

# THE NHS BURSARY SCHEME

*ELEVENTH EDITION*

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<b>For Recipient's Use</b>	

# THE NHS BURSARY SCHEME

*ELEVENTH EDITION*

***FOR ACADEMIC YEARS THAT BEGIN ON OR  
AFTER 1 SEPTEMBER 2010 AND BEFORE  
1 SEPTEMBER 2011***

## Executive summary

This document provides information about the NHS Bursary Scheme for the academic year starting 2010/11. The NHS Bursary Scheme provides financial support to the following pre-registration healthcare students in training:

- Chiropodist (including podiatrist)
- Dietitian
- Occupational therapist
- Orthopist
- Physiotherapist
- Prothetist and Orthotist
- Radiographer
- Speech and Language Therapist
- Dental Hygienist
- Dental Therapist
- Nurse
- Midwife
- Operating Department Practitioner
- Audiologist
- Medical student (later years of degree)
- Dental student (later years of degree)

This document sets out the rules, criteria and the levels of bursary awards for healthcare students. It is used by the NHS Business Services Authority (NHSBSA) Student Bursaries Unit to assess and pay students. The NHS BSA administers the NHS Bursary Scheme on behalf of the Department of Health. The NHS BSA also publishes information for students and details of how to apply for the NHS Bursary on their website at:

<http://www.nhsbsa.nhs.uk/students>

The NHS Bursary Scheme sets out information in a number of different sections including:

- An introduction to the Scheme
- Which courses attract an NHS Bursary
- An overview of the Scheme, allowances and expenses
- Personal eligibility
- Details of the rules and criteria that are applied when assessing the NHS bursary
- The amount of money that is paid for the NHS Bursary, allowances and expenses

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## SECTION 1

# INTRODUCTION

### PART I

i) The NHS Bursary Scheme (the Scheme) is made pursuant to section 63 of the Health Services and Public Health Act 1968. The Act enables the Secretary of State for Health to pay or arrange for others to pay travelling and other allowances to persons in training having it in contemplation to be employed in the NHS or in local authority social services departments. The Scheme is published and updated by the Department of Health.

ii) The eleventh edition of the NHS Bursary Scheme outlines the support arrangements for the academic years starting on or after 1 September 2010 and before 1 September 2011.

#### **Extent of the NHS Bursary Scheme (the Scheme)**

iii) The NHS Bursary Scheme applies to England.

#### **Academic years**

iv) The NHS Bursary is paid in academic years. An academic year means a year of a course; and, for the purposes of this Scheme, is regarded as the period of 12 months starting on 1<sup>st</sup> January, 1<sup>st</sup> April, 1<sup>st</sup> July or 1<sup>st</sup> September of the calendar year in which the academic year of the course in question begins according to whether that academic year begins on or after 1<sup>st</sup> January and before 1<sup>st</sup> April, on or after 1<sup>st</sup> April and before 1<sup>st</sup> July, on or after 1<sup>st</sup> July and before 1<sup>st</sup> September or on or after 1<sup>st</sup> September and before 1<sup>st</sup> January respectively.

#### **Legislation**

v) The NHS Bursary Scheme is reviewed to ensure that, where appropriate, it complies with legislation and regulations.

#### **Administration of the NHS Bursary**

vi) The NHS Bursary Scheme is administered on behalf of the Secretary of State for Health by the NHS Business Services Authority under *The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Directions 2006* and any subsequent amendments<sup>1</sup>. Details about the administrative process, frequency and method of payments will be made available by the NHS Business Services Authority.

#### **Information about the financial help available to students**

vii) Information about the type and amount of financial support available to students, application forms that can be down loaded, an NHS Bursary calculator and details of the administrative process are available at the NHS Business Services Authority Student Bursaries website at: <http://www.nhsbsa.nhs.uk/students>

#### **Liaison with stakeholders**

viii) The Department of Health does liaison with stakeholders about the Scheme. This includes the Royal College of Nursing, Royal College of Midwives, UNISON, the British Medical

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<sup>1</sup> [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH\\_084211](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH_084211) and [http://www.dh.gov.uk/en/Publicationsandstatistics/Legislation/Directionsfromthesecretaryofstate/DH\\_079137](http://www.dh.gov.uk/en/Publicationsandstatistics/Legislation/Directionsfromthesecretaryofstate/DH_079137)

Association, the Allied Health Professions Federation, the British Dental Association, the National Union of Students, the Department for Business and Skills (BIS), higher education **institutions** and the NHS Business Services Authority Student Bursaries Unit.

### Previous Guidance

ix) This Scheme supersedes all previous editions of the “NHS Bursary Scheme” and has effect for the academic years that start on or after the 1 September 2010 and before 1 September 2011.

### Change of rules for *new* students from 1 September 2007

x) From 1<sup>st</sup> September 2007 there were a number of changes to the NHS Bursary Scheme that affected **new** students who began their training on or after this date. **Existing** and other NHS funded healthcare students who began their training before the 1<sup>st</sup> September 2007 were not affected by the changes that effect **new** students provided they were in attendance on an eligible designated NHS funded courses before 1<sup>st</sup> September 2007.

xi) Henceforth, where different rules apply, students will be referred to as **new** or **existing** which is defined by the start date of their course as outlined in paragraph (x) above.

### Future changes to the NHS Bursary Scheme

xii) Students and prospective students should not rely on the current NHS Bursary Scheme rules and allowances when planning for subsequent academic years these may be subject to new legislation and review in the future and as a result may be liable to change. Further information about the NHS bursary will be posted on the NHS Business Services Authority Student Bursaries website: <http://www.nhsbsa.nhs.uk/students> as and when it is made available. Students are advised to check the website on a regular basis. The Department of Health and NHS Business Services Authority Student Bursaries will accept no responsibility for loss of any type however suffered by students who have relied on current rules and allowances in altering their circumstances (including but not limited to financial circumstances) whether for the current academic year, academic year to begin or indeed for subsequent academic years.

### CONTACTS FOR ENQUIRIES

xiii) If students would like to estimate what their bursary award could be there will be an NHS Bursary calculator on the NHS BSA Student Bursaries website at:

<http://www.nhsbsa.nhs.uk/students>

The contact for enquiries concerning the rules of the NHS Bursary Scheme is:

Sarah Aartse-Tuyn  
Department of Health  
Rm 2W26, Quarry House  
Quarry Hill  
Leeds  
LS2 7UE  
Sarah.aartse-tuyn@dh.gsi.gov.uk

The contact for enquiries concerning the administration of the NHS Bursary is:

Andrena Lauder  
Head of Student Bursaries  
NHS Business Services Authority Student Bursaries  
Hesketh House  
200-220 Broadway  
Fleetwood  
FY7 8SS  
[Alauder@nhspa.gov.uk](mailto:Alauder@nhspa.gov.uk)

## PART II ELIGIBLE COURSES

- i) The NHS Bursary Scheme applies to the following eligible courses that are commissioned from a higher education institution through a contract with a Strategic Health Authority in England:

Pre-registration programmes leading to professional registration in;

- Nursing at Diploma HE academic level
- Midwifery at Diploma HE academic level
- Operating Department Practice at Diploma HE academic level

ii) Henceforth, these courses will be called “diploma courses” and the students on these courses “diploma students” unless the course or student is referred to specifically.

iii) Pre-registration programmes leading to professional registration in;

- Nursing at Degree academic level
- Midwifery at Degree academic level
- Operating Department Practice at Degree academic level, and

All of the courses regardless of level leading to registration in the following professions:

### Allied Health Professions:

- Chiropodists (including podiatrist)
- Dietician
- Occupational Therapist
- Orthoptist
- Physiotherapist
- Prosthetist and Orthotist
- Radiographer
- Speech and Language Therapist

### Professions Complementary to Dentistry:

- Dental Hygienist
- Dental Therapist
  
- Audiologist (courses recognised by the British Academy of Audiology)

iv) Henceforth, these courses will be called “degree courses” and the students on these courses “degree students” unless the course or student is referred to specifically.

### Medical and Dental Students

v) There is no contract in place between Strategic Health Authorities in England and higher education institutions for places on pre-registration courses in medicine and dentistry. Pre-registration students of medicine and dentistry may receive an NHS Bursary during the latter years of their course, if they are personally eligible. Prior to this they may be eligible for support via the BIS Education (Student Support) Regulations (see table below) or one of the other UK countries. Please note that students must check with the relevant student award scheme to confirm their eligibility. To reflect the different administrative arrangements for medical and dental students, each UK country is responsible for its own residents, wherever

they study in the UK. This guidance covers *English domiciled* students who are living in England at the start of the first academic year of their course, who have lived in the UK for 3 years and who have settled status under the immigration laws.

### NHS Bursary Support for English domiciled medical and dental pre-registration students

Type of course/ Year of study ⇒ ↓	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6
Five or more years pre-registration course (including any intercalating years)	BIS / or self fund	BIS	BIS	BIS	NHS Bursary	NHS Bursary
Shortened / accelerated four year pre-registration course for graduates	BIS / or self fund	NHS Bursary	NHS Bursary	NHS Bursary	Not applicable	Not applicable
Shortened / accelerated three year pre-registration course for graduates	BIS / or self fund	NHS Bursary	NHS Bursary	Not applicable	Not applicable	Not applicable

vi) Eligible students undertaking an undergraduate medical or dental course may be eligible for maintenance and tuition fee support for a period of intercalation. Both the support and tuition fee award will normally be for a maximum of twelve months. The maximum intercalation tuition fee award payable is £1,310 for students that started their course before 1 September 2006 and £3,290 for students that started their course on or after 1 September 2006, see Section 3 tables 1 and 11 (pages 44 and 50).

vii) Henceforth, these courses will be called “degree courses” and the students on these courses “degree students” unless the course or student is referred to specifically.

viii) All eligible courses may include:

- (a) one requiring either **full-time** or **part-time** attendance;
- (b) **an international course**;
- (c) a shortened / accelerated course for graduates;
- (d) a postgraduate level course;
- (e) one including a **foundation year**, provided that such year constitutes an integral part of the course as a whole and that students enrol at the outset for its full duration;
- (f) a DipHE or a Cert. HE course intended to enable a person to convert from second to first level registration as a nurse, provided that the person either is registered as a second level nurse or has been so registered and whose registration has lapsed.
- (g) courses at Masters or Graduate/Post-Graduate Diploma academic level that are clearly defined and commissioned as pre-registration programmes that lead to professional registration for the eligible professions within this Scheme.

and, where an institution provides a course which is not eligible but which offers the student an option to convert to an eligible course subsequent to enrolment, the course may be treated as eligible from the date on which that option is exercised.

x) The NHS Bursary is not intended for first level professions covered within this Scheme seeking a second registration within the same field of clinical practice (e.g. nurses seeking a second registration in a branch of nursing/midwifery; dental hygienists seeking a second registration as dental therapist) or for registered healthcare professionals wishing to undertake post registration training courses. Seconded students are not entitled to receive support under the NHS Bursary Scheme.

## **PART III OVERVIEW OF NHS BURSARY**

### **Full Bursary**

i) A full bursary is a bursary awarded in respect of both the tuition fee contribution and maintenance award at whatever level after assessment (including nil).

### **Tuition Fees**

ii) For eligible courses that are commissioned through a contract in place between a strategic health authority and a higher education institution the tuition fees are normally paid in full by the strategic health authority. Only students accepted on an NHS funded place, subject to meeting the eligibility rules as outlined in Part V and the section on “Applying the NHS Bursary Scheme”, will have their tuition fees paid. This includes **EEA / Swiss** students.

iii) Medical and dental students, eligible for NHS Bursary funding, will normally have their tuition fees paid in full. For students who started their course before 1 September 2006 the tuition fee award is £1,310. For those who started on or after 1 September 2006 the tuition fee award is £3,290.

iv) A tuition fees-only bursary is awarded only in respect of the **tuition fee contribution**.

### **The awards and allowances**

v) The NHS Bursary is made up of a number of awards and allowances assessed under the rules of the Scheme. The amount of NHS Bursary awarded to students will depend on their individual circumstances.

### **Ordinary maintenance award**

vi) There are two types of ordinary maintenance award:

- 1) A non-means tested ordinary maintenance award for diploma students
- 2) A means-tested ordinary maintenance award for degree students

vii) The non-means tested ordinary maintenance award applies to eligible diploma courses and is for a 45 week academic year.

viii) The means-tested ordinary maintenance award applies to eligible degree courses and is for an academic year of 30 weeks and 3 days. It is means-tested against the student's, spouse, civil partner, partner or parents' income as relevant to the students' circumstances.

ix) The amount of the ordinary maintenance award will vary subject to where students live whilst studying (e.g. at home with parents, in London or elsewhere other than London) and where their university is situated.

### **Other allowances and awards**

x) There are other allowances and awards available subject to the individual circumstances of the student. The rates for the allowances and awards are in the schedule of NHS Bursary rates in Section 3 of this document. Please note some of the rates will vary depending on whether you are an **existing** or **new** student. The available allowances and awards are:

- Dependents Allowances for child and adult dependents
- Single Parent Allowance (applies to **existing** students only)
- Older Students Allowance (applies to **existing** students only)
- Parent Learning Allowance (applies to **new** students only)
- Clinical placement costs
- Initial Expenses Allowance (applies to diploma students only in their first year of study)
- Extra Week's Allowance for required attendance over 30 weeks and 3 days - a 45 week year attracts a 52 week grant (applies to degree students only).
- Disabled Students Allowances
- Childcare Allowance
- Maternity Award (which allows for students to continue to receive most of their normal NHS bursary payments during periods of authorised absence for pregnancy and maternity purposes for up to 45 weeks)
- Maternity Support (which allows for students who are fathers, nominated carers and partners to continue to receive most of their normal NHS bursary payments during periods of authorised absence for up to 4 weeks in relation to the birth or adoption of their child)
- Adoption Awards (which allows for students to continue to receive most of their normal NHS bursary payments during periods of authorised absence for up to 45 weeks to adopt a child).

## **PART IV**

### **CHANGES TO THE NHS BURSARY SCHEME SINCE THE PUBLICATION OF THE TENTH EDITION**

- i) Further guidance has been provided in Part 2 paragraph (iii) to define the pre and post-graduate programmes that are eligible within the bursary scheme.
- ii) The wording in relation to the spouse or civil partners contribution in paragraph 17(1) has been amended to provide equity.

## PART V

### **PERSONAL ELIGIBILITY**

- i) Pre-registration students of the eligible courses listed in Part II may receive an NHS Bursary if they are personally eligible and are accepted for NHS funded places, either full or part-time, in England. They need to be ordinarily resident in any UK country on the first day of the first academic year of the course (unless exceptions apply), and have been ordinarily resident in the UK and Islands (or in the territory comprising the **EEA** and Switzerland in some cases – see paragraph 2(1)(b) below) throughout the 3 year period preceding the first day of the first academic year of the course. Eligible students should have settled status under the immigration laws unless they are exempt from this requirement (see paragraph 2(1)(d) below).
- ii) Pre-registration students of medicine and dentistry can also receive an NHS Bursary during the later years of their course, if they are personally eligible. To reflect the different administrative arrangements for this group, each UK country is responsible for its own residents, wherever they study in the UK. This guidance covers the administration of the NHS Bursary scheme in England.
- iii) Students whose personal eligibility has been established and who have been authorised by their university to take a break from her studies for maternity purposes are eligible to continue to receive NHS Bursary payments under the maternity allowance for up to 45 weeks.
- iv) A student is not eligible if he is sponsored or seconded by his employer. Students who are ineligible because they have not been recruited to NHS funded places may be entitled to student support from other schemes. Students receiving support from other schemes (apart from the reduced rate student loans mentioned in paragraph 15) cannot get an NHS Bursary as well.
- v) A student is not eligible for an NHS Bursary if the student is a **prisoner**<sup>2</sup> except in respect of the disabled students allowance or an academic year during which the student enters or is released from prison.

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<sup>2</sup> Rules for accessing NHS Bursary support whilst a student is a prisoner mirror the rules for general qualifying conditions for grants and other living costs in the BIS Education (Student Support) Regulations 2008.

## SECTION 2

### APPLYING THE NHS BURSARY SCHEME

#### ELIGIBILITY

1. Subject to the conditions and exceptions set out in this Scheme, a person is eligible for:
  - (a) a full Bursary, in respect of his attendance at or her authorised absence from an eligible course in academic years that begin on or after 1 September 2010 and before 1 September 2011 if:
    - (i) he is **ordinarily resident** in any UK country, or in the case of a medical or dental student in England, on the first day of the first academic year of the course but this requirement does not apply to a person mentioned in paragraph 2(4)(a), (c) or (e) or to a **family member** of such a person; and
    - (ii) his eligibility does not arise only because he is a person mentioned in paragraph 2(4)(a) or a **family member** of such a person;
    - (iii) she has already started a course and has been given authorisation to continue to receive the NHS Bursary whilst taking a break from her studies for maternity purposes.
  - (b) where paragraph 1(a) does not apply, a fees-only Bursary, in respect of such attendance, if he is a person mentioned in paragraph 2(4)(a) or a **family member** of such a person.
2. (1) A person is not eligible for a Bursary in respect of his **attendance** at a course if:
  - (a) it is not an eligible course; or
  - (b) he has not been **ordinarily resident** throughout the 3 years preceding the first day of the first academic year of his course ("**the prescribed period**") in the UK and **Islands**, or, in the case of a person mentioned in paragraph 2(4)(a) to (g), (i) or (j), in the territory comprising the **EEA** and Switzerland or in the case of a person mentioned in paragraph 2(4)(k), in the territory comprising the **EEA**, Switzerland and Turkey; or
  - (c) his residence in the area in question, except, in the case of a person mentioned in paragraph 2(4)(b) to (e), (g) to (k) or a family member of a person mentioned in paragraph 2(4)(b) to (e) has not during any part of the prescribed period been wholly or mainly for the purposes of receiving **full-time education**;
  - (d) he is not **settled in the UK** on the first day of the first academic year of his course, unless he is a person mentioned in paragraph 2(4)(a) to (f) or (h) to (k);
  - (e) in the case of a person mentioned in paragraph 2(4)(g), (h), or (j) whose residence in the area in question during the period referred to in paragraph 2(1)(b) was wholly or mainly for the purposes of receiving **full-time**

**education**, he was **ordinarily resident** in the territory comprising the **EEA** and Switzerland immediately before the period of **ordinary residence** referred to in paragraph 2(1)(b).

(2) Paragraphs 2(1)(b) to (d) do not apply to:

- (a) a person who is a **refugee** who is **ordinarily resident** in the UK and **Islands** and who has not ceased to be so resident since he was recognised as a **refugee**;
- (b) a person -
  - (i) who is the spouse or **civil partner** of a **refugee**; and
  - (ii) who was the spouse or **civil partner** of the **refugee** on the date on which the refugee made his application for asylum; and
  - (iii) who is **ordinarily resident** in the UK and **Islands** and who has not ceased to be so resident since he was given **leave to enter or remain** in the UK;
- (c) a person –
  - (i) who is the **child** of a **refugee** or the **child** of the spouse or **civil partner** of a **refugee**; and
  - (ii) who, on the date on which the **refugee** made his application for asylum, was the **child** of the **refugee** or the **child** of a person who was the spouse or **civil partner** of the **refugee** on that date; and
  - (iii) who is **ordinarily resident** in the UK and **Islands** and who has not ceased to be so resident since he was given **leave to enter or remain** in the UK;

and paragraph 2(1)(d) does not apply to -

- (d) a person with **leave to enter or remain** in the UK;
- (e) a person –
  - (i) who is the spouse or **civil partner** of a person with **leave to enter or remain** in the UK; and
  - (ii) who was the spouse or **civil partner** of the person with **leave to enter or remain** on the date on which that person made his application for asylum;
- (f) a person –
  - (i) who is the **child** of a person with **leave to enter or remain** or the **child** of the spouse or **civil partner** of a person with **leave to enter or remain**;
  - and
  - (ii) who, on the date on which the person with **leave to enter or remain** made his application for asylum, was the **child** of that person or the **child** of a person who was the spouse or **civil partner** of the person with **leave to enter or remain** on that date.

- (3) Paragraph 2(1)(c) does not apply to:
- (a) a person who is settled in the UK by virtue of having acquired the right of permanent residence provided that the person was **ordinarily resident** in the territory comprising the **EEA** and Switzerland immediately before the period of **ordinary residence** referred to in paragraph 2(1)(b);
  - (b) a person who is treated as being **ordinarily resident** in the **UK, UK and Islands** or the territory comprising the **EEA** and Switzerland in accordance with paragraph 2(5).
- (4) The person to whom this sub-paragraph applies is:
- (a) a person who is an **EC national** on the first day of the first academic year of the course and is attending an eligible course in England;
  - (b) an **EEA migrant worker** or an **EEA self-employed person**;
  - (c) an **EEA frontier worker** or an **EEA frontier self-employed person**;
  - (d) a **Swiss employed person** or a **Swiss self-employed person**;
  - (e) a **Swiss frontier employed person** or a **Swiss frontier self-employed person**;
  - (f) a **family member** of a person mentioned in (a) to (e);
  - (g) a person who is **settled** in the UK and has left the UK and exercised a **right of residence** after having been **settled** in the UK;
  - (h) a person who is an **EC national**, other than a UK national, on the first day of the first academic year of the course and has been **ordinarily resident** throughout the **prescribed period** in the **UK and Islands**;
  - (i) a person who is entitled to support by virtue of Article 12 of Council Regulation (EEC) No. 1612/68 on the freedom of movement of workers, as extended by the **EEA Agreement**;
  - (j) a person who is the **child** of a Swiss national who is entitled to support in the UK by virtue of article 3(6) of Annex 1 to the Swiss Agreement;
  - (k) a person who is the **child** of a **Turkish worker**.
- (5) For the purposes of this Scheme, a person is treated as being **ordinarily resident** in the UK, the UK and **Islands**, the territory comprising the **EEA** and Switzerland or the territory comprising the **EEA**, Switzerland and Turkey as the case may be, if **the authority** are satisfied that he would have been so resident at the relevant time but for the fact that he, his **spouse** or **civil partner**, **parent** or, in the case of a dependent direct relative in the ascending line, his child or child's **spouse** or **civil partner** is or was, temporarily employed outside the area in question. For the purposes of the foregoing, temporary employment outside the UK, the UK and **Islands**, or the territory comprising the **EEA** and Switzerland or the territory comprising the **EEA**, Switzerland and Turkey shall include:
- (a) in the case of members of the regular military, naval or air forces of the Crown any period which they serve outside the UK as members of such forces;
  - (b) in the case of members of the regular armed forces of an **EEA State** or Switzerland, any period which they serve outside the territory comprising the **EEA** and Switzerland as members of such forces; and

(c) in the case of members of the regular armed forces of Turkey, any period which they serve outside of the territory comprising the **EEA**, Switzerland and Turkey as members of such forces.

(6) A person who is **ordinarily resident** in the UK as a result of having moved from the **Islands** for the purpose of attending his eligible course, or a previous higher education course which, disregarding any intervening vacation, he was attending immediately before his eligible course, is to be considered as **ordinarily resident** in the Islands.

3. A person is not eligible for a Bursary:

- (a) in respect of his attendance at a course if he has, in the opinion of **the authority**, after consulting the **academic authority** and the **commissioner**, shown himself by his conduct to be unfitted to receive one; or
- (b) if he is in breach of any obligation to repay an overpayment of Bursary; or
- (c) in respect of any period during which he is an **Assisted Student**,
- (d) if he is a prisoner with the exception of the disabled students allowance or an academic year during which the student enters prison or is released from prison

provided, however, that a person's previous receipt of a **statutory award** or his previous attendance at a course of **higher education** does not of itself preclude the award of a Bursary.

4. (1) Subject to paragraphs 3, 17, 20(3) and 22, a Bursary in respect of any **year** for which it is payable shall comprise a **tuition fee contribution** at the rate specified in Tables 1 and 11 in the schedule of NHS Bursary rates in Section 3, and, where it is a full Bursary:

- (a) in respect of a diploma student, a maintenance grant in respect of his maintenance requirement, and allowable costs in respect of disability and his requirements under paragraph 6(6).
- (b) in respect of any other student, a maintenance grant, being:
  - (i) the amount by which his resources fall short of his maintenance requirement; and
  - (ii) his allowable costs in respect of disability and his requirements under paragraph 6(6)

(2) So much of the maintenance grant as appears to **the authority** appropriate shall be treated as being in respect of the Christmas and Easter vacations.

(3) The maintenance requirements mentioned in paragraph 4(1) are the aggregate of such of the amounts for:

- (a) ordinary maintenance;
- (b) supplementary maintenance;
- (c) clinical placement costs;
- (d) dependants' allowances;
- (e) childcare allowance;
- (f) older students' allowance (applicable to *existing* students)
- (g) initial expenses allowance
- (h) single parent allowance (applicable to *existing* students)
- (i) parent learning allowance (applicable *new* students)

as are applicable to the student's case.

- (4) The resources of the student mentioned in paragraph 4(1) are the aggregate of his income for the year and any parental contribution or contribution from a spouse, **civil partner** or partner applicable to his case.

## THE NHS BURSARY AWARDS, ALLOWANCES AND REQUIREMENTS

### Maintenance Requirement

#### Ordinary Maintenance

5. (1) The maintenance requirements of a student mentioned in paragraph 4(3) include this requirement for ordinary maintenance during:
- (a) any period while he is **attending** the course;
  - (b) the Christmas and Easter vacations,
  - (c) authorised absence from courses for maternity, maternity support, adoption and sickness absence purposes

and the amount of that requirement (“the ordinary maintenance requirement”) is determined in accordance with this paragraph, and at rates specified in Tables 2 and 12 in the schedule of NHS Bursary rates in Section 3 which are applicable to his case.

- (2) Where the ordinary maintenance requirement differs in respect of different parts of the year, the ordinary maintenance requirement for that year is the aggregate of the proportionate parts of those differing requirements.
- (3) This sub-paragraph applies in the case of:
- (a) a student who does live at his parents’ home but whose parents by reason of age, incapacity or otherwise cannot reasonably be expected to support him and in respect of whom **the authority** are satisfied that in all the circumstances the ordinary maintenance requirement specified here is appropriate.
  - (b) In the case of such a student, the ordinary maintenance requirement is at the “Elsewhere” rate, except that:
    - (i) where he attends a course at the University of London or at an institution within the area comprising the City of London and the **Metropolitan Police District**, it is at the “London” rate (the London rate is not payable to a student who lives (or is treated as living) at his parents’ home, unless paragraph 5(3)(a) applies); and,
    - (ii) where he attends for a period of at least 8 weeks, and as a necessary part of his course, an overseas institution, it is at the “Overseas” rate appropriate to the country concerned. For the overseas rate to be payable, a student’s attendance at an overseas institution must constitute “a necessary part of his course”. This does not mean it must be compulsory for all students (they may, for example, have to choose between options, one of which is a course requirement). The authority should be satisfied that if he did not undertake it he would not be eligible to complete the course. Where attendance is necessary, but below 8 weeks, the “Elsewhere” rate and associated allowable travel expenses are payable. Where it is not necessary, the rate appropriate to

attendance at the home institution (but not overseas travel expenses) remains payable.

## Supplementary Maintenance

6. (1) A student's maintenance requirements mentioned in paragraph 4(3) include his requirement for supplementary maintenance in the cases and for the periods allowed here, and the amount of that requirement ("the supplementary maintenance requirement") is determined in accordance with this paragraph and at the rates specified in Tables 3 and 13 in the schedule of NHS Bursary rates in Section 3 which are applicable to his case.
- (2) Subject to paragraph 6(5), this paragraph applies to a student, other than a diploma student, who has in any academic year attended his course for a period of 30 weeks and 3 days, and in that year attends that course for a further period
- (3) The supplementary maintenance requirement of such a student in respect of each week and any part week comprised in the excess period is:
- (a) In the case of a student, other than one mentioned in paragraph 5(3)(a), who is living at his parents' home
  - (b) in the case of any other student, at the "Elsewhere" rate, except that, where he attends a course:
    - (i) as described in paragraph 5(3)(b)(i), it is at the "London" rate; and
    - (ii) as described in paragraph 5(3)(b)(ii), it is at the "**Overseas**" rate appropriate to the **country concerned**.
- (4) This sub-paragraph applies to a student who attends his course for a period of not less than 45 weeks in any continuous 52 week period. In respect of each aggregate period of a complete week, or part week, for which he does not attend his course in the 52 week period in question, his supplementary maintenance requirement is determined in accordance with paragraph 6(3).
- (5) This sub-paragraph applies to a diploma student whose ordinary maintenance is at the "Home" or the "Elsewhere" rate and who undertakes a period of residential study for the purposes of paragraph 7(1)(b) within the area specified in paragraph 5(3)(b)(i). The supplementary maintenance requirement of such a student in respect of each week and any part week of such a period is at the "London" rate.

## Clinical Placement Costs

7. (1) A student's maintenance requirements mentioned in paragraph 4(3) include his requirement in respect of clinical placement costs. A student's clinical placement requirement comprises his additional travelling costs. This includes:
- i) additional travelling costs incurred within the UK in attending premises which are not part of the institution, such as some clinical placement sites, or, where the site is too distant for daily travel, the *greater* of the essential costs of retaining the student's term-time accommodation and his temporary accommodation subject to the reimbursable cost of the clinical placement

accommodation being limited at no more 10% above the cost of the term-time accommodation; and

ii) reimbursement of travel costs incurred in travelling from the clinical placement accommodation to the clinical placement site providing the cost is in excess of the students' normal daily travel costs from term-time residence to college; and

(iii) additional travelling costs incurred within or outside the UK where the student attends an overseas institution as a necessary part of his course, plus essential associated costs, such as medical insurance, tests and visas.

It excludes:

(iv) the normal costs that his basic Bursary is intended to cover: for students living at home, this would be daily travelling costs to and from the institution. For others, it would be daily travelling costs between their term-time home and the institution, plus return journeys between their term-time and permanent homes within the UK;

The costs in (i), (ii) and (iii) are reimbursable, within permitted limits. Students can claim the gross cost of journeys between their term-time residence and a clinical placement site providing the cost is in excess of their normal daily travel costs from their term-time residence to their college. The student's clinical placement requirement is added to the rest of his maintenance requirement and, except for diploma students, is means tested in the normal way. This means that, where an assessed parental, spouse's, **civil partner's** or student's contribution exceeds the total grant payable, the excess is set against any additional allowance for which the student becomes eligible during the year. Costs arising from a student's disability, including travel costs, are not means tested and are excluded from the clinical placement requirement.

The amount of the clinical placement costs is determined in accordance with this paragraph and subject to the maxima specified in Tables 4 and 14 in the schedule of NHS Bursary rates in Section 3 which are applicable to each student.

(2) A student's clinical placement requirement is the aggregate amount of expenditure he is obliged to incur for the purposes specified in paragraphs 7(1), 7(4) and 7(5), in each case excluding any expenditure for which an allowance is payable under paragraph 11(1)(c); provided that, where a period of study outside the UK, whether or not at an overseas institution, is not a necessary part of his course, so much of his expenditure for the purpose of attending that period of study as was:

- (a) incurred outside the UK; or
- (b) incurred within the UK in respect of a journey between a port or airport within the UK and a place outside the UK, or of a benefit to be enjoyed outside the UK,

is not part of his clinical placement requirement.

(3) In this paragraph, any reference to expenditure incurred for the purposes of attending an institution or a period of study includes expenditure both before and after so attending.

(4) This sub-paragraph applies to a student who reasonably incurs expenditure in insuring against liability for the cost of medical treatment provided outside the UK for any illness or bodily injury contracted or suffered during a period of study, undertaken as a necessary part of his course, outside the UK or in meeting other mandatory conditions associated with such a period (in connection, for example, with visas and medical examinations). The clinical placement requirement of such a student is increased by the amount so incurred.

(5) This sub-paragraph applies to a student who is obliged to incur additional residential accommodation costs for the purposes of attending such a period of study as is mentioned in paragraph 7(1)(b). The clinical placement requirement of such a student in respect of such a period is increased by the *greater* of the costs he reasonably incurs in:

- (a) retaining the accommodation he uses for the purpose of attendance at the institution, and
- (b) securing the accommodation he uses for the purpose of attendance as described in paragraph 7(1)(b),

subject to the reimbursable cost of the clinical placement accommodation being limited at no more than 10% above the cost of the term-time accommodation, in lieu of the costs of daily travel between the places where those accommodations are situated. It may also include the cost of a maximum of one weekly return journey between those places. Costs incurred in travelling from the clinical placement accommodation to the clinical placement site are reimbursable providing the cost is in excess of the students' normal daily travel costs from their term-time residence to their college.

Students who normally live in the parental home and therefore receive the "Home" rate, may also be reimbursed for reasonable and necessary costs incurred in securing accommodation at a clinical placement site.

Students living in the parental home whilst attending a clinical placement are unable to claim additional accommodation costs

(6) The costs to which this paragraph relates must be reasonably and necessarily incurred. The **authority**, in consultation as appropriate with the **academic authority**, should satisfy themselves that the mode and class of travel used is appropriate, and, in particular, that, wherever reasonably practicable, the student travels by the most direct route by public transport and avails himself of the most favourable concessionary schemes or of facilities provided free at the point of use. Where the use of the student's own vehicle appears to them to be appropriate in all the circumstances, reimbursement is subject to the maxima specified in Tables 4 and 14 in the schedule of NHS Bursary rates in Section 3. For the purposes of this paragraph, a period of study by way of clinical training should be construed as that part of the course which constitutes supervised practice. Commissioners are asked to ensure that, wherever reasonably practicable, travel expenditure on short educational and observational visits incurred as part of the

theoretical element of the course is treated as part of the institutional costs, rather than falling to the individual student.

## Dependants' Allowance

8. A dependent adult, child, spouse or civil partner is one who is wholly or mainly financially dependent on the student.

(1) Subject to paragraph 9, a student's maintenance requirements mentioned in paragraph 4(3) include his requirement for the maintenance of dependants during the year, and the amount of that requirement ("the dependants' requirement") is determined in accordance with this paragraph and with the rates and disregards specified in Tables 5 and 15 in the schedule of NHS Bursary rates in Section 3 which are applicable to his case. In this paragraph:

"Adult dependant" in relation to a student, means an adult person **dependent** on him, not being his **child**, his spouse (whether or not ordinarily living with him), **civil partner** or a person living with him as his spouse or his former spouse or **civil partner**, subject however to paragraphs 8(2) and (3);

"Dependant" in relation to a student, means his dependent child, his spouse, **civil partner**, or an adult dependant, subject however to paragraphs 8(2) and (3);

"Spouse" for *existing* students includes, in the case of an eligible student (whose course started on or after 1 September 2002 and who has attained the age of 25 years on or before the first day of the **academic year** for which a parental contribution is applicable)), a **partner**. It does not include a spouse of an eligible student if they have ceased ordinarily to live together, in the case of a married student or a student in a **civil partnership** whether or not an order for their separation has been made by any court.

"Spouse" for *new* students includes, in the case of an eligible student a **partner**. It does not include a spouse of an eligible student if they have ceased ordinarily to live together, in the case of a married student or a student in a **civil partnership** whether or not an order for their separation has been made by any court.

(2) A person, including the student's spouse or **civil partner**, is not treated as his dependant during any period for which that person:

(a) holds a **statutory award**; or

(b) save for the purposes of paragraph 8(6), is ordinarily living outside the UK.

(3) A person is not treated as the student's adult dependant or his dependent child:

- (a) in the case of a person other than the child of a student, if his **net dependant's income** exceeds, by the amount of the "general disregard" or more, the "Spouse" rate;
  - (b) in the case of the child of a student who either has a spouse/**civil partner** who is, or but for paragraph 8(2) would be, his dependant or has an adult dependant, if his net dependant's income so exceeds:
    - for *existing* students - the "Child" rate applicable to his age;
    - for *new* students – the "Child" rate.
  - (c) in the case of the child of a student not falling within sub-paragraph (b), unless -
    - (i) the child is the only or first dependent on the student whose net dependant's income does not so exceed the "Spouse" rate; or
    - (ii) the child's net dependant's income does not so exceed:
      - for *existing* students - the "Child" rate applicable to his age;
      - for *new* students – the "Child" rate.
- (4) This sub-paragraph applies to a student with dependants. The dependants' requirement of the student, subject to sub-paragraphs 8(5) and (6), is:
- (a) if the student's spouse or **civil partner** holds a **statutory award**, and in calculating payments under it account is taken of the spouse or **civil partner's** dependants' requirement, one half of the amount determined in accordance with paragraph 8(4)(c), or, where that award is held in respect of a part-time course, such greater proportion (if any) as the authority consider just; and,
  - (b) in any other case, the whole amount so determined.
  - (c) the amount referred to in paragraph 8(4)(b) is the amount which is  $X - (Y - Z)$  where:
    - (i) X is the aggregate of the dependants' rates specified in Tables 5 and 15 in the schedule of NHS Bursary rates in Section 3 which are applicable to his case; and
      - (ii) Y is the aggregate of the **net dependant's income** of the student's dependants; and
      - (iii) Z is so much of the sum ascertained by multiplying the amount of the "general disregard" so specified by the number of his dependants as does not exceed Y.
- (5) Where the student's dependants' requirement differs in respect of different parts of a year, his dependants' requirement for that year is the aggregate of the proportionate part of those differing requirements.
- (6) This sub-paragraph applies to a student who maintains any dependant outside the UK. Notwithstanding anything in the rest of this paragraph, the dependants' requirement of the student shall be of such amount, if any, as the authority consider reasonable in all the circumstances, not exceeding the amount determined in accordance with this paragraph.

### Allowance for Single Students with Dependants

(This allowance is only applicable to *existing* students)

9. (1) Sub paragraphs 9(1), (2) and (3) apply to a student who does not ordinarily live with a spouse or **civil partner** or with another as a spouse.\*
- (2) This sub-paragraph applies to a single student with **dependants** within the meaning of paragraph 8. In the case of such a student:
- (a) the amount of the Standard Disregard mentioned in paragraph 13(2)(a) is increased as specified in Table 8 in the schedule of NHS Bursary rates in Section 3; or
  - (b) his dependants' requirement as determined under paragraph 8(4) is increased by the amount of the "Single Parent's Addition" specified in Table 5 in the schedule of NHS Bursary rates in Section 3; or
  - (c) in the case of a student to whom paragraph 10(2) applies, his requirements are treated as including the amount specified in Table 6 in the schedule of NHS Bursary rates in Section 3 applicable to his case,

whichever is the most favourable to him (disregarding paragraph (b) where, in pursuance of the following sub-paragraph, he elects as there mentioned).

(3) This allowance is a single payment made each year. . It applies to a student with one or more **child** dependants. under the age of 19 years. Such a student may elect that his dependants' requirement as determined under paragraph 8(4) shall be disregarded, and that instead there shall in calculating his income be disregarded the amounts specified in Table 8 in the schedule of NHS Bursary rates Section 3 as "Single Parent Disregards" .

### Parents' Learning Allowance

(This allowance is only applicable to *new* students)

- (4) Sub paragraphs 9(4) and (5) apply to a student who has one or more child dependents. In the case of such a student:
- (a) the amount of the Standard Disregard mentioned in paragraph 13(2)(a) is increased as specified in Table 18 in the schedule of NHS Bursary rates in Section 3; or
  - (b) his dependants' requirement as determined under paragraph 8(4) is increased by the amount of the "Parent Learning Allowance" specified in Table 15 in the schedule of NHS Bursary rates in Section 3; or

whichever is the most favourable to him (disregarding paragraph (b) where, in pursuance of the following sub-paragraph, he elects as there mentioned).

(5) This allowance is a single payment made each year. . It applies to a student with one or more **child** dependants under the age of 19 years. Such a student may elect that his dependants' requirement as determined under paragraph 8(4) shall be disregarded, and that instead there shall in calculating his income be disregarded the amounts specified in Table 18 in Section 3 as "Parent Learning Allowance Disregards" .

### Older Students' Allowance

(The Older Students' allowance is only applicable to *existing* students)

10. (1) The maintenance requirements of a student mentioned in paragraph 4(3) include a requirement in respect of older students determined in accordance with this paragraph and at the rates specified in Table 6 in the schedule of NHS Bursary rates which are applicable to his case.
- (2) This sub-paragraph applies a student who:
- (a) has attained the age of 26 before the first **academic year** of the course in respect of which a Bursary falls to be paid; or who,
  - (b) being a diploma student, attends an eligible course which is an accelerated programme for graduates.

The requirement of such a student is increased by the amount of the older students' rate applicable to his case.

### Initial Expenses Allowance

- (3) This sub-paragraph applies to a diploma student. The requirement of such a student is increased in respect of the first year of his course by the amount of the initial expenses rate as specified in tables 6 and 16 in the schedule of NHS Bursary rates in Section 3.

### Disabled Students' Allowances

11. (1) The allowable costs mentioned in paragraph 4(1)(b)(ii) comprise such amounts, subject to the maxima specified in Tables 7 and 17 in the schedule of NHS Bursary rates in Section 3, in respect of:
- (a) a non-medical personal helper as the authority consider appropriate, not exceeding the "Helper" rate; and of
  - (b) major items of specialist equipment as the authority consider appropriate, not exceeding, in respect of all the **academic years** for which the student is eligible for a Bursary, the "Equipment" rate, or, where payments in respect of such equipment have been made in pursuance of a **statutory award** which has been awarded in a previous year and which continues, not exceeding that rate less the amount of those payments; and of
  - (c) travel expenditure incurred within the UK for the purposes of attending the institution, and within or outside the UK for the purposes described in paragraph 7, as the authority consider appropriate; and of
  - (d) any other expenditure including expenditure incurred for the purposes of sub-paragraphs (a) and (b) which exceed the maxima specified therein as the authority consider appropriate, not exceeding the "other costs" rate,

if the authority are satisfied in each case that the student by reason of a disability to which he is subject is obliged to incur additional expenditure in respect of his attendance at the course.

(2) In this paragraph and in paragraphs 5 to 10, any reference to a requirement expenditure or attendance in respect of which no period of time is specified shall, unless the context requires otherwise, be construed as a reference to a requirement, expenditure or attendance for the year.

## CHILDCARE ALLOWANCE

12. (1) A student's maintenance requirements mentioned in paragraph 4(3) include his requirement for the provision of registered or approved or other specified childcare providers for dependent children<sup>3</sup>. The amount of that requirement is determined in accordance with this paragraph and with the rates and disregards that are applicable to his case.
- (2) In respect of this paragraph a child is dependent if he is:
- (a) under age 15 on the first day of the academic year
  - (b) under age 17 and registered with special educational needs on the first day of the academic year
- (3) Registered childcare means childcare providers registered under the Childcare Act 2006 on the registers operated by Ofsted: the Early Years Register and the General Childcare Register.
- (4) The following specified childcare providers are included within the Childcare Allowance:
- (a) childcare provided by out-of-school-hours clubs on school premises and run by a school or local authority
  - (b) childcare provided in the child's own home by a care worker or nurse from an agency registered by the Commission for Social Care Inspection under the Care Standards Act who is expected to comply with the Domiciliary Care Agencies Regulations 2002 or the Nurses Agencies Regulations 2002 as appropriate
- (5) No allowance will be payable:
- (a) where the student, spouse, civil partner or partner is in receipt of the childcare element of Working Tax Credit
  - (b) where the student is in receipt of fees only by virtue of being a person mentioned in paragraph 2(4)(a) or a **family member** of such a person
  - (c) in respect of normal education provided by local authority, religious and private schools
  - (d) in respect of free early years education provided by the local authority
  - (e) where the student's spouse, partner, civil partner is the registered childcare provider for the student's child and has **parental responsibility** for that child

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<sup>3</sup> Definitions of eligible childcare are usually aligned with those issued by HM Revenue and Customs

- (f) where childcare is provided by someone who has **parental responsibility** for the child or children being care for or who is a **relative** and the childcare takes place in the child's own home
- (g) where childcare is provided by a **relative** of the child or children who is caring for that child away from the child's own home and the care is solely for that child
- (h) where childcare is not being provided by a registered provider except that falling under definitions given in paragraphs 12(3) and (4).

(6) This sub-paragraph applies to students with dependent children. The childcare requirement of the student, following confirmation by the childcare provider is determined as 85% of the registered or approved childcare costs subject to a maximum childcare cost of £149 per week for one child and £221 per week for two or more children. Where this paragraph applies the childcare allowance will be reduced by X as determined by paragraph 8 (4)(c) where X is a negative amount.

(7) To ensure that students receive correct Childcare Allowance payments, the NHS Student Bursaries Unit will need receipts for the childcare provision. More information about the process for returning receipts is available on the NHS Student Bursaries website at: <http://www.nhsbsa.nhs.uk/students>

## ASSESSING INCOME AND RESOURCES

### Student's Income

13. (1) Subject to paragraph 9, the student's income mentioned in paragraph 4(4) is calculated in accordance with this paragraph, and is disregarded to the extent specified in Tables 8 and 18 in the schedule of NHS Bursary rates in Section 3.

(2) In calculating the student's income his income (**reduced by income tax** and social security contributions) from all sources and any payment mentioned in paragraph 13(2)(b), whether or not it is income, is taken into account, but the following resources are disregarded:

- (a) by the amount of the Standard Disregard, any income other than:
  - (i) his **exempt income**; and
  - (ii) income of a kind mentioned in paragraph 13(2)(b), (c) (d) and (e); and
  - (iii) any sum treated as income under sub-paragraph (5); and,
- (b) by the amount of the Sponsorship Disregard, any payment by way of:
  - (i) scholarship, studentship, exhibition, award, grant, allowance or benefit, however described, payable in connection with the student's attendance on the course (under a sponsorship scheme or otherwise), not being an award under the Education Act 1962, the Teaching and Higher Education Act 1998, or this Scheme; and
  - (ii) in the case of a student in gainful employment, by way of remuneration paid in respect of any period for which he has leave of absence or is relieved of his normal duties for the purpose of attending the course; and
  - (iii) in the case of a student attending a part-time course, remuneration for work done during any year thereof; and,
- (c) by the amount of the Trust Disregard, in the case of a student in whose case a parental , spouse's or **civil partner's** contribution would be applicable but for the fact that he has no parent living, or who is such an **exempt student**, any income which is applied or any payments which are required to be applied for or towards his maintenance, education or other benefit under any trust deed or other instrument or under any applicable legislation; and,
- (d) by the amount of the Pension Disregard, any pension, allowance or other benefit payable by reason of a disability or incapacity to which the student is subject, his old age, retirement, any war widow's or war widower's pension, the death of his spouse, **civil partner**, parent or other person on whom he was **dependent**, or by reason of his military or other public service.
- (e) For *existing* students - by the amount of the Independent Single Student Disregard, if a parental contribution does not apply as the eligible student has attained the age of 25 years on or before the first day of the first **academic year** for which a parental contribution is applicable,,\*or where a spouse or **civil partner's** contribution does not apply under paragraph 17 of this guidance,

income of any description other than any sum treated as income under paragraph 13(5). Income may be disregarded under more than one of sub-paragraphs 13(2)(a) to (e).

- (f) For *new* students - by the amount of the Independent Single Student Disregard or where a spouse or **civil partner**'s contribution does not apply under paragraph 17 of this guidance, income of any description other than any sum treated as income under paragraph 13(5). Income may be disregarded under more than one of sub-paragraphs 13(2)(a) to (f).

(3) Where a student makes any mortgage or rent payments which he previously made under an obligation incurred before the first **academic year** of his course, there shall be deducted from his income:

- (a) if, in the **authority's** opinion, the mortgage or rent obligation had been reasonably so incurred, an amount equal to the payment in question;
- (b) if, in their opinion, only a lesser mortgage or rent obligation could have been reasonably so incurred, such correspondingly lesser amount (if any) as appears to them appropriate,

except that no deduction shall be made from the income of a student where his spouse, **civil partner**, partner or child is a dependant for the purpose of paragraph 8 and the payment is already taken into account in determining the spouse, **civil partner**, partner or child's income.

(4) Where an eligible student makes any payment for the maintenance of his child or former spouse or former **civil partner** by virtue of any agreement, instrument or enactment, the amount of such payment shall be deducted in calculating his income.

(5) Where the student is the parent or step-parent of the holder of a **statutory award** in respect of whom a parental contribution is ascertained under the **Regulations** or this Scheme, *or of a child who holds an award in respect of which a parental contribution is applicable*, so much of the amount (if any) by which the contribution is reduced under paragraph 14(5) as the authority consider just shall be treated as part of the student's income.

(6) Where the student receives income in a currency other than sterling, the value of the income shall be:

- (a) if he purchases sterling with the income, the amount of sterling he receives for it; otherwise
- (b) the value of the sterling which the income would purchase using the rate for the month in which it is received as published by the Office for National Statistics in "Financial Statistics".

## Parental Contribution

### Application

14. (1) The parental contribution mentioned in paragraph 4(4):
- (a) is determined in accordance with paragraphs 14 to 16, and is applicable to every student who is not an independent student, at the rates specified in Tables 9 and 19 in the schedule of NHS Bursary rates in Section 3 which are applicable to his case; and, in those paragraphs,
  - (b) “gross income” has the meaning assigned to it by paragraph 15; and
  - (c) “residual income” means, subject to sub-paragraph 14(2), the balance of gross income remaining in any year after the deductions specified in paragraph 16 have been made.
- (2) Where, in a case not falling within paragraph 15(2) and (3), the authority are satisfied that the **income of a student’s parent** in any **financial year** is, as a result of some event beyond his control, likely to be, and to continue after that year to be, not more than 85% of his income in the financial year preceding that year, they may, for the purposes of enabling the student to attend the course without hardship, ascertain the parental contribution for the year of his course in which the event occurred by taking as the residual income the average of the residual income for each of the financial years in which that year falls.
- (3) Where the student’s **parent** satisfies the authority that his income is wholly or mainly derived from the profits of a business or profession carried on by him, then, if the authority and the parent agree, any reference in paragraphs 14 to 16 to a financial year shall be treated as a reference to a year ending with such date as the authority consider expedient, having regard to the accounts kept in respect of that business or profession and the periods they cover.
- (4) Where a parent is in receipt of any income which does not form part of his **taxable income** by reason only that:
- (a) he is not resident, **ordinarily resident** or domiciled in the UK, or, where the parent’s income is computed as for the purposes of the income tax legislation of another member State of the **EU**, not so resident, **ordinarily resident** or domiciled in that member State; or
  - (b) the income does not arise in the UK, or, where the parent’s income is computed as for the purposes of the income tax legislation of another member State of the **EU**, does not arise in that member State; or
  - (c) the income arises from an office, service or employment, income from which is exempt from tax under any legislation,
- his income for the purposes of paragraphs 14 to 16 shall be computed as though the income first mentioned in this sub-paragraph were part of his **taxable income**.
- (5) For any year in which a **statutory award** is held by:
- (a) more than one **child** of the parent;

- (b) the parent; or
- (c) the student's step-parent,

the parental contribution shall be such proportion of any contribution ascertained in accordance with paragraphs 14 to 16 as the authority consider just; provided that, where a contribution is ascertained in respect of more than one child of the parent, the authority do not apply a contribution which exceeds the amount of the award.

## Gross Income

15. (1) Subject to the provisions of this paragraph, "gross income" means the **income of the student's parent** in the **preceding financial year** or, for the purpose of calculating residual income under paragraph 14(2), in the financial year mentioned there.
- (2) Where the authority are satisfied that the sterling value of the income of the student's parent in the **current financial year** is likely to be not more than 85% of the sterling value of his income for the preceding financial year, they may for the purpose of calculating the parental contribution ascertain the gross income by reference to the current financial year; and in such a case they may treat the current financial year as if it were the preceding financial year, and similarly in respect of any subsequent year.
- (3) Where
- (a) one of the student's parents dies either before or during the year in respect of which the student's resources fall to be ascertained ("the relevant year"); and
  - (b) that parent's income has been or would be taken into account for the purpose of determining the parental contribution,
- that contribution shall -
- (c) where the parent dies before the relevant year, be determined by reference to the income of the surviving parent; or
  - (d) where the parent dies during the relevant year, be the aggregate of:
    - (i) such proportion of the contribution determined by reference to the income of both parents as the part of the relevant year during which both parents were alive bears to the full year, subject to a maximum of the same proportion of the student's maintenance requirement; and
    - (ii) such proportion of the contribution determined by reference to the income of the surviving parent as the part of the relevant year remaining after the parent dies bears to the full year, subject to a maximum of the same proportion of the student's maintenance requirement.
- (4) Without prejudice to sub-paragraph 15(5), where, under any trust deed or other instrument or under any applicable legislation, any income is applied by any person for or towards the maintenance, education or other benefit of the student or of any person dependent on the student's parent, or payments made to his parent are required to be so applied, that income, or those payments, shall be treated as part of the gross income of the parent.

(5) Where any such benefit as is mentioned in paragraph 13(2)(b)(i) is provided, by reason of the parent's employment, for any member of his family or household who holds a **statutory award** (whether the student or some other such member), that benefit shall not be treated as part of the gross income of the parent.

(6) Where the parents do not ordinarily live together throughout the year in respect of which the resources of the student fall to be ascertained ("the relevant year"), the parental contribution shall be determined by reference to the income of whichever parent the authority consider the more appropriate in the circumstances.

(7) Where the parents do not ordinarily live together for part only of the relevant year, the parental contribution shall be the aggregate of -

- (a) such proportion of the contribution determined as provided in sub-paragraph 14(6) as the part of the relevant year for which the parents do not so live together bears to the full year, subject to a maximum of the same proportion of the student's maintenance requirement; and
- (b) such proportion of the contribution determined without regard to this sub-paragraph as the part of the relevant year for which the parents so live together bears to the full year, subject to a maximum of the same proportion of the student's maintenance requirement.

(8) Where one of the student's parents is his step-parent the parental contribution shall be ascertained by reference only to the income of the other parent.

## Deductions

16. (1) For the purposes of determining the **income of a student's parent** (and, accordingly, the parent's **gross income**), in computing his **taxable income** as for the purposes of the Income Tax Acts or for the purposes of the income tax legislation of another member State of the **EU**, any deductions which fall to be made or exemptions which are permitted:

- (a) by way of personal reliefs provided for in Chapter I of Part VII of the Income and Corporation Taxes Act 1988, or, where the parent's income is computed as for the purposes of the income tax legislation of another member State of the **EU**, any comparable personal reliefs; or
- (b) in respect of any payment made by the parent under covenant; or
- (c) under any legislation or rule of law with the effect that payments which for the purposes of UK law are treated as **taxable income** are not treated as **taxable income**; or
- (d) of a kind mentioned in sub-paragraph 16(2)

shall not be made or permitted.

(2) For the purpose of determining a parent's **residual income** there shall be deducted from his gross income

- (a) the amount by which the Dependants' Deduction specified in Tables 9 and 19 in the schedule of NHS Bursary rates in Section 3 exceeds the income during the year for which the contribution falls to be ascertained of any person, other than a spouse, **civil partner**, child or holder of a **statutory award**, **dependent** on the parent during that year; and
  - (b) the gross amount of any premium or sum relating to a pension (not being a premium payable under a policy of life insurance) in respect of which relief is given under section 226, 273, 619 or 639 of the Income and Corporation Taxes Act 1998, or where the parent's income is computed as for the purposes of the income tax legislation of another member State of the **EU**, the gross amount of any such premium in respect of which relief would be given if that legislation made provision equivalent to the Income Tax Acts; and
  - (c) an amount not exceeding the Domestic Assistance Deduction so specified in respect of the cost in wages of domestic assistance where either -
    - (i) the parents ordinarily live together and one of them is incapacitated; or
    - (ii) where a parent whose marriage or **civil partnership** has **terminated** either is gainfully employed or is incapacitated; and
  - (d) in respect of additional expenditure incurred because the parent lives in a place where the cost of living is higher than in the UK, such sum (if any) as the authority consider reasonable in all the circumstances; and
  - (e) in the case of a parent who holds a **statutory award**, the amount of the Parent Award Holder Deduction so specified; and
  - (f) any payments made to the parent of the student under an order of a competent court for the benefit of a child who is not his child of whom he has custody or care or for whom he provides accommodation; and
  - (g) any income which is exempt from tax under the Income Tax Acts, or, where the parent's income is computed as for the purposes of the income tax legislation of another member State of the **EU**, any income which would be exempt from tax under that legislation if it made equivalent provision to those Acts.
- (3) In any case where income is computed as for the purposes of the Income Tax Acts by virtue of paragraph 14(4), there shall be deducted from the parent's gross income sums equivalent to the deductions mentioned in paragraph 16(2)(b), provided that any sums so deducted shall not exceed the deductions that would be made if the whole of the parent's income were in fact **taxable income** for the purposes of the Income Tax Acts.

### Spouse or civil partner's Contribution

17. (1) For *existing* students - the spouse's or **civil partner's** contribution mentioned in paragraph 4(4) is determined in accordance with this paragraph and at the rates specified in Table 9 in the schedule of NHS Bursary rates in Section 3 which are applicable to the student's case, and such a contribution is applicable to

- a) every male student ordinarily living with his wife,
- b) every female student ordinarily living with her husband,
- c) every student of either gender ordinarily living with his or her civil partner,
- d) every male student ordinarily living with a woman as his wife,
- e) every female student, ordinarily living with a man as her husband and
- f) every student of either gender, ordinarily living with a person as his or her civil partner.

For *new* students - the spouse's or **civil partner's** contribution mentioned in paragraph 4(4) is determined in accordance with this paragraph and at the rates specified in Table 19 in the schedule of NHS Bursary rates in Section 3 which are applicable to the student's case, and such a contribution is applicable to:

- g) every male student ordinarily living with his wife,
- h) every female student ordinarily living with her husband,
- i) every student of either gender ordinarily living with as his or her civil partner,
- j) every male student ordinarily living with a woman as his wife,
- k) every female student ordinarily living with a man as her husband,
- l) every student of either gender ordinarily living with a person as his or her civil partner.

Where the student has a child who holds a statutory award, or the person with whom the student is ordinarily living in accordance with categories (a) - (l) of paragraph 17(1) has a child who holds a statutory award then that person's contribution will not be taken into account when assessing the student's resources for the purposes of paragraphs 4(1) and 4(4).

(2) Subject to paragraph 17(3) and (4), paragraphs 14 to 16, except for paragraphs 14(1)(a), 5(a) and (c), 15(3), (6), (7) and (8), and 16(2)(c)(ii), apply with the necessary modifications for the ascertainment of the spouse's or **civil partner's** contribution as for the parental contribution, references to the parent being construed, except where the context requires otherwise, as references to the student's spouse or **civil partner**, as the case may be.

(3) If the student marries or forms a **civil partnership** during any **academic year** for which the contribution falls to be ascertained, the contribution for that year shall be the fraction of the sum ascertained in accordance with paragraphs 17(1) and (2) of which the denominator is 52 and the numerator is the number of complete weeks between the date of the marriage or **civil partnership** , and the end of that year or the end of the course, whichever is the earlier.

(4) If the student's marriage or **civil partnership terminates** during any **academic year** for which the contribution falls to be ascertained, the contribution for that year shall be the fraction of the sum ascertained in accordance with paragraphs 17(1) and (2) of which the denominator is 52 and the numerator is the number of complete weeks between the beginning of that year and the termination of the marriage or **civil partnership** .

## GENERAL PROVISIONS

### Special Rates

18. The maintenance requirements mentioned in paragraph 4(1) of a student who is:

- (a) a member of a religious order are at the rate specified in Tables 2B and 12B in the schedule of NHS Bursary rates in Section 3 which is applicable to his case;
- (b) attending a part-time course are:

the appropriate proportion of the full-time rates

save that his requirements under paragraphs 7 and 11 and his resources taken into account under paragraph 13(2)(b)(iii) are not reduced.

### Conditions

19. (1) The award of a Bursary is subject to the conditions that:

- (a) an application in writing in such form as the authority may require reaches them within the **application period**;
- (b) the applicant gives a written undertaking that the particulars he has given are correct to the best of his knowledge and belief, and that he will notify the authority promptly of any change in them which might affect his eligibility for a Bursary or any payment pursuant to a Bursary;
- (c) the applicant, or, if he is a **minor**, his parent, gives a written undertaking that, where any provisional or other payments pursuant to a Bursary in respect of a year exceed (for whatever reason) the amount payable in respect of that year, he will, if called upon to do so, repay the excess amount.

(2) An applicant shall demonstrate his eligibility for a Bursary by providing such evidence as the authority may require, and that evidence shall include:

- (a) if he was born in the UK, a certificate issued by the appropriate authority showing the place and date of his birth. An applicant born in the UK should be required to produce his birth certificate (which may be either the short or long version and either the original or a replacement). If he cannot find his certificate, he should approach the Register Office in the sub-district where his birth was registered, or, if he does not know the sub-district, the General Register Office. If his birth was not registered, the applicant must obtain alternative documentation. He should contact the Office of National Statistics, who will investigate the circumstances. If the applicant was adopted, he should produce the adoption certificate or a certified copy of the adoption certificate. An applicant born outside the UK, including one born in the Isle of Man or the Channel Islands, should be required to produce his passport and a letter or other document (which could be his birth certificate) signed by a **responsible person**, giving details of his date, place and country of birth and of his name at birth. An applicant claiming **refugee** status or to have been granted **leave to**

**enter/remain** should produce the official letter of recognition from the Home Office or one of its Agencies. The authority should aim to send such documentation back to the applicant by return, and in the case of passports should use traceable methods so as to minimise any risk of loss; otherwise

- (b) a valid passport, unless he is a **refugee** or does not hold one, and in any event a letter or other document issued by a responsible person which contains particulars of his date, place and country of birth and his full name at birth. A responsible person means a consular officer, a minister of religion, a medical or legal practitioner, an established civil servant, a teacher, or a police officer; or
- (c) as an alternative to the requirement mentioned in paragraphs 19(2)(a) and (b), an “Assessment of Eligibility for Financial Support for Higher Education” for the academic year concerned issued by a local authority in the UK; provided that, where **the authority** are satisfied that such evidence has been produced in support of a previous application for a **statutory award**, that requirement shall not apply.

(3) The authority shall make such inquiries as they consider necessary to determine a person’s eligibility for a Bursary or any payment pursuant to it, and shall in particular require each applicant and student to inform them promptly, and provide them with particulars, if he:

- (a) abandons, withdraws or is expelled from his course; or
- (b) ceases to attend his course and does not intend or is not permitted to return for the remainder of the academic year concerned; or
- (c) transfers to another course, whether or not an eligible course and whether or not at the same institution; or
- (d) is absent from his course for more than 60 days because of illness, or is absent for any period for any other reason; or if
- (e) there is any change in:
  - the date for the start or completion of his course; or
  - his home or term-time address or telephone number; or
  - the bank or building society account into which payments due to him under this Scheme are or are to be made.
- (f) interrupts training temporarily for reasons of pregnancy and childbirth, maternity support and adoption of a child.

## Transfers

20. A Bursary may be transferred, upon the recommendation of the **academic authorities** and with the approval of the **commissioners** concerned, so as to be held in respect of an eligible course (whether at the same or another institution) other than the one in respect of which it was first awarded. In such a case, **the authority** shall review the requirements and resources of the student with effect from the date on which he commences to attend the new course. The aggregate duration of the award should not exceed by more than 12 months the **period ordinarily required** to complete the new

course had no transfer occurred. A Bursary may not be transferred after it has terminated.

21. (1) An award shall terminate on the expiry of the **period ordinarily required** for the completion of the course; provided that:
- (a) if the **academic authority** refuse to allow the student to complete the course, **the authority** shall terminate the award forthwith;
- (2) The authority may, after consultation with the academic authority and the commissioner, terminate the award if they are satisfied that the student has either -
- (a) withdrawn, abandoned or been expelled from the course in respect of which it is held, and the award does not fall to be transferred under paragraph 20; or
  - (b) shown himself by his conduct to be unfitted to hold the award.
- (3) The authority shall require the student to provide from time to time such information as they consider necessary to determine his eligibility for a Bursary or any payment pursuant to it, and if in any case they are satisfied that he has wilfully failed to comply with any such requirement or has provided information which he knows to be false in a material particular or has recklessly provided information which is false in a material particular they may terminate the award or withhold in whole or in part any payments due under it as they see fit. In particular, the authority shall ensure that effective arrangements are in place for each institution to notify them promptly in any case where it believes a person has fraudulently obtained or attempted to obtain a Bursary and to provide particulars of the person and the circumstances; and commissioners are asked to support the authority in the exercise of this function.
- (4) termination of an award is effective from the date on which the **authority** decides to terminate, rather than by reference to the date on which the student abandoned or was excluded from his course. Where an award is reduced or suspended by reason of the student's absence without leave, it may be reduced or suspended by reference to the date of absence.

## Assessments

22. The requirements and resources of a student shall be assessed by the authority, and for the purpose of the exercise of their functions, they shall require the student to provide from time to time such information as they consider necessary as to the resources of any person whose means are relevant to the assessment of his requirements and resources. In particular, the authority shall:
- (a) ensure that students and institutions are aware of the importance of reporting all relevant changes of circumstances promptly; and
  - (b) undertake at least annually a review of the requirements and resources of all Bursary holders (save for diploma students);

## Reduced Payment

23 (1) In respect of any period during which the student is required to repeat any part of the course **the authority** may, with the approval of the **commissioner**, make such payments at such rates, not exceeding what would, apart from this paragraph, be payable, and for such period, not exceeding 12 months, as may be necessary to enable the student to repeat that part. The authority are asked to give sympathetic consideration to repeats arising by reason of a student's disability.

(2) Where a person becomes eligible for a Bursary during an academic year because one of the following events has occurred:

- (i) the state of which the person is a national accedes to the **EC** where the person has been **ordinarily resident** in the UK and **Islands** throughout the prescribed period; or
- (ii) the person becomes a person mentioned in paragraph 2(4)(b) to (e) or a **family member** of such a person; or
- (iii) the person becomes the child of a Swiss national; or
- (iv) the person becomes the child of a **Turkish worker**; or
- (v) the person acquires the right of **permanent residence**; or
- (vi) the person, his spouse, **civil partner** or **parent** is recognised as a **refugee**, or becomes a person with **leave to enter or remain**,

The **authority** shall deduct from the Bursary payable in respect of that academic year the amount of any instalment in respect of the maintenance grant payable which relates to the period before the relevant event occurred.

(3) Without prejudice to paragraph 21(3), in the case of any student who is for the time being in default of any requirement to provide the information mentioned in paragraph 22, the **authority** may withhold in whole or in part any payment due to him under paragraphs 4 and 18.

(4) In respect of any period:

- (a) after the termination of an award;
- (b) during which a student is excluded from attendance at the course by the academic authority; or
- (c) during which a student is absent without leave from his course,

any payment in respect of maintenance shall be reduced as described in sub-paragraph 23(6);

(5) In respect of any other period, being:

- (a) one during which a student is absent from his course (other than one of not more than 60 days due to illness);

- (b) where an award held in respect of one course is transferred under paragraph 20 to another, one during which the student is not required to attend either course (other than the period of a single vacation); or
- (c) one during which the student is detained under an order made by any court,

the **authority** may reduce any payment in respect of maintenance otherwise due by such amount, not exceeding that mentioned in sub-paragraph 23(6), as having regard to all relevant circumstances they consider appropriate.

(6) The amount referred to in sub-paragraphs 23(4) and (5) is the aggregate of -

- (a) the maintenance grant payable for the year under paragraphs 4(1)(a) and (b)(i) multiplied by the number of days for which the period in question lasted divided by the number of days in respect of which the grant is payable for that year; and
- (b) such portion of the maintenance grant payable under paragraph 4(1)(b)(ii) as the authority consider appropriate,

and, in determining the number of days for which the period lasted, they shall disregard the first 60 days of any period of absence due to illness.

### **Method of Payment and adjustments to payments**

24. (1) The authority is responsible for the payment of Bursaries and the recovery of overpayments. Details of the NHS Bursary payments, frequency and method will be made available by the authority.

(2) Without prejudice to paragraph 23 and sub-paragraph 24(2)(a) or to the recovery of an overpayment by way of reduction to a subsequent payment, any overpayment or underpayment made under this paragraph shall be adjusted by payment between the student and the authority, or by taking such action for the recovery of a payment made without statutory authority as is reasonably practicable and available to the authority.

### **Continuation of NHS Bursary payments for authorised absence**

25. The NHS Bursary Scheme allows students who are already in receipt of the NHS Bursary to continue to receive most of their normal NHS bursary payments and allowances during authorised periods of absence for maternity, maternity support and adoption of a child. Details of these awards and the administrative arrangements that apply for the continuation of the NHS Bursary are in Section 3.

26. If the student does not complete the course within **the period ordinarily required**, for reasons other than maternity, maternity support and adoption of a child, **the authority** may, after consultation with the **academic authority** and with the approval of the **commissioner**, extend the award for such period not exceeding 12 months as may be necessary to enable him to complete the course, .

## THE NHS BURSARY MEDICAL & DENTAL STUDENTS HARDSHIP GRANT

### PURPOSE

27. For eligible medical and dental students the **authority** may, at its discretion make additional payments to students in genuine hardship.
28. The NHS Bursary does not provide Hardship Grants for students on other eligible courses where the higher education institution has a contract with a Strategic Health Authority in England.

### ELIGIBILITY

29. All eligible medical and dental students in receipt of a **full bursary** administered by the **authority** may apply for a NHS Bursary Medical and Dental Students Hardship Grant.
30. **Fees Only Award** holders (including **EU Fees Only** award holders) are not eligible for the NHS Bursary Medical and Dental Students Hardship Grant.

### ADMINISTRATION

31. Students who apply for the NHS Bursary Medical and Dental Students Hardship Grant must provide the **authority** with such information and supporting documentation as deemed necessary to allow the **authority** to determine:
  - if the student is in genuine hardship;
  - the nature of the hardship involved;
  - whether the application is supported by the student's academic authority;
  - details of the student's income and expenditure and shortfall between these;
  - whether the stated shortfall between income and expenditure constitutes a genuine need; and if so
    - whether it could reasonably be reduced to a manageable level by the student's own actions; and
    - whether the student has taken out their full student loan entitlements and made use of Access Funds.
32. The NHS Bursary Medical and Dental Students Hardship Grant cannot be applied to:
  - Providing loans;
  - Making good defaults in parental or spouse contributions;
  - Offsetting a travel disregard;
  - Providing advance payments of maintenance grants (including clinical placement costs);
  - Providing support for LA funded, Fees Only Award Holders (including EU **Fees Only** award holders) or self-funding students, or those seconded on a salary.
33. The **authority** may, as it considers appropriate, make payment of any awarded NHS Bursary Medical and Dental Students Hardship Grant as a lump sum or in instalments.

34. The amount of the NHS Bursary Medical and Dental Students Hardship Grant award in any academic year is between £100 and up to £3,000.
35. The **authority** should ensure the NHS Bursary Medical and Dental Students Hardship Grant applicants sign an undertaking to repay any overpayment or ineligible funds awarded.
36. The **authority** should process all applications for the NHS Bursary Medical and Dental Students Hardship Grant within 20 working days of receipt.
37. The **authority** will put in place a mechanism for handling the NHS Bursary Medical and Dental Students Hardship Grant appeals.
38. Applications for the NHS Bursary Medical and Dental Students Hardship Grant should be sent to:

The Review Section  
NHS Bursaries  
Room 225  
Hesketh House  
200-220 Broadway  
Fleetwood  
LANCS  
FY7 8SS

## SECTION 3

### SCHEDULE OF NHS BURSARY RATES

**Rates (*Existing* Students)  
Courses Commencing Prior To 1<sup>st</sup> September 2007**

**TABLE 1: TUITION FEE CONTRIBUTIONS**

	RATES (£ per year)
1. In respect of any academic year <sup>1</sup> of an <b>international course</b> where periods of full time study at the institution in the UK are in aggregate less than 10 weeks	613
2. In respect of not more than one academic year <sup>1</sup> of an <b>international course</b> where the periods of full-time study are greater than 10 weeks, but in respect of that year and any previous such year, the aggregate of any one or two periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks	613
3. In respect of the final year of a course which is ordinarily required to be completed after less than 15 weeks' attendance	613
4. In respect of any other <b>eligible course</b> (maximum rate awarded will be appropriate to course)	1,310 / 3,290

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<sup>1</sup> regardless of whether that year is optional or obligatory

**TABLE 2**

**ORDINARY MAINTENANCE REQUIREMENT**

Rate	Amount	
	Diploma Students	Other Students
	Requirement	Requirement
(A) London	7,566	3,129
Elsewhere	6,438	2,548
Home	6,438	2,084
(B) RELIGIOUS ORDERS		
London	7,566	1,558
Elsewhere	6,438	1,245
Home or Order's House	6,438	913

**TABLE 3**

**SUPPLEMENTARY MAINTENANCE REQUIREMENT**

Rate	Amount (£ per week/part week)	
	Diploma Students	Other Students
		Requirement
LONDON	-	106
ELSEWHERE	-	82
HOME	-	54

**TABLE 4**

**CLINICAL PLACEMENT REQUIREMENT <sup>(1)</sup>**

(pence per mile)

1. Allowable expenditure on overseas and placement travel and dual accommodation is reimbursable, subject to the following maxima:
2. In respect of the essential use of the student's own vehicle:
  - (a) pedal cycle 6.2
  - (b) motor vehicle up to 125cc 16.2
  - (c) other motor vehicle 23
  - (d) each official passenger (being a named **full bursary** holder) 2
  - (e) associated costs of parking, tolls and ferries for the purpose of attendance as described in paragraph 7(1)(a) and (b) actual reasonably and necessarily incurred

(1) The clinical placement requirement does not apply to disability-related expenditure.

**TABLE 5**

**DEPENDANTS' ALLOWANCES<sup>(1)</sup>**

Rate	Amount (£ per year) <sup>(2)</sup>			
	Diploma Students		Other Students	
	Requirement	General Disregard	Requirement	General Disregard
SPOUSE or civil partner (or other adult dependant, or first child if there are no spouse or adult dependants)	2,238		2,640	
CHILD Aged <sup>(3)</sup>				
Under 11	473	933	552	1,154
11 - 15	940		1,104	
16 - 17	1,245		1,468	
18+	1,783		2,113	
SINGLE PARENT ADDITION	1,104		1,303	

<sup>(1)</sup> See Glossary entry.

<sup>(2)</sup> All allowances cover 52 weeks.

<sup>(3)</sup> Age immediately before the beginning of the academic year, or born during that year.

**TABLE 6**

**OLDER STUDENTS' AND INITIAL EXPENSES ALLOWANCES**

Rate	Amount (£ per year) <sup>(1)</sup>			
	Diploma Students <sup>(2)</sup>			Other Students
	London	Elsewhere	Home	
AGED <sup>(3)</sup> 26	752	752	752	448
27	752	752	752	777
28	752	752	752	1,152
29+	752	752	752	1,524
INITIAL EXPENSES	55	55	55	-

<sup>(1)</sup> Allowance covers 52 weeks.

<sup>(2)</sup> Payable to diploma students attending accelerated programmes for graduates, regardless of age.

<sup>(3)</sup> Age before the first academic year of the course.

[Explanatory note: The Older Students' Allowance is only payable to a single student with dependants where it is more favourable than the alternatives described in paragraph 9(2)].

**TABLE 7**

**DISABLED STUDENTS' ALLOWANCES<sup>(1)</sup>**

Rate	Maximum Allowance (£ per year) (except (2))
	Available to Degree level and Diploma level students
1. HELPER	20,520
2. EQUIPMENT	5,162 (for the duration of the course)
3. TRAVEL	Actual reasonably and necessarily incurred
4. OTHER COSTS	1,724

<sup>(1)</sup> See Glossary Entry.

**TABLE 8**

**STUDENT'S INCOME**

Disregard	Amount (£ per year)		Type of Income <sup>(1)</sup>
	Diploma Students	Other Students	
EXEMPTED	-	Unlimited	Trust income (where a parental or spouse contribution is applicable), covenants, child/ housing/ unemployment/ disability benefits, earnings (during a full-time course)
SPONSORSHIP	-	4,921	Scholarships, bursaries, employers' payments, earnings (during a part-time course)
TRUST	-	2,306	Trust income (where parental or spouse contribution would be payable but student orphaned or parents out of contact)
PENSION	-	3,959	Benefits not covered elsewhere
STANDARD			
(i) single parent	-	2,270	All income not exempted or covered by other disregards
(ii) others	-	1,044	
Independent student not having a spouse or partner	-	8,891	Income of any description other than any sum treated as income under 13(4)
SINGLE PARENT			All income not otherwise covered. The student may elect to have these disregards applied in lieu of dependants' allowances
(i) first child	-	3,035	
(ii) each subsequent child	-	960	

<sup>(1)</sup> Summary: details in paragraph 13

[Explanatory note: Income in excess of the disregards will reduce the Bursary payable (excluding disability - related costs) £ for £.]

**TABLE 9**

**PARENTAL, SPOUSE AND CIVIL PARTNER CONTRIBUTIONS**

**Allowable Deductions**

Rate	Amount (£ per year) (maximum)	Explanatory Note <sup>(1)</sup>
DEDUCTIBLE FROM GROSS INCOME	2,798	Each, excluding spouse, child or award-holder
Dependant	2,192	
Domestic Assistance	1,126	
Parent Award Holder		
DEDUCTIBLE CONTRIBUTION FROM DEPENDENT CHILD <sup>(2)</sup>		Each (excluding the student)
(i) of parent	95	
(ii) of student's spouse	95	

<sup>(1)</sup> Summary: details in paragraph 17.

<sup>(2)</sup> Dependent on the first day of the year for which a contribution falls to be ascertained.

**Contributions**

Rate	Amount (£ per year)				
	Residual Income	Contribution		Minimum	Maximum <sup>(1)</sup>
		Diploma Students	Other Students		
<i>PARENTAL</i>	<i>Under 24,279</i>	-	<i>Nil</i>	-	-
	<i>24,279 or more</i>	-	<i>45 + 1 for every complete 9.50 by which it exceeds 24,279</i>	<i>45</i>	-
		-		-	<i>7,795</i>
<i>SPOUSE'S</i>	<i>Under 20,887</i>	-	<i>Nil</i>	-	-
	<i>20,887 or more</i>	-	<i>45 + 1 for every complete 8.00 by which it exceeds 20,887</i>	<i>45</i>	-
		-		-	<i>7,795</i>

<sup>(1)</sup> Applicable in all cases, including where a contribution is assessed for more than one child.

**Rates (New Students)  
Courses Commencing On or After 1<sup>st</sup> September 2007**

**TABLE 11: TUITION FEE CONTRIBUTIONS**

	RATES (£ per year)
1. In respect of any academic year <sup>1</sup> of an <b>international course</b> where periods of full time study at the institution in the UK are in aggregate less than 10 weeks	<b>613</b>
2. In respect of not more than one academic year <sup>1</sup> of an <b>international course</b> where the periods of full-time study are greater than 10 weeks, but in respect of that year and any previous such year, the aggregate of any one or two periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks	<b>613</b>
3. In respect of the final year of a course which is ordinarily required to be completed after less than 15 weeks' attendance	<b>613</b>
4. In respect of any other <b>eligible course</b> (maximum rate awarded will be appropriate to course)	1,310 / 3,290

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<sup>1</sup> regardless of whether that year is optional or obligatory

**TABLE 12**

**ORDINARY MAINTENANCE REQUIREMENT**

Rate	Amount	
	Diploma Students	Other Students
	Requirement	Requirement
(A) London	7,827	3,392
Elsewhere	6,701	2,810
Home	6,701	2,346
(B) RELIGIOUS ORDERS		
London	7,827	1,820
Elsewhere	6,701	1,507
Home or Order's House	6,701	1,175

**TABLE 13**

**SUPPLEMENTARY MAINTENANCE REQUIREMENT**

Rate	Amount (£ per week/part week)	
	Diploma Students	Other Students
		Requirement
LONDON	-	106
ELSEWHERE	-	82
HOME	-	54

**TABLE 14**

**CLINICAL PLACEMENT REQUIREMENT <sup>(1)</sup>**

(pence per mile)

1. Allowable expenditure on overseas and placement travel and dual accommodation is reimbursable, subject to the following maxima:
2. In respect of the essential use of the student's own vehicle:
  - (a) pedal cycle 6.2
  - (b) motor vehicle up to 125cc 16.2
  - (c) other motor vehicle 23
  - (d) each official passenger (being a named **full bursary** holder) 2
  - (e) associated costs of parking, tolls and ferries for the purpose of attendance as described in paragraph 7(1)(a) and (b) actual reasonably and necessarily incurred

(1) The clinical placement requirement does not apply to disability-related expenditure.

**TABLE 15**

**DEPENDANTS' ALLOWANCES<sup>(1)</sup>**

Rate	Amount (£ per year) <sup>(2)</sup>			
	Diploma Students		Other Students	
	Requirement	General Disregard	Requirement	General Disregard
SPOUSE or civil partner (or other adult dependant, or first child if there are no spouse or adult dependants)	2,238		2,640	
Each subsequent dependent child	539	933	539	1,154
Parent Learning Allowance	1,104		1,303	

<sup>(1)</sup> See Glossary entry.

<sup>(2)</sup> All allowances cover 52 weeks.

**TABLE 16**

**INITIAL EXPENSES ALLOWANCE**

Rate	Diploma Students			Other Students
	London	Elsewhere	Home	
INITIAL EXPENSES	55	55	55	-

**TABLE 17**

**DISABLED STUDENTS' ALLOWANCES<sup>(1)</sup>**

Rate	Maximum Allowance (£ per year) (except (2))
	Available to Degree level and Diploma level students
1. HELPER	20,520
2. EQUIPMENT	5,162 (for the duration of the course)
3. TRAVEL	Actual reasonably and necessarily incurred
4. OTHER COSTS	1,724

<sup>(1)</sup> See Glossary Entry.

**TABLE 18  
STUDENT'S INCOME**

Disregard	Amount (£ per year)		Type of Income <sup>(1)</sup>
	Diploma Students	Other Students	
EXEMPTED	-	Unlimited	Trust income (where a parental or spouse contribution is applicable), covenants, child/ housing/ unemployment/ disability benefits, earnings (during a full-time course)
SPONSORSHIP	-	4,921	Scholarships, bursaries, employers' payments, earnings (during a part-time course)
TRUST	-	2,306	Trust income (where parental or spouse contribution would be payable but student orphaned or parents out of contact)
PENSION	-	3,959	Benefits not covered elsewhere
STANDARD			
(i) single parent	-	2,270	All income not exempted or covered by other disregards
(ii) others	-	1,044	
Independent Single Student General Disregard	-	8,891	Income of any description other than any sum treated as income under 13(4)
PARENT LEARNING ALLOWANCE DISREGARD			All income not otherwise covered. The student may elect to have these disregards applied in lieu of dependants' allowances
(i) first child	-	3,035	
(ii) each subsequent child	-	960	

<sup>(1)</sup> Summary: details in paragraph 13

[Explanatory note: Income in excess of the disregards will reduce the Bursary payable (excluding disability - related costs) £ for £.]

**TABLE 19**

**PARENTAL , SPOUSE AND CIVIL PARTNER CONTRIBUTIONS  
Allowable Deductions**

Rate	Amount (£ per year) (maximum)	Explanatory Note <sup>(1)</sup>
DEDUCTIBLE FROM GROSS INCOME	2,798	Each, excluding spouse, child or award-holder
Dependant	2,192	
Domestic Assistance	1,126	
Parent Award Holder		
DEDUCTIBLE CONTRIBUTION FROM		
DEPENDENT CHILD <sup>(2)</sup>	95	Each (excluding the student)
(i) of parent	95	
(ii) of student's spouse		

<sup>(1)</sup> Summary: details in paragraph 17.

<sup>(2)</sup> Dependent on the first day of the year for which a contribution falls to be ascertained.

**Contributions**

Rate	Amount (£ per year)					
	Residual Income	Contribution		Minimum	Maximum <sup>(1)</sup>	
		Diploma Students	Other Students			
PARENTAL	<i>Under 24,279</i>	-	<i>Nil</i>	-	-	
	<i>24,279 or more</i>	-	<i>45 + 1 for every complete 9.50 by which it exceeds 24,279</i>	45	-	
		-	-	-	-	7,795
SPOUSE'S	<i>Under 24,279</i>	-	<i>Nil</i>	-	-	
	<i>24,279 or more</i>	-	<i>45 + 1 for every complete 9.50 by which it exceeds 24,279</i>	45	-	
		-	-	-	-	-
		-	-	-	-	7,795

<sup>(1)</sup>Applicable in all cases, including where a contribution is assessed for more than one child.

Second Edition 16 January 2007

## **Guidelines for the NHS Bursary Scheme Maternity Award**

1. This guidance is for NHS Bursary students and universities to help them understand and put into practice the maternity award within the NHS Bursary Scheme. It has been jointly prepared with the Department of Health, trade unions and university representatives. It explains the financial and personal support available as at 1<sup>st</sup> January 2007 from the NHS Bursary Scheme, universities and others during pregnancy and the time a student is on an “authorised period of maternity absence<sup>4</sup>”. This maternity award policy will be monitored and, if appropriate, further advice will be provided to ensure it continues to effectively support NHS Bursary students during an authorised period of maternity absence.

### **Eligibility**

2. Students who have started on NHS pre-registration courses and who are in receipt of the maintenance grant element of the NHS Bursary may apply to receive payments under the maternity award for up to 45 weeks whilst she takes an authorised break from her studies for maternity purposes.
3. Seconded or assisted students and EU nationals in receipt of a ‘fees only’ award are not eligible to apply.
4. Due to the early selection of students for courses, some students may become pregnant before the start of their course. At the earliest stage, she should contact the university and discuss the suitability of starting her studies or deferring them until after the arrival of their child. Advice from occupational health may be appropriate at this stage to enable the student to make an informed decision.

### **The NHS Bursary Maternity Award**

5. The maternity award allows students to take a break from their studies for up to 45 weeks and may continue to receive most of their normal NHS bursary payments and allowances. It cannot exceed 45 weeks other than in exceptional circumstances (see paragraph 12), subject to the discretion of the university.
6. The maternity award may include payment of the Childcare Allowance element of the NHS Bursary.

### **What to do when a student finds out she is pregnant**

7. As soon as possible a student should let her tutor know that she is pregnant and the expected date of arrival of her baby. This is important, as the university will need to undertake a risk assessment and discuss with the student

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<sup>4</sup> “authorised period of maternity absence” – as authorised by the student’s university.

arrangements relating to antenatal activity, continuing her course and forthcoming placements.

8. The student should provide the university with some form of confirmation of her pregnancy before she commences her maternity absence e.g. form MAT B1, which is available from her GP, or midwife usually after she is 20 weeks pregnant.

### **When should the period of authorised maternity absence begin?**

9. It is for the student and the university to discuss and agree when the period of authorised absence should begin taking into account:
  - the mother to be and baby's health and well being;
  - the point in the course when it would be the best time to begin the break;
  - the student's ability to undertake and any potential risks relating to clinical placements until the expected date of arrival (e.g. high risk placements in a regional secure unit).

### **Payment of the Maternity Award**

10. The tutor and student will need to complete Form BUR101W(Mat) which gives student information including course name, her course start date, the baby's expected date of arrival, the date the student is expected to begin her break for maternity and the date it is anticipated that the student will return to her course. The form must be completed by both the university and the student and the student given a copy of the completed form. The university will forward the form to SGU. The return date is required to ensure that bursary payments will continue during the maternity absence. However, at this stage the return date is only an indication and will be dependent on the point at which both the student and her tutor believe the student can effectively and safely return to her studies, this may include when the next course will run and when the student could rejoin it successfully.
11. As soon as possible following the birth of her baby the student should contact NHS BSA Student Bursaries Unit informing them of the birth as she may be entitled to additional allowances. Application forms can be downloaded from the Student Bursaries website<sup>5</sup>.

### **Extending the maternity award beyond 45 weeks**

12. The maternity award does not normally exceed 45 weeks other than in exceptional circumstances. It is for the university to decide if the maternity award should be extended. We have tried to identify some examples of circumstances that may be considered as exceptional. However, the examples are not exhaustive and do not necessarily mean that the award will be extended. The university needs to consider each case individually. The examples are:-

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<sup>5</sup> Go to the NHS Bursaries website: <http://www.nhsbsa.nhs.uk/students>

- Post natal depression or other pregnancy related illness (medical certificate/evidence required).
- Serious illness or loss of baby (medical certificate/evidence required).
- If the agreed date that the student should return to her course is after 45 weeks.
- Resume at a point comparable to when the student started their maternity absence (i.e. next suitable/available cohort).

### **What to do when returning to training**

13. It is the student's responsibility to maintain contact with the university following the birth of her child. The student will need to contact her university confirming her return date. If there is no change from the original return date indicated on Form BUR101W(Mat) the student will receive a letter from the university confirming the date. If the student does not notify her university of her intention to return to the course in advance of the date as indicated on Form BUR101W(Mat), the bursary administrators will stop making bursary payments on that day.
14. If, however, the student's circumstances have changed and she needs to extend the period of time away from her course, the student must contact the university and arrange to meet her tutor in order to complete Appendix 2 of Form BUR101W(Mat). This can be arranged by a meeting with a member of staff at the university or perhaps in difficult circumstances at the student's home. The student will need to explain the reason for the requested extension. The university is the final arbitrator in the decision to extend the maternity award beyond 45 weeks.
15. We encourage students to take a minimum of 12 weeks paid maternity absence<sup>6</sup>. Since the interim measures were introduced, we are aware that some students wanted to return to their course at a very early stage following the birth of their child. Whilst a student can return before the recommended 12 week period, we are mindful of the health and well-being of the mother and baby. Therefore, the university should ensure that the mother is fit and well and may ask for supporting evidence from the GP, Health Visitor and/or occupational health service before she recommences her studies.
16. Examples of circumstances where a student might return to studies at an early date could be:-
  - No other course available for the student to come back to until the following year.
  - There is only a short period remaining before the course ends.

### **Completion of training within a set timescale required by Professional Bodies**

17. Students should be aware that there may be a timescale set by professional bodies within which time your training must be completed. You should check with your university/professional body to see if this applies.

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<sup>6</sup> The Royal College of Midwives recommends a minimum of 12 weeks maternity absence for NHS Bursary Scheme students.

18. The Department of Health working with trade unions including UNISON, Royal College of Nurses, Royal College of Midwives, Allied Health Professionals Federation, British Medical Association and the National Union of Students have considered ways to improve the NHS Bursary Scheme by offering financial support if a student became pregnant. The financial difficulties experienced by such students were highlighted in the Fletcher, Parks & Wilkinson case. In June 2005, the Department of Health (DH) introduced interim maternity arrangements where NHS funded students, in receipt of a NHS bursary, could continue to receive her payments throughout an authorised period of maternity absence. Following a joint review, which considered issues by The Department of Health, universities, the NHS Student Bursaries Unit and trade unions undertook a joint review that considered issues that had arisen during the interim arrangements. The interim arrangements have now been formalised.

Footnote:

Students and prospective students should not rely on the current NHS bursary rules and allowances when planning for subsequent academic years these may be subject to review in the future and as a result may be liable to change. Further information about the NHS bursary will be posted on the NHS Student Bursaries Unit website (<http://www.nhsbsa.nhs.uk/students>) as and when it is made available. Students are advised to check the website on a regular basis. The Department of Health and NHS Student Bursaries Unit will accept no responsibility for loss of any type however suffered by students who have relied on current rules and allowances in altering their circumstances (including but not limited to financial circumstances) whether for the current academic year, academic year to begin or indeed for subsequent academic years.

## Guidance for the NHS Bursary Scheme Maternity Support (Paternity)

1. This guidance is for NHS Bursary students and universities to help them understand and put into practice the interim Maternity (Paternity) Support arrangements within the NHS Bursary Scheme from 1 September 2007. It has been jointly prepared with the Department of Health, trade unions and university representatives. Overall, eligible students will be able to continue to receive their NHS Bursary for up to four weeks whilst taking an authorised period of maternity support leave<sup>7</sup>. We will collect information and monitor Maternity (Paternity) Support for an interim period until 31 August 2008 (see disclaimer). After reviewing these interim arrangements, suitable awards will be formalised.

### Eligibility

2. Students who have started on a NHS pre-registration course and who are in receipt of the maintenance grant element of the NHS Bursary are eligible for up to four weeks of authorised leave.
3. This will apply to biological and adoptive fathers, nominated carers and partners.
4. Seconded or assisted students and EU nationals in receipt of a 'fees only' award are not eligible.
5. The student is also entitled to this period of leave if their baby is stillborn, or dies subsequent to birth.

### When should the period of authorised maternity support absence begin and end?

6. Only one period of leave is available to students irrespective of whether more than one child is born as the result of the same pregnancy or more than one child is being adopted at the same time.
7. It is determined by local agreement between the student and the university how and when the leave is taken. For example, whether up to four weeks are taken as a block or the leave is split.
8. Antenatal appointments will not affect bursary payments. Students will need to agree with their university time off for antenatal appointments.
9. We would expect authorised absence for maternity support to be taken within a 6 month period of the child being born.

### Who to inform about your intention to take authorised absence for Maternity (Paternity) Support

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<sup>7</sup> "authorised period of maternity support absence" – as authorised by the student's university

10. Students must inform their course tutor of their intention to apply for Maternity (Paternity) Support as soon as reasonably possible. This will help students and tutors to plan and manage the interruption of their studies. They should tell their course tutor:
  - the week the baby is due / the date of adoption
  - how they plan to take up to four weeks' authorised absence
  - when they want to start the absence
  - when they will return
11. However, we acknowledge that the student may need to change some of this information.

### **Payment of the Maternity (Paternity) Support**

12. Before the university can authorise the absence the student should provide the university with some form of confirmation of the impending birth of the child (copy of Mat B1 Form) or in the case of adoption, relevant documents issued by the adoption agency.
13. In addition, students need to sign a declaration, which should be sent to the course tutor, which states that, the student:
  - is taking leave either to care for the child or to support the partner or both;
  - has or expects to have responsibility for the upbringing of the child;
  - is the biological ,adoptive father, nominated carer or same sex partner or is married to /or is the partner of the Childs mother.
14. We would normally expect continuation of the bursary for the authorised maternity support leave to happen at the end of an academic year or the course itself. It is at this point, NHS Student Bursaries would need confirmation from the university that the bursary payment would need to be extended for up to four weeks depending on the length of absence. However, students may not need an extension if they have caught up with their training by the end of the academic year, or of the course.
15. During this interim period in order to collect timely information about students taking Maternity (Paternity) absence, universities must send NHS Bursaries a completed Form BUR101W (mat). This must then be followed up with Form BUR102 prior to any period of extension.
16. NHS Student Bursaries will make the payment via the continuation of the maintenance grant in a single payment regardless of whether the authorised absence has been taken in one go or split.
17. By providing a declaration, students will be able to satisfy both the notice and evidence conditions for maternity support award and continuation of the maintenance grant.

### **Completion of training within a set timescale required by Professional Bodies**

18. Students should be made aware that there may be a timescale set by professional bodies within which time their training must be completed. You should check with your university/professional body to see if this applies.

Disclaimer: Please be aware that this is interim guidance. The guidance and entitlement may be subject to review and change in the future.

Students and prospective students should not rely on the current NHS bursary rules and allowances when planning for subsequent academic years these may be subject to review in the future and as a result may be liable to change. Further information about the NHS bursary will be posted on the NHS Student Bursaries Unit website (<http://www.nhsbsa.nhs.uk/students>) as and when it is made available. Students are advised to check the website on a regular basis. The Department of Health and NHS Student Bursaries Unit will accept no responsibility for loss of any type however suffered by students who have relied on current rules and allowances in altering their circumstances (including but not limited to financial circumstances) whether for the current academic year, academic year to begin or indeed for subsequent academic years.

## Guidelines for the NHS Bursary Scheme Adoption Support

1. This guidance is for NHS Bursary students and universities to help them understand and put into practice the adoption support within the NHS Bursary Scheme. It has been jointly prepared with the Department of Health, trade unions and university representatives. It explains the financial and personal support available from 1<sup>st</sup> September 2007 from the NHS Bursary Scheme, universities and others during the period leading up to adoption<sup>8</sup> and the time a student is on an “authorised period of absence to adopt a child<sup>2</sup>”. The adoption support is for students wishing to adopt a child / children who is/are newly placed for adoption. It is for students who will have primary carer responsibilities for the adopted child and the child is below the age of 18. This adoption support policy will be monitored and, if appropriate, further advice will be provided to ensure it continues to effectively support NHS Bursary students during an authorised period of absence to adopt a child. Please note that the adoption support is very similar to the Maternity Allowance within the NHS Bursary Scheme.

### Eligibility

2. Students who have started on NHS pre-registration courses and who are in receipt of the maintenance grant element of the NHS Bursary may apply to receive payments under the adoption support for up to 45 weeks whilst he/she takes an authorised break from his/her studies to adopt a child.
3. Seconded or assisted students and EU nationals in receipt of a ‘fees only’ award are not eligible to apply.
4. Due to the early selection of students for courses, some students may begin adoption proceedings before the start of their course. At the earliest stage, they should contact the university and discuss the suitability of starting their studies or deferring them until after the adoption process is complete.

### The NHS Bursary Adoption Support

5. The adoption support allows students to take a break from their studies for up to 45 weeks and continue to receive most of their normal NHS bursary payments and allowances. It cannot exceed 45 weeks other than in exceptional circumstances (see paragraph 11), subject to the discretion of the university.
6. Only one period of leave will be available irrespective of whether more than one child is being placed as part of the adoption.

### What students should do

7. As soon as possible, a student should let their tutor know that they will be adopting a child/children and the expected date. This is important, as the university will need to discuss with the student arrangements for attending official meetings in the adoption

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<sup>8</sup> Definition of adoption - "adoption leave" means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996

<sup>2</sup> “authorised period of absence to adopt a child” – as authorised by the student’s university.

process and continuing their course and forthcoming placements. They should tell their course tutor:

- the week the child is being placed with them for adoption
  - when they want to start the absence
  - when they will return
8. The student must provide the university with evidence of the forthcoming adoption before they begin their authorised absence in the form of one or more documents issued by the adoption agency that matched the student with the child, such as (but not limited to):
- a. the name and address of the agency;
  - b. the name and date of birth of the child;
  - c. the date on which the student was notified that he had been matched with the child; and
  - d. the date on which the agency expects to place the child with the student.

### **When should the period of authorised absence begin?**

9. It is for the student and the university to discuss and agree when the period of authorised absence should begin. The final decision will rest with the university.

### **Payment of the Adoption Award**

10. The tutor and student will need to complete Form BUR101(W)mat which gives student information including course name, course start date, the expected date of the adoption, the date the student is expected to begin their absence for the adoption and the date it is anticipated that the student will return to their course. The form must be completed by both the university and the student and the student given a copy of the completed form. The university will forward the form to NHS Student Bursaries. The return date is required to ensure that bursary payments will continue during the authorised absence period. However, at this stage the return date is only an indication and will be dependent on the point at which both the student and their tutor agree when it would be best to return to their studies, this may include when the next course will run and when the student could rejoin it successfully.
11. As soon as the adoption is complete, the student should contact NHS Student Bursaries as they may be entitled to additional allowances from this point. Application forms can be downloaded from the NHS Student Bursaries website<sup>9</sup>

### **Extending the adoption support beyond 45 weeks**

12. The adoption support does not normally exceed 45 weeks other than in exceptional circumstances. It is for the university to decide if the award should be extended and to inform NHS Student Bursaries. We have tried to identify some examples of circumstances that may be considered as exceptional. However, the examples are not exhaustive and do not necessarily mean that the award will be extended. The university needs to consider each case individually. The examples are:-.

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<sup>3</sup>Go to the NHS Bursaries website <http://www.nhsbsa.nhs.uk/students>

- Serious illness or loss of child (medical certificate/evidence required).
- If the agreed date that the student should return to their course is after 45 weeks.
- Resume at a point comparable to when the student started their absence (i.e. next suitable/available cohort).

### **What to do when returning to training**

13. It is the student's responsibility to maintain contact with the university whilst on their authorised absence. The student will need to contact their university confirming their return date. If there is no change from the original return date indicated on Form BUR101R(Mat) the student will receive a letter from the university confirming the date. If the student does not notify their university of their intention to return to the course in advance of the date as indicated on Form BUR101(W) NHS Student Bursaries will stop making bursary payments on that day.
14. If, however, the student's circumstances have changed and they need to extend the period of time away from their course, the student must contact the university and arrange to meet their tutor in order to complete Appendix 2 of Form BUR101W(Mat). This can be arranged by a meeting with a member of staff at the university or perhaps in difficult circumstances at a mutually agreed place. The student will need to explain the reason for the requested extension. The university is the final arbitrator in the decision to extend the award beyond 45 weeks.

### **Completion of training within a set timescale required by Professional Bodies**

15. Students should be aware that there may be a timescale set by professional bodies within which time your training must be completed. You should check with your university/professional body to see if this applies.

Footnote: Please note that guidance and entitlement may be subject to review and change in the future.

Students and prospective students should not rely on the current NHS bursary rules and allowances when planning for subsequent academic years these may be subject to review in the future and as a result may be liable to change. Further information about the NHS bursary will be posted on the NHS Student Bursaries Unit website (<http://www.nhsbsa.nhs.uk/students>) as and when it is made available. Students are advised to check the website on a regular basis. The Department of Health and NHS Student Bursaries Unit will accept no responsibility for loss of any type however suffered by students who have relied on current rules and allowances in altering their circumstances (including but not limited to financial circumstances) whether for the current academic year, academic year to begin or indeed for subsequent academic years.

## GLOSSARY

### ABSENCE DUE TO ILLNESS

Strategic Health Authorities (SHAs) have the discretion to withhold or reduce any payment of Bursary, other than the first 60 days, for students who are absent from their course due to illness. SHAs will consider each case on its own merits.

### THE ACADEMIC AUTHORITY

In relation to an **institution**, means the governing body, or other body having the functions of a governing body, and includes a person acting with the authority of that body.

### ACCESS TO LEARNING FUNDS

Are funds provided by the Secretary of State for Innovation Universities and Skills (and administered by higher education **institutions**) for the purpose of providing financial help to full-time students, and also to part-time students starting on or after 1 September 1998 and working to a minimum of 60 credit points or its equivalent, whose access to higher education might be inhibited by financial considerations or who, for whatever reason, including physical or other disabilities, face financial difficulties with their living costs. Full NHS Bursary holders (including diploma students from September 2003) are eligible to apply for help under these arrangements.

### APPLICATION PERIOD

(1) Means a period ending not later than 6 months after the first day of the academic year of the course to which it relates; provided that an application may be treated as having reached the **authority** within that period where one of the following events occurs in the course of an academic year and, in the case of (b) to (i) below, the application reaches the authority within 6 months of the event beginning with the day on which the relevant event occurred:

- (a) to the knowledge of the authority, an application has so reached some other authority or a local authority in the UK; or
- (b) the student's course becomes an **eligible course** after the first day of that academic year; or
- (c) a state accedes to the EC where the student is a national of that state or a **family member** of a national of that state or the student becomes a **family member** of an **EC** national, provided that where a relevant event occurs only by virtue of this subparagraph the student shall not be eligible for a **maintenance grant**; or
- (d) the state of which the student is a national accedes to the **EC** where the student has been **ordinarily resident** in the UK and **Islands** throughout the **prescribed period**; or
- (e) the student becomes a person mentioned in paragraph 2(4)(b) to (e) or a **family member** of such a person; or
- (f) the student becomes the **child** of a Swiss national; or
- (g) the student becomes a **child** of a **Turkish worker**; or
- (h) the student acquires the **right of permanent residence**; or
- (i) the student, his spouse, **civil partner** or **parent** is recognised as a **refugee**, or becomes a person with **leave to enter or remain**; or
- (j) having regard to all the circumstances and having consulted the **commissioner**, the authority consider that it should be so treated.

(2) *Without prejudice to the generality of paragraph 19(3), for the purpose of demonstrating his eligibility for a particular grant, other than a grant under paragraph 11, an eligible student shall complete and submit to the authority an application in such form as the authority may require not later than nine months after the first day of the academic year; and where the authority considers that having regard to the circumstances of the particular case the time limit shall be relaxed, the application must reach the authority not later than such date as they specify.*

## **AN ASSISTED STUDENT**

- (1) means a person who, in respect of any year for which a Bursary falls to be assessed, receives such payments as are mentioned in sub-paragraph (2) of this entry amounting to not less than the aggregate of the relevant
- (a) **tuition fee contribution**, and
  - (b) **maintenance grant** (excluding **clinical placement costs**), irrespective of whether any Bursary would be payable in his case by virtue of any other provision of this Scheme.
- (2) The payments mentioned in sub-paragraph (1) of this entry are the aggregate payments received by the person:
- (a) under any scholarship, exhibition, bursary or award of similar description (other than under this Scheme, or the Education Act 1962, or the Teaching and Higher Education Act 1998, as a **student loan** or from **Access Funds** held by the institution at which he attends his course); and,
  - (b) if he is in gainful employment, by way of remuneration (**reduced by income tax** and social security contributions) paid in respect of any period for which he has leave of absence or is relieved of his normal duties for the purpose of attending his course.
- (3) Where a person receives such payments as are mentioned in sub-paragraph (2) of this entry in a currency other than sterling the value of the payment shall be:
- (a) if the person purchases sterling with the payment, the amount of sterling he receives for it; otherwise
  - (b) the value of the sterling which the payment would purchase using the rate for the month in which it is received, as published by the Office for National Statistics in "Financial Statistics".
- (4) Notwithstanding sub-paragraphs (1) and (2) of this entry, an assisted student includes a person who in any year for which a Bursary falls to be assessed receives or but for this provision would receive a concurrent payment in pursuance of a **statutory award**, other than a **reduced rate student loan**.

[Explanatory note: an assisted student is one who is not eligible for a Bursary either because his total income in any year from sponsorship or employment equals or exceeds the maximum tuition fee contribution and maintenance grant otherwise payable in his case or because he would otherwise receive duplicate payments from public funds. Such a student may still be eligible for a **student loan**.]

## ATTENDANCE

In relation to a course, means attendance for the purposes of study or clinical training; and attendance at an **institution** (including an **overseas institution**) or a period of study or clinical training is a necessary part of a student's course only where **the authority** are satisfied that if the student did not attend the institution, or undertake the period of study or clinical training, he would not be eligible to complete his course; and, for the purpose of being so satisfied, the authority may require the matter to be evidenced by a certificate given by the **academic authority**.

[Explanatory note: see also "The Overseas Rate".]

## THE AUTHORITY

Means:

1. (1) In relation to and with effect from 1 September 1998:
  - (a) the assessment, payment and review of Bursaries, excluding **tuition fee contributions**, and **NHS Hardship Grants**, for students who commenced:
    - (i) at any time, **eligible courses** in dental hygiene, dental therapy, occupational therapy, orthoptics, physiotherapy, radiography eligible midwifery degree courses; and
    - (ii) eligible courses in chiropody/podiatry, dietetics, prosthetics and orthotics, speech and language therapy, and eligible nursing and midwifery degree courses, other than those mentioned in sub-paragraph (i); and
    - (iii) On or after 1 September 2002, eligible audiology degree courses
  - (2) The assessment, payment and review of Bursaries, including **tuition fee contributions**, and **NHS Hardship Grants**, for:
    - (i) English domiciled medical students who commenced, on or after 1 September 2000, the four year graduate entry courses
    - (ii) English domiciled medical and dental students who commenced, on or after 1 September 1998, the standard undergraduate medical course

NHS Student Bursaries; and, in relation to any other functions assigned to the authority, the **commissioner**; and, insofar as functions assigned to the authority are not exercised, for the time being or at all, by NHS Student Bursaries, the authority may arrange or continue to arrange for an institution to exercise them on their behalf to such extent as they see fit.

## CHILD

In relation to a person mentioned in paragraph 2(4) "child" is a reference to a child under the age of 21 or a child who is dependent. See further "parent".

## CHILD

For the purposes of paragraph 2 see "parent"

## **CHILD**

In relation to a student, includes a person adopted under adoption proceedings, a step-child and any child for whom the student has parental responsibility and who is **dependent** on him.

## **CHILD**

In relation to a student's parent, includes a person adopted under adoption proceedings and a step-child, but except in paragraph 14(5) does not include a child who holds a **statutory award**; and "parent" shall be construed accordingly; provided that no parental contribution shall be assessed by reference to the income of a student's step-parent, foster-parent or guardian.

## **CIVIL PARTNER/SHIP**

Means a **civil partnership** which exists under or by virtue of the Civil Partnership Act 2004 at: [http://www.opsi.gov.uk/acts/acts2004/ukpga\\_20040033\\_en\\_1](http://www.opsi.gov.uk/acts/acts2004/ukpga_20040033_en_1) and any reference to a **civil partner** is to be read accordingly.

[Explanatory note: The Civil Partnership Act 2004 includes provision for certain overseas relationships to be treated as civil partnerships.]

## **CLINICAL PLACEMENT EXPENSES**

The following students are not eligible for clinical placement expenses:

- Those commissioned by London Strategic Health Authorities;
- Those being seconded to training;
- Those in receipt of an EU Fees only award; and
- Those in receipt of an Assessed Fees only award

Clinical placement expenses or normally reimbursed in arrears, advance payments can only be considered where:

- (ii) It can be demonstrated that failure to provide an advance will result in real student hardship; and
- (iii) The amount of the claim is greater than the students monthly bursary payment; and
- (iv) The student can demonstrate that they have taken their full entitlement to any student loan, access funds or hardship funds available.

## **COMMISSIONER**

Means an NHS Strategic Health Authority or the National Assembly for Wales.

## **THE COUNTRY CONCERNED**

In relation to the "**Overseas**" rate, means the country specified herein as "**High Cost**", or "**Higher Cost**", as the case may be; and, where the country is not so specified, the "others" rate applies.

## **DEGREE**

Means a degree awarded by a university in the UK or by the Council for National Academic Awards.

## DEPENDANTS' REQUIREMENT

Has the meaning assigned to it by paragraph 8(1).

[Explanatory note:

1. An eligible dependant can be -

A SPOUSE OR CIVIL PARTNER	A CHILD	AN ADULT DEPENDANT
Who must be:		
- married to the student <sup>(1)</sup> or in a <b>civil partnership</b> with the student	- a natural child	- an adult
- living with him	- an adoptive child	- financially dependent on the student
- not an award holder	- a step-child	- not his spouse or <b>civil partner</b>
- living in the UK	- in the student's parental care	- not his ex-spouse or ex- <b>civil partner</b>
- his cohabiting partner with whom he is living as if married	- financially dependent on him	- not his child
	- not an award holder	- living in the UK
	- living in the UK	- have income LESS than the relevant requirement plus the general disregard (specified in Table 5)
	- have income LESS than the relevant requirement plus the general disregard (specified in Table 5)	

(1) For existing students only this includes, an eligible male student (whose course starts on or after 1 September 2002 and who has attained the age of 25 years or over on the first day of the **academic year** for which a parental contribution is applicable), ordinarily living with a woman as his wife and, an eligible female student (whose course starts on or after 1 September 2002 and who has attained the age of 25 years or over on the first day of the **academic year** for which a parental contribution is applicable), ordinarily living with a man as her husband,

2. The formula for calculating the dependants' requirement is X-(Y-Z):

- X = total the relevant rates for each eligible dependant  
Y = total the income of each eligible dependant, net of allowable deductions ("**the net dependant's income**")  
Z = multiply the number of eligible dependants by the general disregard, and add to the resulting total, where applicable:
- the single student's addition (paragraph 9(2)(b))
  - the parent learning allowance (paragraph 9(4)(b))
  - any discretionary allowance for overseas dependants (paragraph 8(6))

If Z exceeds Y, (Y-Z) should be regarded as zero

3. The Two Homes rate is payable even if the requirement is NIL.

4. Where both partners are award-holders jointly responsible for the children, the authority will need to attribute the children as dependants of one partner or the other, in consultation with any other award-making body involved.]

## DIRECTIVE 2004/38

Means Directive 2004/38/EC of the European Parliament and of the Council of 29<sup>th</sup> April 2004 on the rights of citizens of the Union and their family members to move and reside freely in the territory of the Member States.

## DISABLED STUDENTS' ALLOWANCE

The NHS Bursary Scheme does not define disability. It is for the **authority** to consider on its merits each case where extra costs may be incurred in studying by reason of, for instance, a physical disability or a specific learning difficulty.

It is for the student to establish that he is disabled. This may be before or at any stage during the course. He need not be registered disabled. He may reasonably be asked

to provide evidence of the nature and severity of his disability, and of his most recent assessment.

Where a disability has not previously been identified, or no recent assessment is available, one should be undertaken by a suitably qualified person. The costs of substantiating a claim to disability are a matter for the student.

Subject to that, an assessment of the student's course related needs should be undertaken by a suitably qualified person or body. Associated costs (if any) may be charged to the Bursary.

The claim should always be supported by the **academic authority**, which should certify that in its opinion the student can complete the course and achieve professional registration.

Expenditure should be in respect of costs not otherwise met. It must arise from attendance at the course, rather than from disability-related costs that would have been incurred in any case. In particular, allowances are not intended to contribute to the infrastructure, administrative or pastoral costs of the institution or to services which it could reasonably be expected to provide. There is, however, no reason why, with the student's agreement, his institution (or his local authority) should not facilitate the provision of specialist services, such as a support worker.

These allowances are personal to the student: they may not be made to a third party without his written consent. Equally, with his agreement, any necessary equipment may be leased, hired, borrowed or bought, and any reasonable costs associated with its use and ownership, such as training, insurance, warranty, repair or modification, may be charged to the Bursary.

Where equipment is bought, it remains his property (although it is open to him to make it available for the benefit of other students).

The early submission and validation of claims should be positively encouraged, so as to maximise the benefit to students. To this end, payments may if necessary be made in advance of the start of the course to which they relate.

## THE EC

Means the territory comprised by the member States of the European Community (including the UK) as constituted from time to time.

[Explanatory note: this currently comprises:

- Austria
- Belgium
- Bulgaria
- Cyprus
- Czech Republic
- Denmark (but not Greenland or the Faroe Islands)
- Estonia
- Finland (including the Åland Islands)
- France (including the Départements d'Outre Mer - Guadeloupe, Martinique, French Guyana and Réunion - but not the Territoires d'Outre Mer or Monaco)
- Germany (including Heligoland)
- Greece
- Hungary
- Ireland
- Italy (but not San Marino or the Vatican)
- Latvia

Lithuania  
Luxembourg  
Malta  
The Netherlands (but not the Netherlands Antilles)  
Poland  
Portugal (including Madeira and the Azores, but not Macao)  
Romania  
Slovak Republic  
Slovenia  
Spain (including the Balearics, the Canaries, Ceuta and Melilla, but not Andorra)  
Sweden  
The UK (Gibraltar is part of EC territory, but the Channel Islands, the Isle of Man and the Sovereign Bases of Cyprus, the Falklands and the UK Dependent Territories are not).]

### **EC NATIONAL**

Means a national of a Member State of the European Community. Where a state accedes to the EC after the first day of the first academic year of the course and a person is a national of that state or the family member of a national of that state, the requirement in paragraph 2(4)(a) and (h) to be an EC national on the first day of the first academic year of the course is treated as being satisfied.

### **THE EEA**

Means the **EC** and, subject to the conditions laid down in the **EEA Agreement**, the area comprised by the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway (including Svalbard); and an area which was not previously part of the EC or the **EEA** but at any time before or after this Scheme has effect has become part of one or other or both of those shall be regarded as having always been part of the **EEA**.

### **THE EEA AGREEMENT**

Means the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by the Protocol signed at Brussels on 17 March 1993.

### **EEA FRONTIER SELF-EMPLOYED PERSON**

Means an **EEA national** who is a **self-employed person** in England and resides in Switzerland or an **EEA State** other than the UK and returns to his residence in Switzerland or that **EEA State**, as the case may be, daily or at least once a week.

### **AN EEA FRONTIER WORKER**

Means an **EEA national** who is a worker in England and resides in Switzerland or an **EEA State** other than the UK and returns to his residence in Switzerland or that **EEA State**, as the case may be, daily or at least once a week.

### **AN EEA MIGRANT WORKER**

Means a person who is a national of an **EEA** member State or Switzerland who is a worker, other than an **EEA** frontier worker, in the UK.

[Explanatory note: where it appears to the **authority**, having regard to all the circumstances, that the migrant has entered the UK and taken up employment solely for the purpose of becoming eligible for a full Bursary, Community Law imposes no obligation to award him one.]

### **EEA NATIONAL**

Means a national of an **EEA State** other than the UK.

### **EEA SELF-EMPLOYED PERSON**

Means an **EEA national** who is a **self-employed person**, other than an **EEA frontier self-employed person**, in the UK.

#### **EEA STATE**

Means a Member State of the European Economic Area.

#### **EMPLOYED PERSON**

In relation to a Swiss employed person or Swiss frontier employed person means an employed person within the meaning of Annex 1 to the **Swiss Agreement**.

#### **EMPLOYMENT**

Means full-time employment or part-time employment which in a normal week involves a significant number of hours of work; and "employed" should be construed accordingly; and references to employment or employed include references to the holding of any office and to any occupation for gain including but not limited to a contract for services.

#### **EU**

Means European Union

#### **EXEMPT INCOME**

In relation to a student's resources mentioned in paragraph 13(2)(a)(i), means income which is disregarded in assessing the amount by which those resources fall short of his requirements, and comprises:

- (a) in the case of a student to whom a parental or a spouse or **civil partner's** contribution is applicable (at whatever amount, including nil, that contribution is ascertained to be), any income which is applied or any payments which are required to be applied for or towards his maintenance, education or other benefit under any trust deed or other instrument or under any applicable legislation; and
- (b) any pension, allowance or other benefit paid by reason of a disability to which he is subject and any war widow's or war widower's pension; and
- (c) any bounty received as a reservist with the armed forces; and
- (d) remuneration for work done during any academic year of his course if it is a full-time course; and
- (e) in the case of a student to whom a parental contribution is applicable (at whatever amount, including nil, that contribution is ascertained to be), any payment made under covenant by a parent by reference to whose income that contribution falls to be ascertained; and
- (f) any payment made for a specific educational purpose otherwise than to meet such tuition fee contributions and maintenance requirements as are specified in this Scheme; and
- (g) child benefit under Part IX of the Social Security Contributions and Benefits Act 1992; and

- (h) any allowance paid by an adoption agency under regulations under section 57A of the Adoption Act 1976 or amendments or future legislation including section 4 of the Adoption and Children Act 2002.; and
- (i) any guardian's allowance under section 77 of the Social Security Contributions and Benefits Act 1992; and
- (j) any payment under section 23 of the Children Act 1989 to the student with whom a child in the care of a local authority is boarded out; and
- (k) any payment under an order under section 34 of the Children Act 1975 or under section 15 of and Schedule 1 to the Children Act 1989 or any assistance given by a local authority under section 24 of that Act in respect of a child who is not a child of a student; and
- (l) child tax credits and working tax credit under the Tax Credits Act 2002 and income support; and
- (m) any housing benefit or community charge benefits under a statutory or local scheme under Part VII of the Social Security Contributions and Benefits Act 1992 or any council tax benefit under a statutory or local scheme under that Act; and
- (n) any payments under the EC action scheme of the EC for the Mobility of University Students known as ERASMUS or other EC or EEA programme for the encouragement of the mobility of students; and
- (o) any payment made to him by way of a **student loan** or out of **Access to Learning Funds** held by the institution at which he attends his course, or by way of a **NHS Hardship Grant** under this Scheme.
- (p) any payments made to the eligible student for the maintenance of his child by virtue of any agreement, instrument or enactment;

#### **AN EXEMPT STUDENT**

In relation to the application of a parental contribution mentioned in paragraph 14(1)(a), means an **independent student**.

#### **FAMILY MEMBER**

In relation to a **EEA frontier worker**, an **EEA migrant worker**, an **EEA frontier self-employed person** or an **EEA self-employed person** means his spouse or **civil partner**, his child or the child of his spouse or **civil partner** or dependent direct relatives in his ascending line or that of his spouse or **civil partner**, in each case accompanying or joining the worker or self-employed person in the UK.

#### **FAMILY MEMBER**

In relation to a Swiss employed person, a **Swiss frontier employed person**, a **Swiss frontier self-employed person** or a **Swiss self-employed person** means his spouse or **civil partner**, his child or the child of his spouse or **civil partner**, in each case accompanying or joining the worker or self-employed person in the UK.

### **FAMILY MEMBER**

In relation to an **EC** national who falls within Article 7(1)(c) of **Directive 2004/38**, means his spouse or **civil partner** or direct descendants of his or of his spouse or **civil partner** who are under the age of 21 or dependants of his or his spouse or **civil partner**, in each case accompanying or joining the **EC** national in the UK.

### **FAMILY MEMBER**

In relation to an **EC** national who falls within Article 7(1)(b) of **Directive 2004/38**, means his spouse or **civil partner**, direct descendants of his or of his spouse or **civil partner** who are under the age of 21 or dependents of his or his spouse or **civil partner** or dependent direct relatives in his ascending line or that of his spouse or **civil partner**, in each case accompanying or joining the **EC** national in the UK.

### **FAMILY MEMBER**

In relation to a UK national for the purposes of paragraph 2(4)(a), means his spouse or **civil partner** or direct descendants of his or his spouse or **civil partner** who are under the age of 21 or dependants of his or his spouse or **civil partner**, in each case accompanying or joining the UK national in the UK.

### **FINANCIAL YEAR**

In relation to the **income of a student's parent**, means the period of 12 months for which the income of that parent is computed for the purpose of the income tax year which applies to it; and, for the purposes of paragraph 14:

#### **“preceding financial year”**

means the financial year preceding the **academic year** in respect of which the student's resources fall to be assessed; and

#### **“current financial year”**

means the financial year which includes the first day of the **academic year**; provided that, where references to a financial year fall to be construed to in accordance with paragraph 14(3) (self-employed parents) as references to a year ending less than 5 months before the beginning of an **academic year** of the student's course,

[Explanatory note: this definition applies equally to the income of a student's spouse or **civil partner** where a **spouse or civil partner's contribution** is applicable.]

### **FULL-TIME**

In relation to an eligible course, means one which persons undertaking it are normally required by the institution providing it to attend (whether at the institution or elsewhere) for a period of at least 24 weeks in each academic year except the final year and of at least 8 weeks in the final year unless the course is of one year's duration, and the nature of which is such that persons undertaking it would normally require to undertake periods of study, tuition or work experience which together amount in each academic year to an average of at least 21 hours a week in respect of the required period of attendance in each academic year.

### **FULL-TIME EDUCATION**

[Explanatory note: in relation to determining a person's ordinary residence during the **prescribed period** mentioned to in paragraph 2(1)(c), the **Regulations** do not further define this term. It will be for the **authority** to judge each case on its merits. A student who lived in the UK and **Islands** throughout the prescribed period but would not have done so if he had not been in full-time education would not be eligible for a Bursary. However:

- a person who entered the UK on a student visa will initially be resident primarily for the purpose of full-time education, but that purpose might change, where for example that person is subsequently granted **leave to enter**;
- a person will not be disqualified solely because he has been in full-time education; it must have been the sole or main purpose of his residence for all or part of the prescribed period. For example, the spouse, **civil partner** or child of a foreign national who is **ordinarily resident** in the UK and Islands or the territory comprising the **EEA** and Switzerland may receive full-time education but reside here primarily to accompany his family.]

### HIGH COST COUNTRY

In relation to the **Overseas rate**, means Austria, Belgium, countries of the Commonwealth of Independent States, Finland, France (excluding Departements-d'Outres Mer – French Guyana, Guadelupe, Reunion and Martinique), Germany, Iceland, Indonesia Israel, Luxembourg, the Netherlands, Norway, the Republic of Ireland, the Republic of Korea, and Sweden.

### HIGHER COST COUNTRY

In relation to the **Overseas rate**, means Denmark, Hong Kong, Japan, Switzerland and Taiwan.

### HIGHER EDUCATION

In relation to a course, means one mentioned in Schedule 2 to the Education (Student Support) Regulations, or a postgraduate or other course the standard of which is higher than that of a first degree course.

### INCOME

In relation to a student's dependants, see "**Net Dependant's Income**".

### THE INCOME OF A STUDENT'S PARENT

Means the taxable income of the parent from all sources computed as for the purposes of the Income Tax Acts, the tax legislation of another **EU** member State which applies to the person's income or where the legislation of more than one **EU** member state applies to the period, the legislation under which the **authority** considers the person will pay the largest amount of tax in that period except as otherwise provided by paragraphs 15 and 16; and where that income is computed as for the purposes of the income tax legislation of another **EU** member state -

- (a) it shall be computed in the currency of that member State; and
- (b) the value of any deduction mentioned in paragraph 16(2) shall be the amount of that currency required to purchase the sterling value of the deduction; and
- (c) the value of the sterling which the income in that currency would purchase shall be determined, and shall constitute the income of a student's parent for the purposes of paragraphs 14 to 16; and

[Explanatory note: this definition applies equally to the income of a student's spouse, partner or **civil partner** where a **spouse, partner or civil partner's contribution** is applicable.]

### AN INDEPENDENT STUDENT

1. An independent student is one who:
  - (i) has supported himself out of his earnings for periods before the first **academic year** of his course aggregating at least 3 years; or
  - (ii) was married or in a civil partnership at the beginning of the **academic year** for which a parental contribution is applicable, whether or not the marriage or civil partnership is still subsisting; or who has

- (iii) no parent living; or who is
- (iv) **irreconcilably estranged** from his parents (irrespective of his age or income); or who has
- v) satisfied the authority that either -
  - that his parents cannot be found; or
  - that it is not reasonably practicable to get in touch with them; or
- vi) in the pursuant to an order of a competent court has been in the custody or care of or has been provided with accommodation by:
  - a state authority or agency, national, regional or local; or
  - a voluntary or charitable organisation; or
  - any person who is not the student's parent,

throughout any 3 month period ending on or after he attains the age of 16 and before the first day of his course; provided that he has not at any time from the beginning of the 3 month period to the first day of his course in fact been under the charge and control of his parents; or

- (vii) one whose parents are residing outside the **EC** where the authority are satisfied either:
  - that the assessment of a parental contribution would place them in jeopardy; or
  - that it would not be reasonably practicable for them to send any such contribution to the UK; or
- (viii) one whose parent has died, if the parents do not ordinarily live together and that parent is the one by reference to whose income such a contribution has been assessed; or
- (ix) one who is a member of a religious order who resides in a house of his order.

In addition to the conditions 1(i) to 1(ix) in this entry, for *existing* students only an independent student is one who has:

- (x) attained the age of 25 years on or before the first day of the **academic year** for which a parental contribution is applicable; or

2. For the purposes of sub-paragraphs (1)(i) of this entry, a student is treated as having supported himself out of his earnings for any period or periods for which he was:

- (i) participating in arrangements for training for the unemployed under any scheme operated, sponsored or funded by any state authority or agency, national, regional or local; or
- (ii) in receipt of benefit payable by any state authority or agency, national, regional or local, in respect of a person who is available for employment but who is unemployed; or
- (iii) available for employment and had complied with any requirement of registration imposed by a body mentioned in sub-paragraphs (i) and (ii) above as a condition of entitlement for participation in arrangements for training or receipt of benefit; or
- (iii) in receipt of a State Studentship or comparable award; or
- (v) in receipt of any pension, allowance or other benefit paid by reason of a disability to which he is subject, or by reason of confinement, injury or sickness, paid by any state authority or agency, national, regional or local, by an employer or former employer, or by any other person; or

- (vi) As at the first day of the first academic year of training or the first day of the relevant academic year, he is responsible for the care of a person under the age of 18 years who was **dependent** on him, such that he could not reasonably have been expected to support himself out of his earnings.

[Explanatory note: an independent student is one deemed independent of his parents, so that no parental contribution is assessed (although a spouse's may be). A student automatically has independent status if:

- he is a member of a Religious Order; or
- his parent dies, if that parent is the only one by reference to whose income a contribution is assessed.]

## **INSTITUTION**

Means, unless the context requires otherwise, a publicly funded educational institution in England providing further or higher education or both or providing a course which qualifies for funding under Part I of the Education Act 1994, and, in relation to an institution, "publicly funded" means one which is maintained or assisted by recurrent grants out of public funds; and "public funds" means moneys provided by Parliament.

## **INTERNATIONAL COURSE**

In relation to an eligible course, means one provided by a publicly funded institution in England in conjunction with an **overseas institution** for a first degree.

## **IRRECONCILABLY ESTRANGED**

In relation to determining **independent student** status, a person is to be regarded as irreconcilably estranged from his parents if, but not only if, he has communicated with neither of them for the period of one year before the beginning of the year for which a Bursary falls to be paid.

[Explanatory note: the **Regulations** do not further define this test. Where estrangement is claimed before or during the course it will be for the **authority** to verify that it has occurred or persists. It should be demonstrated that the person does not have, plan, nor wish to have, any association with his parents, nor they with him. It is not in itself sufficient to establish estrangement that he chooses to live apart from them, or that they do not get on, or that the parents decline to co-operate in the assessment of a Bursary, or to support him financially.]

## **THE ISLANDS**

Means the Channel Islands and the Isle of Man.

## **LEAVE TO ENTER OR REMAIN**

### **(INCLUDING HUMANITARIAN PROTECTION, DISCRETIONARY LEAVE AND WHAT WAS FORMERLY KNOWN AS EXCEPTIONAL LEAVE TO ENTER/REMAIN)**

Means a grant of leave to enter or remain in the UK given on behalf of the Secretary of State for the Home Department to a person who has been informed that although he is considered not to qualify for recognition as a **refugee**, it is thought right to allow him to enter or remain in the UK. The period of leave to enter or remain should not have expired or should have been renewed and the period for which it was renewed should not have expired or an appeal should be pending (within the meaning of section 104 of the Nationality, Immigration and Asylum Act 2002) in respect of the leave to enter or remain. A person granted leave to enter/remain (including Humanitarian Protection, Discretionary Leave and what was formerly known as Exceptional Leave to Enter/Remain) and his spouse, **civil partner** or child is eligible for a Bursary without being **settled in the UK**, but remains subject to the requirement of **ordinary residence** in the **UK and Islands** during the **prescribed period**. Any reference to the child of a person who has been granted leave to enter or remain includes a reference to a step-child and "parent" should be construed accordingly.

[Explanatory note: The authority takes the view that any reference to a child of a person who has been granted leave to enter or remain is a reference to someone who is currently below the age of 18 or was under 18 when their parent's asylum application was submitted, heard and decided on.]

### **MAINTENANCE GRANT**

Means the aggregate of any sums paid in respect of maintenance, including disability - related costs.

### **MANDATORY AWARD**

Means an award bestowed under the **Regulations** or a comparable award in respect of Scotland and Northern Ireland.

### **METROPOLITAN POLICE DISTRICT**

Means the areas mentioned in section 76 of the London Government Act 1963, as it had effect prior to the substitution by section 323 of the Greater London Authority Act 1999 of subsection (1).

### **MINOR**

Means a person under the age of 18.

### **NET DEPENDANT'S INCOME**

In relation to determining whether a person is a student's dependant referred to in paragraph 8(3)(a), means that person's income for the **academic year** in question from all sources (**reduced by income tax** and social security contributions), but

### **DISREGARDING**

- any pension, allowance or other benefit paid by reason of a disability to which the dependant is subject, which is not subject to income tax under the Income Tax Acts, or, where the income is subject to the tax legislation of another member State of the **EU**, which would not be subject to tax under that legislation if it made provision equivalent to those Acts; and

### **DISREGARDING**

- child benefit under Part IX of the Social Security Contributions and Benefits Act 1992; and

**DISREGARDING**, in the case of the student's spouse, partner or **civil partner**:

- (a) where the spouse, partner, **civil partner** or the student make any mortgage or rent payments which were previously made by the student under an obligation incurred before the first **academic year** of the student's course:
  - (i) if, in the **authority's** opinion, the mortgage or rent obligation had been reasonably so incurred, an amount equal to the payments in question for the academic year; or
  - (ii) if, in their opinion, only a lesser mortgage or rent obligation could have been reasonably so incurred, such correspondingly lesser amount (if any) as appears to them appropriate; and

(b) any payments made:

- (i) by an adoption agency under regulations under section 4 of the Adoption and Children Act 2002;
- (ii) of a guardian's allowance under section 77 of the Social Security Contributions and Benefits Act 1992;
- (iii) under section 23 of the Children Act 1989 in respect of a child in the care of a local authority who is boarded out with him;
- (iv) under an order made under section 34 of the Children Act 1975 in respect of a child who is not a child of the student or his spouse, partner or **civil partner**;
- (v) under section 15 of and Schedule 1 to the Children Act 1989, or any assistance given by a local authority under section 24 of that Act in respect of a child who is not a child of the student or his spouse, partner or **civil partner**; and

### **ORDINARILY RESIDENT**

[Explanatory note: the **Regulations** do not define this term. It is interpreted by the courts as meaning lawful and habitual residence through choice and for a settled purpose throughout the period concerned, apart from temporary or occasional absences. The courts have not further defined temporary or occasional absences, so it will be for the authority to judge each case on its merits, without applying rules of thumb. Absences due to the temporary employment abroad of the student or his family should not be held to break ordinary residence even if the absence would not otherwise be regarded as temporary or occasional. Likewise, members of the regular military and air forces and of the royal navy forces will be treated as being temporarily employed within the meaning of this paragraph for any period during which they serve outside the United Kingdom as members of such forces.]

### **PARENT**

For the purposes of paragraph 2 includes a guardian, any other person having parental responsibility for a child and any person having care of a child, and "child" should be construed accordingly.

### **PARENT**

In relation to a student's dependants, see "**Child**".

### **PARENT**

In relation to a student, see "**Child**".

### **PARENTAL CONTRIBUTION**

Has the meaning assigned to it by paragraph 14(1); provided that no parental contribution shall be assessed by reference to the income of a student's step-parent, foster-parent or guardian.

### **PARENTAL RESPONSIBILITY**

For the purposes of the Childcare Allowance in paragraph 12 the definition is usually aligned with that issued by HM Revenue and Customs and means the child must be the student's; child or stepchild or a child for whom the student has parental responsibility. Parental responsibility means that the student has the same legal rights, duties, powers, responsibilities and authority as a parent for a child and the child's property.

## **PARENTS' HOME**

In relation to determining a student's maintenance requirement, includes, in the case of a student whose spouse or **civil partner** attends a full-time course at any institution in the UK, the home of the parents of the student's spouse or **civil partner**.

## **PART-TIME**

In relation to an eligible course, means one involving periods of attendance for the purposes of study or clinical training during each year of the course, which are less than full - time.

## **PARTNER**

Means a woman ordinarily living with a man student as his wife or a man ordinarily living with a woman student as her husband.

## **PAYMENT**

In relation to a student, includes reference to payments made to the **academic authority** or to a third party on his behalf.

## **THE PERIOD ORDINARILY REQUIRED**

In relation to the transfer and termination of awards under paragraphs 19 and 20, means the period ordinarily required for the completion of a course by a student who is not excused part of the course on account of his having attended a previous course.

## **THE PRESCRIBED PERIOD**

Means the period of 3 years which precedes the first year of a course and throughout which a person must be **ordinarily resident** in a specified area in order to be eligible for a Bursary.

## **PRISONER**

Means a person held in custody while on trial or serving a prison sentence

## **QUALIFIED PERSON**

Under the Immigration (European Economic Area) Regulations 2006 ("the EEA Regulations") "qualified person" means a person who is an EEA national and in the UK as a jobseeker, a worker, a self-employed person, a self-sufficient person or a student. This definition has been modified in its application to certain Bulgarian and Romanian nationals by the Accession (Immigration and Worker Authorisation) Regulations 2006 ("the Accession Regulations"). By virtue of these Regulations a Bulgarian or Romanian national who is an "accession State national subject to worker authorisation" (defined in regulation 2 of the Accession Regulations to mean a national of Bulgaria or Romania, subject to various exceptions), during the period 1 January 2007 to 31 December 2011, who is seeking employment in the UK will not be treated as a jobseeker for the purpose of the definition of "qualified person" in the EEA Regulations and such a person will be treated as a worker only whilst he holds an accession worker authorisation document and is working in accordance with its conditions.

## **REDUCED BY INCOME TAX**

In relation to calculating a person's income for any year, any reduction for income tax is to be made by calculating the tax payable on the income received in that year as if the year were a year of assessment for the purposes of the relevant tax legislation (the necessary apportionment being made in any case where the relevant provisions of that legislation change during the year).

## REDUCED RATE

In relation to **student loans**, means those payable at the rates specified in Table 10.

## REFUGEE

Means a person who is recognised by Her Majesty's Government as a refugee within the meaning of the UN Convention relating to the Status of Refugees done at Geneva on 28 July 1951, as extended by the Protocol thereto which entered into force on 4 October 1967; and any reference to the child of a refugee includes reference to a person adopted under adoption proceedings and a step-child and "parent" should be construed accordingly.

[Explanatory note: a refugee, or his spouse, **civil partner** or child becomes eligible for a Bursary from the date on which he is so recognised without the need for **settled** status or residence in the UK and **Islands** during the prescribed period.]

The authority takes the view that any reference to a child of a refugee is a reference to someone who is currently below the age of 18 or was under 18 when their parent's asylum application was submitted, heard and decided on.

## THE REGULATIONS

Means the Education (Mandatory Awards) Regulations 2001 and the Education (Student Support) Regulations 2001, and includes any regulations replacing those Regulations or any part of them.

## RELATIVE

For the purposes of the Childcare Allowance in paragraph 12 the definition of relative is usually aligned with that issued by HM Revenue and Customs and means; a parent, step parent, foster parent, grandparent, aunt or uncle, brother or sister.

## RIGHT OF RESIDENCE

For the purposes of paragraph 2(4)(g) a person has exercised a right of residence if he is a UK national, a family member of a UK national for the purposes of Article 7 of **Directive 2004/38** (or corresponding purposes under the **EEA Agreement** or **Swiss Agreement**) or a person who has a **right of permanent residence** who in each case has exercised a right under Article 7 of **Directive 2004/38** or any equivalent right under the **EEA Agreement** or **Swiss Agreement** in a state other than the UK or, in the case of a person who is **settled in the UK** and has a right of **permanent residence**, if he goes to the state within the territory comprising the **EEA** and Switzerland of which he is a national or of which the person in relation to whom he is a family member is a national.

## RIGHT OF PERMANENT RESIDENCE

Means a right arising under Directive 2004/38 to reside in the UK permanently without restriction.

## SELF-SUFFICIENT

Means self-sufficient within the meaning of Article 7(1)(b) of **Directive 2004/38**.

## SELF-EMPLOYED PERSON

Means in relation to an **EEA national**, a person who is self-employed within the meaning of Article 7 of **Directive 2004/38** or the EEA Agreement, as the case may be, or in relation to a Swiss national, a person who is a self-employed person within the meaning of Annex 1 to the **Swiss Agreement**.

## SETTLED IN THE UK

Means settled, within the meaning of section 33(2A) of the Immigration Act 1971, at the beginning of the first year of the course in respect of which a Bursary falls to be assessed; that is to say, **ordinarily resident** in the UK without being subject under the immigration laws to any restriction on the period for which the person concerned may remain; provided that, where a person was in receipt of a **statutory award** in respect of his attendance at a course during an academic year beginning before 1 September 1997, and, immediately after ceasing to attend that course (disregarding any intervening vacation) began to attend another course, that person shall be eligible for a Bursary in respect of his attendance at the second course, if it is an **eligible course**, notwithstanding that he does not have settled status in the UK.

The term “settled in the UK” includes both persons who are settled in the UK by virtue of having acquired the right of permanent residence and persons who are settled in the UK other than by reason of having acquired the right of permanent residence.

[Explanatory note: a person will not be subject to any restriction on his length of stay in the UK if he is a British citizen, or if his passport has been stamped to the effect that the holder has an indefinite right of residence in the UK for example Indefinite Leave to Enter or Remain. Evidence of British citizenship is a UK passport stating that the holder is a British Citizen, or a UK birth certificate, combined with evidence of identity. A person's immigration status may be readily verified by reference to the stamps in his passport or travelling document. If his case is under consideration by the Home Office, he should be able to obtain some documentary evidence of that fact from them. The Home Office should be consulted directly where a person's immigration status is unclear.]

## SOCIAL SECURITY BENEFITS

[Explanatory note: full-time students are not generally entitled to social security benefits. However:

unemployed people may study part-time while receiving Jobseeker's Allowance (JSA), so long as they can show that they are available for and actively seeking employment. Anyone planning to study part-time while on JSA should be referred to his local Employment Service Jobcentre for advice;

certain students in vulnerable groups, including single parents with dependants under 16 and people with disabilities, may study full-time and remain eligible for Income Support and other social security benefits. The Benefits Agency take account of income from maintenance grants and student loans. The maximum available loan is taken into account, whether or not it is taken up. If the student's partner is eligible for benefits, the Agency take account of the student's income in the same way in calculating the partner's benefit.

Payment of tuition fee contributions is not taken into account. Anyone in receipt of benefits who plans to study should be referred to his local Benefits Agency office for advice;

local authorities can award Housing Benefit and Council Tax Benefit to certain students, including single parents, student couples with dependent children, disabled and part-time students, and also to partners of students. Anyone in receipt of or wishing to claim these benefits should be referred to his local authority for advice.]

## SPOUSE

In relation to a **refugee**, see paragraph 2(3).

## SPOUSE

In relation to a student, has the meaning assigned to it by paragraph 8(1).

## SPOUSE OR CIVIL PARTNER'S CONTRIBUTION

Has the meaning assigned to it by paragraph 17.

[Explanatory note: where a spouse or **civil partner's** contribution is applicable, references in paragraphs 13-15 to the student's parents should generally be treated as references to his spouse or **civil partner** as the case may be.]

## STATUTORY AWARD

Means any award bestowed, grant paid or other support provided by virtue of the Education Act 1962 or the Teaching and Higher Education Act 1998, or any comparable award, grant or

other support provided in respect of attendance at a course which is paid out of moneys provided by Parliament; and includes a Bursary awarded under this Scheme or previous arrangements pursuant to **the Act**, or under the Nursing and Midwifery Student Allowances (Scotland) Regulations 1992.

### **STUDENT LOAN**

Means a loan towards a student's maintenance pursuant to regulations made under the Education (Student Loans) Act 1990, the Education (Student Loans) (Northern Ireland) Orders 1990 and 1998, the Education (Scotland) Act 1980, or the Teaching and Higher Education Act 1998, and includes the interest accrued on the loan and any penalties or charges made in connection with it.

[Explanatory note: most full Bursary holders (other than **diploma students**) will be eligible for a reduced rate, non-means tested loan. As NHS Bursary rates assume that loans are available for the balance of maintenance costs, the **authority** should particularly ensure that students are aware of their entitlement to loans, and of the fact that applications should be made to their local education authority, as far in advance of the start of the course as possible (and no later than a month before the end of the **academic year**), so as to avoid unnecessary hardship. Students who began before 1 September 1998 should apply to their institutions. ]

### **SWISS AGREEMENT**

Means the bilateral agreement between the EC and its Member States of the one part and the Swiss Confederation of the other on the Free Movement of Persons signed at Luxembourg on 21<sup>st</sup> June 1999 and which came into force on 1<sup>st</sup> June 2002.

### **SWISS EMPLOYED PERSON**

Means a Swiss national who is an **employed person**, other than a Swiss frontier **employed person**, in the UK.

### **SWISS FRONTIER EMPLOYED PERSON**

Means a Swiss national who is an **employed person** in England and resides in Switzerland or in the territory of an **EEA State** other than the UK and returns to his residence in Switzerland or that **EEA State**, as the case may be, daily or at least once a week.

### **SWISS FRONTIER SELF-EMPLOYED PERSON**

Means a Swiss national who is a **self-employed person** in England and resides in Switzerland or in the territory of an **EEA State**, other than the UK and returns to his residence in Switzerland or that **EEA State**, as the case may be, daily or at least once a week.

### **SWISS SELF-EMPLOYED PERSON**

Means a Swiss national who is a **self-employed person**, other than a Swiss frontier **self-employed person**, in the UK.

### **TAXABLE INCOME**

Taxable income is income from all sources computed as for the purposes of the Income Tax Acts, the tax legislation of another **EU** member State which applies to the person's income or where the legislation of more than one **EU** member state applies to the period, the legislation under which the **authority** considers the person will pay the largest amount of tax in that period.

### **TERMINATED**

In relation to a person's marriage or **civil partnership**, means that it is to be treated as having been ended, not only by the death of the other spouse or **civil partner** or the annulment or

dissolution thereof by an order of a court of competent jurisdiction, but also by virtue of the parties to the marriage or **civil partnership** ceasing ordinarily to live together, whether or not an order for their separation has been made by any court.

### **TUITION FEE CONTRIBUTION**

Means the aggregate of any fees for admission, registration or matriculation (including matriculation exemption), any sessional or tuition fees, any composition fee, any graduation fee, and any other fee charged by any body whose requirements must for the purposes of the course be satisfied in each case excluding any element representing or attributable to the student's living costs; and subject to the maxima specified in Table 1.

[Explanatory note: this includes any mandatory indexation fee, or any proportion thereof, otherwise payable by the student.]

### **TURKISH WORKER**

Means a Turkish national who –

- (a) is ordinarily resident in the UK and Islands; and
- (b) is, or has been, lawfully employed in the UK.

### **UK NATIONAL**

Means a person who falls to be treated as a national of the UK for the purposes of the Community Treaties.

### **UNIVERSITY**

Means a university in the UK, and includes a university college, and a constituent college, school or hall of the university.

### **WORKER**

Means a person who is a worker within the meaning of Article 7 of **Directive 2004/38** and who is not removed from the definition of “qualified person” in regulation 6 of the Immigration (European Economic Area) Regulations 2006 by the Accession (Immigration and Worker Authorisation) Regulations 2006 or a worker within the meaning of the **EEA Agreement**, as the case may be.

### **WORK EXPERIENCE, PERIODS OF**

In relation to a **full-time** course, means periods of industrial, professional or commercial experience associated with full-time study at an institution but at a place outside the institution.