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Llywodraeth Cynulliad Cymru  
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Welsh Assembly Government

## Consultation Document

# The Assembly Learning Grant (Further Education) (Wales) Scheme for the academic year 2011/12

Date of issue: **04 January 2011**

Action required: Responses by **08 February 2011**

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ISSUES

# The Assembly Learning Grant (Further Education) (Wales) Scheme for the academic year 2011/12

- Overview** This consultation seeks views on the draft Assembly Learning Grant (Further Education) (Wales) Scheme 2011/12.
- How to respond** The consultation response form is available for completion as a respond separate Word document on the consultation home page. Responses to this consultation should be e-mailed to the [studentfinancewalesdivision@gsi.gov.uk](mailto:studentfinancewalesdivision@gsi.gov.uk) consultation mailbox to arrive by **08 February 2011** at the latest.
- Further information and related documents** Large print, Braille and alternate language versions of this document are available on request.  
The Assembly Learning Grant (Further Education) (Wales) Scheme 2010 (2010 No.39) document can be accessed from the Welsh Assembly Government website at [www.wales.gov.uk/legislation](http://www.wales.gov.uk/legislation)
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## **Data protection**

### **How the views and information you give us will be used**

Any response you send us will be seen in full by Welsh Assembly Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Assembly Government staff to help them plan future consultations.

The Welsh Assembly Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Assembly Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

## Where are we now?

1. The Assembly Learning Grant (Further Education) (ALG FE) (Wales) Scheme for 2011/12 will run as per the previous ALG scheme for 2010/11, as an administrative scheme under Sections 14–17 of the Education Act 2002.
2. The ALG FE provides financial assistance to persons aged 19 years old or over in post compulsory education who are ordinarily resident in Wales on the first day, of the first academic year of their course and taking eligible further education courses. The ALG FE can be up to £1,500, and is means tested and paid in respect of an academic year to help meet the costs of studying.

## The Assembly Learning Grant (Further Education) (Wales) Scheme: Changes for 2011

### Uprating of thresholds

3. As part of the Minister's pledge to align the thresholds of the Student Finance Wales products, we will uprate the ALG FE household income levels by 3.8%. This will achieve alignment between the ALG FE and threshold for maximum support for the Assembly Learning Grant for Higher Education both at £18,370.
4. The new ALG FE Household Income thresholds available to students for full and part time awards will be:

	Full-time courses	Part-time courses
£0 to £6,120	£1,500	£750
£6,121 to £12,235	£750	£450
£12,236 to £18,370	£450	£300

### Change of the Definition of a family member regarding discretionary leave to enter or remain

5. The definition of a family member in relation to EEA nationals in paragraph 1(1)(a) of Part 1, Schedule 1 of the ALG FE Scheme will be amended so that it is consistent with that in Article 2 of Directive 2004/38.
6. The ALG FE Scheme will be amended so that in the definition of "family member" at paragraph 1(1), sub-paragraph (a)(ii), will read:

- “(ii) direct descendants of the person or of the person's spouse or civil partner who are:
  - (aa) under the age of 21; or
  - (bb) dependants of the person or the person's spouse or civil partner.”

The Directive 2004/38 refers to the free movement of workers. It has applied in effect to EEA Nationals by virtue of an annex to the EEA Agreement since 1st March 2009. The proposed change gives effect to this.

## **Amendment of the qualifying criteria regarding a failed application for asylum and being granted discretionary leave to enter or remain**

7. The ALG FE Scheme will be amended so that to be eligible, a person will not have first to have applied for asylum before being granted discretionary leave to enter or remain in the United Kingdom. The definition of “person with leave to enter or remain” in paragraph 1(1) of Part 1, Schedule 1, at sub-paragraph (a) currently reads:

“(a) who has been informed by a person acting under the authority of the Secretary of State for the Home Department that although they are considered not to qualify for recognition as a refugee, they have been granted humanitarian protection by the Secretary of State.”

8. The definition will now be amended to read:

“(a) who has been informed by a person acting under the authority of the Secretary of State for the Home Department that they have been granted humanitarian protection by the Secretary of State.”

## **The Assembly Learning Grant (Further Education) Scheme: Proposed Changes for 2011**

### **The renewal process**

9. For 2011/12 we are proposing to introduce a simplified and refined re-application process for students applying for an ALG FE when returning to their studies. This will be identical in design to the automatic renewal process introduced for the Education Maintenance Allowance (EMA) Wales Scheme in academic year 2010/12 and thus far has been very successful for students and Further Education providers.

10. The formal notification of a student's return to study will be the signing of a learning agreement, which will be introduced into the administration process for learning centres. All those students currently receiving an ALG FE will be sent a letter from Student Finance Wales informing them of the new process in early 2011 and again in the summer of 2011. The new system will be identical to previous years, apart from the student not being required to return an application form.