

## **Annex Q: Identification of old-regime and new-regime students**

This annex provides guidance and flow charts on how to determine the fee and funding regime that applies for the purposes of HEIFES14.

### **Definitions**

1. Any student who is charged regulated fees for a year of programme of study under the fees regime introduced in September 2012 must be recorded as a new-regime student for that year of programme of study. In this context, a part-time student is treated as being charged regulated fees under the fees regime introduced in September 2012 if they are eligible to apply for a tuition fee loan under the Education (Student Support) Regulations 2011 (SI 2011 No. 1986, as amended). A student who commenced study in 2011-12, but intermitted within two weeks of starting and then returned to study in or after 2012-13, should be treated for the purposes of HEIFES as having deferred entry until that later year. They must therefore be recorded as new-regime in HEIFES14.
2. A year of programme of study should be recorded as old-regime if the student fulfils either of the following conditions.
  - a. They are in receipt of student support for the year, which reflects the entitlements that apply to students who commenced their studies prior to 1 September 2012 and did not commence their study in 2011-12 and intermit within two weeks of starting, before returning to study in or after 2012-13; or
  - b. They are not being charged regulated fees for the year of programme of study under the fees regime introduced in September 2012, and are one of the following:
    - i. 'Continuing'.
    - ii. On an 'end-on course', where the previous/original course (to which the current course is an end-on course) commenced before 1 September 2012.
    - iii. 'Transferring'.
3. Solely for the purpose of determining whether a student is continuing, transferring or on an end-on course (as defined below), where there is a requirement for the student's mode of study not to change the student should be treated as if they were studying full-time if they are:
  - a. On a sandwich year-out.
  - b. Repeating part of their full-time course on a part-time basis at the same college and retaining their previous entitlement to full-time student support.
  - c. On the final year of a full-time course that is completed in less than 24 weeks, so that their mode of study in HEIFES changes from full-time to part-time.

4. A year of programme of study should be recorded as coming under the new regime if either of the following applies.
  - a. The student is being charged regulated fees for the year of programme of study under the fees regime introduced in September 2012.
  - b. The year of programme of study does not meet the definition for coming under the old regime as defined in paragraph 2 of this annex.
5. Students should not be recorded as old-regime students just because they are not eligible for student support and regulated fees (for example because they are postgraduate, aiming for an equivalent or lower qualification, or on a part-time undergraduate course studying at a full-time equivalence of less than 0.25).

### **Continuing**

6. The definition of 'continuing' is relevant only to those students who do not meet the criteria in paragraph 2a of this annex.
7. For HEFCE funding purposes, continuing means that without any breaks, save for normal vacations and as allowed for under the rules on intermissions below, the student is aiming for the same qualification aim in the same subject and mode of study as they were before 1 September 2012.
8. For the purposes of HEIFES only, where a student intermits before resuming study on or after 1 September 2012 they may be treated as continuing only if one of the following two circumstances applies.
  - a. The intermission is for no more than 12 months plus any normal vacation period.
  - b. The intermission does not exceed 24 months plus any normal vacation period, and **all** of the following apply.
    - i. The student is studying on a course leading on successful completion towards registration with the Architects Registration Board.
    - ii. The intermission is between Part 1 and Part 2 (where both parts are pursued in the same mode of study, but may be taken at the same or different colleges).
    - iii. The period of professional experience required at the end of Part 1 is not being taken as a sandwich year-out.
9. Where the student intermits for no more than 12 months (plus any normal vacation period), but returns to study for a different qualification aim or in a different subject, they are not continuing. They may be treated as transferring, subject to meeting the conditions in paragraph 18.
10. This guidance on when students can be treated as continuing under the old fee and funding regime is solely for the purpose of completing data returns used for HEFCE funding. Where colleges have questions for their own fee charging policies about the application of the student support and fee regulations, they should seek advice from Student Finance England.

### End-on course

11. The definition of an 'end-on course' is relevant only to those students who do not meet the criteria in paragraph 2a of this annex.

12. An end-on course means a first degree with honours taken (disregarding any normal intervening vacation) immediately after successful completion of one of the following qualifications, where the two courses are studied in the same mode of study (either both full-time or both part-time):

- Higher National Certificate (HNC)
- Certificate of Higher Education (CertHE)
- Higher National Diploma (HND)
- Diploma of Higher Education (DipHE)
- foundation degree
- first degree without honours

In most cases, the successful completion of the lower-level qualification counts towards the first degree with honours.

13. In this context, successful completion means that the student has achieved in assessment the necessary academic standards to be awarded the qualification. There is no requirement for an end-on course to be studied at the same institution as the previous course. End-on courses do not include any other combinations of courses (such as where students with an HNC top up to an HND, or postgraduate taught students progress from a postgraduate certificate to a postgraduate diploma and then to a masters qualification).

#### Example 1

14. A student studies part-time at a further education college towards an HNC during the 2011-12 academic year. After successfully completing the HNC, they progress at the college to a part-time HND starting in September 2012. After successfully completing the HND in July 2014, the student progresses to a part-time first degree with honours at a higher education institution in the 2014-15 academic year. In this case, the HND **cannot** be treated as an end-on course to the HNC, so the student will be treated as subject to the new regime in 2012-13 and each subsequent year.

Example 2

15. A student studies part-time at a further education college towards an HND during the 2011-12 to 2013-14 academic years. After successfully completing the HND, they progress to a part-time first degree with honours at a higher education institution in the 2014-15 academic year. The student is a continuing student in 2012-13 and 2013-14, because they are following the same qualification aim in the same subject and mode of study as they were before 1 September 2012 and there has been no intermission of more than 12 months plus any normal vacation period. As the student progresses to the part-time first degree with honours in 2014-15, they are treated as being on an end-on course, because the original HND commenced before 1 September 2012 and the mode of study has not changed. The student will therefore be treated for HEFCE funding purposes as subject to the old regime throughout their study towards the HND and first degree with honours. The change of institution in 2014-15 is not relevant to their fee and funding regime status.

Example 3

16. A student studies full-time over two years for a foundation degree, achieving the qualification at the end of the 2012-13 academic year. They do not study during 2012-13, but decide to top up, full-time, to a first degree with honours in the 2014-15 academic year. Because the top-up to the first degree with honours has not followed immediately (disregarding any normal intervening vacation) after successful completion of the foundation degree, it cannot be treated as an end-on course. The year of programme of study should therefore be recorded as new-regime.

**Transferring**

17. The definition of 'transferring' is relevant only to those students who do not meet the criteria in paragraph 2a of this annex.

18. For HEFCE funding purposes, 'transferring' means that, on the recommendation of the academic authority, a student ceases one course before its completion and starts another in the same mode of study (that is, either both the discontinued course and the new course are full-time and sandwich year-out, or both are part-time) and at the same level (either both undergraduate or both postgraduate). To be treated as transferring, the course from which the student is transferring needs to have started before 1 September 2012. The course to which the student transfers need not be in the same subject, have the same qualification aim or be at the same institution as the discontinued course. However, the requirement that the transfer is on the recommendation of the academic authority means that it was agreed by either:

- the institution, where the transfer is between courses at the same institution
- both institutions, where the student changes institution.

19. Unlike an end-on course, it is possible for a transfer to include a break in study (beyond normal vacation periods) between ceasing the uncompleted course and

commencing the new one. However, for HEIFES purposes, this break in study should not exceed 12 months plus any normal vacation period.

**Example 4**

20. A full-time student commences study in 2011-12 for a BSc in mathematics, but on the recommendation of the academic authority changes to study full-time from 2013-14 for an MEng (integrated masters) at the same institution instead. The student would be treated as transferring and is therefore treated as old-regime.

**Example 5**

21. A full-time student commences study for a BA in French in 2011-12, but decides (for whatever reason) that they no longer wish to continue the course and so they withdraw. The student subsequently decides to commence study for a BA in history at another institution from 2013-14. Because withdrawal from the French degree and commencement of the history degree was not agreed by both institutions, the student is not treated as transferring and is therefore treated as new-regime.

**Good practice**

**Assigning old- and new-regime status to students eligible for student support**

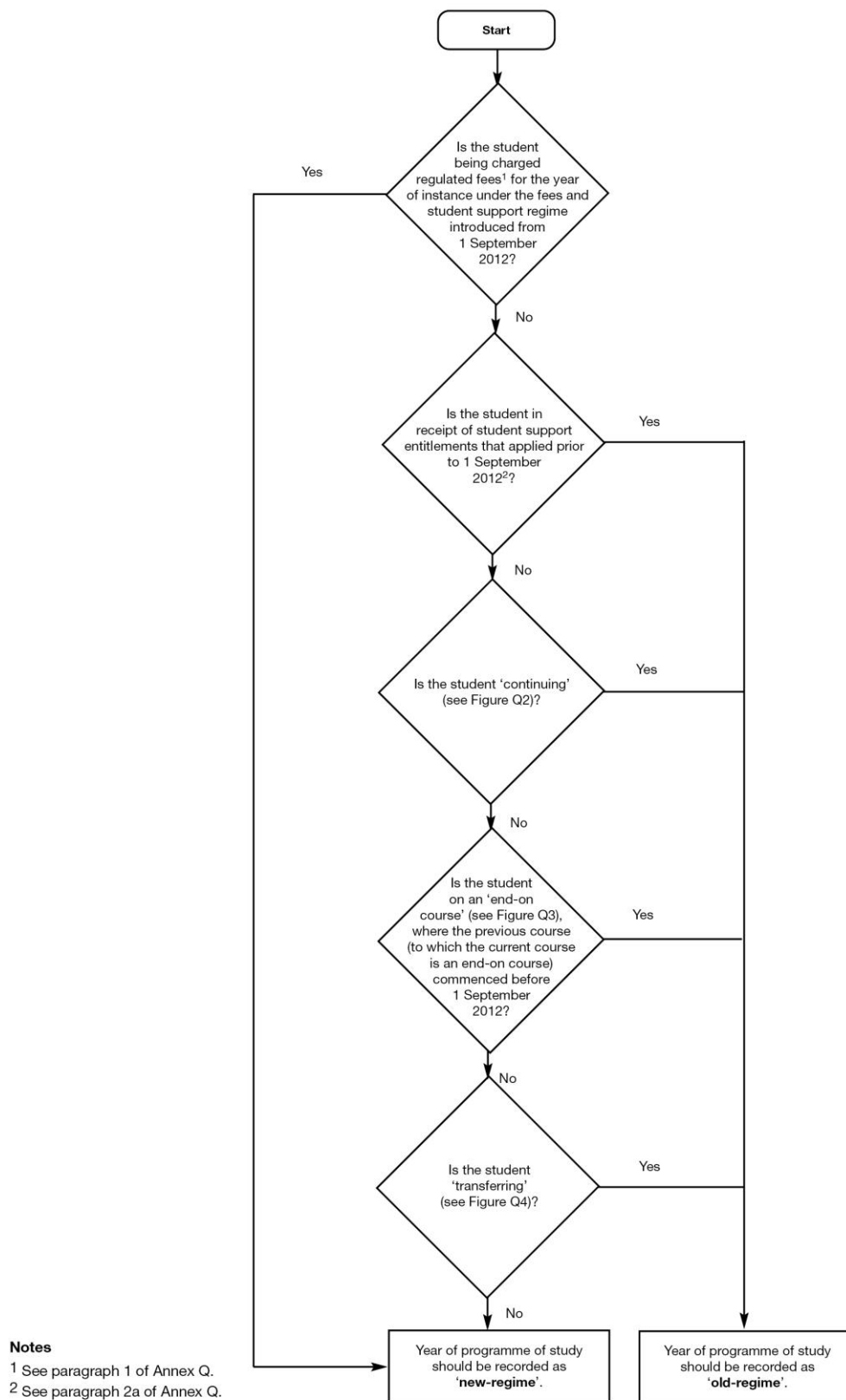
22. Colleges should seek guidance from Student Finance England on applying the student support and fee regulations to the fees that may be charged and fee loans provided for eligible students on designated courses.

23. Institutions should ensure that where students are in receipt of a tuition fee loan from the Student Loans Company their categorisation as either old-regime or new-regime is consistent with the amount of loan awarded. In particular, full-time students who are awarded a loan that is higher than the relevant fee limit for students who were studying in 2011-12 (commonly £3,465) should be categorised as new-regime. Part-time students receiving tuition fee loans should generally be categorised as new-regime, as tuition fee loans are not usually available for part-time old-regime students.

**Flow charts**

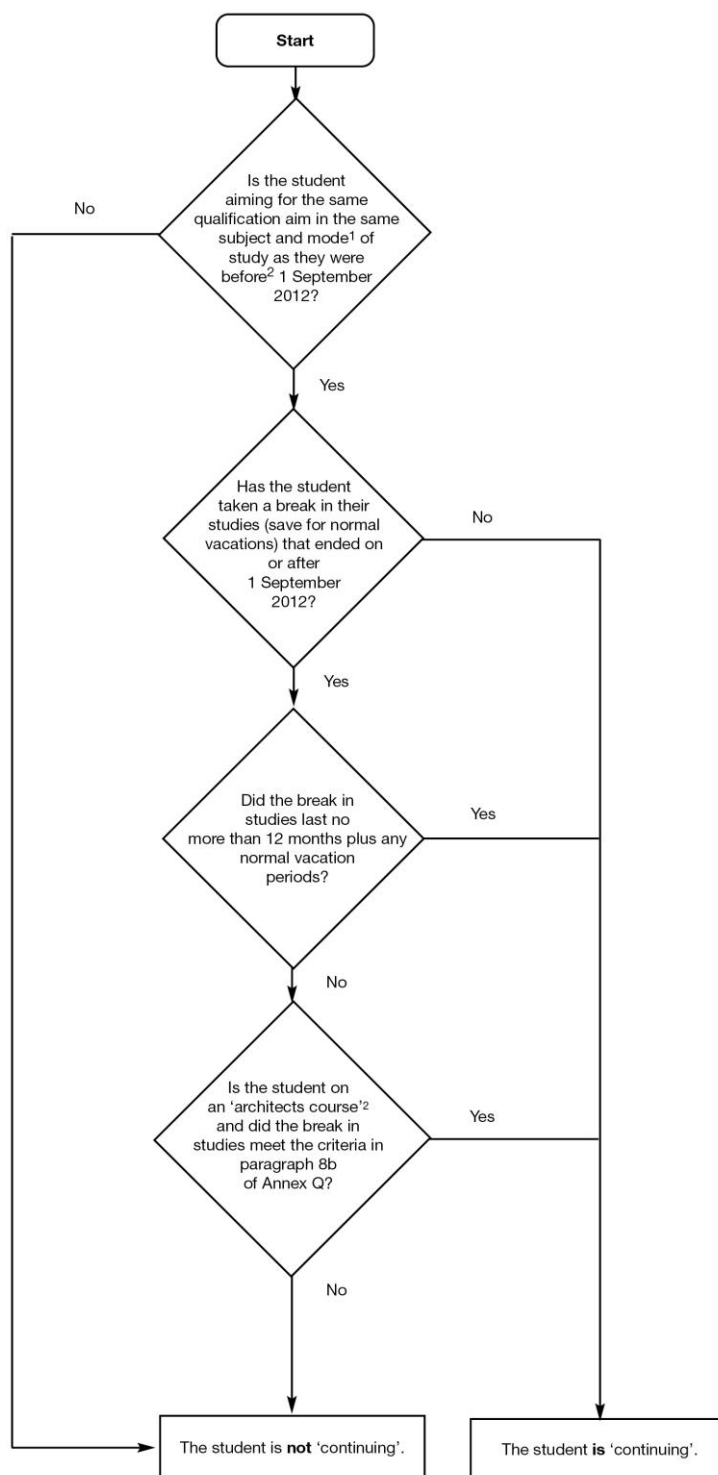
24. The flow charts at Figures Q1 to Q4 are intended to help colleges determine whether a year of programme of study should be reported as subject to the old regime or the new regime, including whether the student is 'continuing', 'transferring' or on an 'end-on course'.

**Figure Q1: Flow chart for establishing a student's fee and funding regime type (according to HEIFES definitions)**



**Figure Q2: Flow chart for establishing whether a student is 'continuing' (according to HEIFES definitions for establishing fee and funding regime type)**

Note: This flow chart should only be used where paragraph 2a does not apply.

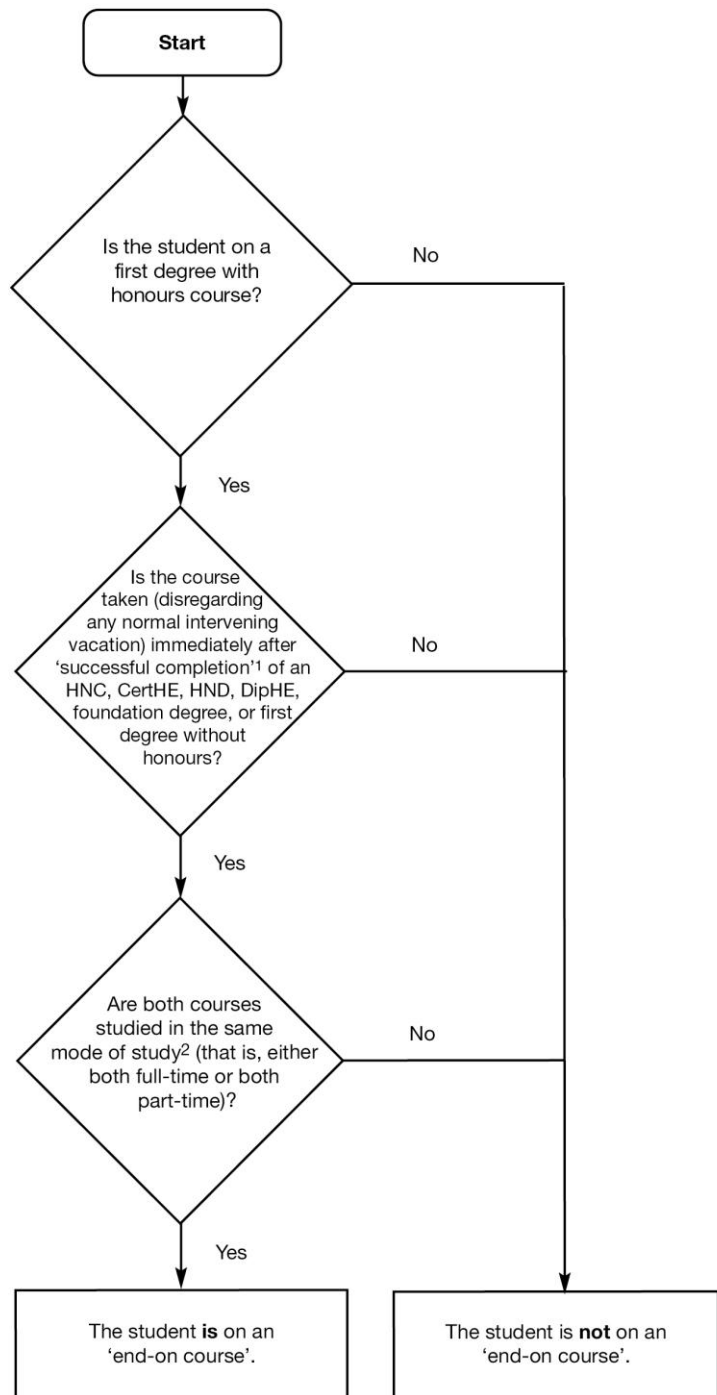


**Notes**

- 1 See paragraph 3 of Annex Q.
- 2 See paragraph 1 of Annex Q.
- 3 See paragraph 8b of Annex Q.

**Figure Q3: Flow chart for establishing whether a student is on an 'end-on course' (according to HEIFES definitions for establishing fee and funding regime type)**

Note: This flow chart should only be used where paragraph 2a does not apply.



**Notes**

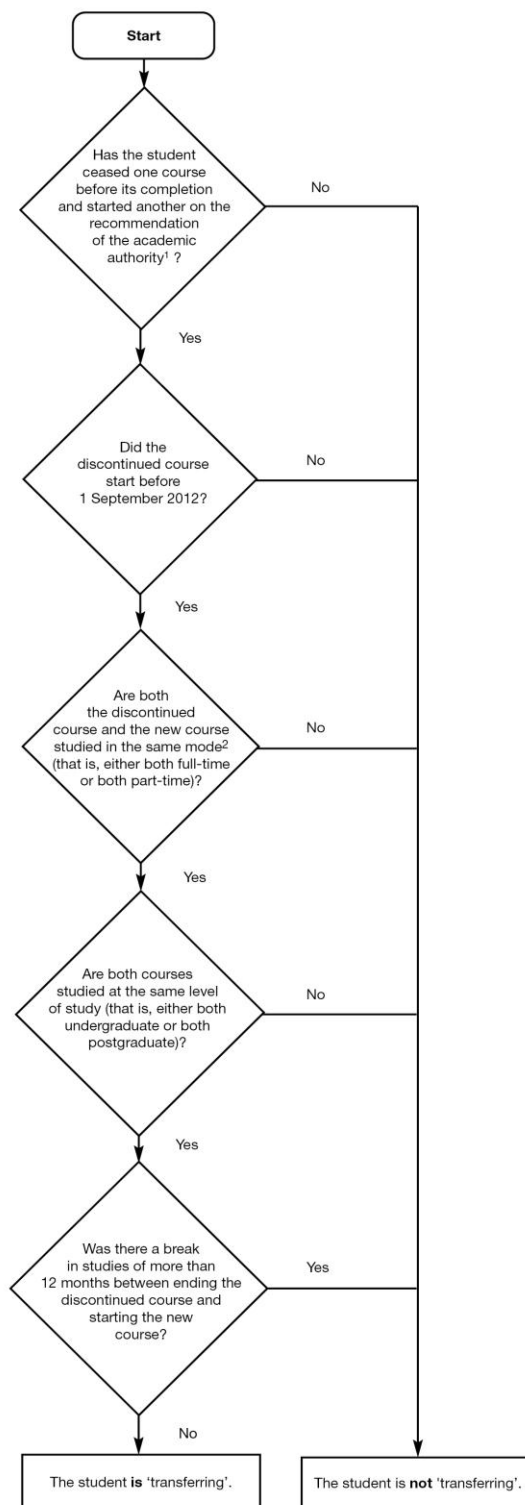
1 See paragraph 12 of Annex Q.

2 See paragraph 3 of Annex Q.



**Figure Q4: Flow chart for establishing whether a student is ‘transferring’ (according to HEIFES definitions for establishing fee and funding regime type)**

Note: This flowchart should only be used where paragraph 2a does not apply.



**Notes**

- 1 See paragraph 18 of Annex Q.
- 2 See paragraph 3 of Annex Q.