
STATUTORY INSTRUMENTS

2017 No. 336

EDUCATION, ENGLAND

The Further Education Loans (Amendment) Regulations 2017

<i>Made</i>	- - - -	<i>9th March 2017</i>
<i>Laid before Parliament</i>		<i>10th March 2017</i>
<i>Coming into force</i>	- -	<i>1st April 2017</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 22(1) and (2) and 42(6) of the Teaching and Higher Education Act 1998(1).

Citation and commencement

1. These Regulations may be cited as the Further Education Loans (Amendment) Regulations 2017 and come into force on 1st April 2017.

Amendment of the Further Education Loans Regulations 2012

2. The Further Education Loans Regulations 2012(2) (the “2012 Regulations”) are amended as follows.

Amount of the fee loan

3. In regulation 16 (amount of the fee loan), after paragraph (3) insert—

“(4) The amount of a fee loan in respect of a further education course beginning in the period beginning on 1st August 2017 and ending on 31st July 2018 must not exceed the lesser of—

- (a) the maximum loan amount available in connection with that further education course determined in accordance with Schedule 3, or
- (b) the amount which the institution is charging the eligible student for the further education course.”

(1) 1998 c.30. Section 22(1) was amended by the Learning and Skills Act 2000 (c.21) and there are amendments to section 22(2) which are not relevant to these Regulations. See section 43(1) of the Teaching and Higher Education Act 1998 for the definition of “prescribed” and “regulations”.

(2) S.I. 2012/1818, amended by S.I. 2014/290, 2014/1766, 2015/181 and 2016/238.

Long residence category

4. In Part 2 of Schedule 1 (eligible student categories), for paragraph 13 (long residence) substitute—

“13.—(1) A person—

- (a) who on the first day of a designated further education course has, preceding the first day of the further education course, lived in the United Kingdom throughout either—
 - (i) half their life; or
 - (ii) a period of twenty years;
- (b) who is ordinarily resident in the United Kingdom;
- (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the further education course; and
- (d) subject to sub-paragraph (2), whose residence in the United Kingdom and Islands has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the United Kingdom and Islands in accordance with paragraph 1(5).”

Insertion of Schedule 3

5. After Schedule 2, insert Schedule 3 which is set out in the Schedule to these Regulations.

9th March 2017

Robert Halfon
Minister of State for Apprenticeships and Skills
Department for Education

SCHEDULE

Regulation 5

THE SCHEDULE TO BE INSERTED AFTER SCHEDULE 2 TO THE 2012 REGULATIONS

“SCHEDULE 3

Regulation 16

Maximum loan amount for a further education course

Part 1

Interpretation

In this Schedule,

“GLH” means guided learning hours and is the number of hours, including assessment time, that a student spends being taught or instructed by, or otherwise participating in, education or training under the guidance or supervision of a lecturer, supervisor or tutor;

“Learning Aim Reference” means the unique number allocated by the Skills Funding Agency set out in the first column in table 3, corresponding to the qualification set out in the second column;

“programme weighting” means the letter from A to E and the descriptor set out in the second column of table 4 which correspond to the sector subject area in the first column of that table, subject to the exceptions set out after the table;

“specialist dance and drama diploma” means the qualifications set out in the second column of table 3;

“TQT” means total qualification time and is comprised of GLH and an estimate of the number of hours a student spends in preparation, study or any other form of participation in education or training, including assessment, which takes place as directed by, but not under the guidance or supervision of, a lecturer, supervisor or tutor.

Part 2

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				
		A – Base	B – Low	C – Medium	D – High	E – Specialist
45 to 68	6 to 8	£300	£336	£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

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>GLH/TQT or type of qualification</i>	<i>Qualification size in credits</i>	<i>Maximum Loan amount according to programme weighting</i>				
		A – Base	B – Low	C – Medium	D – High	E – Specialist
197 to 292	25 to 36	£1,265	£1,417	£1,645	£2,025	£2,176
293 to 388	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	£4,425
581 to 1060	73 to 132	£4,170	£4,670	£5,421	£6,671	£7,172
1061 or more	133 or more	£6,602	£7,395	£8,583	£10,564	£11,356

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 1st August 2015 and ending on 31st July 2016 and to set their maximum loan amounts, which continue to apply to these further education courses in the period beginning on 1st August 2017 and ending on 31st July 2018.

Table 2:

Maximum loan amount for a GCE AS-level, GCE A-level and Access to Higher Education Diploma

<i>Type of qualification</i>	<i>Maximum Loan amount according to programme weighting</i>				
	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	£3,179	N/A
Access to Higher Education Diploma	£3,022	£3,384	£3,928	£4,835	£5,197

1) Note 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 in the second column is determined by reference to the programme weighting in the second column of table 4.

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

<i>Learning Aim Reference</i>	<i>Qualification</i>	<i>Maximum Loan Amount</i>
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**

<i>Sector subject area</i>	<i>Programme weighting</i>
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 mathematics	A – Base
2.1 Science	B – Low
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

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<i>Sector subject area</i>	<i>Programme weighting</i>
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 technology	A – Base
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 Theology and religious studies	A – Base
11 Social sciences	A – Base
11.1 Geography	B – Low
11.2 Sociology and social policy	A – Base
11.3 Politics	A – Base
11.4 Economics	A – Base
11.5 Anthropology	A – Base
12 Languages, literature and culture	A – Base
12.1 Languages, literature and culture of the British Isles	A – Base

<i>Sector subject area</i>	<i>Programme weighting</i>
12.2 Other languages, literature and culture	A – Base
12.3 Linguistics	A – Base
13 Education and training	B – Low
13.1 Teaching and lecturing	B – Low
13.2 Direct learning support	B – Low
14 Preparation for life and work	A – Base
14.1 Foundations for learning and life	A – Base
14.2 Preparation for work	A – Base
15 Business, administration and law	A – Base
15.1 Accounting and finance	A – Base
15.2 Administration	A – Base
15.3 Business management	A – Base
15.4 Marketing and sales	A – Base
15.5 Law and legal services	A – Base

Exceptions to programme weightings in Table 4

1. The following programme weightings are exceptions to the programme weightings in the table—

- (1) Waste management and recycling in sector subject area 1.4 Public Services is weighted at B – Low;
- (2) Hair and beauty in sector subject area 7.3 Service enterprises is weighted at C – Medium;
- (3) Music technology in sector subject area 9.1 Performing arts is weighted at D – High;
- (4) Music practitioners in sector subject area 9.1 Performing arts is weighted at E – Specialist.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Further Education Loans Regulations 2012 (S.I. 2012/1818) (the “2012 Regulations”).

Regulation 3 amends regulation 16 of the 2012 Regulations to set out the basis for arriving at the maximum loan amounts for fees for courses beginning in the period beginning 1st August 2017 and ending on 31st July 2018.

Regulation 4 substitutes a new paragraph for paragraph 13 of Schedule 1 to the 2012 Regulations, which sets out the “long residence” category of eligibility, to correct a syntactical error.

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Regulation 5 inserts Schedule 3 into the 2012 Regulations, which contains the tables that are used to calculate the maximum loan amount for a qualification.

The GLH and Learning Aim Reference of a further education course can be found on Ofqual's Register of Qualifications at <http://register.ofqual.gov.uk/Download>. Copies are available from the Department for Education on request.

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has no impact on the public sector.