

Minister for Higher and Further Education; and
Minister for Veterans
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Education, Children and Young People Committee
The Scottish Parliament
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Dear Convener,

I am writing to confirm the notable changes we are bringing forward regarding the eligibility criteria applied to students who wish to undertake a course of study in Further Education (FE) or Higher Education (HE) in Scotland. These changes are contained in the Education (Fees and Student Support) (Miscellaneous Amendments) (Scotland) Regulations 2024 which are subject to a negative procedure, and were laid in Parliament on 9 May 2024. The provisions contained will come into force on 1 August 2024 for the start of the 2024/25 Academic Year (AY).

Female Afghan Students

From the new academic year, the Scottish Government will provide an exception to our residency criteria to extend support to female Afghan students who have been prevented from continuing their studies in Afghanistan due to the restrictions imposed by the Taliban regime and have been granted a student visa by the Home Office in order to complete their Higher Education in Scotland.

This change is made in recognition of the unique position these students are experiencing as a result of the Taliban policy of discrimination, placing an indefinite ban on women and girls entering and undertaking secondary or tertiary education, and in the expectation that these students may, if able to undertake their Higher Education in Scotland, enter and contribute to Scotland's cultural and economic benefit.

Students qualifying under this exception will be eligible to home fees status and living cost support for the duration of their studies.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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Ukrainian Nationals

From the forthcoming academic year, the Scottish Government will provide an additional exception to our residency criteria for those Ukrainian nationals moving onto the new Home Office scheme, the *Ukrainian Permission Extension Scheme* which is due to be shortly introduced.

Students studying in either Further or Higher Education who are granted leave under the new scheme will remain eligible to home fees status and living cost support for the duration of their studies. This change mirrors support that Ukrainian nationals can currently receive from the Scottish Government whilst studying who have been granted leave under the Homes for Ukraine, Ukraine Family and Ukraine Extension schemes.

Domestic Violence and Domestic Abuse

From the new academic year, the Scottish Government will amend the existing residency criteria regarding Victims of Domestic Violence and Domestic Abuse to extend access to support for students who have been granted leave to enter or remain in the UK under this category. This change is in response to a recent change the Home Office has made to their own rules to address the issue of transnational marriage abandonment (TMA), a form of domestic abuse where the abusive party abandons their partner overseas and their permission to stay in the UK expires and/or they are left without access to their passport/immigration documents, preventing them from returning to the UK.

The Scottish Government has also introduced a change to our residency criteria to insert provision for children of those who have been granted leave to enter or remain as a victim of domestic violence or domestic abuse, following a clarification of the status in which these children are provided by the Home Office.

Students studying in either Further or Higher Education and qualify under this exception will be eligible to home fees status and living cost support for the duration of their studies.

Access to Postgraduate Student Support

From the new academic year, the Scottish Government will amend the eligibility criteria to ensure that students undertaking a postgraduate course in social work are able to access the standard postgraduate loan package from the Student Awards Agency Scotland (SAAS) if they are unable to qualify for bursary support from the Scottish Social Services Council (SSSC). This change will ensure that students undertaking this course of study will only be able to access one form of public funding to support their studies.

Timing of Student Financial Support Payments

From the new academic year, the Scottish Government will amend regulations to provide the option for eligible undergraduate students to receive their student financial support package over the duration of their course or evenly spread over twelve months, meaning they have access to financial support over the summer months. This change follows a successful trial with students who were in receipt of the Care Experienced Bursary (CEB) in academic years 2022/23 and 2023/24.

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Further supplementary information can be found within the Policy Note and Equality Impact Assessments that accompany the regulations.

Yours sincerely,

GRAEME DEY MSP

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