

Request Reference: 64-17

Date of Response: 05/05/2017

Request

I refer to your recent email dated 12/04/2017 requesting the following information under the Freedom of Information Act 2000 ("FOIA"):

"Please send me, relevant verifiable information to my following three questions, under the Freedom of Information Act 2000.

(1) The Certificate of Eligibility used to apply for a loan (as required by the Student Loans Regulations), held under my name relating to Art.ID 28025074810. If you do not have it, please state you do not have it.

(2) A copy of student finance information sent to the Housing Benefit Service at 5 Clove Crescent E14 for Art.ID 28025074810, or state you did not send anything, or you do not have it.

(3) The terms & conditions for eligibility for a loan under the Student Loans Regulations in force in 2008 for persons over the age of 50 with long term disability and no employment prospects."

I contacted you by email dated 19/04/2017 to confirm whether the Regulations you were requesting were for England only and you replied the same day as follows:

"Yes I am only interested in regulations for England and persons living and born in England and are in receipt of England social security benefits at the time of applying for student finance and student loans.

My apologies for not making my request clear enough. To clarify, the regulations need only apply to persons requesting student finance between 2008 to 2014 and these persons must be in receipt of social security and independant persons living in their own home in the UK and be of single status, over the age of 25 with no formal degree."(sic)

Response

Questions 1 and 2

This information is technically exempt under section 40(1) of the FOIA as it is your own personal information. A request for personal information constitutes a Subject Access Request ("SAR") under the Data Protection Act 1998. However, in light of the limited and specific information you have requested, a separate response will be issued to you outwith the FOIA.

Question 3

This information is technically exempt from disclosure under section 21(1) as it is reasonably accessible to you by other means.

Eligibility terms and conditions can be found in the Student Support Regulations that applied at the relevant time. The applicable Student Support Regulations over the timeframe requested, i.e. 2008 to 2014 were as follows:

- For courses commencing on or after 01/09/2007 – The Education Student Support Regulations 2007 (<http://www.legislation.gov.uk/uksi/2007/176/contents/made>), as amended (amendments available at <http://www.legislation.gov.uk/changes/affected/all/2007/176>).
- For courses commencing on or after 01/09/2008 - The Education (Student Support) Regulations 2008 (<http://www.legislation.gov.uk/uksi/2008/529/contents/made>), as amended (amendments available at <http://www.legislation.gov.uk/changes/affected/uksi/2008/529>).
- For courses commencing on or after 01/09/2009 – The Education (Student Support) (No 2) Regulations 2008 (<http://www.legislation.gov.uk/uksi/2008/1582/contents/made>), as amended (amendments available at <http://www.legislation.gov.uk/changes/affected/all/2008/1582>).
- For courses commencing on or after 01/09/2010 - The Education (Student Support) Regulations 2009 (<http://www.legislation.gov.uk/uksi/2009/1555/contents/made>), as amended (amendments available at <http://www.legislation.gov.uk/changes/affected/uksi/2009/1555>).
- For courses commencing on or after 01/09/2012 - The Education (Student Support) Regulations 2011 (<http://www.legislation.gov.uk/uksi/2011/1986/contents/made>), as amended (amendments available at <http://www.legislation.gov.uk/changes/affected/uksi/2011/1986>).

Please note that being:

- the age of 50
- in receipt of social security;
- independent living in their own home in the UK;
- single; and
- over the age of 25

and having:

- a long-term disability; and
- no employment prospects

do not affect any student's eligibility, only financial entitlement. Previous study can affect eligibility to student finance.

The Student Support Regulations are supported by Guidance Chapters and these are available for academic year 2009/10 onwards online at <http://www.practitioners.slc.co.uk/policy-information/guidance-chapters.aspx>.