

EXPLANATORY MEMORANDUM TO
THE EDUCATION (STUDENT SUPPORT) (COLLEGE OF EUROPE)
REGULATIONS 2010

2010 No. 960

1. This explanatory memorandum has been prepared by the Department for Business, Innovation and Skills and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

The Regulations provide support for up to 11 students taking designated postgraduate courses at the College of Europe in Bruges, Belgium or Natolin, Poland.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Context

The Regulations are made under sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998, which give the Secretary of State the power to make provision for grants to eligible students in connection with their undertaking of designated higher education courses and further education courses.

5. Territorial Extent and Application

This instrument applies to England.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 In prior academic years, eligibility criteria and the amounts of living costs and other support available for eligible students at the College of Europe (“the College”), the European University Institute (“the Institute”) and the Bologna Center were provided for in the Education (Student Support) (European Institutions) (No.2) Regulations 2006 (“the 2006 Regulations”) ¹. Those Regulations were revoked by the Education (Student Support) (European University Institute) Regulations 2010 ² (“2010 Regulations”). Funding for students to attend courses at the Institute is continued in the 2010 Regulations.

¹ S.I.2006/3156 as amended by S.I.2007/3344, S.I.2008/1478, S.I.2008/3054 and S.I.2009/1576.

² S.I.2010/447.

7.2 Following a review of funding in 2009/10, it was made known that the policy intention was to withdraw funding for the small number of places supported at the College (22) and also at the Bologna Center (2). However following representation by interested parties, the Department undertook a further review of this policy. It is the Department's view that there is evidence to support continued funding for students at the College for the academic year 2010/11 only as part of the broader Success in the EU strategy. Options will be reviewed for future years aiming to increase UK representation at the European Institutions.

7.3 These Regulations provide for funding arrangements for eligible students taking postgraduate, designated higher education courses at the College in the academic year 2010/11. Arrangements are distinct from funding arrangements for those attending the Institute and have therefore, been drafted separately. In particular courses at the College are for one year only. No current students are affected by these regulations.

7.4 The Regulations provide for a grant for fees, grants for living and other costs, a disabled student allowance and a grant for dependents. The Regulations also set out the eligibility criteria for the grants, the application procedure and the method for calculating the amount of grant payable including contributions. In addition they set out the arrangements for payment of the grants and recovery of any overpayments as well as the provision of information.

7.5. When compared with the previous funding regime for the College, set out in the 2006 Regulations, the most significant changes in these Regulations for the academic year 2010/11 are in regard to travel costs, the number of eligible students, the maximum contributions, and the level of funding available for fees, as follows:

- the grant provided for the cost of travel from the student's residence to the College whilst attending the College has been withdrawn. In addition, the 2006 Regulations permitted students to apply for a grant to cover the cost of three return journeys home. This has been replaced with a grant for the reasonable costs incurred for one return journey home. These changes aim to achieve more alignment with the travel grant available to funded students attending courses at the Institute under the 2010 Regulations.
- the maximum number of eligible students has been reduced from a maximum of 22 to a maximum of 11 due to an increase in the College's fees and adverse exchange rate with the Euro.
- the 2006 Regulations provided that the amount of support that students at the College receive is reduced by a contribution which is assessed on household income. The maximum contribution level has now been removed.
- the level of funding available for fees has increased to 13,450 euros to take account of the increase in fees charged by the College.

8. Consultation outcome

No formal consultation was carried out as this continued the student finance policy of targeting funding at those without a previous higher education qualification.. Interested parties have been informed that funding is to be continued for postgraduate students attending courses at the College for one year, whilst options will be reviewed on increasing UK representation in the EU institutions.

9. Guidance

Guidance on applying to the College is available from the College itself and from the University Association for Contemporary European Studies. Applications for funding are dealt with by Student Finance England.

10. Impact

10.1 The impact on business, charities or voluntary bodies is nil.

10.2 The impact on the public sector is minimal.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

The legislation does not apply to small business.

12. Monitoring & review

A review of future funding for academic years after 2010/11 is to be undertaken as part of the strategy on increasing UK representation in the EU institutions.

13. Contact

Elaine Underwood at the Department for Business, Innovation and Skills, telephone 0114 259 3336 or email elaine.underwood@bis.gsi.gov.uk for queries regarding the regulations.