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# Assembly Learning Grant Higher Education Scheme

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## Guidance

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# Assembly Learning Grant Higher Education Scheme

<b>Audience</b>	Local Authorities in Wales and Higher Education Sectors.
<b>Overview</b>	Guidance for use by local authorities (LA's) in administering, assessing eligibility and the methodology for calculating payments made under the Assembly Learning Grant (ALG) Higher Education scheme for 20010/11 onwards.
<b>Action required</b>	Local Authorities.
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<b>Related documents</b>	Assembly Learning Grant Scheme 2002/03 Assembly Learning Grant Scheme 2003/04 Assembly Learning Grant Scheme 2004/05 Assembly Learning Grant Scheme 2005/06 Assembly Learning Grant Scheme 2006/07 Assembly Learning Grant Scheme 2007/08 Assembly Learning Grant Scheme 2008/09 Assembly Learning Grant Scheme 2009/10

# **Assembly Learning Grant HE Scheme**

## **Guidance Circular**

### **Summary**

This document stipulates the conditions of use by Local Authorities (LAs) of grant allocated by the Welsh Ministers (the “grantor”) for the Assembly Learning Grant (ALG) HE scheme and its administration.

This document is used to determine eligibility where a student enrolled on a course of higher education before the 2006/07 academic year, and is already in receipt of an ALG (including those students treated as enrolling before that time and treated as being in receipt of an ALG) and who, subject to continuing satisfaction of the Scheme criteria, remains eligible until such time as the student completes that particular course of study. It sets out the criteria which must be applied in assessing the eligibility of students to receive an ALG under this scheme and the varying levels of grant that can be awarded. Given the finite nature of this Scheme, it is anticipated that there will be no further significant changes to student eligibility or entitlement to Grant payments. If, however, such changes are necessary the grantor will issue an ‘information notice’.

This document sets out the methodology for calculating the payments, which apply under the ALG HE Scheme, including the levels of assessable income that must be used when carrying out any calculation, for the relevant academic year.

This document also includes the partnership protocol setting out (in the Annex) the arrangements and relationship between LAs and Further and Higher Education Institutions, jointly referred to as “FHEIs”.

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## **1. Introduction**

**1.1** This document stipulates the conditions of use by Local Authorities (LAs) of grant allocated by the grantor for the Assembly Learning Grant (ALG) Higher Education Scheme and its administration, including the relationship between LAs and Further and Higher Education Institutions, jointly referred to as “FHEIs”.

**1.2** This document is used to determine eligibility where a student enrolled on a course of higher education before the 2006/07 academic year, and is already in receipt of an ALG (including those students treated as enrolling before that time and treated as being in receipt of an ALG) and who, subject to continuing satisfaction of the Scheme criteria, remains eligible until such time as the student completes that particular course of study.

**1.3** This document also sets out the criteria which must be applied in assessing the eligibility of students to receive an ALG under this Scheme and the varying levels of grant that can be awarded. The grant thresholds and levels of grant will be fixed for 2010/11 academic year and future years. If these levels are amended an information notice will be issued.

**1.4** This document sets out the methodology for calculating the payments, which apply under the ALG HE Scheme for any academic year, including the levels of assessable income that must be used when carrying out any calculation.

**1.5** In previous years, individual scheme guidance has been issued for each academic year of the scheme. However, this guidance document will apply in relation to academic year 2010/11 and will continue to be used as guidance for future academic years, for the duration of ALG HE scheme. Calculation of awards and grant and threshold levels will remain fixed. If these figures are amended for future academic years an information notice will be issued.

**1.6** This document also records in the Annex the partnership protocol setting out arrangements between FHEIs and LAs for the administration of the scheme. It is not part of the Scheme itself. This document has been prepared having due regard to the following:

- i.** The Local Education Authority (Post Compulsory Education Awards) (Wales) Regulations 2002 (SI 2002/1856(W.180)).
- ii.** The Education (Assembly Learning Grant Scheme) (Wales) Regulations 2002 (SI 2002/1857 (W.181) as amended).
- iii.** Applicable regulations made by the Welsh Ministers under Section 22 of the Teaching and Higher Education Act 1998 concerning to Higher Education student support for study in the UK.

## **2. Aims and Objectives of Scheme**

**2.1** The ALG HE scheme aims to provide guaranteed additional financial support for eligible students in Higher Education in the form of a means-tested grant targeted at the least well off among the student population. It will provide support on top of the

student loan and tuition fee support. The grant will be available to eligible students wherever they choose to study, in Wales or elsewhere in the UK.

**2.2** The overall aim is to promote a student support scheme that fairly and equitably recognises the needs of individuals and effectively targets direct support to those most in need. The Scheme currently provides additional financial support to students enrolled on a course of higher education before the 2006/07 academic year (including those students treated as enrolled before that time and treated as being in receipt of an ALG) and who remain eligible, subject to continuing satisfaction of the scheme criteria, until such time as the student completes that particular course of study.

**2.3** The ALG HE Scheme supports the grantor's key themes of social inclusion, widening access, increasing opportunities, retention progression and lifelong learning.

**2.4** The ALG is awarded by a LA to help a learner meet the costs of accessing an eligible higher education undergraduate course (see Section 4.2) delivered by either a Higher Education Institution (HEI), or a Further Education Institution (FEI) and, subject to continuing eligibility, will continue to be made available to the student for the whole period of that course.

**2.5** In using funds provided by the grantor for ALG purposes, LAs must apply the terms of this policy and any supplementary guidance the grantor may issue from time to time.

**2.6** Monitoring, review and evaluation of the performance of the Scheme is being conducted to ensure that issues which have emerged are properly addressed.

**2.7** The ALG HE Scheme is not intended to affect a student's entitlement to any payment of a post-compulsory education award made at the discretion of the LA. Neither is it intended that students who are successful in obtaining a post-compulsory award or an award in competition with others, for example from an educational trust or charity or who are awarded scholarships etc be excluded from qualifying for ALG HE support. However, any income from these sources will count as income for ALG HE assessment purposes. NOTE: this does not apply to those students receiving significant government bursaries, for example a NHS bursary who are specifically excluded and are ineligible for ALG HE support (see Paragraph 4.1.9).

### **3. Glossary of Terms**

**3.1 Academic year:** As defined in the Relevant HE Student Support Regulations.

**3.2 Assessable household income:** Gross taxable income less certain allowances. For further details see Section 6.

**3.3 Course:** The criteria which a course must satisfy to make it eligible for the ALG HE Scheme are set out in Section 4.2.

**3.4 EEA Migrant worker:** As defined in the Relevant HE Student Support Regulations.

**3.5 Ordinary Residence:** For the purposes of this Scheme ordinary residence refers to a person's residence in a particular place which that person has adopted voluntarily and for settled purposes as part of the regular order of his/her life for the time being, but excludes residence which is wholly or mainly for the purpose of receiving education; ordinarily resident shall be construed accordingly.

**3.6 Parent:** Within this document a parent is defined as the natural parent or legally adoptive parent on whom the student is in practice dependent.

**3.7 Partner:** As defined in the financial assessment provisions of the Relevant HE Student Support Regulations.

**3.8 Progression:** To demonstrate progression from a previous year, a student must either be enrolled on the following year of his/her course or have enrolled on a course at a higher academic level of study from when he/she was last eligible for ALG.

**3.9 Refugee Status:** A person to whom this status has been granted by the Home Department, or the spouse, civil partner, child or step-child of such a person. If refugee status has been granted it must be proved through production of correspondence from a person acting under the authority of the Secretary of State for the Home Department.

**3.10 Relevant HE Student Support Regulations:** The Higher Education Student Support Regulations made by the Welsh Ministers under Section 22 of the Teaching and Higher Education Act 1998 which provide for tuition fee and living costs support to full-time, part-time and distance learning students and which apply in relation to the particular academic year of the ALG HE Scheme. For academic year 2010/11, the Relevant HE Student Support Regulations are the *Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2009* (SI 2009/2737 (W/235)).

**3.11 Residual Income:** Is earned and/or unearned gross taxable income net of allowable deductions. For further details see Section 6.

**3.12 Training incentive:** A payment or series of payments to encourage individuals to pursue a profession.

## **4. Eligibility for an Award**

**4.0.1** A student's application for ALG in respect of each academic year must be made by submitting the appropriate renewal application form (see 4.0.2) to the LA for the area in which he/she is ordinarily resident. That LA ("the original LA") must assess the student's application.

**4.0.2** The 'Renewal Application Form – Notification of Award Letter' must be signed by the student and returned to the appropriate LA.

**4.0.3** The general rule is that the Renewal Application Form – Notification of Award Letter must normally be made by the 31 May. It remains the discretion of the LA whether or not to accept an application beyond this date.

**4.0.4** A continuing student, as described at 1.2 above, can apply for ALG by completing the appropriate application form. If a student previously qualified for ALG, then they will continue to be eligible if their circumstances have not significantly changed.

**4.0.5** A continuing student will remain eligible for every academic year that they submit an ALG Renewal Application Form until such time that they've completed their course while satisfying point 4.0.6 below.

**4.0.6** An Assembly Learning Grant may only be awarded if both the student criteria (see Section 4.1 below) and the course criteria (see Section 4.2 below) are satisfied.

**4.0.7** If a student has satisfied the criteria and has been deemed eligible for an assessment for ALG HE and the student relocates to the area of another LA whether or not that is within Wales, the original LA shall continue to assess the student's entitlement to ALG HE until such time as:

- a. he/she permanently withdraws from his/her course; or
- b. he/she completes his/her course.

However should the student undertake a course of higher education at first degree level, which immediately follows a Higher National Diploma (as referred to in the schedule of designated courses in the Relevant HE Student Support Regulations) for which an ALG HE had previously been awarded, the original LA shall continue to assess ALG HE entitlement for the following first degree.

## **4.1 Eligibility for an Award – Student Criteria**

**4.1.1 Residence: Generally** to be eligible for ALG HE the first condition is that a student must have been ordinarily resident in Wales on the first day of the first academic year of his/her course. The second condition is that the student must have been ordinarily resident, for the three years immediately prior to that date, in either (a) the UK if the student is a UK national or (b) the EEA if the student is, for example, an EEA migrant worker, or the spouse, civil partner, child or parent of such a worker. A student who is a non-UK national would also be eligible if, for example, he/she fulfils the first condition and is able to demonstrate that he/she (or his/her spouse, civil partner or parent) has been granted refugee status. [Full eligibility criteria are set out in 'Eligible Student' Schedule of the Relevant HE Student Support Regulations.]

**4.1.2 Previous study:** The student will not be eligible for ALG HE support if he/she has previously received an Assembly Learning Grant for attendance on a course at the same or higher level. For continuing eligibility a student must demonstrate advancement to a higher academic level of learning. (See Paragraph 4.1.7 below for exceptions).



**4.1.3 Attendance on a Designated course:** See Paragraph 4.2 below.

**4.1.4 Attending more than one course:** Where a student undertakes two (or more) courses at the same time he/she can only be eligible for one ALG in any one year (see 4.2 below).

**4.1.5 Documentation Requirements:** Students must provide such information as the grantor requests.

**4.1.6 Transfer of Eligibility:** A student may transfer his/her eligibility for ALG HE support from one designated course (“the original course”) to another (“the new course”), either at the same or an alternative institution.

**4.1.6.1** Where the new course is at an equivalent academic level to, or a higher academic level than the original course, the student will remain eligible for an ALG for the remainder of the academic year.

**4.1.6.2** Where the new course is at a lower academic level than the original course, and the change of course occurs within the first 20 weeks of the start of the original course, the student will remain eligible for an ALG for the remainder of the academic year, unless he/she has previously received ALG for attending a course of study at that lower level.

**4.1.6.3** Where the new course is at a lower level than the original course and the change of course occurs **after the first 20 weeks** of the start of the original course, the student shall not again be eligible for ALG until such time as he/she can demonstrate progression (as defined in Paragraph 3.8) from the first year of his/her original course.

#### **4.1.7 Repeat Study**

**4.1.7.1** Extenuating circumstances: Eligibility to receive ALG support for a repeat period of study can be considered based upon extenuating circumstances surrounding a student’s unsuccessful completion of the academic year and the LA’s discretion. In each case the student must supply documentary evidence from all appropriate sources, wherever possible, upon the request of the LA. It is accepted that some individuals (for example those with disabilities or learning difficulties) may have made significant progress but may not have advanced in purely academic terms (e.g. to ‘level 2’). In such circumstances LAs, in consultation with FHEIs will exercise discretion to determine whether there is academic progression on the merits of each case.

**4.1.7.2** Apart from those students who may receive a full award due to extenuating circumstances, students who have left a course (not transferred) and wish to repeat in the following years (and are otherwise eligible), shall be entitled to a part award commensurate with that percentage of the whole award not taken up in the original year i.e. that percentage remaining that they would have received had they not left the course. For example a student awarded a full £500 in 2009/10 and who left during the second term (with a recalculated entitlement of £275) will have received 55% of the full year

award. Assuming no change in circumstances, the student will be entitled to the remaining 45% of whatever rate applies in a subsequent year. Note however that no payment shall be paid until the student has reached the equivalent point in the academic year at which he/she withdrew from the course.

**4.1.8 Unfit to receive support:** Applicants may be deemed by the LA as unfit to receive support, e.g. in circumstances where a student has previously submitted a fraudulent application for any form of student funding.

#### **4.1.9 Other Bursaries/Financial assistance:**

**4.1.9.1** Should a student be a learner in receipt of a NHS bursary, or receiving significant other centrally provided support (e.g. to pursue a HE Diploma in Operating Department Practice (ODP)) he/she shall be ineligible for ALG HE support. NOTE: this list is not exhaustive and there may be other schemes where students are receiving “significant support” - this does not encompass earnings from employment where it is an integral component of the course (i.e. placement). It is important to distinguish between those receiving a ‘training incentive’ (see Paragraph 4.1.9.2 below) which does not count as “significant support” and those receiving general support for course related costs which would. IF IN DOUBT LAs SHOULD SEEK ADVICE.

**4.1.9.2** If a student is in receipt of an incentive payment (for example, Secondary Undergraduate Placement Grant, a Welsh Medium Incentive Supplement or the Social Work bursary) these should be disregarded for ALG eligibility purposes as these schemes are intended as incentives and not for student support.

## **4.2 Eligibility for an Award by Course**

**4.2.1** A course will be eligible provided it does not attract student support funding specified in Paragraph 4.1.9 and as long as it is a designated course for the purposes of the Relevant HE Student Support Regulations which is provided by a publicly funded institution in the UK or is provided by such institution(s) in conjunction with an institution(s) outside the UK.

**Note:** Students undertaking e-learning/business enterprise courses starting September 2004 onwards are eligible, depending on personal eligibility, to apply for ALG HE support. However, even if the course is deemed to be full time by the HEI it can only attract part time ALG HE support.

**4.2.2** Where a full time HE course involves necessary ‘periods of work experience’ (as defined in the Relevant HE Student Support Regulations) that is undertaken at an alternative location/institution (even if the location/institution is outside the UK), that course shall be eligible to receive support provided it otherwise complies with the provisions of Paragraph 4.2.1. (NB for the purposes of this document 18 weeks shall equate to 90 credits.)

**4.2.3** Where a student successfully completes his/her course within the prescribed term dates, as confirmed by the FHEI, the annual amount of ALG awarded to the student shall not be re-calculated in line with their actual attendance but shall be paid in full.

## 5. Calculation of Award

**5.1** The thresholds and grant levels below will remain fixed for the duration of ALG HE scheme (i.e. whilst there still remain eligible students). Should the figures need to be amended in future academic years, an information notice will be issued with full details.

**5.2 HE students who started in the 2003/04 academic year or before and gap-year students starting courses before 1 September 2007:** Where a student is continuing on an eligible course and falls into one of the above categories then a calculation of award should be made on the following basis:

Higher Education	Type of course	Assessable household income		
		Cumulative contact hours in the relevant academic year.	Between £0 - £5,895	Between £5,896 - £11,790
275 – 499	Part-time	£750	£450	£300
500 or more	Full-time	£1,500	£750	£450

**5.3 HE students who started in 2004/05 or 2005/06:** Where a student qualifies for a HE Grant (payable under the Relevant HE Student Support Regulations) the principle remains whereby no student should be worse off than if he/she had qualified for an ALG. Where a HE student qualifies for the full HE Grant of £1,000 but would have qualified for the full ALG award (£1,500), then a calculation of award can be made as follows:

Income Band	ALG	HE Grant
0 – £5,895	£500	£1,000
£5,896 to £17,700	Nil	£50 - £1,000

**5.4** Where a student does not qualify for the HE Grant due to previous study rules, and that student has **not** previously received an ALG award for a course or programme of study at the same or higher level, then the ALG award can be calculated as at 5.2.

**5.5 Students on courses between 30-59 credits:** Eligible students on a part-time course equivalent to 30-59 credits will be able to receive the Assembly Learning Grant. Entitlement to the ALG award can be calculated as at 5.2.

## **6. Financial Assessment**

### **6.1 Parental Liability to Assessment**

#### **Students who started their course or programme of study in the 2003/04 academic year or before**

**6.1.1** The level of ALG to which a student is entitled will depend on his or her parental residual household income, except to the extent that Paragraphs 6.2 and 6.3 below apply. Residual household income is gross (i.e. taxable) income less allowable deductions.

**6.1.2** Where a student's parents live together, parental residual income will be calculated taking into account the residual income of both parents. Where a student's parents live apart, parental residual income will be calculated taking into account the residual income of only that parent: (i) who was most recently or is currently, eligible to receive child benefit on behalf of that student; or (ii) (if eligibility to child benefit cannot be proven) with whom that student most recently resided.

**6.1.3** Subject to Sub-paragraph 6.1.2 above, gross income will be calculated in accordance with the relevant provisions of the 'Financial Assessment' Schedule of the Relevant HE Student Support Regulations ('household income'). Allowable deductions will be calculated in accordance with Paragraph 5, Sub-paragraphs (1)(a)-(c) and 2(a) and (b) of that Schedule ('calculation of parent's residual income').

**6.1.4** The 'Financial Assessment' Schedule of the Relevant HE Student Support Regulations also contains definitions of "financial year", "household income", "partner" and "residual income", as well as other information relevant to the calculation of the residual household income applicable to the above sub-paragraphs.

#### **Students who started their course or programme of study in the 2004/05 or 2005/06 academic year**

**6.1.5** The level of ALG HE support available to a student who started the first year of their course in the 2004/05 or 2005/06 academic year will depend on his/her assessable income and/or that of his/her parents', co-habiting partner, civil partner or spouse of the natural parent, the husband, wife, partner, or civil partner depending on the student's status i.e. whether 'independent' or 'dependent' (according to the 'Financial Assessment' Schedule of the Relevant HE Student Support Regulations).

### **6.2 Partner Liability to Assessment**

Where the student's status is an 'independent student' according to the 'Financial Assessment' Schedule of the relevant HE Student Support Regulations and that student is living with a partner, the level of ALG will depend on his/her partner's residual income, (ascertained in accordance with the calculation of partner's residual income in that Schedule).

## **6.3 Student's Liability to Assessment**

**6.3.1** Where the parent's, co-habiting partner, civil partner or spouse of the natural parent's residual income, or the partner's or civil partner's residual income (as the case may be) does not exceed £17,700 the student's income will also be assessed to determine the level of ALG to which the student is entitled.

**6.3.2** The higher of the two income figures will be used for assessment purposes.

**6.3.3** Where a student's income is to be calculated, the calculation will be made in accordance with the 'Financial Assessment' Schedule of the relevant HE Student Support Regulations ('calculation of eligible student's residual income') except that where the student's course is full time, any part of the student's income which is earned income shall be excluded from that calculation.

**6.3.4** "Full time" in Sub-paragraph 6.3.3 means a course specifically designated as full time by the institution concerned (120+ credits per academic year).

## **6.4 In-year re-assessment**

**6.4.1** This paragraph applies where the LA is satisfied that the residual income of the parent, co-habiting partner, civil partner or spouse of the natural parent, the student's husband, wife, partner, civil partner or the income of the student (as the case may be) in the current financial year is likely to fall unless the reason for the expected fall arises from short-term fluctuations such as the amount of overtime working available.

**6.4.2** Where the student was previously outside the financial criteria of the scheme, but the expected fall in income would bring the student within those criteria, the LA must reassess the student's level of grant for the current academic year, by recalculating that income for the current financial year.

**6.4.3** Similarly the LA must reassess a student's entitlement where the expected fall in income would mean the student would qualify for a higher band of award.

## **7. Conditions and Payment of Award**

**7.1 Documentary evidence:** Students, parents, the co-habiting partner, civil partner or spouse of the natural parent, husband, wife, partners or civil partners must supply relevant documentary evidence whenever they are required to do so and LAs should record that this has been supplied. Where this information is not provided, or where the LA believes information is being withheld or false information is being supplied that may be relevant to the student's application, LAs may suspend or withdraw support and may take further action based on legal advice.

**Applications are self-assessed and as such LAs must check a 10% sample of these applications.**

**7.2 Provisional awards:** If the required documentation is not available at the time of application a LA may (at its discretion) approve a provisional award until such time as that documentation becomes available. In order to reduce the likelihood of overpayment, a provisional award may also allow a LA the discretion to withhold all or part of the final term payment until the necessary documentation is provided.

**7.3 Re-evaluation of award:** LAs may, at their discretion, reassess an ALG award if they judge changes in circumstances warrant it. (See also Paragraph 6.4.)

**7.4 Absences/conduct/work:** The making of ALG payments depends on satisfactory attendance/progress/conduct at the course. Where a LA has been notified by the relevant institution that a student has been suspended, expelled, has withdrawn from the course, or that the student's attendance/progress/conduct is unsatisfactory, the LA should withhold, stop, or if appropriate demand refunds of, ALG payments to that student.

**7.5 Payment/receipt of award:**

**7.5.1** As awards are closely linked to attendance they will normally be made in instalments on a termly basis (each term is regarded as covering any intervening study periods before the following term). Wherever possible the first term instalment shall represent 40% of the total grant entitlement with 30% being paid for each of the other two terms. Cheques will normally be sent to FHEIs for collection by students. Each student must sign to confirm receipt of his/her cheque. **In exceptional circumstances only LAs may send cheques to the student's home address.**

**7.5.2** FHEIs should satisfy themselves as to identity and enrolment status of the student before releasing that student's ALG cheque to him/her. Completed signatory lists must be returned by FHEIs to LAs without delay. Wherever practicable, the LA is to obtain the agreement of FHEIs to carry out these actions and the other actions asked of FHEIs in the Protocol at the Annex of this Scheme. Where a FHEI does not agree to do so, the LA must make alternative arrangements necessary to ensure that the terms of the scheme are complied with.

**7.5.3** Students are required to sign a declaration on the ALG Renewal Application Form – Notification of Award form undertaking to refund on demand any overpayment made. This must include overpayments due to miscalculation, re-evaluation of eligibility, and to the withholding of ALG where an LA has been notified of any of the matters referred to in Paragraph 7.4.

**7.6 Overpayments:** When an overpayment of an ALG award occurs (for any reason) LAs must either seek recovery from the student or deduct overpayment from any subsequent payment(s). LAs are expected to withhold payment and demand refunds for periods of unsatisfactory attendance.

### 7.6.1 Overpayment Calculation:

$$\frac{\text{Actual Attendance}}{\text{Possible Attendance}} \times \text{ALG} = \text{Pro-Rata Entitlement}$$

**7.6.2 Actual Attendance:** first date of attendance to last date of attendance on course including holiday periods (but not including the summer vacation) as notified by the institution. The student shall not be considered to be absent from his/her course if the LA is satisfied that he/she was unable to attend due to illness and his/her absence did not exceed 60 days.

**7.6.3 Possible Attendance:** 1<sup>st</sup> required date of attendance to last required date of attendance on course including holiday periods (but not including summer vacation) as notified by the institution.

**7.7 Appeals Process for ALG Scheme:** In relation to the administration of the ALG scheme the following procedures for appeals are to be introduced **but only if alternative similar procedures do not already exist.**

**7.7.1 First Tier:** Grievances by individuals about the administration of the ALG Scheme by the LA should be taken up in the first instance with the awarding LA, in writing. If the student is still unhappy with the result, he/she will be allowed to refer his/her grievance further to a second tier.

**7.7.2 Second Tier:** This will comprise a panel, constituted by the LA, established to advise on grievance. The panel will consist of at least three individuals who are impartial. Wherever appropriate, and it is possible to do so, this panel will include a named staff representative from the FHEI or, failing that, the panel should obtain a signed written statement from the FHEI.

**7.7.3 Third Tier:** Should the student feel the decision of the appeals panel is unsatisfactory or unfair in any way then he/she shall be advised of the circumstances in which they may refer matters to the Public Services Ombudsman for Wales.

**7.7.4 Fourth Tier:** Ultimately it is the domain of the Law Courts to determine any legal issues that continue to remain unsatisfactorily resolved for either party.

**7.8 ALG Policy issues:** Grievances or complaints by individuals, LAs, FHEIs, in relation to the ALG policy (but not its implementation) should be made directly to the grantor which has its own procedure for dealing with complaints.

**Data Protection Act:** Students will be informed that the information given on the application form is stored on a computer system by the LA for the purposes of assessment and payment of the grant. They will also be informed that the information given might be used in the prevention and detection of fraud and may be passed on to other organisations that handle public funds. The treatment of all data held about individual students will be consistent with the requirements of the Data Protection Act 1998.

## **8. Evaluation**

**8.1** LAs, with the co-operation with FHEIs, shall endeavour to secure/supply the grantor with such information it requests in order for it to measure the impact that the scheme is having in relation to the stated aims and objectives.

**8.2** An LA in receipt of grant shall, without charge, permit any officer or officers of the grantor at any reasonable time to visit its premises and/to inspect any of its activities and (or) to examine and take copies of the grantee's books of account and such other documents or records as in such officers' view may relate in any way to the use of grant by the grantee. This condition is without prejudice and subject to any other statutory rights and powers exercisable by the grantor or any officer, servant or agent thereof. A right of access for the Auditor General for Wales is also reserved. Under Paragraph 17 of Schedule 8 to the Government of Wales Act 2006 the Auditor General for Wales has the right to examine for economy, efficiency and effectiveness those activities for which grant is expressly provided.

## **9. Specific Grant**

### **9.1 Payment Mechanism**

The grantor will make payments to individual authorities by specific grant at the rate of 100%.

### **9.2 Frequency**

The grant shall be paid in one lump sum based on total expenditure estimated on form WAG 1 (adjusted in year in the light of any subsequent revisions) on application and in accordance with this Scheme and the Education (Assembly Learning Grant Scheme) (Wales) Regulations 2002.

### **9.3 Application for Approved Expenditure**

Applications shall relate to the whole of the usual academic year (i.e. a period of 12 months from 1 September) and revised during the course of the year. Applications will be submitted on forms WAG 1 and WAG 1(revised) – see pro forma and notes on pages 16-20.

### **9.4 Certificate of Payments**

These relate to the financial year and shall be submitted on forms WAG 8 (PRE AUDIT COPY) and WAG 8 (AUDIT) – see attached pro forma and notes on pages 23-25.

## **10. Eligible Students**

**The student eligibility criteria are set out in Schedule 1 of the relevant HE Student Support Regulations as defined at 3.10 above.**



## WELSH ASSEMBLY GOVERNMENT

This form should be completed and signed and returned not later than [31 March] to the **WELSH ASSEMBLY GOVERNMENT**.

### Estimate of Expenditure on ALG in the Academic Year 20\_\_/20\_\_

<b>Local Authority</b>

#### 1. Academic Year 20\_\_/20\_\_

(Information should relate to the whole of the academic year)

ALG Awards	Number of Students 20__/20__	Expenditure 20__/20__
1	2	3
HE(P/T)		
HE(F/T)		
	Total number of Students	Total expenditure

#### 2. (To be completed by the Authority)

Enquiries about the information provided in this return should be addressed to:

Mr/Mrs/Miss: .....

Telephone No: ..... Ext: .....

Fax No: .....

Email address: .....

## Authority's Stamp

Signed: .....  
(Authorised Officer)

Name: .....  
(In BLOCK LETTERS)

Date: .....

## **WAG 1 Notes**

For the academic year commencing 1 September, the WAG 1 form should be completed with your estimated number of students and expenditure for the forthcoming AY. The form should be submitted to the grantor by 31 August prior to the academic year to which the LA's application for grant relates.

Addressed to:

**Welsh Assembly Government  
Funding & Student Finance Division  
Cathays Park  
Cardiff CF10 3NQ**

Based on the estimated expenditure shown on the WAG 1, the grantor will process the funding due payable to your LA by 30 September.

In any financial year therefore LAs should receive 100% of the estimated forecast expenditure PLUS any adjustments as per the WAG 8 will be made by the grantor by 31 March.

**WELSH ASSEMBLY GOVERNMENT**

**Certificate of Payments of Assembly Learning Grant in the  
F/Y 20\_\_-20\_\_**

<b>LA Name</b>

1. I certify that in the financial year 20\_\_-20\_\_

<b>(a)</b> Payments of ALG's in accordance with the relevant regulations amounted to:	£
i. HE/PT	
ii. HE/FT	

<b>(b)</b> Overpayments made before 1 April current FY	£

<b>(c)</b> Overpayments made before 1 April preceding FY at table (b)	£

<b>(d)</b> Total specific grant due [a+b-c]	£

2. I also certify that the LA's administrative systems, procedures and controls for making Assembly Learning Grants operate effectively and conform with current accounting standards.

Signature \_\_\_\_\_ Name (block capitals) \_\_\_\_\_  
Chief Finance Officer

Date \_\_\_\_\_

.....

Enquiries about the information provided in this return should be addressed to:-

Mr/Mrs/Miss: .....

Telephone No: .....Ext: .....

Fax No: .....

Email address: .....

### **Authority's Stamp**

Signed: .....  
(Authorised Officer)

Name: .....  
(In BLOCK LETTERS)

Date: .....

**WELSH ASSEMBLY GOVERNMENT**

**Certificate of Payments of Assembly Learning Grant in the F/Y 20\_\_-20\_\_**

<b>LA Name</b>

1. I certify that in the financial year 20\_\_-20\_\_

<b>(a)</b> Payments of ALG's in accordance with the relevant regulations amounted to:	£
i. HE/PT	
ii. HE/FT	

<b>(b)</b> Overpayments made before 1 April of current FY	£

<b>(c)</b> Overpayments made before 1 April preceding FY at table (b)	£

<b>(d)</b> Total specific grant due [a+b-c]	£

2. I also certify that the LA's administrative systems, procedures and controls for making Assembly Learning Grants operate effectively and conform with current accounting standards.

Signature \_\_\_\_\_ Name (block capitals) \_\_\_\_\_  
Chief Finance Officer

Date \_\_\_\_\_

.....

### Certificate of auditor appointed by the Wales Audit Office

The Statement of Responsibilities of grant-paying bodies, authorities, the Wales Audit Office and appointed auditors in relation to grant claims and returns, issued by the Wales Audit Office, sets out the respective responsibilities of these parties, and the limitations of our responsibilities as appointed auditors. I/We have:

- examined the entries in this form (which replaces or amends the original submitted to me/us by the authority dated \_\_\_\_\_)\* and the related accounts and records of the authority in accordance with Certification Instruction A1 prepared by the Wales Audit Office for its appointed auditors; and
- carried out the tests specified in Certification Instruction **EDU08 W** prepared by the Wales Audit Office for its appointed auditors, and I/we have obtained such evidence and explanations as I/we consider necessary.

(Except for the matters raised in the attached qualification letter dated \_\_\_\_\_)\*  
I/we have concluded that the entries are:

- fairly stated; and
- in accordance with the relevant terms and conditions.

Signature \_\_\_\_\_ Name (block capitals) \_\_\_\_\_

Date \_\_\_\_\_

*\*Delete as necessary*

## WAG 8 Notes

1) WAG 8 IS THE EQUIVALENT OF THE UG8 AND IS CERTIFICATION OF HOW MUCH HAS BEEN PAID OUT TO STUDENTS BY A LA IN THE NAMED FINANCIAL YEAR. IT IS NEEDED SO THAT THE GRANTOR CAN MAKE ADJUSTMENTS TO ANY AMOUNTS PAID IN ADVANCE BASED ON ESTIMATES.

2) IF THE TOTAL AMOUNT CLAIMED EXCEEDS THE £50,000 WAO CERTIFIED AUDIT THRESHOLD, BOTH PRE AUDIT AND AUDIT FORMS SHOULD BE COMPLETED AT THE SAME TIME AND CERTIFIED BY THE SAME PERSON WHO CERTIFIES YOUR UG8.

3) THE PRE AUDIT SHOULD BE SENT TO THE GRANTOR AND AUDIT COPY TO THE APPOINTED AUDITOR BOTH BY 30 SEPTEMBER TO ADDRESSES SPECIFIED BY THE GRANTOR.

4) THE APPOINTED AUDITOR WILL CHECK FIGURES AND SEND CERTIFIED COPY TO THE GRANTOR BY 31 DECEMBER.

5) IF THE TOTAL AMOUNT CLAIMED FALLS BENEATH THE £50,000 WAO CERTIFIED AUDIT THRESHOLD, THE PRE AUDIT IS NOT REQUIRED TO BE COMPLETED. THE AUDIT IS TO BE COMPLETED AND CERTIFIED BY THE SAME PERSON WHO CERTIFIES YOUR UG8 OR CHIEF FINANCE OFFICER, THE AUDIT SHOULD BE SENT TO THE GRANTOR BY 30 SEPTEMBER, ADDRESSED TO:

WELSH ASSEMBLY GOVERNMENT  
ENGAGEMENT & STUDENT FINANCE DIVISION  
CATHAYS PARK  
CARDIFF  
CF10 3NQ.

6) ANY ADJUSTMENT REQUIRED FOLLOWING RECEIPT OF THE AUDIT WILL BE MADE/RECOVERED BY THE GRANTOR BY 31 MARCH.

7) BOX b ON THE FORM IS THE TOTAL AMOUNT OF SUNDRY DEBTOR INVOICES ISSUED FOR THE PERIOD. BOXES a (i) (ii) (iii) (iv) SHOULD THEREFORE BE THE TOTAL AMOUNT ISSUED TO STUDENTS **AFTER** ANY OVERPAYMENTS ARE IDENTIFIED AND DEDUCTED. THE GRANTOR WILL THEN ASSESS THE PAYMENT TO LA AS THE NET AMOUNT WHICH SHOULD HAVE BEEN PAID OUT **PLUS** SUNDRY DEBTOR INVOICES ISSUED. BY THE END OF THE FOLLOWING FINANCIAL YEAR ALL SUNDRY DEBTOR INVOICES SHOULD HAVE BEEN PAID SO WAG WILL TAKE THE AMOUNT BACK OFF (BOX c). BOX c SHOULD THEREFORE ALWAYS EQUAL BOX b OF THE PREVIOUS YEAR.



### **Part 1: Partnership Protocol - (LAs/FHEIs Wales)**

#### **1. Introduction**

This Protocol defines the partnership arrangements between individual LAs and FHEIs in the administration of the ALG Scheme. It seeks to identify who is responsible for what and, where appropriate, agreed time-scales. Its overall aim is to ensure the provision of an efficient and effective high quality service to current and future student beneficiaries during the operation of the ALG HE Scheme.

#### **2. Distribution**

The LAs will be responsible for inserting the appropriate return address details on to the ALG application forms. The LAs will then distribute the form direct to the remaining eligible students.

#### **3. Advice**

The LAs at the request of FHEIs, will attend at the latter at agreed times to provide advice to potential ALG applicants on eligibility and assessment criteria.

#### **4. Guidance**

Both parties will be responsible for providing guidance on the range of financial support measures available to the applicant and how to complete the new ALG Renewal Application Form – Notification of Award Letter.

#### **5. LA Enquiries**

FHEIs will aim to respond within 10 working days to specific queries raised by the LAs in respect of a particular student, such a response to be confirmed in writing via electronic mail wherever possible.

#### **6. Student Enquiries**

FHEIs will assist students in resolving queries with the LAs relating to their applications. The LAs will aim to respond within 10 working days to such queries, such responses to be confirmed in writing, via electronic mail, wherever possible.

#### **7. Financial Assessment**

Upon receipt of all of the relevant information, the LAs will be responsible for the financial assessment of the ALG Application based on the eligibility and assessment criteria defined in Sections 4 & 6 of the Scheme. LAs will aim to

process applications as soon as possible and no later than 20 working days after the receipt of the correctly completed forms.

## **8. Notification of Entitlement**

The relevant LA will notify in writing each student of his/her eligibility, or otherwise, for an ALG, such notification to be despatched to the student's home address as soon as possible and no longer than 20 working days after determining his/her entitlement.

Where possible the notification letter should notify successful applicants of the conditions attached to receiving their ALG instalments.

## **9. Drawing of Cheques**

The LAs will be responsible for drawing cheques for ALG payment due to each student and for the safe despatch of the cheques to FHEIs. LAs will do this, and dispatch individual student signature sheets, at the appropriate times having regard to the student's academic year. **Exceptionally a LA may send an individual's cheque to his/her home address, but where they do so they will notify the FHEI concerned.**

## **10. Safe Storage of Cheques**

FHEIs will be responsible for the safe storage of ALG cheques sent to them by the LAs.

## **11. Distribution of Cheques**

FHEIs will be responsible for scrutiny of proof of identity and confirmation of enrolled status of each student and then for the issuing of ALG cheques to that student upon request. FHEIs will arrange for the student to sign a signature sheet confirming receipt of the cheque and will return the sheet to the LA.

In the event of a lead University being sent cheques for its students studying at another institution under a partnership agreement the lead University may forward those cheques to the partner/subsidiary institution without informing the LA. The lead University must however return a copy of the schedule for the student stating the reason for the cheque being forwarded. The original schedule should be forwarded along with the cheque and subsequently returned to the LA by the partner/subsidiary institution.

## **12. Attendance Monitoring**

FHEIs will be required annually to provide LAs with confirmation of satisfactory attendance and the intention to proceed to the next year of study. In cases of unsatisfactory attendance, an explanation of the cause and any proposed action by the FHEI will also be required.

### **13. Withdrawal, Suspension & Expulsion**

FHEIs will be responsible for notifying LAs by e-mail of the withdrawal, suspension or expulsion of any students in receipt of an ALG. This will be reported as soon as possible and will include details of the student's actual, compared to the notional attendance and specifically the last date of attendance.

### **14. Uncollected Cheques**

Uncollected cheques together with signature sheets will be returned to LAs within 20 working days of their receipt by the FHEIs, together with an explanation for non-collection.

### **15. Allegations of Fraud**

LAs will be responsible for the speedy investigation of any allegations relating to fraud by student applicants/beneficiaries.

### **16. Fraud Investigation**

FHEIs will assist the LAs in any investigation of alleged fraud, by providing accurate and timely information to them, subject to the provisions of the Human Rights Act 1998 and the Data Protection Act 1998.

### **17. Recovery of Monies**

In the event of an overpayment of an ALG for any reason, it will be the responsibility of the LA to recover such monies, either in part or in full from the beneficiary.

### **18. Audit**

The LAs will be responsible for the cost of auditing those elements of the administration of the ALG Scheme for which it is responsible as outlined in this Partnership Protocol.

### **19. Appeals**

The LAs will be responsible for Stage 1 of the Appeals process relating to student ALG applications. In the event of a Stage 2 Appeal, a representative of an FHEI to which the student has applied will sit on the Appeals Panel together with LA and independent representatives.

### **20. Monitoring & Evaluation**

All LAs and FHEIs will be responsible for the monitoring and evaluation of their performance of their respective responsibilities for the administration of the ALG Scheme as outlined in this Partnership Protocol.

## **21. Review Meetings (Wales)**

At least once per term, representatives of the individual LA, and FHEI(s) in its area to discuss the performance of the ALG Scheme, the minutes of such meetings to be provided to the ALG Advisory Group to facilitate a sector wide review and evaluation of the administration of the Scheme at the end of its first year of operation with a view to effecting improvements/changes in succeeding years.

## **22. Liaison Officers**

The LAs and FHEIs will each identify a senior member of their respective staff to act as Liaison Officers who will provide the first point of contact for the resolution of queries or disputes on the operation of the ALG Scheme.

## **23. Use of Electronic Mail**

In order to avoid unnecessary delays, both the LAs and FHEIs agree to use wherever possible, electronic mail as the most efficient medium of written communication between each other.

## **24. Calendar of Events**

Each year, the LAs and FHEIs will publish a Calendar of Events, outlining key dates and actions to be taken by the parties to this Partnership Protocol.

## **25. Conclusion**

This Partnership Protocol is not a legally binding document, LAs/FHEIs as authors of this Partnership Protocol agree to observe its contents for the benefit of the efficient operation of the ALG Scheme and the equitable treatment of current and future students eligible for ALG.