

SAAS

Student
Awards
Agency
Scotland

Funding your future

Further and Higher Education in Scotland

International Students' Emergency Fund



Scottish Funding Council
Comhairle Maoineachaidh na h-Alba



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USEFUL CONTACTS

Student Awards Agency Scotland

Saughton House
Broomhouse Drive
EDINBURGH
EH11 3UT

<http://www.saas.gov.uk/>

If you have any queries about eligibility or implementation of the regulations presented in this guidance, please contact the SAAS Policy Team who will be able to advise you further.

Saas_policy@gov.scot



The Scottish Government

Student Financial Support Team
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**The Scottish
Government**

The Scottish Funding Council

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Table of Contents

PURPOSE	4
ELIGIBILITY	4
ABOUT THE FUND	4
RESIDENCY STATUSES	5
COLLEGE SECTOR- FE and HE	7
ASSESSMENTS	7
APPEALS, APPLICATIONS AND DECISION MAKING PROCESS	7
FINANCIAL RETURNS	7
Q + A	8

INTERNATIONAL STUDENTS' EMERGENCY FUND

PURPOSE

These notes provide guidance to assist Fund Managers in the operation of a new International Students' Emergency Fund across Further and Higher Education, for which funding has been allocated to them by Scottish Ministers.

The fund is intended to support students studying in Scotland who are not eligible for home fee status and/or living cost support.

These additional funds will be distributed in May and colleges and universities can utilise their allocation up to 31st July 2023.

Please note: This guidance supplements the main HE and FE Discretionary Fund guidance document which will be issued to the sector in due course, and should be read in conjunction.

Institutions may also supplement this guidance with their own fund procedures.

ELIGIBILITY FOR THE FUND

- Students must be facing financial hardship as a result of a significant change of circumstances and at risk of not being able to continue with their studies due to that hardship. Changes of circumstances can include being unable to return home because of conflicts or the fear of persecution.
- Student must be non-UK domiciled on an international fee place OR be UK domiciled but **not eligible to receive living cost support from a UK funding body.**
- Student **must have applied** to the Home Office for a form of leave or extension of right (asylum seekers, students with limited leave to remain, leave outside of the rules, students who have applied to the Ukraine Extension Scheme who are NOT eligible for living cost support from SAAS, etc) to stay in the UK. Examples of residency statuses where someone may be considered eligible for this fund can be found in the RESIDENCY STATUSES section.
- This fund can be used to support **all** eligible students up to 31 July 2023, subject to funds being available.

ABOUT THE FUND

- There is no cap on the amount that can be awarded per student.
- Nursing, midwifery and Paramedic Science students who meet the eligibility criteria can also apply.

- Monies from this fund are ring-fenced and cannot be transferred into the main Discretionary Funds.
- Part-time students are eligible to apply.

RESIDENCY STATUSES

- **Please note this is not an exhaustive list of statuses who do not qualify for home support.**
- **The residency statuses we have highlighted in guidance will be the most common scenarios where a student may be eligible for support from the Fund. You should also be aware that some students may still qualify for living cost support under a 'Long Residence' rule, despite having one of these statuses.**
- **Institutions will need to determine with students that they are not receiving living cost support as a 'home' student from a UK funding body or college. You may also wish to check that students are being given a fee status of 'international' from your institution.**

ASYLUM SEEKERS

The type of support that can be offered to asylum seekers from the Fund is different to any other group.

An asylum-seeker is a person who has left their country and is seeking protection from persecution and serious human rights violations in another country, but who hasn't yet been legally recognized as a refugee and is waiting to receive a decision on their asylum claim from the Home Office.

This fund can be used to support asylum seekers who are unable to access living cost support from SAAS or their college. However, there are some restrictions on what support can be given to asylum seekers.

Any support **can only cover the travel and study costs** necessary for the student to get to university or college and take part in their course of study. **Childcare costs** whilst the student is on their course may also be covered. The UK Government provides asylum seekers with accommodation and £40.85 per week per person. Asylum seekers are not allowed any subsistence funding so it is important they are only allowed to access the fund for childcare, study and travel costs, otherwise their asylum application could be rejected by the Home Office. Asylum seekers who choose to enter a course of Higher Education are NOT normally entitled to living cost support from SAAS.

Colleges and universities should provide this travel and study support in the form of physical items (vouchers, pre-paid cash cards, etc), and not cash or BACS payments. Childcare costs must be paid directly to the childcare provider.

Institutions should consider options around using the funds to purchase vouchers and pre-paid cash cards. Examples include

www.love2shop.co.uk

www.yordex.com

We would ask institutions to be mindful of bulk buying any cards/vouchers towards the end of the academic year to ensure unspent funds are returned to SAAS as normal.

Case Study A – person arrives in the UK from Yemen and makes asylum application to the Home Office as they consider it too dangerous to return home. While the application is being considered, the person enrolls as a student at university/college. They are not eligible for home fee status or any living cost support. Student can apply for funding from the new International Students' Emergency Fund if they are in financial hardship.

UKRAINE EXTENSION SCHEME

A Ukrainian national can qualify under the Ukraine Extension Scheme if they are in the UK with immigration permission on 18 March 2022 or if their last permission ended after 1 January 2022.

From 2022-23, Ukrainian nationals who have applied to this scheme will be eligible for full support as a 'home' student for any new course. However, students continuing on the same course will remain classed as 'international', and will NOT be eligible for living cost support. **It is this group who can access the fund.**

Case Study B – Ukrainian national from Kiev has been studying a degree at university in Scotland since 2020-21. Student is assessed correctly as 'international'. During the summer of 2022, the student applies to the Ukraine Extension Scheme to extend their stay in the UK beyond their existing student visa. When applying for year 3 of the degree in 2022-23, student is correctly advised they will remain as 'international' and is not eligible to be funded as a home student despite applying under the Extension Scheme. Student can apply for funding from the new International Students' Emergency Fund if they are in financial hardship.

LEAVE OUTSIDE OF THE RULES

Generally, people with this status are not eligible for 'home' support unless they were given this status as a result of an asylum claim. Those who are not eligible to be funded as a home student can apply for support from the new International Students' Emergency Fund if they are in financial hardship.

Case Study C – Student from Pakistan is awarded Leave Outside of the Rules from the Home Office. This is NOT as the result of an asylum claim. Student is therefore not eligible for funding as a 'home' student. They can apply though for the new International Students' Emergency Fund if they are in financial hardship.

LIMITED LEAVE TO REMAIN

Generally, people with this status are not eligible for 'home' support unless they were given this status as a result of an asylum claim. Those who are not eligible to be funded as a home student can apply for support from the new International Students' Emergency Fund if they are in financial hardship.

Case Study D – Student from Uganda is awarded Limited Leave to Remain -10 year parent route from the Home Office on the grounds they have sole responsibility for a child in the UK who is a UK national or is otherwise settled under the Immigration Act. This is NOT as the result of an asylum claim. Student is therefore not eligible for funding as a 'home' student. They can apply though for the new International Students' Emergency Fund if they are in financial hardship.

COLLEGE SECTOR – FURTHER and HIGHER EDUCATION

Colleges can use their allocation to support students in either Further or Higher Education. You should keep note of the amounts spent in both FE and HE as this will need to be accounted for in returns.

ASSESSMENTS

A balanced approach should be taken when considering each application in regards to evidence submitted/assessed. However, it remains at the discretion of each institution as to what evidence is permitted.

In addition to their application a student **may** provide:

- evidence of a Home Office application/status.
- confirmation they are not receiving living cost support from a UK funding body or college
- a recent bank statement (can be screenshot).
- details of their weekly income/expenditure.
- any other information which the institution feels is relevant to assessing hardship.

APPEALS, APPLICATIONS AND DECISION-MAKING PROCESS

In line with the main HE Discretionary Fund, institutions should have an appeals procedure in place for cases where students have applied unsuccessfully for help from all the funds. This procedure should be clear and students should be informed of their right to appeal. It will be for each institution to resolve any appeals internally with individual students about the award of a payment from the funds. Appeals should not be referred to the Scottish Ministers or SAAS.

Institutions should have a transparent application and decision-making process. Again, it will be for each institution to ensure that they have their own arrangements in place.

A copy of this and the main HE Discretionary Fund guidance document will be published on the SAAS website at: <https://www.saas.gov.uk/guides/other-sources-of-funding> and can be referred to in any appeal documentation.

FINANCIAL RETURNS

The International Students' Emergency Fund is available to use up to 31 July 2023.

Audit & Reporting

These funds **will** be incorporated into the end of October 2023 returns but institutions will need to report separately on the International Students' Emergency Fund. We may also ask for high level return with the 2022 audited returns and at the 31st March 2023, in line with normal Finance practice

Colleges - Colleges will be asked to provide returns on the amount of funds that were used for FE and HE students, so should keep a note of amounts spent, and students supported. Colleges will only need to make returns to SAAS and not SFC for this fund.

Monitoring

We are conscious of adding further administrative measures for sector staff but we would ask you to keep a note of the number of students who receive support from this fund.

We are committed to monitoring the spend of this fund along with the main HE Discretionary Fund so further requests for high level spend may be requested during the 2022-23 academic year.

Q + A

Q. Can we use the funds before the start of the new 2022-23 academic year, commencing on 1st August?

A. Yes, you can use the funds straight away for continuing students but should budget accordingly throughout the remainder of the 2021-22 academic year. New students can access support from the start of the new academic year, which is 1st August 2022.

Q. Can we retain any of the unspent funds?

A. No – any unspent funds available at 31st July 2023 should be included as part of the October 2023 return and returned to SAAS.

Q. Can we use these funds for ‘home’ students?

A. No – these funds are specifically for students not eligible for living cost support or home fee status, but who have applied to the Home Office for a form of leave to reside or extend their stay in the UK, beyond their student visa.

Q. Can we use the fund for any ‘international’ student?

A. No – these funds are only available to those ‘international’ students who have applied to the Home Office to reside or extend their stay in the UK. International students here on the normal student visas will not be eligible to apply. However, any international student incurring financial hardship as a direct consequence of a global conflict can now apply to the main Discretionary Fund.

Q. (Colleges only) Can I use our allocation to support students in Further and Higher Education?

A. Yes. You can decide how best to use your allocation, depending on where any pressures are.

Q. Can I move money from the International Students' Emergency Fund, into the main Discretionary Funds?

A. No, this money is ring-fenced for now. We may consider reviewing this as the academic year progresses.

Q. Is there a cap on the sums awarded per student?

A. No.

Q. Can we use the fund to pay tuition fees of international students who are no longer able to cover their tuition costs?

A. **No.** The fund cannot be used to pay the cost of tuition fees. This remains a matter for individual students but we would expect colleges and universities to be supportive of students who have been placed into difficult circumstances that has resulted in them struggling to meet their fee costs. Institutions could consider reduced tuition fees or fee waivers for such students.

Q. Are Nursing, Midwifery and Paramedic Science students eligible to apply?

A. **Yes.** Providing they meet the eligibility rules.

Q. Are postgraduate students eligible to apply?

A. **Yes.** Providing they meet the eligibility rules.

Q. Are part-time students eligible to apply?

A. **Yes.** Providing they meet the eligibility rules.

Q. Is it only asylum seekers that I am unable to award cash to?

A. **Yes.** This group should be supported via vouchers or benefits in kind.