

Advanced Learner Loan

Advanced Learner Loan AY2018/19 – Version 3.0
October 2018

Summary

Attached is the `Advanced Learner Loans` guidance for AY 2018/19.

References to `the Regulations` in this document mean the Education (Further Education Loans) Regulations 2012 (as amended), which contain the regulatory rules governing payment and eligibility criteria for ALL. These Regulations are separate from the consolidated Education (Student Loans) (Repayment) Regulations 2009 (as amended), which contain the repayment provisions for ALL support.

Disclaimer

This guidance is designed to assist with the interpretation of the Student Support Regulations as they stand at the time of publication. It does not cover every aspect of student support nor does it constitute legal advice or a definitive statement of the law. Whilst every endeavour has been made to ensure the information contained is correct at the time of publication, no liability is accepted with regard to the contents and the Regulations remain the legal basis of the student support arrangements for the AY 2018/19. In the event of anomalies between this guidance and the Regulations, the Regulations prevail. Please note the Regulations are subject to amendment.

Further Information

Annex	Content
A	Maximum loan Amounts
B	Determination of maximum loan amounts
C	Update Log

Abbreviations

Abbreviation	Full
ADG	Adults Dependents' Grant
ALL	Advanced Learner Loans
AY	Academic Year
BIS	Department for Business, Innovation and Skills
CCG	Childcare Grant
CPR	Compelling Personal Reasons
DfE	Department for Education
DSA	Disabled Students Allowances

DWP	Department for Work and Pensions
EEA	European Economic Area
ESFA	Education and Skills Funding Agency
EU	European Union
FE	Further Education
HE	Higher Education
HEP	Higher Education Provider
HMPO	Her Majesty's Passport Office
HNC	Higher National Certificate
HND	Higher National Diploma
HO	Home Office
IAG	Information and Guidance
ICR	Income Contingent Repayment
LARS	Learning Aims Reference Service
ML	Maintenance Loan
NINO	National Insurance Number
NOMS	National Offender Management Systems
PLA	Parents' Learning Allowance
QAA	Quality Assurance Agency
RRML	Reduced Rate Maintenance Loan
SFA	Skills Funding Agency
SFE	Student Finance England
SFW	Student Finance Wales
SRDD	Statutory Repayment Due Date
SSG	Special Support Grant
TG	Travel Grant
UC	Universal Credit
UK	United Kingdom
WTC	Working Tax Credit

TABLE OF CONTENTS

1	INTRODUCTION.....	5
2	PERSONAL ELIGIBILITY	5
2.1	DISCRETION IN THE APPLICATION OF ELIGIBILITY RULES.....	6
2.1	ELIGIBILITY EXCLUSIONS - GENERAL.....	6
2.2	AGE LIMIT	6
2.3	APPLICANTS WHO BREACH ANY OBLIGATION TO REPAY ANY PREVIOUS STUDENT LOAN (ARREARS).....	6
2.4	APPLICANTS WHO HAVE REACHED THE AGE OF 18 AND HAVE NOT RATIFIED A PREVIOUS STUDENT LOAN FOR WHICH THEY WERE ASSESSED UNDER THE AGE OF 18.....	7
2.5	INELIGIBILITY ON GROUNDS OF UNFITTEDNESS TO RECEIVE SUPPORT	7
2.6	PRISONER STUDENTS.....	8
2.7	STUDENTS WHO ARE UNDERTAKING MORE THAN ONE COURSE.....	9
2.8	STUDENTS WHO HAVE AN EQUIVALENT OR HIGHER LEVEL QUALIFICATION.....	10
2.9	OTHER SOURCES OF FUNDING.....	10
2.10	TIME LIMIT FOR APPLYING FOR STUDENT SUPPORT	10
2.11	STUDENTS WHO BECOME ELIGIBLE AFTER AN EVENT.....	11
2.12	DOCUMENTATION REQUIREMENTS	11
2.13	CONTACT DETAILS.....	12
2.14	BENEFITS ENTITLEMENT	12
3	RESIDENCY	12
3.1	ORDINARY LAWFUL RESIDENCE	13
3.2	LONG RESIDENCE CATEGORY	14
3.3	THREE YEAR ADDRESS HISTORY	15
3.4	STUDENTS WHO MOVE TO ENGLAND FROM ELSEWHERE IN THE UK OR THE ISLANDS IN ORDER TO ATTEND A COURSE.....	15
3.5	TEMPORARY OR OCCASIONAL ABSENCES	16
3.6	ARMED FORCES PERSONNEL AND THEIR FAMILY MEMBERS	16
3.7	RESIDENCY EXAMPLES.....	17
4	PREVIOUS STUDY	19
4.1	REPEAT STUDY.....	19
4.2	COMPELLING PERSONAL REASONS (CPR).....	19
5	COURSE ELIGIBILITY	20
5.1	DESIGNATED COURSES.....	20
5.2	A LEVEL(S) (AS, OR A LEVELS).....	22
5.3	ELIGIBLE PROVIDER	23
5.4	INTENSITY	23
5.5	DISTANCE LEARNING	23
6	PAYMENT AND OVERPAYMENT	23
6.1	AMOUNT OF THE LOAN	23
6.2	CONFIRMATION OF STUDY	24
6.3	PAYMENT DATES	25
6.4	LATE ENTRANTS	25
6.5	OVERPAYMENT OF A LOAN.....	25
7	CHANGES OF CIRCUMSTANCES	26
7.1	TRANSFERS	26
7.2	MULTI ACADEMIC YEARS	26
7.3	CHANGE OF COURSE LENGTH.....	26
7.4	SUSPENSION / RESUMPTION.....	26
7.5	WITHDRAWAL AND LOAN OVERPAYMENT	27

8	WRITE OFF POLICY	27
8.1	TIMING OF THE WRITE OFF POLICY	28
8.2	ELIGIBILITY FOR WRITE OFF POLICY	28
8.3	COMPLETION OF “QAA ACCESS TO HE DIPLOMA”	29
8.4	COMPLETION OF STUDY OF HE QUALIFICATION	29
8.5	NON SFE TUITION FEE FUNDED HE STUDENTS.....	29
8.6	PART-TIME SFE TUITION FEE FUNDED STUDENTS	30
8.7	STUDENTS ON PLACEMENTS OR STUDYING OVERSEAS	31
8.8	SELF FUNDED HE QUALIFICATIONS	31
8.9	OUTSTANDING BALANCE	32
9	ANNEXES	32
9.1	ANNEX A: MAXIMUM LOAN AMOUNTS	32
9.2	ANNEX B: DETERMINATION OF MAXIMUM LOAN AMOUNTS	33
9.3	ANNEX C: UPDATE LOG	36

1 Introduction

24+ Advanced Learning Loans were launched in April 2013 providing tuition fee loans to learners aged 24 and over studying a Level 3 or Level 4 Learning Aim.

The scheme was renamed as Advanced Learner Loans (ALLs) for AY 16/17 following an extension of the policy to those aged 19-23. In addition, funding was introduced for Level 5 and Level 6 Learning Aims.

This guidance describes the regulatory rules for ALL, including:

- Personal eligibility requirements
- Course eligibility requirements
- Payment allocation
- Changes of circumstances

This document also provides updated guidance on policy changes for AY 18/19 including:

- An extension to the Armed Forces personnel policy (and their eligible family members) who are serving in another part of the UK may be eligible for an ALL; and
- A new Stateless Persons residence category.

The repayment terms for ALL are described in the separate “student loans repayments” guidance. The repayment of the ALL is made on the same Terms and Conditions as HE loans and repayments (Plan 2).

References to separate guidance documents for undergraduate students is made within this document, where the guidance contains more detailed information on existing policy rules that apply to both undergraduate student funding and ALL.

2 Personal eligibility

The personal eligibility criteria for ALL are set out in Regulation 3 and Schedule 1 of the Regulations.

Loans are not means-tested and are available to eligible learners who are:

- aged 19 and over on the first day of their designated course; and
 - studying a Level 3, Level 4, Level 5 or Level 6 Learning Aim at an approved learning provider in England;
- or
- members of the UK armed forces serving outwith their domicile (and eligible family members) who are aged 19 and over and who are studying designated qualifications by distance learning, with a provider in receipt of a loans facility.

2.1 Discretion in the application of eligibility rules

ALL is only available to students and in respect of courses that satisfy regulatory eligibility and funding criteria. The Student Loans Company (SLC) will therefore not apply discretion in the application of ALL policy rules, with the exception of the limited discretion outlined in this document, including SLC discretion on when to award extra support for CPR.

2.1 Eligibility exclusions - general

Per Regulation 3, Students are ineligible for ALL if they:

- Are aged under 19 on the first day of the designated course;
- Are in breach of any obligation to repay any student loan;
- Have reached the age of 18 and have not ratified any agreement for a loan made when they were under 18; or
- Have shown themselves by their conduct to be unfitted to receive support.

2.2 Age limit

In order to qualify for ALL, eligible students must be aged 19 years or over on the first day of their designated course (Regulation 3(3)(a)). There is no upper age limit for an individual wishing to apply for a student loan.

2.3 Applicants who breach any obligation to repay any previous student loan (arrears)

The Regulations provide that a person shall not be eligible for support if they are in breach of any obligation to repay any loan (Regulation 3(3)(b)). SFE do not have any discretion in determining an applicant's eligibility in these circumstances.

Once an applicant is no longer in breach, i.e. has paid their arrears in full, SFE should reassess their eligibility for the AY in question. Any such reassessment is for the whole AY, not from the date on which the student ceased to be in breach of any such obligation.

If an applicant has received a notification that they are eligible for ALL but subsequently breaches any obligation to repay any previous student loan, the student will remain eligible for support in the AY to which the notification applies.

'Arrears' are considered to include any breach in the student's obligation to repay the following:

- Any repayments of ICR student loan due for an overseas period of residence;
- Any repayments of ICR student loan due to be repaid by Direct Debit (i.e. where the student is considered to be less than two years from paying the loan balance in full); and
- Any 'mortgage style' loan (generally payable to students who started their course prior to 1998).

Note that the following will not make the student ineligible for ALL:

-
- The student owes a loan or grant overpayment amount.
 - The student has a loan balance which is in repayment, has a status of `found` or `unmatched` and has failed to respond to SLC's request for information to determine repayment eligibility.

2.4 Applicants who have reached the age of 18 and have not ratified a previous student loan for which they were assessed under the age of 18

Regulation 3(3)(c) provides that a student is not eligible for ALL if they have reached the age of 18 and they have not ratified any agreement for a loan taken when under the age of 18. A separate ratification form is not required; by signing a new student loan declaration the student acknowledges and agrees that they are automatically ratifying all student loans that they borrowed before reaching the age of 18.

2.5 Ineligibility on grounds of unfittedness to receive support

A student is not eligible for ALL if, in SFE's opinion, the student has shown themselves by their conduct to be unfitted to receive support (Regulation 3(3)(d)). The power to deem a student as unfitted for student support may be used at any stage in the process of assessing a student's eligibility, but once a student has been notified that he is eligible this power may not be used.

One example of when SFE might decide that a student is unfitted to receive support might be where it comes to light that the student has committed fraud in applying for support. SFE should consider exercising the power to refuse the application (or terminate eligibility, depending on when the fraud comes to light). This is based on the grounds that the student has demonstrated that they are unfitted for support due to fraudulent conduct. Fraudulent conduct can include making applications to (and receiving support from) more than one authority and presenting fraudulent information in order to receive more support than they are entitled to.

Additionally, the student might be assessed for fraud where evidence from the FE provider calls into question a student's fitness to receive support. An assessment may arise if, for example, the institution provided evidence of attempted fraud against it. This evidence may not lead to the student being expelled but it may lead SFE to consider whether the student, though being allowed to continue with the course, should continue to receive support.

Note that a student who has previously been found to be unfitted for support provided by another government department, such as the DWP may be deemed unfitted for ALL. In the circumstances of a conviction a student's sentence may be argued as adequate punishment, however it is SFE's responsibility to consider whether it is appropriate to support a student whose conviction casts doubt on their suitability for their intended career.

It is important to bear in mind that the decision as to whether a student is suitable for or should be allowed to take a course rests with the institution; the decision as to whether the student is eligible for funds rests with SFE. Consideration should also be given where the applicant is pursuing HE as a means towards their rehabilitation.

The fact that a student is, or has in the past been in dispute with SFE over a student support issue should not of itself be a reason for refusing or terminating support, even if the dispute was

acrimonious. It may be a different matter however if the student has behaved criminally in pursuing their grievance, though the case should be considered on its own merits.

It is important to remember that the purpose of these provisions is to safeguard public funds, and to ensure that they are spent properly. SFE should always ensure that a decision to refuse or terminate support will stand up to examination in the event of a formal appeal or a court challenge. It would be a sensible precaution for SLC to seek advice from SFE's legal staff.

2.6 Prisoner Students

Students who are imprisoned may be eligible for ALL if they satisfy the definition of an 'eligible prisoner' as set out in Regulation 2, i.e. they are a prisoner who:

- begins the current course on or after 1 August 2013;
- is serving a sentence of imprisonment in England (and not on remand);
- has been authorised by the prison Governor or Director or other appropriate authority to study the current course;
- has the right to remain in the UK after completion of their sentence; and
- whose earliest release date is within 6 years of the first day of the designated course.

In exceptional circumstances, the applicant can be an offender who is not held in a Prison, for instance, held in a Secure Hospital.

In some cases a prisoner may receive an indeterminate sentence for serious or repeated offences, in these cases release is dependent upon the prisoner undertaking a range of specified rehabilitative activity. For example, offending behaviour courses run by NOMS, and then getting Parole Board approval for release. There is also usually a minimum sentence set by the court too (for example a minimum of 5 years, with release being dependent upon the offender fulfilling one or more conditions).

Learning and funding information letter

There is a separate learning and funding information letter for students who are imprisoned. Students who are imprisoned must make loan applications on the standard paper-based loan application form. The application must be accompanied by an SLC prisoner application pro-forma (available from the Head of Learning, Skills and Employment within the prison) or a letter from the prison Governor or Director (or their representative).

Change of circumstances

Students undertaking learning in custody are likely to experience more frequent changes in circumstances. SLC must be informed when an offender's circumstances change. For example, if the student is released from prison, transfer to another prison or change or withdraws from the Learning Aim they are undertaking.

If a student undertaking a designated Learning Aim is sent to prison they may be able to continue their studies while they are in custody. The individual will have to meet the eligibility criteria for offenders as set out above, including the prison Governor's confirmation that the qualification is appropriate.

2.7 Students who are undertaking more than one course

Previously, where a student is taking more than one designated FE course at one time, the student qualified for only one fee loan during at a time (Regulation 15(4)). The exception to this previous rule was that a learner, studying a Programme of A Levels, could receive up to four separate loans (or eight separate loans if studying four AS Learning Aims followed by the corresponding four A Level Learning Aims) to fund their A Level components concurrently or sequentially.

New and continuing students AY 2016/17

The policy rules for concurrent study of Learning Aims have been removed for all learners (new and returning). Therefore a learner will now be able to get up to four loans at the same time to study four Learning Aims.

The exception to this new rule is that a learner, studying a Programme of A Levels, will be able to receive up to four separate loans (or eight separate loans if studying four AS Learning Aims followed by the corresponding four A Level Learning Aims) or an Access to HE Diploma (as these Learning Aims are focused on a particular outcome that is related to progression).

Examples:

Cameron applied for four FE loans to fund a Programme of A levels and three Level 3 Vocational Qualifications concurrently. He is entitled to four FE loans.

William applied for four FE loans to fund two Programmes of A Levels and two Access to HE Diplomas concurrently. He is only entitled to FE loans to fund one Programme of A Levels and one Access to HE Diploma.

Should a learner apply for the maximum of four FE loans to study up to four Learning Aims concurrently then the second and subsequent Learning Aims must have a start date on or after 1 August 2016.

Examples:

Harriet applies for FE loans to fund three Level 3 Vocational Qualifications and A Programme of A Levels. All Learning Aims will be studied at the same time and all Learning Aims have a start date of 1 August 2016. She is eligible for FE loan funding to study all four Learning Aims concurrently.

Paula applies for FE loans to fund one Level 3 certificate, one Level 3 Vocational Qualification, and two Level 4 Vocational Qualifications. All four will be studied concurrently. The Level 3 certificate has a start date of 1 June 2016, and the other three Level 4 Vocational Qualifications have a start date of 1 August 2016. She is eligible for all four FE loans because the period of concurrent study began on or after 1 August 2016.

When a learner is studying their FE Learning Aim at more than one learning provider, the learner must have a lead learning provider who is responsible for making attendance confirmations and receiving loan payments. Any arrangements for sharing responsibility for the Learning Aim delivery and loan income is also the responsibility of the lead learning provider.

In addition, concurrent study will allow learners to be studying at different learning providers at the same time. When a learning provider is enrolling a learner on a new course, they must ask the learner what other Learning Aims or HE courses they will be studying concurrently. This should evaluate whether successful completion of the Learning Aim is realistic.

2.8 Students who have an equivalent or higher level qualification

Previous educational study will not affect a student's entitlement to an ALL. Students are entitled to up to four loans in their lifetime and can receive a loan to fund a Learning Aim that is the same type and level that has previously been funded.

The exceptions to this rule are AS, A Levels and Access to HE Diplomas. Nonetheless, a student will only be entitled to one ALL for a Programme of A Levels, or an Access to HE Diploma as that Learning Aim is focused on a particular outcome that is related to progression. Therefore, periods of repeat study, where the student is not progressing, will not be funded. The only exception is where a student has had to withdraw from their studies due to CPR.

Example:

Lawrence has withdrawn from an Access to HE Diploma in AY 17/18. During AY 18/19 he applies for an ALL loan to fund another Access to HE Diploma with a start date of 01/06/2018. Lawrence is not eligible for a repeat loan this is repeat study unless he has been accepted for CPR.

Ghunda has completed a programme of AS levels in AY 17/18. During AY 18/19 she applies for an ALL loan to fund a programme of A levels with a start date of 01/06/2018. Ghunda is eligible for a loan as a student can get loans for 4 A Levels if corresponding subject to AS.

2.9 Other sources of funding

Students will not be eligible to receive ALL for a Learning Aim if the provider has accessed grant funding via the ESFA in respect of the same Learning Aim at the same time. The ESFA set this rule out within the ALL funding rules.

Currently, there are no regulatory restrictions preventing learners accessing ALL and HE UG or PG funding concurrently.

2.10 Time limit for applying for student support

Students must apply for ALL before the end of the designated course for which they are applying for funding and within the maximum time period for that type of Learning Aim (Regulation 11(2)). A student will be assessed on the rules at the start date of their course. As long as an application is received by the last day of the Learning Aim it will be accepted for consideration, even if there is outstanding information or evidence.

Applications for the next AY should not be submitted until the launch date for that year, as they will otherwise be disregarded.

Late Applications

Applications must be received during the maximum period of eligibility dependant on the course type. However, SFE may receive some applications beyond these limits. SFE will reject these applications and advise the student that if they have a specific extenuating reason as to why they applied so late, then discretion can be applied as to whether an application can be accepted.

2.11 Students who become eligible after an event

Under Regulation 7, students may become eligible for ALL after the start of the designated course if any of the following events occur:

- The student or the student's spouse, civil partner, parent or step-parent is recognised as a refugee or becomes a person granted humanitarian protection;
- A state accedes to the EU where the student is a national of that state or a family member (as defined in Part 1 of Schedule 1) of a national of that state;
- The student becomes a family member (as defined in Part 1 of Schedule 1) of an EU national;
- The student acquires the right of permanent residence;
- The student becomes the child of a Turkish worker;
- The student becomes one of the persons described in Paragraph 6(1)(a) of Schedule 1; or
- The student becomes the child of a Swiss national

Note that where the student becomes eligible after an event which occurs after the first day of the designated course and within the time limits above, the student becomes eligible for the full loan amount (applicable to the AY their course began) and not a lesser prorated loan amount.

Example:

Tommy starts a Learning Aim on 1 August 2018 and was at that point ineligible for funding as he did not satisfy residency requirements. He becomes a refugee on 15 October 2018. As this event takes place before the last day of the Learning Aim (and within the maximum time period for that type of Learning Aim) he is eligible to apply for ALL for the whole Learning Aim.

A student may only qualify for a loan for a course that is designated after that student starts the course if the course became designated before the last day of the course (between 1 August and 31 July).

2.12 Documentation requirements

Regulation 10(1) states that the applicant should provide such documentation as the Secretary of State may require with their application. SFE will verify an applicant's British passport details with HMPO via the Government Secure Intranet where possible. Where this is not possible, SFE will verify other identity documentation such as a student's valid national ID card, passport or birth certificate (Regulation 21(2)).

Relevant documents are listed in the notes for the completion of each application. SFE may accept certified true copies¹ of documents on an exception-only basis, where they consider it unreasonable to insist on originals, however, every endeavour should be made to have sight of original identity documents, preferably a passport or identity card.

ALL applicants are required to provide their valid UK NINO (Regulation 20). However, EU nationals who have not been issued a NINO by the DWP may be exempted from the requirement to provide a NINO with their application.

Note: If a student chooses to submit his birth certificate then this must be accompanied by a fully completed Identity Declaration Form. SFE should not require students to produce birth certificate where they are unwilling to do so. In such circumstances, other forms of evidence such as a valid passport should be accepted.

In exceptional circumstances a student may be unable to provide either a birth certificate or passport with valid reason. SFE must not continue to request these items, but may accept other forms of evidence from external organisations such as the HO or the student's solicitor to ensure that they can satisfy themselves of the applicant's identity.

Where students have previously applied to SLC for funding, existing identity details held by SLC may be re-used.

2.13 Contact details

Students are requested to provide details of two contacts, residing at different addresses from each other, as part of the loan application. Only one contact may reside at the same address as the student. A minimum of one contact is mandatory and will be required prior to loan approval. Contacts who reside at non-UK addresses can be accepted.

2.14 Benefits entitlement

Where a person in education is eligible for a means-tested social security benefit, support for tuition costs is disregarded while support for maintenance costs is taken into account when assessing their benefit award. As ALL is a tuition fee loan, it should not be taken into account when assessing a student's benefit award.

3 Residency

ALL is available to the categories of students described in Part 2, Schedule 1 of the Regulations. These can be summarised as follows:

- **UK domiciled students**, i.e. those students who have been ordinarily resident in the UK and Islands for the three years prior to the first day of the designated course;

¹¹ A certified true copy is a photocopy of an original identity document which must have been stamped and signed as being a true copy of the original by an official such as a minister of religion, doctor, lawyer, civil servant, teacher/lecturer or police officer. The person certifying the copy must provide their name, address and contact number. The certifying person must not be a relative or retired.

-
- Non-UK EU students who have been ordinarily resident in the EEA / Switzerland for the past three years but do not meet the requirements above to be assessed as English domiciled students*;
 - Other groups of applicants who satisfy the regulatory residency requirements in the Regulations.

(*Note that this group must attend the course (or undertake the course where they are distance learning) in England. The requirement to attend in England is satisfied where the student is attending a campus in England and the campus is part of an FE Provider that is based in a different UK territory.)

It should also be noted that EU students are permitted to attend field trips and placements outwith England where they form part of a course that is delivered by a provider in England.

Regulatory residency requirement for ALL are broadly the same as those that apply to undergraduate HE student support. See the undergraduate “Assessing Eligibility” guidance notes for further details of regulatory residency categories for student funding.

3.1 Ordinary Lawful Residence

Although not defined in the Regulations, ‘ordinarily resident’ has been interpreted by the courts as lawful habitual and normal residence from choice and for a settled purpose throughout the prescribed period, apart from temporary or occasional absences. It is possible that an individual is able to establish ordinary residence (OR) in two countries simultaneously.

Ordinary residence means lawful residence and the student must hold some form of leave to remain issued by the HO, for example Limited Leave or Discretionary leave to Remain or another form of leave. If a student has moved from one period of leave to another during the three years preceding the first day of the designated course their leave must run concurrently, i.e. the application for the second period of leave was made in time before the first period elapsed. A break in leave will mean that the student was here unlawfully and they may therefore not satisfy the ordinary residence requirement.

The HO has the power to disregard a period of overstaying. Until 24 November 2016 a period of overstaying of up to 28 days would be disregarded so that an application made up to 28 days out of time would not be refused solely for that reason. From 24 November 2016, paragraph 39E of the Immigration Rules allows the HO to consider some exemptions for overstayers whose application could not be made within 14 days of the applicants leave expiring. The HO can apply this exemption (sometimes called a ‘grace period’) in both Limited Leave to Remain (Immigration Rules) cases and in Discretionary Leave to Remain (outside the Rules) cases. This means that the Home Office can determine that a period of up to 14 days (28 if before 24 November 2016) does not constitute a break in lawful residence for the purposes of a further application for leave to remain. In cases where there was a late application within the ‘grace period’ and further leave was granted, it is expected that the HO will confirm this to SFE.

Students may apply for support mid-course, however will have to have met the requirements by the first day of the designated course. Students applying mid-course will not qualify for support for previous years, payments will not qualify for support for previous years, payments will apply from the AY of the application’s submission only. The student’s cohort will be determined based on the first AY of the student’s course and this defines the support package available.

This means that applicants must hold a valid status throughout the period of ordinary residence required by SFE when establishing their eligibility to student support. Students will normally be able to provide evidence from the Home Office (HO) confirming their immigration history and current immigration status, which will normally be sufficient to fulfil this requirement. The Department's policy is that the SLC will rely on information from the HO in relation to residency matters.

Where a HO check or documentation does not provide a definitive entry date into the UK, SFE will consider other forms of evidence on a case by case basis. Other forms of evidence may include (but not limited to):

- School letter and records on headed paper, signed by someone in authority (Deputy Head, Head, etc) within the school, stating the dates each year the student was in attendance;
- Letter from a GP;
- Confirmation of university/college attendance;
- Council tax bill;
- Wage slips/P60/P45/Self-Assessment Tax Return; or
- Confirmation of employment from employer on company headed paper signed by a senior member of staff with contact details provided.

3.2 Long Residence Category

Effective from the 1 April 2017 the DfE introduced a new eligibility category for student support for those with long residence in the UK. The new long residence category extends eligibility for student support to those persons who on the first day of a designated course has, preceding the first day of the designated course, lived in the UK throughout either:

- Half their life; or
- A period of 20 years.

To be eligible for support under this category the student must also:

- Be ordinarily resident in the UK and Islands throughout the three-year period preceding the first day of the designated course; and
- Not have moved to the UK and Islands wholly or mainly for the purposes of education.

Students, who only meet the criteria after the first day of the designated course are not eligible for support for the duration of their course. This is because the long residence category is not an 'event' status pursuant to Regulation 7.

The onus is on the student to demonstrate that they meet the long residence requirements. SFE must be satisfied, through a combination of HO checks and evidence, that the student is eligible under this category. SFE will accept valid HO documentation showing the date of entry into the UK.

It should be noted that a valid entry clearance visa, such as a visit visa is not in itself confirmation the student entered the UK at that time. Individuals usually receive entry clearance for a 6 month period of time. Only a confirmed entry date from Immigration Control and verified by the HO would be evidence of entry to the UK.

SFE should establish the student's three years ordinary residence in England, preceding the first day of the designated course before evidence to satisfy the long residency aspect is requested.

The calculation for long residence is determined by the student's age at the first day of the designated course, and their entry date to the UK (or relevant other evidence demonstrating they were living in the UK throughout the required period). This will mean that the half life or 20 year calculation can be determined by the first day of the designated course.

3.3 Three Year Address History

All applicants (with the exception of refugees) must provide details of their home address covering the three year period prior to the first day of the designated course.

The home address of the parents of the applicant, where this differs from the applicant's address, will not be taken as the place of ordinary residence of the applicant.

Evidence of three year address history may be requested from applicants as part of a sample check during the AY. The overall size of the sample, and the sample size used for specific applicant groups, may be varied at any time. For example, where applicants are required to be ordinarily resident in England on the first day of the designated course, but state that they have been living in England for three months or less prior to the first day of the designated course, all such applicants may be asked to provide evidence of their address history so that SFE can ascertain if the student moved to England solely for the purposes of attending the course; if yes, the student will be ineligible for ALL from SFE (unless the student was deemed to be temporarily absent from England or exercising a 'right to roam' in the EEA/Switzerland).

3.4 Students who move to England from elsewhere in the UK or the Islands in order to attend a course

ALLs are available to applicants who are UK domiciled studying at an FE provider in England or any outside of England providing distance learning for the purposes of Armed Forces inclusion.

Example:

Terry starts a Learning Aim in England in September 2015. He is ordinarily resident in Wales at the start of the first AY of the course. However, as he is UK domiciled and studying at an English FE learning provider he is eligible for ALL.

Nyree starts an undergraduate degree in England in October 2013. She receives funding from Student Finance NI as she is ordinarily resident in Northern Ireland as the start of the first AY of the course. She completes the undergraduate degree in June 2016. She stays in England after the end of the course. She applies for ALL in England starting in September 2018. As she is studying at an English FE learning provider and didn't progress immediately on to the Learning Aim, she may be eligible for ALL.

3.5 Temporary or occasional absences

When considering whether an applicant has been ordinarily resident in a territory during a prescribed period, temporary or occasional absences will not normally affect ordinary residence. SFE will make decisions on whether an absence affects a person's ordinary residence on a case by case basis.

Temporary absences may include but are not restricted to temporary employment, employment with the Armed Forces, period of study and extended holidays/travelling.

3.6 Armed Forces Personnel² and their family members

Under Paragraph 1(6) of Part 1 of Schedule 1 members of the regular naval, military or air forces of the Crown, of another EEA State or of Switzerland or Turkey on service outside the UK and Islands or the EEA, Switzerland and Turkey, as appropriate, are considered to be temporarily employed overseas for any such period. The effect of this is that a person may be treated as being or having been ordinarily resident in the UK and Islands, the EEA, Switzerland or Turkey if he would have been so resident but for the fact that he, his spouse or civil partner, his parent or, in the case of a dependent relative, his child or child's spouse or civil partner was serving overseas.

This group of people are in a special situation because of the unique nature of their employment, namely that they are bound by military law to accept overseas postings. The provision is only intended for servicemen's families who follow them on postings: students who had been living overseas but not with the parent on active service would not be able to take advantage of this provision.

Distance Learning Overseas AY 17/18

Armed forces personnel (and their eligible family members living with them) who are starting a Learning Aim and who are serving overseas are not subject to the rule that they must be studying in England to receive an FE loan. Please refer to the '17-18 Distance learning Armed Forces personnel' policy specification for further information.

Once a student, studying a distance learning course overseas, is eligible for an FE loan they will remain eligible to the end of their period of eligibility, even if they, or their family member, leaves the Armed Forces.

If a student undertaking a distance learning course overseas, due to themselves or an eligible family member living with them serving in the Armed Forces, has started an eligible distance learning course before 1 August 2017 but was not eligible for an FE loan, they **cannot** apply for an FE loan for that course.

The qualification being studied and the provider must both be eligible for loan funding.

Example:

Arnold is a member of the Armed Forces who is serving overseas when he starts a distance learning 'Learning Aim' on 15 September 2017. He is eligible for ALL.

² For the purposes of this guidance 'UK Armed Forces' includes active service members of the British Royal Navy, Army, Royal Air Force and Army Reserves only

Maria is the wife of a member of the Armed Forces who is serving overseas; Maria is living with him. She starts a 2 year distance learning 'Learning Aim' on 15 September 2016 and at that time is not eligible for ALL. However, when the regulatory change is made she becomes eligible for ALL as long as an application is received by the last day of the Learning Aim.

Distance Learning 'outside of England' AY 18/19

Armed Forces personnel serving outside of England on the first day of the designated course but **in another country within the UK**: instead of 'outside of England', previously the rules used the term 'overseas,' which erroneously excluded other countries in the UK.

This change will apply to **new students** starting a course from 1 August 2018 onwards who are:

- UK armed forces personnel; or
- eligible family members, living with armed forces personnel

undertaking a designated course provided by an English provider (or those with a specific agreement with the ESFA), where the learner is resident in another part of the UK due to being in the UK armed forces.

Example:

Sylvia is a member of the Armed Forces who is domiciled in England but serving in Scotland, she commenced a 2 year distance learning 'Learning Aim' course in September 2017 and at that time was not eligible for ALL. However, from AY 2018/19 she will become eligible for ALL under the extended Armed Forces exception.

Jimmy is a member of the Armed Forces who is serving in Wales when he starts a distance learning 'Learning Aim' on 28 September 2018. He is eligible for ALL.

Once a student, studying a distance learning course overseas or within another country in the UK is eligible for student support they will remain eligible to the end of their period of eligibility, even if they, or their family member, leaves the armed forces.

3.7 Residency Examples

Please note that these examples are for illustration only and do not cover all scenarios, including those involving previous study. For the full list of residency categories, refer to Schedule 1 of the Regulations.

Examples:

Stuart is a UK national who confirms that he has been living in the UK and Islands for three years prior to the first day of the designated course. He gives the following address history (most recent address first):

England:	2 years
Wales:	1 year

As Stuart is a UK national who is ordinarily resident in UK on the first day of the designated course and who has been ordinarily resident in the UK and Islands for three years prior to the first day of the designated course, he is eligible for ALL..

Callum is a UK national who confirms that he has been living in the UK and Islands for three years prior to the first day of the designated course. He gives the following address history (most recent address first):

Wales: 2 years
England: 1 year

As Stuart is a UK national who is ordinarily resident in UK on the first day of the designated course and who has been ordinarily resident in the UK and Islands for three years prior to the first day of the designated course, he is eligible for ALL. *(Note that he must be studying an eligible Learning Aim at an eligible learning provider in England.)*

Bridget is a UK national who confirms that she has not been living in the UK and Islands for three years prior to the first day of the designated course. She gives the following address history (most recent address first):

England: 1 month
France: 2 years and 11 months

Bridget returned from France to England in order to start the course. However, she was resident in England prior to living in France; she is therefore eligible for ALL as she left England to exercise her 'right to roam' in the EEA / Switzerland. *(Note that if she was ordinarily resident in a different UK territory prior to leaving the UK, she would remain eligible for ALL as long as she was studying an eligible Learning Aim at an eligible learning provider in England.)*

Emma is a UK national who confirms that she has not been living in the UK and Islands for three years prior to the first day of the designated course. She gives the following address history (most recent address first):

USA: 1 year
England: 2 years

She returns to England to start the course. As her residence in the USA is not deemed to be a temporary absence, she is ineligible for ALL.

Lawrence is a UK national who confirms that he has not been living in the UK and Islands for three years prior to the first day of the designated course. He gives the following address history (most recent address first):

England: 1 month
Australia: 6 months
England: 2 years 5 months

As his residence in Australia is a temporary work contract and he did not intend to stay in Australia indefinitely, it is deemed to be a temporary absence and he is still considered to be ordinarily resident in England. He is therefore eligible for ALL.

Jaime is a Spanish national who confirms that he has been living in the UK and Islands for three years prior to the first day of the designated course. He gives the following address history (most recent address first):

England: 1 year
Scotland: 2 years

Jaime is treated as English domiciled due to being ordinarily resident there. As he has been ordinarily resident in the UK and Islands for three years prior to the first day of the designated course and ordinarily resident in England, he is eligible to apply for ALL.

Katrin is an Estonian national who confirms that she has not been living in the UK and Islands for three years prior to the first day of the designated course. She gives the following address history (most recent address first):

Germany: 2 years
Estonia: 1 year

She comes to England to start the course. She is eligible for ALL as an EU student (i.e. a non-UK EU national who has been living in the EEA/Switzerland for three years prior to the first day of the designated course) as long as she is attending/undertaking the course in England.

4 Previous Study

Previous educational study will not affect a student's entitlement to an ALL. Students are entitled to up to four loans in their lifetime and can receive a loan to fund a Learning Aim that is the same type and level that has been previously funded.

ELQ restrictions will not apply. The exceptions to this are AS, A Levels and Access to HE Diplomas (see repeat study).

4.1 Repeat Study

A student is entitled to up to four loans for the same type of general and technical qualification.

However, a student will still only be entitled to one ALL for a Programme of A Levels, or an Access to HE Diploma as that Learning Aim is focussed on a particular outcome that is related to progression. Therefore, periods of repeat study, where the student is not progressing will not be funded. The only exception is where a student has had to withdraw from their studies due to CPR (see Section 4.2 in this Guidance).

4.2 Compelling Personal Reasons (CPR)

Repeat funding may be available where the student received funding for ALL and withdrew from the Learning Aim due to CPRs. These students will still be entitled to a repeat loan following a withdrawal regardless of the start date of their Learning Aim.

The CPR exception rule allows the repeat loan to be used for a Learning Aim at any level or type. This includes the repeat loan following withdrawal being used to fund a Programme of A levels or an Access to HE Diploma even when the learner has previously completed this type of Learning Aim.

Examples:

Irmantis has already completed an Access to HE Diploma in Engineering and withdraws from an A level component due to CPR in AY 18/19. During AY 19/20 he applies to use the repeat loan to fund an Access to HE diploma with a start date of 01/10/2019. Irmantis is not eligible for the repeat loan.

Lucia applied and received two FE loans between AY 17/18 and AY 18/19, for a Level 3 certificate and an Access to HE course. Lucia completed her Level 3 course, but withdrew from the Access to HE course due to CPR. During AY 19/20, Lucia would like to apply to use a repeat loan to fund a second Access to HE diploma. Lucia is eligible for funding as the first Access to HE course was withdrawn from due to CPR.

Note that the student must provide evidence to support a claim that withdrawal from a previous Learning Aim was for CPR, such as medical evidence or evidence of a personal or family crisis.

Provider Failure

Historically, if a student received their first loan and needs to transfer to a new institution as a result of provider failure and take out a new loan, then their remaining entitlement would be two more loans.

From AY 18/19, a student will not lose loan entitlement as a result of provider failure. Therefore, if a student receives their first loan and needs to transfer to a new institution as a result of provider failure and take out a new loan, their remaining entitlement would be three more loans.

See the “Assessing eligibility” guidance for further information on CPR.

5 Course Eligibility

5.1 Designated Courses

FE loans are available to support learners who are studying FE Learning Aims irrespective of the mode of study. The Secretary of State for Education, acting through the ESFA is responsible for designating Learning Aims as eligible for FE loans. The criteria is set out in the advanced learner loans prospectus 2018 to 2019 and includes the following:

- Programme of A Level(s) (AS, or A Levels)
- QAA Access to HE Diploma
- general and technical qualifications at levels 3, 4, 5 and 6

The full list of designated qualifications is in the Learning Aims section of the Hub and the Advanced Learner Loans Qualification Catalogue.

SLC have a dependency on the ESFA transferring accurate Learning Aim information to them electronically in accordance with the agreed specification.

There is one overall maximum time period for “general and technical qualifications” of three years instead of two years for a Certificate and three years for a Diploma. This change impacts Certificates and Diplomas at Levels 3, 4, 5 and 6. It does not impact Access to HE Diplomas or Programmes of A Levels and therefore these Learning Aims will not be consolidated to “general and technical qualifications”.

From AY 2016/17, funding is available when a learner is studying any of the following types and levels of ESFA designated Learning Aims at an ESFA approved Learning Provider in England:

- Programme of A Level(s) (AS, or A Levels) – up to a maximum of 4 full A Levels
- QAA Access to HE Diplomas
- general and technical Qualifications at Levels 3, 4, 5 and 6³

Loans for Learning Aims are available at up to the maximum loan amounts published by the SFA.

Although Level 5 and Level 6 qualifications will be in scope for FE loan funding in AY 2016/17, this will only be Level 5 and 6 qualifications with a learner start date on or after 1 August 2016. The only exception is the five Dance and Drama Diplomas at Levels 5 and 6 which were approved for the loans programme with effect from AY 2014/15. Learners who started on Level 5 and 6 Learning Aims prior to 1 August 2016 will not be eligible for a loan and will be funded using the funding mechanisms for that AY (Annex B).

Course duration: Regulation 5(3) states that there will be a maximum time period of eligibility where a fee loan can be paid and before a student can enter repayment. The time periods of eligibility are determined by the type of FE course.

- a programme of A levels (AS or A Levels) – two years for each A Level or AS
- An Access to HE Diploma – two years
- General and technical Qualification at Levels 3, 4, 5 and 6 – maximum period of three years

The minimum duration period for a Learning Aim is two weeks, ensuring that all students meet the initial two week liability period.

The maximum time periods will be used by SLC to establish the learner’s SRDD. Even though the SRDD is based upon a Learning Aim’s maximum time period, all learners (regardless of when they apply) and Learning Providers must confirm the Learning Aim start and end date to SLC. These dates must be within the maximum time period of that type of Learning Aim.

When a learner advises SLC of an end date that is outside the maximum time period, the end date will automatically be defaulted to the maximum time period. Therefore all payments will be made within the maximum time period and the learner and Learning Provider will need to agree how the learner can continue with their studies.

The learner and the Learning Provider will have flexibility to amend a learners start and end date on a Learning Aim. For instance:

- When the start or end dates are amended prior to any attendance confirmations being made, all payments will be re-profiled to reflect the revised dates.

³ To note there is one overall maximum time period for loan payments for ‘Vocational Learning Aims’ of three years and ALL was extended to include Level 5 and 6 from AY 16/17.

-
- When the end date is amended after an attendance confirmation all future payments will be re-profiled to reflect the revised dates.
 - When an FE learner is studying out-with their Learning Aim's maximum time period an agreement will be made with their Learning Provider on how they can continue with their studies. This may result in a learner continuing to study when they are in repayment.

For example:

Learner C changes their Learning Aim end date to complete their Learning Aim within a longer time period and the revised date is beyond the maximum time period for that type of Learning Aim. Once all payments have been made, Learner C makes an agreement with their Learning Provider on how they can continue with their studies. Learner C will go into repayment and will only start paying back their FE loan once they are earning above £25,000 per annum (as at 2018-19 tax year). Learner C's SRDD will remain set at maximum time period for their type of Learning Aim.

5.2 A Level(s) (AS, or A Levels)

Since 1st August 2015, A2 Learning Aims have been discontinued and there are no A2s with an eligibility start date of 1st August 2015 and beyond. Any learner who started an A2 Learning Aim prior to 1st August 2015 will be allowed to complete it (and continue to receive loan payments).

Learners who wish to undertake a full A Level can still study an A Level in 2 parts (AS followed by the corresponding A Level). Where a learner applies for a loan for an A Level after sitting the AS in the corresponding subject, the provider must reduce the fee for the A Level to take into account the prior learning completed for the AS Learning Aim.

A learner must submit one application for each A Level component. These applications can be made at the same time or one after the other, breaks in learning should be kept to a minimum. An AS/A Level learner can apply for:

- Up to four loans to undertake up to four full A Levels, when enrolled on A Level Learning Aims.
- Up to eight loans where four full A Levels are undertaken by studying AS Learning Aims, followed by A Level Learning Aims. In this scenario a learner can apply for up to four loans for AS Learning Aims, and then up to four loans for the corresponding A Level Learning Aims.

If a learner enrolls on a combination of A Level and AS Learning Aims they will be able to apply for loans to undertake up to four full A Levels, subject to the overall limits for each Learning Aim type (see Annex A).

5.3 Eligible Provider

Eligible FE providers: ALL will be available for eligible Learning Aims provided by FE Providers in England (or any outside of England providing distance learning for the purposes of Armed Forces inclusion) that are:

- the institution providing the course receives public funds for a course listed in Regulation 4(1);
- the further education course is publicly funded; and
- the institution providing the course is situated in England.

5.4 Intensity

There is no distinction between full-time and part-time learning in FE and therefore ALLs are available to eligible students regardless of their intensity of study, but are paid over a maximum of three years.

5.5 Distance Learning

Loans are available for distance learning courses which are defined as courses delivered outside the classrooms etc of the provider's hub and bespoke locations. However, the course must be provided by a learning provider within England except for members of the Armed Forces.

6 Payment and Overpayment

Payments of ALL will be made in monthly instalments to the Learning Provider irrespective of the student's start or end dates.

No payments will be released until a **valid NINO** has been received and verified. Note that **EU students** are excluded from this rule, as non-UK nationals who come to the UK for the purposes of study are not currently issued a NINO by DWP. Where a student has already had their NINO verified as part of an earlier application, the NINO does not require to be verified again.

6.1 Amount of the loan

The amount of a fee loan in respect of a further education course beginning before 1 August 2015 must not exceed the lesser of –

- The maximum level of public funding in connection with that further education course; or
- The amount which the institution is charging the eligible student for the further education course.

The amount of a fee loan in respect of a further education course beginning in the period beginning on 1 August 2015 and ending on 31 July 2016 must not exceed the lesser of –

-
- The maximum loan amount available in connection with that further education course as contained in the document published by the SFA on 5 February 2015 entitled “Funding rates for 24+ Advanced Learning Loans designated qualification 2015 to 2016; or
 - The amount which the institution is charging the eligible student for the further education course.

The amount of a fee loan in respect of a further education course beginning in the period beginning on 1 August 2016 and ending on 31 July 2017 must not exceed the lesser of –

- The maximum amount available in connection with that further education course as contained in the document published by the SFA on 17 February 2016 entitled “Maximum Loan Amounts for Advanced Learning Loans designated qualification 2016 to 2017, Version 1”; or
- The amount which the institution is charging the eligible student for the further education course.

The amount of a fee loan in respect of a further education course beginning in the period beginning on 1 August 2017 and ending on 31 July 2018 must not exceed the lesser of –

- The maximum loan amount available in connection with that further education course determined in accordance with Schedule 3 (see Annex B); or
- The amount which the institution is charging the eligible student for the further education course.

Each designated course will be assigned a funding rate that will be confirmed in LARS. A course will be allocated the same funding rate regardless of whether it is funded by a fee loan, a grant, the student or any other method.

The ESFA will set funding rates annually ahead of each AY. They will not change the funding rate of a course once a student has applied for a fee loan, only future loan applications will be impacted by any changes.

Providers can charge a fee that is either the same or higher or lower than the amount confirmed in LARS. However, a student will only be eligible to receive a loan that is either the same or less than the funding amount in LARS, even when the institution is charging more. SFE will have access to LARS to validate funding rates of course amounts against loan amounts when assessing application. SFE will not make an assessment against the fee charged by the institution.

A fee loan must be for an amount no less than £300 (Regulation 17). SFE should reject a loan application if it is below this amount.

Note: In exceptional circumstances a learner is able to get a loan for less than £300. For instance, when a learner has previously had a loan and they have withdrawn due to CPR and they only need a small amount of loan to complete their qualification. SLC has a manual exceptions process to deal with this scenario.

6.2 Confirmation of study

Payments will be released following receipt of confirmation from the learning provider that the student has been in attendance for two weeks. This will either be 14 days from the Learning Aim's

start date (which must be received before midnight on the 13th day) or two weeks after the student has started their studies (when they start at a later date).

The Learning Provider must also confirm that the student remains enrolled and continues to attend at each quarter. The Learning Provider is also expected to confirm the *non attendance* of a learner. This can be confirmed either when a learner leaves their Learning Aim prior to the initial liability point or when a learner has never attended their studies. A confirmation of non attendance will not release a payment.

6.3 Payment dates

Payments will be made in monthly instalments to the Learning Provider irrespective of the student's start or end dates. If a student leaves after that month's attendance then there is no recourse to reduce the liability for loan if they do not complete the month.

6.4 Late entrants

ALL is only available where the student is undertaking a Learning Aim during a term. If the student is suspended for a whole term or starts the Learning Aim during the second or third term, no payment should be released for any term where the student was never undertaking a Learning Aim.

6.5 Overpayment of a loan

Any overpayment of a fee loan is recoverable from:

- The institute; or
- The student in respect of whom the payment of the fee loan was made.

An overpayment of a fee loan may be recovered from a student in whichever one or more of the following ways in all the circumstances:

- By subtracting the overpayment from any amount of the fee loan which remains to be paid;
- By requiring the student to repay the fee loan in accordance with Regulations made under Section 22 of the 1988 Act; or
- By taking such other action for the recovery of an overpayment as is available to the Secretary of State.

SFE is allowed some discretion in certain circumstances to recover the overpayment directly from the student through the normal ICR process.

Where a miscalculation by SFE results, SFE should always carry out the re-assessment even when the overpayment has resulted from an internal error. The circumstances that caused the overpayment to arise should be taken into consideration when negotiating the most appropriate method of recovery where the student is unable to make repayment in full. SLC will negotiate the recovery of the overpaid amount on a case by case basis and in line with DfE guidelines.

7 Changes of circumstances

7.1 Transfers

Students can **transfer to another FE Learning Aim** within the same learning provider and remain eligible for tuition fee loans where:

- The Learning Aim is at an equivalent level to the Learning Aim the student is currently undertaking; and
- The period of eligibility has not terminated.

The student should notify SLC when they transfer to another Learning Aim as this may affect their eligibility and their loan payments amounts.

Where the student **transfers to a different learning provider** the student must withdraw from the current Learning Aim and make a new application.

When a student decides they want to **change course type or level**, the student must withdraw from the current Learning Aim and make a new application (even when the units already achieved are part of the rules of combination of the new course). This also applies where the student continues studying **the same type of course at a different level**.

Note, where the student transfers to a different learning provider because the institution at which the student began the Learning Aim is **no longer publicly funded** this will not impact on their entitlement for funding. The student will be required to apply for an additional loan to complete their learning aim and their original loan will be managed separately.

7.2 Multi academic years

Students may transfer to a course which starts in a later AY quarter. However, the maximum funding available to the student will not increase. Any remaining payments due to be made will be aligned to the payment period dates for the new Learning Aim.

7.3 Change of course length

Students may transfer between Learning Aims of different lengths. The learning provider will assess the student's previous loan payments to identify any new funding amounts as the learning aim transfer may also result in the student changing their loan amount. Payment profiling in future AYs of the Learning Aim will be amended where required to accommodate Learning Aim length changes.

7.4 Suspension / Resumption

If a student suspends study, payment dates are re-profiled to allow the student additional learning time. Payments are re-profiled based upon the number of months the student was suspended.

Example:

Laura requests a loan for £1000 and the Provider is scheduled to receive ten monthly payments of £100. She suspends in month five and resumes in month seven therefore her end date is extended by two months.

Henry requests a loan for £2400 and the Provider is scheduled to receive 24 monthly payments of £100 (this takes the student up to the maximum time period). He suspends in month 20 and resumes in month 26 therefore his end date is extended by six months and payments will be made beyond the maximum time period. A student will only repay any payments they received prior to their suspension and after they have resumed their studies.

Note, if a student is suspended for a 12 month period then their application will be automatically withdrawn.

7.5 Withdrawal and loan overpayment

When a student decides they do not want to continue with their studies, any future loan payments are stopped either when the student advises SLC of the withdrawal or when the learning provider has confirmed they are not resuming their studies. The student is responsible for the repayment of any loan payments made up to the student's last attendance confirmation. When appropriate the SRDD is brought forward.

When a student withdraws prior to attendance confirmations being made and their learning provider has confirmed they are not resuming their studies, the student will not go into repayment as the loan payments were never made.

A student will be liable for any payments for the months in attendance paid (even if in attendance for one day).

In the event there is an ALL overpayment, the ALL is not recoverable from any other support types.

8 Write Off Policy

Current write off rules for ICR loans are:

- SLC have a write off policy for SFW customers who took out a Maintenance Loan from AY 2010/11 or onwards. These SFW customers can have a portion of this loan, up to a maximum of £1,500 written off when they make a repayment against their loan;
- SLC also write off loans for customers from all domiciles due to death, permanent disability, certain bankruptcy and have various age and time period rules.

Additionally, Regulation 19(3)(f) of the Education (Student Loans) (Repayment) Regulations 2009 allows for eligible students, awarded Plan 2 loans, to write off the amount of outstanding balance on a 'QAA Access to HE Diploma' loan. Students who have completed an Access to HE Diploma and progressed to complete an SFE-funded, designated HE Qualification may have the QAA Access to HE Diploma loan written off. 'Designated' courses here refers to a course designated by or under the Education (Student Support) Regulations 2011.

Access to HE Diploma courses are targeted at groups that are underrepresented in HE. They are designed to provide a route to HE for learners who have few (if any) other qualifications, and to

equip them to study successfully at that level. The main purpose of an Access to HE Diploma is to support progression to HE. This is not the case for other courses funded by ALLs, which have a value in themselves and are not simply to facilitate progression to further learning. Hence, it is for this reason that BIS chose to write off loans for Access to HE Diplomas on completion of a designated HE course.

8.1 Timing of the write off policy

The write off is available to learners studying “QAA Access to HE Diploma” courses that start in AY 2013/14 and onwards.

8.2 Eligibility for write off policy

To be eligible for a “QAA Access to HE Diploma” loan write off, a student must:

- Have taken out an ALL for a “QAA Access to HE Diploma” course that they completed⁴
- Not have any outstanding loan accounts with arrears or charges (once the arrears are cleared, the student can be made eligible)
- Be eligible to apply for Tuition Fee support towards an SFE funded course of HE on the first day of the first AY of their HE course. The only exception is students who were not eligible for SFE support due to previous HE study of already having achieved an ELQ, they will also be eligible for the write off.
- Have completed a designated HE qualification that was eligible for SFE funding. It should be noted that:
 - All courses designated by or under the 2011 Support Regulations for SFE funding are in scope, this includes HNCs, HNDs, Foundation Degrees, NHS funded courses and the HE element of a Higher Apprenticeship, and postgraduate healthcare courses.;
 - There does not need to be a relationship between the “QAA Access to HE Diploma” course and the HE qualification.
 - A learner will still be eligible for a write off if they self funded their HE qualification (as long as they were eligible for SFE funding and completed an HE course that was eligible for SFE funding). The only exception is students who were not eligible for SFE support due to previous HE study or already having achieved an ELQ, they will also be eligible for the write off.
 - A learner’s entitlement to a write off will not be impacted if they suspend, repeat or transfer their HE qualification, only a withdrawal from their HE course will impact entitlement. Their entitlement may also be affected by the number of incomplete QAA Access to HE Diplomas and their circumstances (i.e. whether withdrawal was resulting from CPR).

⁴ As long as a learner completed one “QAA Access to HE diploma” course, they will be entitled for any loans for incomplete “QAA Access to HE Diplomas” to also be written off. This includes the write off of any loans for incomplete “QAA Access to HE Diplomas” courses the learner withdrew from (e.g. a learner could withdraw from two “QAA Access to HE Diplomas” due to CPR).

8.3 Completion of “QAA Access to HE Diploma”

When a learner completed their “QAA Access to HE Diploma” Learning Aim, they will follow the standard process and enter repayment. A learner will not be required to provide evidence of completion for their “QAA Access to HE Diploma” unless self funded. A learner will be regarded as completing their Learning Aim when the following criteria is met.

- The final attendance confirmation has been made by the provider within the maximum duration period for a “QAA Access to HE Diploma” of two years. Although there will be circumstances when a learner is continuing with their studies once all payments have been made within the maximum duration period.
- The “QAA Access to HE Diploma” does not have a status of withdrawn or suspended on their course end date. The learning provider must advise SLC when the learner has withdrawn or been suspended from their Learning Aim.

From April 2018, following their Learning Aim completion, deductions will be made from the learner’s salary once they are earning over £25,000.

8.4 Completion of Study of HE qualification

When an HE student who received SFE Tuition Fee support completed their HE qualification, SLC will identify whether the student had previously completed a “QAA Access to HE Diploma”. A student will not be required to provide evidence to confirm the completion of their HE qualification unless they were self funded. Tuition Fee funded students have their attendance confirmed at three liability points during the AY. A student will be regarded as completing their HE course when they meet the following criteria:

- The final attendance confirmation within the final year has been made by the HEP.
- The HE course does not have a status of withdrawn or suspended on their course end date. The HEP must advise ALC when the learner has withdrawn or been suspended from their Learning Aim.

SLC will proactively contact students who are eligible for a write off. This written communication will advise the learner that their outstanding “QAA Access to HE Diploma” loan balance has been written off. This includes the write off of any loans for incomplete “QAA Access to HE Diplomas” courses the learner withdrew from.

There will be no financial limit to the amount of loan SLC will write off and therefore the full outstanding balance amount of “QAA Access to HE Diploma” loan(s) at the HE course end date will be written off. Although the average cost of a “QAA Access to HE Diploma” Learning Aim is £3,100, the written off amount may be higher due to interest accrued or learners having more than one loan due to CPR.

8.5 Non SFE Tuition Fee funded HE Students

To be eligible for an Access to HE Diploma write off, a HE student must be eligible to apply for SFE Tuition Fee support and the qualification be eligible for it. This policy includes students who were

deemed ineligible for SFE Tuition Fee support for reasons relating to previous study calculation and ELQ rules. Students receiving other types of support may be eligible when ELQ and previous study rules are excluded. For instance:

- HE students who do not qualify for a SFE Tuition Fee loan due to having previous HE study and who do not hold an ELQ can receive the following products: ML, ADG, CCG, PLA and DSA (where eligible).
- HE students who do not qualify for a SFE Tuition Fee loan due to already having achieved an ELQ can receive the following products: ADG, CCG, PLA and DSA (where eligible).

In addition, HE students may not be eligible for the SFE Tuition Fee loans. For example, HE students who qualify for NHS funding or when the Employer pays the student's HE Tuition FEEs. Therefore not all students who are eligible for the "QAA Access to HE Diploma" write off will have received a SFE Tuition Fee loan. For the purposes of this policy, these learners will be referred to as "Non SFE Tuition Fee funded students".

Non SFE Tuition Fee funded students do not have their attendance confirmed at three separate liability points throughout the AY and the final attendance confirmation cannot be used as confirmation that a student has completed their HE course. Instead, when a Non SFE Tuition Fee HE student completed their HE qualification, SLC will identify whether the student had previously completed a "QAA Access to HE Diploma". Non SFE Tuition Fee HE students will be regarded as completing their HE course when a registration confirmation has been made by the HEP. A student will not be required to provide evidence of completion of their HE qualification. . A Non SFE Tuition Fee HE student will be regarded as completing their HE course when they meet the following criteria:

- The registration confirmation in the final year has been made by the HEP.
- The account does not have a status of withdrawn or suspended on the course end date. Therefore the HEP must advise SLC when the student has withdrawn or suspended from their HE course.

SLC will include the Non SFE Tuition Fee funded students in the process that proactively contacts students who are eligible for a write off. This communication will advise the learner that their outstanding "QAA Access to HE Diploma" loan balance has been written off. This includes the write off of any loans for incomplete "QAA Access to HE Diplomas" courses the learner withdrew from. Following the write off SLC's Partner Services Team will do a manual check with the HEP to confirm if the student completed their HE course. If SLC discover that the student did not complete their course, a write off reversal will be performed and a communication will be issued to the student to notify them of the reversal.

8.6 Part-time SFE Tuition Fee funded students

Students who are studying their HE course on a Part-Time basis can receive a Part-Time SFE Tuition Fee loan. Part-Time courses only receive one attendance confirmation at the first tuition fee liability point. A part-time HE funded student will be regarded as completing their HE course when they meet the following criteria:

- The attendance confirmation in the final year has been made by the HEP.

-
- The account does not have a status of withdrawn or suspended on the course end date. Therefore the HEP must advise SLC when the student has withdrawn or suspended from their course.

SLC will include the part-time SFE Tuition Fee funded students in the process that proactively contacts students who are eligible for write off. This communication will advise the learner that their outstanding “QAA Access to HE Diploma” loan balance has been written off. This includes the write off of any loans for incomplete “QAA Access to HE Diplomas” courses the learner withdrew from. Following the write off SLC’s Partner Services Team will do a manual check with the HEP to confirm if the student completed their HE course. If SLC discover that the student did not complete their course, a write off reversal will be performed and a communication will be issued to the student to notify them of the reversal.

8.7 Students on placements or studying overseas

There may be a scenario where students in their final HE year are either on a placement or studying overseas at the start of the AY. These students will not receive a registration confirmation, however a code is captured within CLASS to indicate that Maintenance payments have been released. Students on placements or studying overseas will be regarded as completing their HE course when they meet the following criteria:

- The code in CLASS indicated that Maintenance payments have been made
- The account does not have a status of withdrawn or suspended on the course end date. Therefore the HEP must advise SLC when the student has withdrawn or suspended from their HE course

SLC will include the students on placements or studying overseas in the process that proactively contacts students who are eligible for a write off. This communication will advise the learner that their outstanding “QAA Access to HE Diploma” loan balance has been written off. This includes the write off of any loans for incomplete “QAA Access to HE Diplomas” the learner withdrew from. Following the write off SLC’s Partner Services Team will do a manual check with the HEP to confirm if the student completed their HE course. If SLC discover that the student did not complete their course, a write off reversal will be performed and a communication will be issued to the student to notify them of the reversal.

8.8 Self Funded HE Qualifications

Students who self funded their HE qualification are still entitled to a write off. To be eligible a self funded HE student must have completed an HE qualification that was eligible for SFE funding and meet the eligibility criteria for SFE HE Tuition Fee funding on the first day of the first AY of their HE course.

The self funding HE students will not be on SLC’s HE systems, so there will not be automatic process and write offs will be promoted to these students via IAG. Students will be required to provide evidence of SFE HE eligibility (based on the policy rules on the first day of the first AY of their HE course). The HEPs will be required to confirm that the student completed their HE course (suitable evidence items will be agreed with the HEPs). If the student is eligible for the write off, it will be backdated to the course end date.

Self funded students will be issued with a communication advising if they were eligible or ineligible for the write off.

8.9 Outstanding Balance

Only the outstanding balance at the HE course end date will be written off and therefore any repayments made prior to this date will not be refunded. Learners in the following circumstances may have already paid back some of their FE loan:

- Learners who are earning £25,000 and above
- Learners who leave a gap between completing their “QAA Access to HE Diploma” and commencing their HE course
- Learners who study their HE course on a part-time basis
- Learners who transferred their HE course
- Learners who repeated a year of their HE course
- Learners who have voluntarily repayments made against their loan
- In the scenario where a student who is eligible for the write off makes voluntary repayments on an ICR loan (if the student earns over £25,000) on or after their course completion date, these repayments will be refunded or reallocated to other Plan 2 accounts
 - If the student has other Plan 2 accounts the repayments made on or after the course end date will be allocated to these accounts. SLC are not required to notify the customer or offer a refund prior to moving the credit balance to the debit balance to another Plan 2 account
 - If the student only has an Access to HE Diplomas course loan account a refund will be given

9 Annexes

9.1 Annex A: Maximum loan Amounts

A Level course previously funded by FE loan Started prior to 01/08/2015	A Level course on new FE loan application Started on or after 01/08/2015	A Level course on new FE loan application	Total number of potential A Levels	Total Number of loans	Eligible or Ineligible	Reason for eligibility outcome Subjects are irrelevant to SLC. SLC will not check the Learning Aim subjects as this will be the responsibility of the Learning Provider prior to application.
AS	A Level		4	8	Eligible for	Can get loans for 4 A

AS AS AS	A Level A Level A Level				4 AS and 4 A Levels	Levels if corresponding subject to AS.
A2 A2 A2 A2 (assume learner has studied 4 ASs before A2s)	AS AS AS AS		8	4	Eligible for 4 A2's only	4 A2s will help the learner achieve 4 A Levels. If they studied another 4 AS's this would mean the learner could achieve a potential 8 full A Levels.
A Level A Level A Level A Level	A Level		5	4	Eligible for 4 A Levels only	Eligible for 4 A Levels, cannot get funding for more than 4 A Levels.
A Level A Level A Level	AS	A Level	4	5	Eligible for 3 A Levels, AS and A Level	Eligible for 3 A Levels, then AS and further A Level if A Level is in corresponding subject.
A Level A Level	AS AS	A Level A Level	4	6	Eligible for 2 A Levels, the 2 AS & 2 A Levels)	Eligible for 2 A Levels, then 2 AS and a further 2 A Levels in corresponding subjects.
A Level A Level	AS AS AS	A Level A Level	5	6	Eligible for A Levels and 2 AS then 2 A Levels	Eligible for 2 A Levels, then 2 AS and 2 corresponding A Levels. Not eligible for 3 rd AS as that would mean the learner could achieve a potential 5 A Levels.

9.2 Annex B: Determination of maximum loan amounts

Table 1: Maximum loan amounts for a further education course (other than a specialist dance and drama diploma)

GLH/TQT or type of qualification	Qualification size in credits	Maximum loan amount according to programme weighting				
45 to 68	6 to 8	£300	36	£390	£480	£516
69 to 92	9 to 11	£450	£504	£585	£720	£774
93 to 100	12	£600	672	£780	£960	£1,032
101 to 196	13 to 24	£724	£811	£941	£1,159	£1,246
197 to 292	25 to 36	£1,265	£1,417	£1,646	£2,025	£2,176
293 to 38	37 to 48	£1,987	£2,225	£2,583	£3,179	£3,417
389 to 580	49 to 72	£2,573	£2,882	£3,345	£4,117	£4,417

581 to 1,060	73 to 132	£4,170	£4,670	£5,421	£6,71	£7,172
1,061 or more	133 or more	£6,602	7,395	£8,583	£10,564	£11,56

1)Notes to Table 1

-In order to determine the maximum loan amount, the GLH/TQT in the first column, or the qualification size in credits in the second column, is used in conjunction with the relevant sub-column in the third column. The relevant sub-column in the third column is determined by reference to the programme weighting in the second column of table 4.

-The “qualification size in credits” set out in the second column was used to designate further education courses in the period beginning on 1 August 2015 and ending on 31 July 2017 and to set their maximum amounts, which continue to apply to these further education courses in the period beginning on 1 August 2017 and ending on 31 Jul 2018.

Table 2: Maximum loan amount for a GCE AS –level, GCE A –level and Access to HE Diploma

Type of qualification	Maximum loan amount according to programme weighting				
	A-Base	B-Low	C-Medium	D-High	E-Specialist
GCE AS-level	£724	£811	£941	£1,159	N/A
GCE A-level	£1,987	£2,225	£2,583	£,179	N/A
Access to HE Diploma	£3,022	£,384	£3,928	£4,8	£5,197

1)Notes to Table 2

-In order to determine the maximum loan amount, the type of qualification is used in conjunction with the relevant sub-column in the second column. The relevant sub-column is determined by reference to the programme weighting in the second column of table 4.

Table 3: Maximum loan amount for a specialist dance and drama diploma

Learning Aim Reference	Qualification	Maximum Loan Amount
60009457	Diploma in Professional Acting	£7,395
60009470	Diploma in Professional Dance	£14,790
60009482	Diploma in Professional Musical Theatre	£22,185
60009731	Diploma in Professional Dance	£22,185
60009743	Diploma in Professional Acting	£22,185

Table 4: Sector subject areas by programme weighting

Sector subject area	Programme weighting
----------------------------	----------------------------

1 Health, public services and care	B-Low
1.1 Medicine and dentistry	B-Low
1.2 Nursing and subjects and vocations allied to medicine	B-Low
1.3 Health and Social Care	B-Low
1.4 Public services	A-Base
1.5 Child development and well being	B-Low
2 Science and statistics	A-Base
2.2 Mathematics and statistics	A-Base
3. Agriculture, horticulture and animal care	B-Low
3.1 Agriculture	E-Specialist
3.2 Horticulture and forestry	E-Specialist
3.3 Animal care and veterinary science	E-Specialist
3.4 Environmental conservation	B-Low
4 Engineering and manufacturing technologies	C-Medium
4.1 Engineering	C-Medium
4.2 Manufacturing technologies	C-Medium
4.3 Transportation operations and maintenance	C-Medium
5 Construction, planning and the built environment	C-Medium
5.1 Architecture	C-Medium
5.2 Building and construction	C-Medium
5.3 Urban, rural and regional planning	C-Medium
6 Information and communication	A-Base

technology	
6.1 ICT practitioners	C-Medium
6.2 ICT for users	B-Low
7 Retail and commercial enterprise	A-Base
7.1 Retailing and wholesaling	A-Base
7.2 Warehousing and distribution	A-Base
7.3 Service enterprises	B-Low
7.4 Hospitality and catering	C-Medium
8 Leisure, travel and tourism	A-Base
8.1 Sport, leisure and recreation	B-Low
8.2 Travel and tourism	A-Base
9 Arts, media and publishing	A-Base
9.1 Performing arts	B-Low
9.2 Crafts, creative arts and design	C-Medium
9.3 Media and communication	B-Low
9.4 Publishing and information services	A-Base
10 History, philosophy and theology	A-Base
10.1 History	A-Base
10.2 Archaeology and archaeological sciences	B-Low
10.3 Philosophy	A-Base
10.4	

9.3 Annex c: Update log

Date	Updates
05/03/2018	Version 1.0 published
20/08/2018	Updated Section 2.14 regarding Benefits entitlement to reflect that ALL should not be taken into account when assessing an ALL learner's benefits entitlement.

	Version 2.0 published
03/09/2018	Version 2.0 republished following minor update
18/10/2018	Updated Section 3 to include a new section 3.1 Ordinary Lawful Residence to reflect a letter from DfE's Paul Williams directing SLC to include text detailing the rules regarding HO 'grace periods.'
	Version 3.0 published