



Scottish Funding Council
Comhairle Maoinachaidh na h-Alba

FE Discretionary Fund AY 2022-23

SFC Guidance

Issue Date: 15 June 2022

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Summary: The conditions for use by colleges of SFC's Further Education Discretionary funding for Academic Year (AY) 2022-23.

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National policy: Further Education Discretionary Fund AY 2022-23

Introduction

1. This document sets out the conditions for use by colleges of the Further Education Discretionary Fund (FEDF) allocated by the Scottish Funding Council (SFC) for Academic Year (AY) 2022-23.
2. The FEDF is cash-limited and discretionary. Students who are eligible for support from these funds are not automatically entitled to this support.

Policy changes for AY 2022-23

3. In recognition of the impact the COVID-19 pandemic continues to have on students' finances and current cost of living pressures, the removal of the £4,000 limit per student on discretionary awards will continue in AY 2022-23. We have included additional wording on the removal of the £4,000 cap to reflect this change in the policy (see paragraph 20).
4. We have added some detail on the assessment of need, emphasising that colleges should take a balanced and proportionate approach when asking students for supporting evidence and should not ask for duplicate information (see paragraphs 22 and 23).

Purpose of FEDF

5. The FEDF is primarily for **emergency use** and instances of **financial hardship**. The Fund is intended to:
 - Provide financial help to students whose access to or continuation in, Further Education (FE) may be inhibited by financial considerations.

OR

 - Where students, for whatever reasons, including physical or other disabilities, face financial difficulties.
6. The FEDF must be used by colleges for student support purposes, in accordance with this policy. Colleges should also comply with any changes made to this policy or any supplementary guidance SFC may issue.

Legislative context

7. Colleges should follow all applicable legislation.
8. College governing bodies have the power under section 12(2)(c) of the [Further and Higher Education \(Scotland Act\) 1992](#) and section 12(B) of the [Further and](#)

[Higher Education \(Scotland\) Act 2005](#) to provide students of their college such assistance of a financial or other nature as they consider appropriate.

9. It is a condition of the [Education \(Access Funds\)\(Scotland\) Direction 2022](#) that SFC shall administer student support funds, in conjunction with the fundable bodies, in accordance with the requirements of section 73ZA (1)(a) of the [Education \(Scotland\) Act 1980](#), the [Education \(Access Funds\)\(Scotland\) Regulations 1990](#), the [Education \(Access Funds\)\(Scotland\) Determination 2022](#).

Student eligibility for FEDF

Course type and level

10. The FEDF is for students undertaking SFC-fundable non-advanced courses, who have reached their statutory school leaving age. For an explanation of 'SFC Fundable' please refer to SFC's [Credit Guidance](#).
11. Under no circumstances can a college use the FEDF for:
 - Students on advanced education courses.
 - Students who are below their statutory school leaving date, as defined in the [Education \(Scotland\) Act 1980](#).
 - Students who are beyond their statutory school leaving date but still studying at school. (This includes students studying at school under the school/college partnership.)

Residency

12. With the exceptions set out in paragraphs 13 to 16 below, students must be eligible to access support under the residency rules set out in Schedule 1 of the [Education \(Student Loans\)\(Scotland\) Regulations 2007](#) and any subsequent amendments, Schedule 2 Part 2 of The Education (Access Funds) (Scotland) Determination 2022 or be eligible to receive student support under equivalent provisions of legislation made under sections 22(2), 42 (6) and 43(1) of the [Teaching and Higher Education Act 1998](#) or articles 3 and 8(4) of the [Education \(Student Support\)\(Northern Ireland\) Order 1998](#).

Asylum seekers

13. Colleges can provide emergency financial support from the FEDF for students in the categories set out below:
 - Students on part-time English for Speakers of Other Languages (ESOL) courses. (This should exclude students whose main purpose for being in the UK is to receive education.)

- Asylum-seeking students who are on full-time or part-time ESOL courses or other part-time non-advanced courses.
 - Asylum-seeking students on other full-time, non-advanced courses who meet the following criteria:
 - (i) Is resident in Scotland on 1 August, 1 January, 1 April or 1 July closest to the beginning of the first term of the person's course.
 - (ii) Has been resident in Scotland for a minimum period of three years.
 - (iii) Was under 18 years old on the date when the application for asylum was made, and the application must have been made prior to 1 December 2006.
 - (iv) Is under 25 years old on 1 August, 1 January, 1 April or 1 July closest to the beginning of the first term of the person's course.
14. This support can only cover the travel and study costs necessary for the student to get to college and take part in their course of study. The support should not usually constitute maintenance or living costs.
 15. Colleges should provide this travel and study support in the form of physical items (e.g. travel pass or study materials or equipment) where possible, rather than in monetary terms (cash). If the college provides this support in monetary terms, the student must be given both a clear explanation of the purpose of the support given and a written copy of the conditions of support.
 16. Where the asylum-seeking student has no alternative form of childcare, assistance may include payment to cover childcare costs whilst they are studying.

Students receiving support from other sources

17. Students are not entitled to seek support from the FEDF from more than one institution at a time. For this reason, colleges should ensure that a declaration is signed by the student when applying for FEDF to confirm that they have not applied for, or are in receipt of, FEDF from another institution.
18. Students who are in receipt of other funds - public or private - are still eligible to receive FEDF. Colleges should advise students in receipt of benefits to check how an FEDF award will affect their individual circumstances.
19. Colleges can access general advice and guidance on benefits on the [UK Government's website](#). In addition, CPAG's Benefits for Students in Scotland Handbook for 2021-22 is available [online](#). Further information related to benefits for students can also be found on the [Student Information Scotland portal](#).

Priority groups

20. When making FEDF awards, colleges are asked to consider the financial hardship of the student applicants, and bear in mind vulnerable/disadvantaged groups such as – but not limited to – estranged students, students who are carers, care-experienced students, students with dependent children, part-time students, students impacted financially by COVID-19.

College management of the FEDF

What can the FEDF be used for?

21. The FEDF is intended to be allocated to students, either as a non-repayable monetary grant or an in-kind support through the purchase of specific items. A college cannot use FEDF for:
 - Administration costs (including the costs of any recovery of overpayments).
 - Staff salaries, including counselling costs.
 - Capital purposes.
 - Communal facilities, adaptations to buildings.
 - Top-up fees such as tuition and/or exam fees.
 - To compensate for the lack of parental contributions.

How much can be allocated to each student?

22. Prior to 2020, the overall payments to an individual student were capped at £4,000 in a single Academic Year. However, due to COVID-19, the £4,000 limit was removed in March 2020. After discussions with relevant stakeholders, it has been agreed that the removal of the £4,000 cap will continue in AY 2022-23 in recognition of the impact the pandemic continues to have on students' finances and current cost of living pressures.
23. Colleges will continue to have the flexibility to award students the amount they consider necessary based on their assessment of the student's financial situation. There is no maximum number of times that a student can receive assistance from the FEDF throughout the Academic Year.

Assessment of need

24. Colleges should continue to carry out a needs assessment, which should be based on evidence showing the student's net financial position. This evidence can be taken from information which the student has already supplied – for example, details of household income submitted as part of the application for bursary – and students should not be asked to submit duplicate information.

25. Where additional information is required from the student, colleges should take a balanced and proportionate approach when asking for supporting evidence. Colleges should seek the minimum information required, usually the student's latest bank statement(s). Additional supporting evidence may be required where the bank statement does not provide the information required.

Can FEDF be used to purchase items and equipment?

26. The FEDF may be used to purchase items for a student, including course-related materials and equipment. There is no threshold on the amount that colleges can spend on these items. In most cases, the cost of items bought from this Fund will be relatively small.
27. The college may use its discretion to pass ownership to the students, where appropriate. However, colleges are encouraged to deliver best value when purchasing and are encouraged to recycle items where possible.
28. If a student does not complete the course and/or attain the planned qualification, the college may insist that course materials and other items bought using this Fund should remain the property of the college.

Supplementing FEDF

29. A college can choose to add to its FEDF from its own resources as it sees fit.

Carry forward and recovery of unspent funds

30. Colleges cannot carry-forward any unused funds between academic years.
31. The available funds are taken to be the allocation for an academic year (as announced in the relevant annual outcome agreement funding letter with the college). Where appropriate, the available funds also take account of funds received or relinquished as part of SFC's annual in-year redistribution process. Unspent funds are the available funds less the audited spend.
32. Unspent funds for AY 2022-23 will be recovered during AY 2023-24.

Using FEDF for bursaries

33. Colleges may use their FEDF to meet shortfalls in their bursary allocations. Any FEDF used this way must meet the conditions of the bursary policy in full. Colleges cannot use the FEDF to meet bursary needs of students who are not eligible.

Reporting mechanisms and data collections

34. The Chief Executive Officer of each college must ensure that all accounts and records are adequate and there are systems in place to minimise incorrect payments.
35. Colleges are required to complete the student support elements of the FES return to confirm their final spend on student support. The AY 2021-22 FES data return is due on **30 September 2022**. Guidance on completing the FES data returns can be found on the [SFC website](#).
36. Auditors are required to sign off the FES online student support funding report. Colleges should ensure that their auditors receive a copy of:
 - The student support audit guidance.
 - This policy.
 - The national policy for further education bursaries.
 - Their outcome agreement for the relevant year.
37. Colleges may wish to provide their auditors with details of SFC's [student support web pages](#) and SFC student support contact details.
38. Colleges should refer to the Accounts Direction for Scotland's Colleges when presenting information on the student support funds in their annual accounts. The Accounts direction for Scotland's colleges AY 2020-21 can be accessed on the [SFC website](#).

Communication with students

39. This policy has been written for bursary and student support officers within FE colleges. It is the responsibility of the college to ensure that students are familiar with the availability of the FEDF and the procedures they must follow to access funding. We recommend that for communication with their students on student support, colleges publish their own college policy. This will ensure that students receive information that is relevant to their own circumstances and local community.

Further information for student support officers

40. More information for college student support officers can be found on [our website](#).

Conditions of grant

41. It is a condition of grant that colleges allocate FEDF in accordance with the policy set out in this document.

42. General conditions of grant also apply to college funding as set out in SFC's Final Funding Allocations for Colleges in AY 2022-23 [announcement](#).

Further information

43. Please contact the Student Support team, email: studentsupport@sfc.ac.uk.

A handwritten signature in black ink, appearing to read 'Richard Maconachie', is enclosed within a thin black rectangular border.

Richard Maconachie
Director of Finance