Llywodraeth Cymru
Welsh Government

Student Finance Wales Information Notice:

Amendments to student support and fee protection regulations for those undertaking courses of higher education in academic year 2025 to 2026

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This Information Notice describes the amendments included in student support and associated regulations for academic year 2025 to 2026.

The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2025 ('the 2025 Regulations') will amend the regulations which provide for statutory student support and tuition fee protections (for home fee status and capped tuition fees to apply) for eligible students ordinarily resident in Wales and taking a designated course of higher education on or after 1 August 2025.

The arrangements described in this Information Notice may be subject to change and to the 2025 Regulations being made. This Information Notice does not cover every aspect of policy 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, this guidance should not be relied upon as a complete and accurate summary of the Regulations, which are yet to be made. In the event of anomalies between this guidance and the Regulations, the Regulations prevail.

The 2025 Regulations are expected to come into force in February 2025.

Persons who become settled in the UK during an academic year

Currently, students who have settled status on the first day of the first academic year of a designated undergraduate or postgraduate course may be eligible for student support. If settled status is acquired after this date the student does not become eligible and cannot access student support for the duration of the course. Similar provisions apply in respect of tuition fee protections. However, students who are granted EU settled status after the first day of the first academic year can become eligible for support for the duration of the course.

Certain other categories of persons, such as persons who are refugees, may qualify for student support and tuition fee protections during an academic year after they have acquired that status, even if they are part-way through their studies.

The 2025 Regulations will amend provision in the undergraduate and postgraduate student support regulations and tuition fee protection regulations to change this position for the following categories of eligible student:

- persons who have three years ordinary residency in the UK and Islands (see, for example, paragraph 1(1) of Schedule 2 to the Education (Student Support) (Wales) Regulations 2018 ("the 2018 Regulations");
- persons with three years residency in the UK, the Islands and the Republic of Ireland (e.g., paragraph 1(3) of the 2018 Regulations); and
- settled persons coming to the UK from specified British Overseas Territories (e.g., paragraph 6BB of the 2018 Regulations).

The amendments enable persons who become settled in the UK after the first day of the first academic year (and who are undertaking a designated course) to become eligible to apply for student support during the academic year in which they gain settled status and qualify for home fee status and the tuition fee cap in the following academic year.

The amendments will apply to an academic year of a course which begins on or after 1 August 2025 and will apply to both eligible new and continuing undergraduate and postgraduate students.

Ukrainian nationals – the Ukraine Permission Extension Scheme

Student support and fee protection regulations were amended in 2022 via the Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 ("the 2022 Regulations"). The 2022 Regulations provided for Ukrainian nationals who were granted limited leave to enter or remain in the UK under three Home Office immigration schemes (the Ukraine Family Scheme, the Homes for Ukraine Sponsorship Scheme and the Ukraine Extension Scheme, or by leave granted outside the Immigration Rules) collectively referred to as the 'Ukraine Scheme', to be eligible for student support and tuition fee protections.

Further amendments were made in December 2023 via the Education (Student Finance) (Miscellaneous Amendments) (No 3) (Wales) Regulations 2023 to provide for family members of Ukrainian nationals to be eligible for student support and tuition fee protections.

The Home Office announced in February 2024 the introduction of the 'Ukraine Permission Extension Scheme' which provides an additional 18 months of leave to remain to those previously granted permission to remain in the UK under the Ukraine Scheme. Changes to the Immigration Rules are expected to be made by the UK Government in late Autumn 2024. The first award of leave is expected to be effective from March 2025.

Amendments will be made to regulations to ensure continuity of support and eligibility for tuition fee protections. Eligible students who are granted leave under the Ukraine Permission Extension Scheme will be able to apply for student support from when the Home Office's Scheme launches (expected to be March 2025) during the 2024 to 2025 academic year in addition to future academic years. Students who were previously granted leave under the Ukraine Scheme and who started their courses prior to March 2025 will already be eligible for student support for the remainder of academic year 2024 to 2025 even if their current leave expires (or they are subsequently granted leave to enter or remain under the new Scheme).

The amendment will be effective from the date the Regulations come into force and will apply to both eligible new and continuing undergraduate and postgraduate students.

British Citizens of Chagossian descent

Student support and fee protection regulations were amended in 2023 via the Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 ("the 2023 Regulations"). The 2023 Regulations provided for persons who have settled status in the UK, those covered by the various EU Withdrawal Agreements, and those with protected rights who come from specified British Overseas Territories (BOTs) and specified European Overseas Territories who study in Wales to be eligible for undergraduate tuition fee support, tuition fee protections and postgraduate Masters and Doctoral loans. Such persons will not be eligible to apply for undergraduate maintenance support, grants for dependants, or undergraduate or postgraduate disabled student's grant.

The term 'Chagossians' refers to a group of people who were removed from the Chagos Islands by the UK Government between 1968 and 1971; the term also includes their direct descendants. The Chagos Islands now form part of the British Indian Ocean Territory (BIOT). The British Overseas Territories Act 2002 conferred British citizenship on Chagossians born on the BIOT and their children in recognition of their unique status. The Nationality and Borders Act 2022 extended the right to British Citizenship to anyone who is a direct descendant of someone born (or adopted) in the BIOT.

Currently, the majority of students of Chagossian descent granted British Citizenship under the arrangements introduced in 2022 by the UK Government do not qualify for student support or tuition fee protections as they are unable to meet the three-year ordinary residency (in the UK or Islands) requirement.

Amendments will be made to the existing BOTs eligibility category to introduce a new eligibility route for Chagossians granted British Citizenship. Under this new route, Chagossians with British citizenship would not be required to satisfy the three-year ordinary residence requirement contained within the existing BOTs eligibility category. Instead, this group of students should be treated as if they have been ordinarily resident in the BOTs for the three-year period when they have not been ordinarily resident in the UK and Islands.

The amendment will apply to new and continuing eligible undergraduate and postgraduate students commencing an academic year of a course which begins on or after 1 August 2025.

Travel grant for care-experienced students

Full-time undergraduate students may be eligible for a grant towards travel expenses in certain limited circumstances. Policy does not require a care-experienced student to have their income assessed when applying for such a grant. Students must make a contribution toward their travel expenses based on their household income. A care-experienced student will automatically qualify for the lower contribution of £303, rather than the contribution of £1,000, which is payable by those from higher income backgrounds.

The 2025 Regulations will amend the Education (Student Support) (Wales) Regulations 2018 to reflect policy. The amendment will apply to an academic year of a course that begins on or after 1 August 2025 and will apply to both new and continuing undergraduate students.

Removal of references to Knowledge Economy Skills Scholarship 2 (‘KESS 2’) scheme within postgraduate student support regulations

The KESS 2 scheme provided funded PhD and research Masters opportunities in Welsh universities. To avoid double funding, students were made ineligible for statutory student support. The last round of funded projects commenced in January 2023 and ended in December 2023, and the scheme is now closed.

An amendment will be made to remove redundant KESS 2 references from postgraduate regulations.

Income assessment of persons who are not domiciled in the UK

Income assessment using taxable income is used to determine the amount of means-tested student support (grants and loans) payable to eligible students.

To prevent a person's non-domiciled status from being used to artificially reduce the income included in the parental contribution calculation, current legislation provides that domicile is not taken into account when assessing income and so there is no benefit to a non-domiciled person in respect of the amount of any student support for which they may be eligible.

At Spring Budget 2024, the Chancellor announced that the UK Government would abolish the current tax system for non-domiciled individuals and replace it with a modern residency system. From 6 April 2025, the current remittance basis of taxation will be abolished for UK resident non-domiciled individuals.

Amendments will be made to regulations to remove unnecessary reference to ‘domicile’ and will come into force on 6 April 2025 to align with the new financial year. This will apply to both new and continuing students.

Disabled Students’ Allowance during a Sandwich Year

Currently students are not eligible for grants for living and other costs, including Disabled Students’ Allowance (DSA), in an academic year of a sandwich course in which the periods of full-time study are in aggregate less than 10 weeks (unless the period of work experience is an unpaid placement of a type specified in regulations).

Despite this, students are able to access assistance in their sandwich year if their equipment develops a fault etc. as insurance-based warranties are purchased for them. This process will continue until November 2024, at which point SLC will move to a policy of funding a repair or replacement for the faulty item as required.

An amendment will be made to regulations to enable students in receipt of DSA and undertaking a sandwich year to be able to access support for items of equipment previously approved or provided by Welsh Ministers.

Students will be able to have an item of equipment repaired or replaced with a suitable alternative, and the costs associated with the technical support, repairs, and/or replacement items, will be funded within the academic year they are required.

The amendment will apply from the date the Regulations come into force and will apply to both new and continuing students.

Enquiries

If you have queries about applications, how to apply, payments or any other aspect of the service, please contact **Student Finance Wales**.

If you have any queries about this Information Notice, please **email the Strategy and Funding Division**, Welsh Government.

Large print, Braille and alternate language versions of this document are available on request.

We welcome correspondence in Welsh or English.