

Student finance when studying at a UK higher education institute's overseas campus

Research Briefing:

Y Pwyllgor Deisebau | 25 Mehefin 2019

Petitions Committee | 25 June 2019

Petition number: [P-05-884](#) (158 signatures)

Petition title: Amendment to Education (Student Support) (Wales) Regulations 2018 to include UK institutions with operation overseas.

Text of petition:

We call on the National Assembly for Wales to urge the Welsh Government to amend the current wording of the Education (Student Support) (Wales) Regulations 2018 ("the Regulations"). We call on the National Assembly to make the amendments to the Regulations to address the current limitation of Regulation 6, Condition 5 which prevents Welsh students accessing student finance to study at UK higher education institutions where the location of study is at their overseas campus which we consider could be achieved in one of either two ways, by either:

- widening the criteria in Condition 5 to include courses which are provided by UK higher education institutions at either their UK or overseas campuses; or
- amending Condition 5 to include courses which are provided by higher education institutions offering designated courses and to include the University of London Institute in Paris on the list of institutions offering designated courses, using your discretion under Regulation 8.

Proposed Amendment:

Option 1 – "Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom or at any campus of a United Kingdom higher education institution located outside of the United Kingdom".

Option 2 – "Condition 5

At least half of the teaching and supervision which comprise the course is provided in the United Kingdom. This condition shall apply, unless the course has been deemed to be treated as a designated course pursuant to Regulation 8(1) or 8(2)."

We call on the National Assembly for Wales to adopt the proposed amendments so that Welsh students applying for courses at institutions such as the University of London Institute in Paris, can be considered as "eligible students" for the purposes of receiving student support. The University of London Institute in Paris offers higher education courses in modern languages, where the teaching and supervision is carried out primarily in Paris. Nonetheless, students are taught by employees of the University of London and its collaborative partner, Queen Mary, University of London.

Unless an amendment is made to the current wording of the Regulations, Welsh students will continue to suffer an unjust disadvantage when applying for courses at specific UK institutions. We call on the National Assembly for Wales to make this change as there is no equivalent limitation across other parts of the UK. If no action is taken, the Regulations may continue to act as a deterrent for students hoping to apply for courses at the University of London, Institute in Paris.

Additional Information **[provided by the petitioner]**:

Between September 2018 and February 2019 we received inconsistent messages relating to the University of London Institute in Paris' position and both current and prospective students received contradictory information on their eligibility. The University of London Institute in Paris took the following steps to address this:

Contacted the Students Loan Company

Contacted Student Finance for Wales

Contacted the 'Designation' department of the Welsh Government.

Copies of the relevant correspondence are available on request.

When the position was eventually clarified in February, Welsh applicants were informed by the University of London Institute in Paris of their ineligibility for student finance for these programmes which caused significant distress, so we call on the National Assembly for Wales to please consider our concerns as a matter of priority.

1. Summary

The petitioner calls on the National Assembly for Wales to:

- amend the student financial support regulations to allow Wales domiciled students to receive the same financial support to study at an overseas campus of a UK institution as they would to study a course entirely in the UK.

There are two possible forms of overseas study for UK students:

- the first is where a UK student studies all or some of their course at a UK institution that has a campus overseas; and
- the second is where a UK student studies some or all of their course at a non-UK institution that is also overseas.

It is the first example that is the subject of this petition.

The petition re-counts the situation of a student wishing to undertake a three year undergraduate course of study at the University of London's campus in Paris, the [University of London Institute of Paris \(ULIP\)](#).

As this course is delivered entirely in France it would not normally attract student support unless the power within the Education (Student Support) (Wales) Regulations 2018 to make an exception is used to exceptionally "designate" the course.

It is for institutions to apply for this exceptional designation status.

The above is true for both Wales and England.

It has not been possible to gain formal confirmation from Student Finance England at the time of writing, but via informal correspondence:

- it is **believed** that the courses in question at ULIP have been exceptionally designated by the Minister in England, meaning the courses attract student support for England domiciled students.
- It is **believed** that they have **not** been exceptionally designated by Welsh Ministers, and this may remain an option open to the institution – usually it is for the institution to apply for the exceptional designation of their own courses.

It is believed that the above is the reason why Wales domiciled students are not entitled to student support to study at ULIP, whilst England domiciled students are.

The Minister deems the issues raised by the petitioner as 'worthy' and she advises that officials will be reviewing the matter further although she is not minded to amend the regulations as called for by the petition.

2. Student finance regulations in Wales

The [Education \(Student Support\) \(Wales\) Regulations 2018](#) (the Regulations) set the criteria for student financial support at UK institutions for those ordinarily resident in Wales.

The Regulations came into force on 12 March 2018. To be eligible for student finance, both the student and their chosen course must meet certain criteria determined by the Welsh Government.

One condition is that a course of study must be one ‘designated’ by Welsh Government to attract student support. Courses can achieve ‘designated’ status in one of two ways – either by:

1. qualifying under the regulations; or
2. via Welsh Ministers assigning the status to a particular course that doesn’t otherwise fall to qualify under the regulations.

2.1 Designated status by meeting all the conditions in the regulations

In the regulations, designated courses must satisfy certain conditions. [Condition 5](#), to which the petition relates, requires that:

“At least half of the teaching and supervision which comprise the course is provided in the United Kingdom.”

On the face of it, the courses at ULIP would not meet this condition, as they are delivered entirely in France. Condition 5 was introduced by the 2018 regulations. As discussed above, and further below, the wording in the regulations relevant to England is very similar and has the same effect.

2.2 Designated status by Welsh Ministers making an exception

If a course does not meet the conditions for designation set out in the Regulations, the Minister may still grant it designated status via powers contained in [Regulation 8](#):

“(1) The Welsh Ministers may specify that a course is to be treated as a designated course despite the fact that, but for the specification, it would not otherwise be a designated course.

(2) The Welsh Ministers may suspend or revoke the specification of a course made under para (1).”

3. Student Finance Regulations in England

The petition makes reference to the regulations relevant to England.

In England, the [Education \(Student Support\) Regulations 2011](#) were later amended by the [Education \(Student Support\) \(Amendment\) Regulations 2014](#) to include the same condition as was introduced in Wales in 2018:

“a course is substantially provided in the United Kingdom where at least half of the teaching and supervision which comprise the course is provided in the United Kingdom;”.

Despite this condition however, students from England are still able to access student funding, whilst Welsh students are currently unable to do so. This situation is reflected in the guidance on [ULIP’s website](#) which explains that:

“Students accepted onto this course are eligible to apply for tuition fee and maintenance loans from Student Finance England or other government bodies. Students who are applying for funding through Student Finance Wales are not eligible for tuition fee and maintenance loans”.

4. Welsh Government policy on funding study overseas

On 14 May the Minister for Education, Kirsty Williams, responded to the Petitions Committee following the Committee’s letter of 3 May.

The response reiterates that Welsh Government:

- is committed to ensuring support is available for students to study overseas;
- provides a number of opportunities for overseas study to students, including full participation in the Erasmus+ scheme;
- launched a new pilot scheme which offers opportunities for Welsh students to participate in activities abroad relating to their studies, such as study, volunteering and internships.

On the Welsh student support system, the Minister explains that:

“At least half of the teaching and supervision which comprise the course must be provided in the UK. By implication, up to half can be overseas. To enable this, fee and maintenance support continues to be paid and additional support in the form of travel grants may be available. **This is successful and effective for the overwhelming majority of students** [Research Service emphasis].”

With regards to the specific matters raised in the petition, the Minister advises she is ‘not minded to amend the general regulatory requirements regarding the location of provision at this time.’ She outlines two main constraints to supporting full degree study overseas:

- “Various models for support were considered during the Diamond Review of Higher Education and Student Finance in Wales and difficult decisions were necessary regarding priorities. **With the limited budget available in a time of continued austerity, our finance supports those most in need.** Extending this to those who study the entirety of their degree overseas is not possible.”
- “The regulatory framework for higher education has developed over a number of years [...]. **Exercising the regulatory functions necessary for this framework to be effective when provision moves abroad is likely to be difficult,** and increases risk to both groups.” [Research Service Emphasis]

The response also notes that increasing the amount of fee income remitted overseas would not support the Welsh Government’s aims for investment in higher education in Wales. [Research commissioned by Welsh Government](#) found a low level of demand for study of full degrees overseas.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

