further information.

<b>Table 4</b> EARNED INCOME USED IN ASSESSING PARENTAL INCOME
Gross earnings from employment
Gross earnings from self-employment
Money paid as compensation for loss of income.

<b>Table 5</b> UNEARNED INCOME USED IN ASSESSING PARENTAL INCOME
Income from Property
Private Pension Income
Bank/Building Society Interest
Dividends
Income from Trust Funds
Maintenance paid into household by someone not resident in the household (this belongs to the person it is paid to regardless of who it is paid for)
Child Maintenance and child support paid (this belongs to the person it is paid to regardless of who it was paid for)
Fees paid for fostering childcare (part-two income for fosterers only)
Replacement income benefits including:
Bereavement Allowance
Carers allowance
Employment and support allowance (both income related and contributory)
Incapacity Benefit (long-term and short-term)
Income support
Industrial Death benefits scheme pension
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension
Working Tax Credit-but not childcare element or disability element

- 169 Colleges who are assessing the parent of a student under 18 in relation to a possible away from parental home allowance and/or dependant allowance, may choose to use the evidence of income supplied with the student's EMA application instead of the above.
- 170 This income should be reduced by any child support or maintenance payment made in respect of any children (other than the student), or former partner, not living in the household. See Table 6 below.

<b>Table 6</b>
<b>DEDUCTIONS FROM PARENTAL INCOME</b>
Maintenance for former partners and other children in the family, not in the household

- 171 Where income for the current financial tax year is likely to be at least 15 per cent less than that of the previous full financial tax year, the college may allow a provisional assessment to be made. Colleges must do this during the college term and students cannot make a claim for a re-evaluation of their award on a retrospective basis. This should be based on the parent's estimated income for the current financial tax year, provided the college is satisfied that any inaccuracies can be corrected within the period of the award.

***Reducing the student's award: the parental contribution***

- 172 Once the college has calculated the income available they can calculate how much the parent/s are required to contribute to the student's support. The actual level a parent will have to contribute differs by category of student and colleges must ensure they apply the correct scale when making this calculation.
- 173 For *students under 18* if the income identified above is £20,351 or more, then the assessable parent will be liable to contribute to a student's support. Colleges should calculate this based on an initial payment of £45 and a payment of £1 for every £9 above £20,351.

For example:

Income	Contribution
Less than £20,351	£0
£20,351	£45
£21,521	£175
£24,401	£495
£26,471	£725

174 For *parentally supported students aged 18-24 years*, if the income identified above is £24,275 or above, then the parents will be liable to contribute to a student's support. This is calculated as an initial payment of £45 and a payment of £1 for every £9 they are above £24,275 up to a threshold of £50,977, where it will change to £1 for every £6.50 to a maximum contribution of £7,998.

175 This is demonstrated below:

Income	Contribution
Less than £24,275	£0
£24,275	£45
£31,745	£875
£41,735	£1,985
£49,664	£2,866

176 After the contribution has been assessed, it should be reduced by £152 for each child (excluding the student being assessed) who is dependent on the assessable parent and their partner.

177 A college should reduce the parental contribution further if the assessable parent and/or the assessable parent's partner have other parentally supported students who are dependent on them. If the assessable parent or the assessable parent's partner is also a student then they too can be included in the reduction of support. If both parents are students then only one parent can be included in the deduction. For the purpose of this reduction, a student is defined as someone who is above school leaving age and is eligible to receive EMA, bursary or SAAS support. To reduce the contribution the college should divide the contribution by any other students who are dependent on the assessable parent or the assessable parent's partner.

- 178 Deductions from the calculated parental contribution are shown in Table 7 below.

<b>Table 7</b> DEDUCTIONS FROM CALCULATED PARENTAL CONTRIBUTION
Other children in the household who are dependent on the parents/spouse. £152
Maintenance paid in support of other student(s)

- 179 Colleges should apply the parental contribution to the bursary award in full if the course lasts for 43 weeks or more. Where the course lasts less than 43 weeks the college should divide the contribution by the 43 weeks and multiply it by the number of full-time equivalent weeks in the course. This includes short holidays.
- 180 The deduction of the calculated contribution (paragraphs 172-179) from the student’s award calculated in paragraph 163 will create the student’s final award.

**Partner assessment**

*Assessing the partner’s available income*

- 181 The college should assess the student’s partner’s income to identify how much, if anything, the partner should contribute towards supporting the student.
- 182 The following income should be included and excluded in this calculation. Under no circumstances can a college calculate a partner’s income on a pro-rata basis (see paragraph 188 to pro-rata the contribution).
- The following income received over the previous full financial tax year **should be excluded**:
    - (i) all “additional cost” benefits (including child benefit, child tax credit and disability living allowance);
    - (ii) any loan income; and
    - (iii) if the partner is also a student, any payment from EMAs, bursaries, FE hardship/discretionary fund, childcare funds or SAAS equivalent and any student loan income. Table 8 below gives more information.

<b>Table 8</b> HOUSEHOLD INCOME NOT USED IN ASSESSING PARTNER INCOME
Additional cost benefits, including
Attendance Allowance
Back to Work Bonuses
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child’s Special Allowance
Cold Weather Payment
Council Tax Benefit
Constant Attendance Allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian’s Allowance
Housing Benefit
In-work and Return-to-work credits or Back-to-work credits
Social fund Payments
Winter fuel Payments
Educational endowment
Income from student loans or hardship/discretionary funds
Part 1 Adoption/Fostering fees

- All other earned and unearned income received over the previous full financial tax year should be included.

Tables 9 and 10 below give further information.

<b>Table 9</b> EARNED INCOME USED IN ASSESSING PARTNER INCOME
Gross earnings from employment
Gross earnings from self-employment
Money paid as compensation for loss of income

<b>Table 10</b>
UNEARNED INCOME USED IN ASSESSING PARTNER INCOME
Income from Property
Private Pension Income
Bank/Building Society Interest
Dividends
Income from Trust Funds
Maintenance paid into household by someone not resident in the household (this belongs to the person it is paid to regardless of who it is paid for)
Child Maintenance and child support paid (this belongs to the person it is paid to regardless of who it was paid for)
Fees paid for fostering childcare (part-two income for fosterers only)
Replacement income benefits including:
Bereavement Allowance
Carers allowance
Incapacity Benefit (long-term and short-term)
Employment and support allowance ( both income related and contributory)
Income support
Industrial Death benefits scheme pension
Invalid Care Allowance
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension
Working Tax Credit-but not childcare element or disability element

- 183 This income should be reduced by any child support or maintenance payments made in respect of any children or former partner, not living in the household. This is shown in Table 11 below.

<b>Table 11</b>
<b>DEDUCTIONS FROM PARTNER INCOME</b>
Maintenance for former partners and other children in the family, not in the household

- 184 Where income for the current financial tax year is likely to be at least 15 per cent less than that of the previous full financial tax year, the college may allow a provisional assessment to be made. Colleges must do this during the college term and students cannot make a claim for a re-evaluation of their award on a retrospective basis. This should be based on the partner's estimated income for the current financial tax year, provided the college is satisfied that any inaccuracies can be corrected within the period of the award.

***Reducing the student's award: the partner's contribution***

- 185 If the income identified above is £20,643 or above, then the partner will be liable to contribute to a student's support. This contribution is calculated as an initial payment of £45 and a payment of £1 for every £9 they are above £20,643 up to a threshold of £50,977, where it will change to £1 for every £6.50 up to a maximum contribution of £7,998.

This is demonstrated below:

Income	Contribution
Less than £20,643	£0
£20,643	£45
£27,933	£855
£35,538	£1,700
£50,568	£3,370

- 186 After the contribution has been assessed, it should be reduced by £152 for each child dependent on the partner.
- 187 A college should reduce the partner's contribution further if they have any other (parentally supported) students who are dependent on them. For the purpose of this reduction, a student is defined as someone who is above school leaving age and is eligible to receive EMA, bursary or SAAS support. To reduce the contribution the

college should divide the contribution by any parentally supported students who are dependant on the partner or the student.

Table 12 below shows the deductions from calculated partner contribution.

<b>Table 12</b> DEDUCTIONS FROM CALCULATED PARTNER CONTRIBUTION
Other children in the household who are dependent on the parents/spouse. £152
Maintenance paid in support of other (parentally supported) student(s)

- 188 Colleges should apply the partner's contribution to the bursary award in full if the course lasts for 43 weeks or more. Where the course lasts less than 43 weeks the college should divide the contribution by the 43 weeks and multiply it by the number of full-time equivalent weeks in the course. This includes short holidays.
- 189 The deduction of the calculated contribution (paragraphs 181 to 188) from the student's award calculated in paragraph 163 will create the student's final award.

### **Calculation of award for part-time students and open learning students**

- 190 If both the student and the course are eligible for support but the student is studying part-time then the college can still consider them for an award. Part-time students should not be considered for maintenance allowances. The award should still be means-tested (as explained in paragraphs 85 and 86), in addition colleges should not take into account benefits covering the equivalent of a maintenance allowance when assessing for other elements of the bursary award. However, the means-test is that used for fee waiver grant. These awards must also meet the conditions set out in this policy for awards based on full-time attendance.
- 191 The fee waiver grant policy for AY 2010-11 will include details on eligibility for a fee waiver grant. It will be published alongside this policy, and is available on our website.

### ***Part-time students***

192 Students studying part-time are eligible for support towards appropriate study and travel expenses without further means-testing if they are either:

- under the age of 18; or
- eligible for a fee waiver grant

193 Part-time students are also eligible for support through the additional support needs for learning allowance which is not subject to means-testing for any student.

### ***Open learning students***

194 Full-time open learning students may be considered for a maintenance allowance in the same way as any other full time student.

195 Open learning students who are either:

- under the age of 18; or
- eligible for a fee waiver grant

may be eligible for support towards appropriate study and travel expenses, without further means-testing provided:

- the student has commenced learning with the college, evidenced by receiving academic tutorial guidance; and
- the college does not pay this support in advance of need.

196 Open learning students, who meet the criteria in paragraphs 194 and 195 above, are also eligible for support through the additional support needs for learning allowance, which is not subject to means-testing for any student.

## Glossary of terms

- 197 **Adult dependant:** This is an adult who is dependent on the student. In order to be defined as an adult, the person cannot be considered for child benefit.
- 198 **Alternative funds:** These are funds available to the student which are intended to cover similar costs to bursary funding. This will include EMAs. It will also include state benefits which are intended to cover general living costs. It does not include benefits paid for other purposes. Benefits which count as alternative funding include, **but are not limited to:** maternity allowance, income support, jobseeker's allowance, employment and support allowance, statutory maternity pay, statutory paternity pay and statutory sick pay. (See also paragraph 211 – definition of full-time – and paragraph 47 – conditions of bursary).
- 199 **Assessable parent:** This is the parent who will be assessed for contributions towards the student's support in situations where the student either:
- lives in the parental home, this is the parent who the student lives with. Where the student lives with both their parents, the college should take the assessable parent to be the parent who is most recently or currently eligible to receive child benefit on behalf of that student; or
  - does not live in the parental home, this is the parent who is most recently or currently eligible to receive child benefit on behalf of that student. If eligibility for child benefit cannot be proven, the college should take the parent whom that student most recently resided with as the assessable parent.
- 200 If the assessable parent is not married then this status should be supported by documentary evidence such as a Council Tax bill.
- 201 **Attendance:** This is time spent for timetabled classes on college premises, timetabled exam leave and study preparation, structured learning under college supervision, formal placements and study trips and other planned student hours in a range of venues. It excludes any other study which does not represent planned student hours, including independent study. Bursary awards should only be made available for attendance at least above 90 per cent of planned classroom hours.

202 **Bursary:** A bursary is a financial award given to a student at the discretion of a college to help maintain that student in their education beyond their statutory school leaving date. An award can include allowances that cover a student's maintenance, travel and study costs. Colleges can also use bursary funds for allowance to cover costs incurred by a student due to an adult dependant and/or additional support needs for learning. The bursary fund is cash limited. Students who are eligible for support from this fund are not automatically entitled to this support.

203 **Child/children:** For a person to be defined as a child there must be an adult who is eligible to claim child benefit on that person's behalf.

204 **Childcare:** This is provision that is eligible for funding from the Childcare Fund that the SFC allocates to colleges.

205 **Childcare Fund:** This is a fund allocated to colleges to assist eligible students with their childcare costs. Colleges should refer to the National Policy for FE Discretionary and Childcare Funds published at the same time as this policy.

206 **Current Income Support levels:** This is defined as the age related weekly personal allowance as stipulated at:

[http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On\\_a\\_low\\_income/DG\\_10018708](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On_a_low_income/DG_10018708)

207 **Earned income:** This is the gross income deemed to be available to:

- the employed through earnings gained from employment in the form of a salary, wages, commission, bonus, overtime and other payments; and
- the self-employed through income derived from trade, business or profession. This income is shown on either the taxpayer's completed self-assessment forms or the HM Revenue & Customs' calculation of tax due (eg form SA302).

It also includes any monies paid as compensation for loss of income.

208 **Education maintenance allowance (EMA):** An EMA provides maintenance support for young people from low income households who undertake post-compulsory, full-time, non-advanced courses at

school or college. This is a national programme administered in the FE sector by the colleges and the SFC. It is not supported by bursary funds, nor is it subject to this bursary policy.

This programme affects eligible 15, 16 and 17 year olds who have passed their statutory school leaving date. Students eligible for and/or in receipt of an EMA may also be eligible for a *students under 18 away from parental home maintenance allowance* but the EMA has replaced the *at home maintenance allowance* previously available from bursaries for this group.

Some students born on or after 1 March 1992 will fall within the age eligibility for both EMAs and for parentally supported maintenance bursaries. Students in this age group who are eligible to be assessed as a parentally supported student should be offered a bursary instead of an EMA and be categorised accordingly.

Some students in the EMA age group who would ordinarily be eligible to be assessed for bursary support as a self-supporting student and would be better off on that allowance, may be offered it instead of an EMA (and associated bursary allowances) and be categorised accordingly, at the college's discretion.

Students who are eligible for an EMA and for a parentally supported maintenance bursary or a self-supporting maintenance bursary may receive either but not both.

Please refer to the EMA Scotland Business Model, EMA Scotland Guidance, the EMA Scotland Good Practice Guide and the following website for more details:

[www.emascotland.com](http://www.emascotland.com)

- 209 **EMA student:** see “students under 18”.
- 210 **Financial tax year:** The financial tax year runs from 6 April to 5 April in the following year. For self-employed persons this is defined as the trading year which ends during the relevant financial tax year.
- 211 **Full-time:** For bursary purposes a full-time student is a student who attends a course which requires a full-time weekly commitment. (See SUMs guidance for 2010-11 due to be published in summer 2010, for more information on the annual commitment for a full-time course.)

Please note that short full time courses are eligible for support for the duration of the course.

Colleges should note that the Department of Work and Pensions (DWP) generally defines a full-time non-advanced student as:

- a student who is aged 19 or over and is attending or undertaking a full-time course of study which is not higher education and is funded in whole or in part by the Scottish Ministers at a college of FE if it involves:
  - (i) “more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
  - (ii) 16 hours or less per week of classroom-based or workshop-based programme learning under the direct guidance of teaching staff, and it involves additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college”.
- Students under 19 and 19 year old students who were less than 19 when they accepted, or enrolled on or started on the course, are treated as in full-time education when “attending a course of education at a recognised educational establishment and in the pursuit of that course, the time spent receiving instruction or tuition, undertaking supervised study, examination or practical work or taking part in any exercise, experiment or project for which provision is made in the curriculum of the course, exceeds 12 hours per week, so however that in calculating the time spent in pursuit of the course, no account shall be taken of time occupied by meal breaks or spent on unsupervised study, whether undertaken on or off the premises of the educational establishment.” This does not include students under 19 in advanced education.

**Colleges should check whether students’ circumstances entitle them to support from benefits and consider whether these should be taken into account as alternative funds.**

212 **Married:** The student or parent is legally married, is in a legally recognised civil partnership, or is living with a partner in an

established relationship at the start date of the course. A college is advised that the onus is on the student to prove they are in an established relationship if that student wishes to be considered as a self-supporting student on that basis.

This proof will require documentary evidence such as a marriage certificate, a civil partnership certificate, a recent Council Tax bill or an official letter that clearly states the couple's names and address.

- 213 **Non-advanced course:** This is a course of fundable further education as defined in the *Further and Higher Education (Scotland) Act 2005* (section 5).
- 214 **Open learning:** Where classroom attendance is not planned, students are taken as undertaking open or distance learning and, subject to normal eligibility criteria, may be considered for support from bursary funds (see paragraphs 194 to 196). In considering attendance for these students, colleges should have regard to evidence of continuing participation on an agreed programme.
- 215 **Parents/parental:** A parent is an adult on whom the student is “in practice” dependent. It therefore includes step-parents, partners of parents and guardians.
- 216 **Parental home:** This is the home of the assessable parent.
- 217 **Parentally supported students:** A student who is aged 18 or over but under 25 years of age on the start date of their course. This is the date the course starts rather than the date the student starts the course.
- 218 **Partner:** A partner is someone the student or parent has legally married, is in a legally recognised civil partnership with or is living with in an established relationship at the start date of the course.
- 219 **Part-time:** For bursary purposes a part-time student is a student who attends a course which requires a part-time weekly commitment. (See SUMs Guidance for more information). Students regarded as part-time may be offered travel and study costs and additional support needs for learning allowance, but not maintenance.

Colleges should note that the DWP regards as part-time a student who, by its definition, is not enrolled on a full-time course of study.

These students will generally be entitled to access benefits.

Students studying part-time who are unable to access alternative funds may, at the college's discretion, be considered for maintenance from FE discretionary funds.

(See also the definition of **full-time**).

- 220 **Permanent home:** This is the student's established home. If, at the start of the course, that student was (or is expected to be) living with one or more of their parents, then the parental home is the permanent home. Colleges should seek documentary evidence of an established tenancy or of ownership if the established home of a student under 18 or a parentally-supported student is to be accepted as other than the parental home.
- 221 **Qualification:** An award that is recognised, or examined by an external awarding body such as Scottish Qualifications Authority or City and Guilds.
- 222 **Self-supporting students:** A student who is aged 25 or over on the start date of their course. This is the date the course starts rather than the date the student starts the course.

A student who has not yet reached the age of 25 should be defined as self-supporting if one or more of the following applies on the start date of the course. This is the date the course starts rather than the date the student starts the course.

- they are married (see paragraph 212). This does not include situations where the student was married but that marriage broke down prior to the start date of the course; or
- they have no living parents; or
- they are caring for a child dependent on them; or
- they have supported themselves for periods aggregating no less than three years. This includes periods where the individual was either:
  - (i) in employment and earning equal to or more than current income support levels; or

- (ii) supported by a partner with earnings equal to or more than current income support levels; or
- (iii) on a training programme operated by or on behalf of the Employment Service, Scottish Government, Scottish Enterprise or Highlands and Islands Enterprise; or
- (iv) in receipt of unemployment benefit/jobseeker's allowance and/or can provide confirmation that they were available or registered for employment or actively seeking employment; or
- (v) in receipt of employment and support allowance, sickness benefit, invalidity pension, incapacity benefit, maternity allowance, severe disablement allowance, statutory sick pay or statutory maternity pay; or
- (vi) in receipt of income support or New Deal payments; or
- (vii) caring for a person (adult or child) dependent on them. The college should look for evidence that the student has been the *primary* carer for an adult.

The onus is on the student to provide documentary evidence to prove they have self-supporting status. If there is not sufficient evidence to prove this, then the college should consider that student under one of the other categories of support.

223 **Statutory school leaving date:** As defined in *the Education (Scotland) Act 1980*, the dates at which a person can leave school are pre-determined by when that person becomes 16 years of age. This means that a person is no longer of compulsory school age as from the:

- summer school leaving date (that is the last day in May), if they reach 16 years of age on or after 1 March but before the following 1 October; or
- winter school leaving date (that is the first day of the Christmas holidays or 21 December for non-attendees), if they reach 16 years of age on or after 1 October but before the following 1 March.

224 **Students under 18** (“EMA students”): A student who is beyond their statutory school leaving date but under 18 years of age on the start date of their course. This is the date the course starts rather

than the date the student starts the course.

Full-time students aged under 18 will fall within the EMA programme (see paragraph 208) and no *at parental home maintenance allowance* is available from bursaries for this group. If otherwise eligible (please refer to Eligibility for Award section) they may be considered for a *students under 18 away from parental home allowance* within bursaries.

There will be few students in this age group who are not eligible for consideration for EMAs. Part-time students (as defined in the *EMA Scotland Guidance*) however, are excluded from EMAs. For part-time student arrangements see paragraphs 190 to 193.

Colleges may also consider students under 18 for a bursary award towards study, travel and, where applicable, additional support needs for learning expenses if they meet the eligibility criteria set out in the Eligibility for Award section in this policy. Subject to the circumstances of the student, this award can also include an allowance for an adult dependent.

Students on an EMA may be eligible for support from bursaries but, as with other students, there is no automatic entitlement to bursary support. Colleges should consider the student's circumstances on the start date of their course.

225 **Unearned income:** (See also annexes A, B and C) This includes, but is not restricted to:

- unemployment/social security benefits which provide a replacement income including pensions and allowances but excluding benefits for additional costs such as attendance allowance or child benefit;
- private or employer's retirement pension;
- profits from property, boarders, casual fees etc;
- interest paid from banks, building societies, dividends etc;
- trust funds;
- working tax credit but not any elements paid in respect of childcare or disability;

- maintenance paid into the household by someone who does not live in the household. This income is deemed to belong to the person it is paid to regardless of who it was paid for;
- child maintenance and child support received. This income belongs to the person it is paid to regardless of who it was paid for. This income should only be included in a parental or partner's income assessment and should not feature in a student's income assessment; and
- fees paid for fostering childcare. A foster allowance is usually paid in two parts. Part one is an allowance to cover additional costs associated with fostering eg additional food etc and part two is paid to provide the foster family with an income. Part one should be disregarded for all income assessments. Part two should be included as unearned income for the household, but disregarded for the student.

## Treatment of student income

Although full, these are not exhaustive

<b>Table 1</b>
<b>INCOME NOT USED IN STUDENT ASSESSMENT</b>
Additional cost benefits, including:
Attendance Allowance
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child's special Allowance
Cold weather payment
Council Tax benefit
Constant attendance allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian's Allowance
Housing Benefit
In-work and Return-to-work credits or Back-to-work credits
Social Fund Payments
Winter Fuel payments
Educational endowment
Income from student loans, discretionary funds or childcare funds
Part 1 and Part 2 Adoption/Fostering fees
Child maintenance (paid for the student's child(ren))
War pension – disability element only

<b>Table 2</b>
<b>INCOME USED IN STUDENT ASSESSMENT</b>
Trust income
Pension income (other than those listed in table 1)
Bank/ Building society interest.
Dividends
Income from property, boarders/casual fees
Working tax credits (not childcare element or disability element)
Income replacement benefits (other than those mentioned in table 1), including:
Bereavement Allowance
Carers allowance
Employment and support allowance ( both income related and contributory)
Income support (to strikers or those involved in trade disputes)
Incapacity Benefit (long-term and short-term)
Income support
Industrial Death benefits scheme pension
Industrial Injuries Benefit
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension

## Treatment of parental income

Although full, these are not exhaustive

<b>Table 3</b>
HOUSEHOLD INCOME NOT USED IN ASSESSING PARENTAL INCOME
Additional cost benefits, including:
Attendance Allowance
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child's Special Allowance
Cold Weather Payment
Council Tax Benefit
Constant Attendance Allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian's Allowance
In-work and Return-to-work credits or Back-to-work credits
Housing Benefit
Social fund Payments
Winter fuel Payments
Educational endowment
Income from student loans or hardship/discretionary funds
Part 1 Adoption/Fostering fees

<b>Table 4</b>
EARNED INCOME USED IN ASSESSING PARENTAL INCOME
Gross earnings from employment
Gross earnings from self-employment
Money paid as compensation for loss of income

<b>Table 5</b> UNEARNED INCOME USED IN ASSESSING PARENTAL INCOME
Income from Property
Private Pension Income
Bank/Building Society Interest
Dividends
Income from Trust Funds
Maintenance paid into household by someone not resident in the household (this belongs to the person it is paid to regardless of who it is paid for)
Child Maintenance and child support paid (this belongs to the person it is paid to regardless of who it was paid for)
Fees paid for fostering childcare (part-two income for fosterers only)
Replacement income benefits including:
Bereavement Allowance
Carers allowance
Employment and support allowance ( both income related and contributory)
Incapacity Benefit (long-term and short-term)
Income support
Industrial Death benefits scheme pension
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension
Working Tax Credit – but not childcare element or disability element

<b>Table 6</b> DEDUCTIONS FROM PARENTAL INCOME
Maintenance for former partners and other children in the family, not in the household

<b>Table 7</b> DEDUCTIONS FROM CALCULATED PARENTAL CONTRIBUTION
Other children in the household who are dependent on the parents/spouse. £152
Maintenance paid in support of other student(s)

## Treatment of partner income

Although full, these are not exhaustive

<b>Table 8</b>
HOUSEHOLD INCOME NOT USED IN ASSESSING PARTNER INCOME
Additional cost benefits, including:
Attendance Allowance
Back to Work Bonuses
Bereavement Payment
Care leavers – payments made by local authorities
Christmas Bonus
Child Benefit
Child Tax credit
Childcare elements of Working Tax Credit
Child's Special Allowance
Cold Weather Payment
Council Tax Benefit
Constant Attendance Allowance
Disability Living Allowance
Disability element of Working Tax Credit
Guardian's Allowance
Housing Benefit
In-work and Return-to-work credits or Back-to-work credits
Social fund Payments
Winter fuel Payments
Educational endowment
Income from student loans or hardship/discretionary funds
Part 1 Adoption/Fostering fees

<b>Table 9</b>
EARNED INCOME USED IN ASSESSING PARTNER INCOME
Gross earnings from employment
Gross earnings from self-employment
Money paid as compensation for loss of income

<b>Table 10</b>
UNEARNED INCOME USED IN ASSESSING PARTNER INCOME
Income from Property
Private Pension Income
Bank/Building Society Interest
Dividends
Income from Trust Funds
Maintenance paid into household by someone not resident in the household (this belongs to the person it is paid to regardless of who it is paid for)
Child Maintenance and child support paid (this belongs to the person it is paid to regardless of who it was paid for)
Fees paid for fostering childcare (part-two income for fosterers only)
Replacement income benefits including:
Bereavement Allowance
Carers allowance
Employment and support allowance (both income related and contributory)
Incapacity Benefit (long-term and short-term)
Income support
Industrial Death benefits scheme pension
Invalid Care Allowance
Invalidity Benefit
Job Seekers Allowance
Maternity Allowance
Retirement Pension
Severe Disablement Allowance
Statutory Sick Pay
Statutory Maternity/Paternity/Adoption Pay
Widowed Parent's Allowance
War widow's Pension/war pension
Working Tax Credit – but not childcare element or disability element

<b>Table 11</b>
DEDUCTIONS FROM PARTNER INCOME
Maintenance for former partners and other children in the family, not in the household

<b>Table 12</b> DEDUCTIONS FROM CALCULATED PARTNER CONTRIBUTION
Other children in the household who are dependent on the parents/spouse. £152
Maintenance paid in support of other (parentally supported) student(s)

## Annex D

### FE Student Support Rates 2010-11

<b>Maintenance Allowance</b>	
<i>Self-supporting students</i>	£89.07 per week
<i>Parentally supported students</i>	
Away from parental home	£89.07 per week
At parental home	£70.48 per week
<b>Students under 18</b>	
Away from parental home	£35.40 per week
<b>Dependants allowance</b>	£50.77 per week
(child element no longer available this can be claimed through the tax credit system)	
<b>Accommodation</b>	£105.30 per week
Personal allowance	£27.58 per week
<b>Mileage</b>	18.37 pence per mile
Unearned income Unearned income disregard per week, over the period of support.	£20.52 per week

<p><b>Reducing the student's award: the parental contribution</b></p>													
<p><b><i>Students under 18</i></b></p> <p>If the income identified is £20,351 or above then parents will be liable to contribute to a student's support.</p> <p>The minimum contribution is £45 and a payment of £1 for every £9 above £20,351.</p> <p>For example:</p> <table data-bbox="360 640 898 891"> <thead> <tr> <th>Income</th> <th>Contribution</th> </tr> </thead> <tbody> <tr> <td>Less than £20,351</td> <td>£0</td> </tr> <tr> <td>£20,351</td> <td>£45</td> </tr> <tr> <td>£21,521</td> <td>£175</td> </tr> <tr> <td>£24,401</td> <td>£495</td> </tr> <tr> <td>£26,471</td> <td>£725</td> </tr> </tbody> </table>	Income	Contribution	Less than £20,351	£0	£20,351	£45	£21,521	£175	£24,401	£495	£26,471	£725	<p>£20,351 per annum</p>
Income	Contribution												
Less than £20,351	£0												
£20,351	£45												
£21,521	£175												
£24,401	£495												
£26,471	£725												
<p><b><i>Parentally supported students</i></b></p> <p>If the income identified is £24,275 or above the parents will be liable to contribute to a student's support.</p> <p>The minimum contribution is £45, then £1 for every £9 above £24,275 up to a threshold of £50,977, where it will change to £1 for every £6.50 to a maximum contribution of £7,998.</p> <p>This is demonstrated below:</p> <table data-bbox="360 1480 898 1731"> <thead> <tr> <th>Income</th> <th>Contribution</th> </tr> </thead> <tbody> <tr> <td>Less than £24,275</td> <td>£0</td> </tr> <tr> <td>£24,275</td> <td>£45</td> </tr> <tr> <td>£31,745</td> <td>£875</td> </tr> <tr> <td>£41,735</td> <td>£1,985</td> </tr> <tr> <td>£49,664</td> <td>£2,866</td> </tr> </tbody> </table>	Income	Contribution	Less than £24,275	£0	£24,275	£45	£31,745	£875	£41,735	£1,985	£49,664	£2,866	<p>£24,275 per annum</p>
Income	Contribution												
Less than £24,275	£0												
£24,275	£45												
£31,745	£875												
£41,735	£1,985												
£49,664	£2,866												

<b>Reducing the student award: partner assessment:</b>													
<p>If the income identified is £20,643 or above then the partner will be liable to contribute to a student's support.</p> <p>The minimum contribution is £45 and a payment of £1 for every £9 they are above £20,643 up to a threshold of £50,977, where it will change to £1 for every £6.50 up to a maximum contribution of £7998.</p> <p>This is demonstrated below:</p> <table data-bbox="359 772 890 1021"> <thead> <tr> <th>Income</th> <th>Contribution</th> </tr> </thead> <tbody> <tr> <td>Less than 20,643</td> <td>£0</td> </tr> <tr> <td>£20,643</td> <td>£45</td> </tr> <tr> <td>£27,933</td> <td>£855</td> </tr> <tr> <td>£35,538</td> <td>£1,700</td> </tr> <tr> <td>£50,568</td> <td>£3,370</td> </tr> </tbody> </table>	Income	Contribution	Less than 20,643	£0	£20,643	£45	£27,933	£855	£35,538	£1,700	£50,568	£3,370	£20,643 per annum
Income	Contribution												
Less than 20,643	£0												
£20,643	£45												
£27,933	£855												
£35,538	£1,700												
£50,568	£3,370												
<b>Per child deduction after assessment</b>													
After the contribution has been assessed, it should be reduced by £152 for each child/and or student dependent (excluding the student being assessed)	£152 per child												

Scottish Funding Council  
Donaldson House  
97 Haymarket Terrace  
Edinburgh  
EH12 5HD

t 0131 313 6500  
f 0131 313 6501  
[www.sfc.ac.uk](http://www.sfc.ac.uk)