



2022-0025255AJPO

Andrea Jenkyns MP

Parliamentary Under Secretary of State for Skills, Further and Higher Education

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Dear Sue,

Thank you for your letter of 16 June, addressed to the Secretary of State, about provision within the SSI 2022-156 The Education (Fees) (Scotland) Regulations 2022, for Ukrainian nationals who are studying a course of further or higher education (HE) at a Ukrainian institution but are resident in Scotland, and their eligibility for Universal Credit (UC). I am replying as the minister responsible for this policy area and I am sorry for the lengthy delay in responding to you.

As you will be aware, universities in Ukraine are striving to maintain the education of their students under extremely challenging conditions. This includes through the provision of online distance learning for students enrolled at Ukrainian universities, but who now live in another country, including in the UK. This department is committed to supporting Ukrainian nationals in their studies.

We have worked closely with the Ukrainian Ministry of Education and Science and the HE sector in the UK to help facilitate their entrance exams this summer, which will allow successful participants to commence their studies online from the UK. We recommend that any Ukrainians deciding to undertake a Ukrainian university course from the UK should speak to their university about the intensity of study they are offering, as this may impact their ability to access government support through UC whilst in the UK.

Student finance is available to support students in HE. However, this is available only for students studying courses offered by UK providers, and where the course is predominantly provided in the UK. British nationals who study remotely whether they are studying with a UK or an overseas provider, are, in general, not eligible to receive student loans to cover maintenance costs. In line with domestic students, Ukrainian students studying via distancing learning in England, are also not eligible for maintenance support. Ukrainian students should discuss their circumstances with their Ukrainian provider to agree the type of course that is best for them.

Whilst the Department for Work and Pensions (DWP) has provided access to UC and jobs support for those arriving in the UK from Ukraine because of the Russian invasion, a person still must meet the eligibility criteria in order to receive UC and other Social Security benefits. Full-time students are not usually eligible to claim UC. UC supports claimants to enter work, earn more or prepare for work in the future.

A condition of entitlement for UC is that the person must not be in education. Exceptions are made where students have additional needs that cannot be met through the student support system of loans and grants, such as being responsible for a child. A person aged 18 or over in full time HE or advanced education can get UC if they meet one of the education exceptions listed on the GOV.UK website at: [tinyurl.com/SMP3RYKW](https://www.gov.uk/uc-exceptions).

Alternatively, a person aged 18 or over can get UC without meeting one of these exceptions if: their course provider has classified their course as part time; they meet their work-related requirements; or their Work Coach is satisfied that undertaking the part-time course will improve their prospects of moving into work more quickly. More information is available on GOV.UK at: [tinyurl.com/2YTYZ8VM](https://www.gov.uk/uc-exceptions).

Conditionality means that Work Coaches can work together with a claimant to generate a productive reciprocal relationship with the aim of getting claimants into work or more, better paid work. UC is based on a strong system of support and an agreed relationship where the claimant and the Work Coach aim to achieve positive work outcomes and prevent a slide into welfare dependency. Before setting requirements or requiring a claimant to accept a Claimant Commitment, Work Coaches will determine a claimant's capability and personal circumstances, whilst exploring work history, job goals and skills with the claimant.

There will be a detailed conversation between the claimant and the Work Coach for those who are subject to work search or availability requirements. Work Coaches can also discuss and agree claimant specific actions that should be undertaken, such as completion of a CV, registering with an employment agency or Find a Job. Work Coaches can advise on the support available to students and the UC helpline is available on GOV.UK at: [tinyurl.com/YDSNV4YM](https://www.gov.uk/uc-exceptions).

it is important to maintain parity of treatment for all students in HE who make a claim to UC, whether they are a domestic student undertaking a course with a UK HE provider or remotely with an overseas education provider. Similarly, student finance for British nationals and students with settled status continues to only be available for courses in the UK, where we have systems in place to assure the quality of education received and that students are attending their courses.

Thank you for writing on this important matter.

Yours sincerely,



Andrea Jenkyns MP
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