

<b>Policy Title</b>	<b>NCG Group Further Education Fees policy</b>
<b>Policy Category</b>	Compliant
<b>Owner</b>	Head of Group Finance
<b>Group Executive Lead</b>	Chief Finance Officer
<b>Date Written</b>	January 2022
<b>Considered By</b>	Executive Board
<b>Approved By</b>	Corporation
<b>Date Approved</b>	February 2022
<b>Equality Impact Assessment</b>	Includes the assessment in this document
<b>Freedom of Information</b>	This document will be available through the Groups Publication Scheme.
<b>Review Date</b>	February 2023
<b>Policy Summary</b>	<p>NCG Further Education Fees policy for 2022-23 sets out the rules which all NCG colleges must follow in setting FE fees. The fees that are covered by this policy are fees paid directly by a student or sponsor, paid via Student Loans Company, contributions from employers for apprenticeships and any other fee types. For clarity it does not include Higher Education or International Fees as these are covered under separate policies.</p> <p>Colleges will need to have local operational policies and procedures for learners and these must be documented for areas stipulated in the NCG policy. Compliance with the NCG policy is a requirement.</p> <p>The NCG policy allows some discretion to set appropriate fees which align to the local needs of the college, make commercial sense and ensures compliance with the relevant fee structure/funding rules set by the local funding authorities. These should be documented in the colleges' policies and procedures.</p> <p>The policy also ensures that due consideration to administering this is given so that fees can be collected fully, efficiently, and effectively.</p>

<b>Applicability of Policy</b>	<b>Consultation Undertaken</b>	<b>Applicable To</b>
Newcastle	Yes	Yes
Newcastle 6th Form	N/A	N/A
Carlisle	Yes	Yes
Kidderminster	Yes	Yes
Lewisham	Yes	Yes
West Lancashire	Yes	Yes
Southwark	Yes	Yes
Professional Services	Yes	Yes

Changes to Earlier Versions	
Review Date	Below are main changes made in this version
January 2022	<p>Minimal changes have been made to the policy however they include:</p> <p>Aligning the policy with the latest relevant guidance.</p> <p>Minor wording changes to aid understanding.</p>
February 2021	<p><b>Policy Aim/Category (Policy Summary)</b></p> <p>The policy has been changed from a cascade to compliant policy. In prior years, the NCG policy set a framework on which the colleges would base their local policy. The colleges are required to adopt the NCG policy as is, but will also have documented local operational policies and procedures detailing specific processes and fee levels. Colleges still have discretion to set appropriate fees which align to local needs, in accordance with the relevant funding authority rules.</p> <p><b>Income Limits for Learners/Loan Qualification (section 4/5)</b></p> <p>These have been removed from the policy as the limits change annually and vary according to the relevant funding authority. The colleges are required to adhere to the relevant funding authority rules, include these limits in their documented policies and procedures and update when they change.</p> <p><b>Apprenticeships (section 6)</b></p> <p>The rules regarding apprenticeship fees are changing on 1<sup>st</sup> April 2021 and direct charging of fees will no longer be appropriate. For any new starts after that date, the NCG Apprenticeship Standard Operating Procedure (SOP) should be followed. The detail in this section regarding fee charging has been removed.</p>
March 2020	<p>We have changed this policy in order to incorporate recommendations from a business assurance audit finalised following the approval of the previous policy version, the key changes are:</p> <p><b>2. Background</b></p> <p><b>Added ESFA Requirement for clarification</b></p> <p>The amounts referenced in this policy represent the current ESFA rate at the time of writing. Where ESFA guidance is updated and the rates change, the new published rate will supersede those which are published in this document.'</p> <p><b>4. FE Classroom Fee Policy 20-21</b></p> <p>Updated Students in Receipt of Low Wage criteria and requirements.</p> <p><b>6. Fees Policy – Apprenticeships</b></p> <p>Updated all references relating to 10% funding / co funding / co investment replaced with 5% / 10% based on the changes to the funding cap of £9 for every £1 that the employer pays as a cash contribution for learners commencing before 1<sup>st</sup> April 2019 and £9.50 for every £0.50 from 1<sup>st</sup> April 2019 onward.</p>
May 2018	<p>Reference to the creation of a Credit control policy.</p> <p>Stated in the policy that Fee variations must have the approval of the head of the college.</p> <p>The approach by each college to the application of the fees policy will be set out explicitly as part of the Business Planning approval process and should form part of the detailed plan presented prior to budget sign off.</p> <p>For clarity all FE fees are clearly set out in the ESFA funding rules and all colleges need to work within the limits of this framework which sets out rates within which an establishment must operate. The discretion a college will have is around what proportion of a course fee is co funded (up to a maximum of 50% of the un weighted LARS value).</p>
Linked Documents	
Document Title	Relevance
Credit Control Policy	This sets clear guidelines around the ways in which fees will be collected and implications and actions for non-payment – this is a Group policy and must be complied with.
Apprenticeship SOP	This sets out the fee structure and the process by which fees are recorded and monitored.

**Equality Impact Assessment**

	Judgement	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	Yes	
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?		
<ul style="list-style-type: none"> <li>Age</li> </ul>	No	
<ul style="list-style-type: none"> <li>Disability / Difficulty</li> </ul>	No	
<ul style="list-style-type: none"> <li>Gender Reassignment</li> </ul>	No	
<ul style="list-style-type: none"> <li>Marriage and Civil Partnership</li> </ul>	No	
<ul style="list-style-type: none"> <li>Race</li> </ul>	No	
<ul style="list-style-type: none"> <li>Religion or Belief</li> </ul>	No	
<ul style="list-style-type: none"> <li>Sex</li> </ul>	No	
<ul style="list-style-type: none"> <li>Sexual Orientation</li> </ul>	No	
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	No	
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	No	
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	No	
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	No	
EIA 6 - How do you know that the above is correct?	The policy has been scrutinised at various levels of the organisation.	

## 1. Purpose

NCG Further Education Fees policy for 2022-23 sets out the rules which all NCG colleges must follow in setting FE fees. The fees that are covered by this policy are fees paid directly by a student or sponsor, paid via Student Loans Company, contributions from employers for apprenticeships and any other fee types. For clarity it does not include Higher Education or International Fees as these are covered under separate policies

It allows some discretion to set appropriate fees which align to the local needs of the college, make commercial sense and ensures compliance with the relevant fee structure/funding rules set by local funding authorities. The policy also ensures that due consideration to administering this is given so that fees can be collected fully, efficiently, and effectively.

## 2. Background

There has been little change in the approach to fees and charging for classroom provision funded by our external funding bodies for the coming year.

This policy sets the high-level principles that are common to all NCG colleges and these must be complied with. Rules surrounding the charging and level of FE fees are clearly set out in the ESFA funding rules. All colleges need to work within the limits of this framework which sets out rates within which an establishment must operate. The discretion a college will have is around what proportion of a course fee is co funded (up to a maximum of 50% of the unweighted National Learning Aim Reference value).

The way in which fees are collected requires one common approach across NCG. This is undertaken centrally and needs to ensure compliant, efficient and effective processes are in place. This is set out in the NCG Credit Control Policy.

Each colleges approach to the application of the fees policy will be set out explicitly as part of the Business Planning approval process and should form part of the detailed plan presented prior to budget sign off.

Provision for 16-18-year olds on Programmes of Study remains entirely free of fees. The high-level principle for the setting of fees for funded classroom and workplace courses for adults is covered in Section 4, the principles for fees for adults in receipt of Advanced Learner Loans is covered in Section 5, the principles for Apprenticeships in Section 6 and principles for other fees in Section 7.

The amounts to be charged must be in line with the appropriate funding body guidance which is updated at least annually, ie ESFA, Student Loans Company, Devolved Authorities for example Greater London Authority). This policy does not refer to specific values and the most up to date rates must be used when publishing fee information.

### 3. Scope

The policy relates to all fees with the exception of HE fees for which a separate policy exists.

### 4. FE Classroom Fees Policy 2022-23

The policy requirements in this section apply to the funded FE classroom-based provision. Loans based provision is covered in section 5.

#### 4.1. Where Fees are remitted in full

- NCG colleges will observe national guidance that currently states that fees are remitted nationally for 16–18 funded learners on programmes of study.
- Unemployed or low-income adults – rates and thresholds will vary between national (ESFA) adult contracts and those managed in devolved regions (for example Greater London Authority).
  - Fees are also remitted in full for unemployed adults in the following categories:
    - In receipt of Jobseeker's Allowance (JSA), including those receiving National Insurance credits only.
    - In receipt of Employment and Support Allowance (ESA).
    - Receive Universal Credit, and their earned income from employment (disregarding benefits) is less than the limit set out in the appropriate funding body guidance per month.
    - Has been released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice
  - Fees are also remitted in full for other unemployed adults who:
    - Receive other state benefits (not listed above) and their earned income (disregarding benefits) is less than the limit set out in the appropriate funding body guidance per month, and;
    - Want to be employed or progress into a more sustainable employment and are undertaking learning that is directly relevant to their employment prospects and the local labour market needs.
  - First Full Level 2 qualification: no fees are chargeable for students aged 19 up to 23 (if the qualification appears in the 'Legal Entitlements' list), 'Full level 2' is defined in the 'Adult education budget: funding rules'.
  - First Full Level 3 qualification: no fees are chargeable for students aged 19 up to 23 (if the qualification appears in the 'Legal Entitlements' list), 'Full level 3' is defined in the 'Adult education budget: funding rules'. From April 2021, any adult aged 24 and over will also be entitled to full funding for their first full level 3 qualification from the entitlement list under the Lifetime Skills Guarantee.

- Essential Digital skills up to and including level 1 (if the qualification appears in the 'Legal Entitlements' list).
- English and Maths provision for all adults up to and including level 2, who have not previously attained a GCSE grade A\* - C or grade 4, or higher.
- Students in receipt of a low wage studying up to and including level 2 who:
  - Are employed or self-employed and cannot contribute towards the cost of co-funding fees,
  - Are eligible for co-funding, and
  - Earn less than the limit set out in the appropriate funding body guidance as annual gross salary. *(these values, as well as the categories where full funding is appropriate, may vary in devolved authorities – for example Greater London Authority and the relevant value from the devolved AEB funding rules should apply when operating in an area with devolved AEB).*

You must have seen evidence of the learner's gross annual wages in these circumstances. This could be a wage slip or a Universal Credit statement within 3 months of the learner's learning start date, or a current employment contract which states gross monthly/annual wages. Please note this is not an exhaustive list, but you must evidence your decision to award full funding to an individual who would normally be eligible for co-funding (i.e. a fee can be charged).

### 4.2. Where some Fees are chargeable

- For college-based courses the fee rate, for co-funded students (excluding loans-based provision) is 50% of the National Learning Aim Reference unweighted matrix rate as shown on the Government system 'Find a Learning Aim service'.
- Unless discretionary or statutory remission applies all courses, which can bear a fee will be set at a level which will encourage participation and cover costs. These courses can be commercial, units/credits or full qualifications.
- Where information provided to the college is inaccurate and as a result the student's enrolment does not attract grant funding, the college reserves the right to charge a fee.
- Students who are continuing on the same learning aim which they enrolled to in the prior year will continue to be entitled to the same remission conditions that were operational at the time of the commencement of their study on that learning aim.
- Enrolment to new learning aims starting in the current academic year will be subject to the relevant funding body's eligibility criteria for the current year.

- A reduced fee will be applied for the following adult category:
  - Low paid individuals studying between entry and level 2 who are not ESFA/devolved authority fee remitted and have a personal gross income of less than the limit set by colleges according to local needs per annum or are in receipt of inactive benefits.
  - The reduced fees for students in this category are to be set by colleges according to local needs.
- For learners in this category these fees should be paid in full in all instances, there are no exceptions based on specific curriculum areas.
- Colleges have discretion to waive fees in instances of students wishing to enrol in receipt of registered asylum status.
- Any other fee reductions for any other purposes must be agreed in advance of a course starting. The local college policies and procedures must include the authorisation process for this, including who has authority to approve. This will be either the college Head of Finance or relevant member of the Senior Leadership Team. Where a fee reduction has not been approved by the relevant college, the Student will be liable for the full fee as per the terms stated in this agreement.

### 4.3. Fee Levels

Fee levels will be determined by each College where they differ according to local needs and made readily available to potential customers. The instalment structure will be set centrally and is detailed in the Group Credit Control Policy.

### 4.4. Other Fees

Colleges may charge registration and examination fees for the provision in this section at their local discretion. These fees must be clearly set out to students.

### 4.5. Fee Refunds

- It is recognised that there may be occasions where fee payments need to be refunded back to the student/sponsor. This process needs to be fair and consistently applied and the following sets out the circumstances when a fee covered by this policy may be refunded:
  - Where the college has to cancel a course, the college credits the fee and refunds any fee payments to the student/sponsor.
  - If the student agrees to an appropriate alternative, then the original fee payment would need to be credited and the payment would be re-receipted against the new alternative course and in this instance then fees will not be refunded.
  - The college policy and procedures must state where students may apply to for a refund or partial refund of tuition fee payment in any extenuating circumstances.

### 5. FE Loans Policy - Advanced Learner Loans

- Advanced Learner Loans are available to learners aged 19 or over and undertaking:
  - A-levels and AS-levels (up to a maximum of four full A-levels).
  - Quality Assurance Agency (QAA) Access to Higher Education Diplomas.
  - Vocational qualifications including technical and professional qualifications at Levels 3, 4, 5 and 6.
  - Access to HE students will have their Advanced Learner Loans 'written off' if they progress to Higher Education and complete their HE course. A learner can not have more than one Access to HE loan unless in exceptional circumstances agreed with the SLC. Under no circumstances can a sub-contracted learner be funded via a Student Loans Company loan.

#### 5.1. Fee Levels for loan-based provision

The Education Skills Funding Agency allow providers to set a maximum fee for loan-based provision based on the fully funded value set on the HM Government 'Hub'. The minimum threshold to generate a loan is a fee level of £300. The maximum fees for individual qualifications are as per LARS. It is the responsibility of the learner to enter into an agreement with the Student Loans Company and secure a loan facility to pay for this provision. NCG and its Colleges will offer support and guidance to the learner to undertake the loan application.

The local college policy and procedures will stipulate any variance from the listed rate or cap on the setting of fees for loans backed provision.

#### 5.2. Loan Liabilities

All tuition fees are currently due to be paid on enrolment. For Advanced Learner Loans this requires the learner to ensure that the college receives confirmation that the loan facility has been agreed before starting the programme or that a Direct Debit instalment plan is in place.

#### 5.3. Fee Reductions

Any discretion locally to vary fees must be stipulated in the local college policy and procedures, and have the approval of the head of the college.

#### 5.4. Fee Refunds

It is recognised that there may be occasions where loans may need to be refunded back to the Student Loans Company and hence reduce the outstanding debt by the learner to the Student Loans Company. This process needs to be fair and consistently applied and the following sets out the circumstances when a fee which is paid via the Student Loans Company may be refunded:



- Where the college has to cancel a programme, the Student Loans Company will be notified and the loan for this programme cancelled in full.
- If the learner agrees to an appropriate alternative, then the Student Loans Company will be informed if this results in a change of circumstances or loan level.
- The college policy and procedures must state who learners may apply to for a refund or partial refund of their current loan liability if there are extenuating circumstances. This would result in a change of circumstances being recorded with the Student Loans Company and the loan liability being adjusted accordingly.

### 6. Fees Policy – Apprenticeships

Learners do not pay fees for apprenticeships, but the cost of apprenticeships is borne by employers, in part or via the apprenticeship service. From 1<sup>st</sup> April 2021, all new apprenticeship starts will be via the apprenticeship service. For levy employers, the full value of the Total Negotiated Price should be met by funds in the Apprenticeship levy account. Non-levy paying employers will continue to be required to pay mandatory co-financing of 5% of the Total Negotiated Price (which should include an explicit amount for End Point Assessment.) All employers are also liable to pay any cost where the Total Negotiated Price of the apprenticeship exceeds the ESFA funding band for the apprenticeship standard. Where there are not enough funds in the levy account to cover the full value of the Total Negotiated Price the remaining amount will revert to non-levy funding, this would include a 5% payment of the remaining value the employer would need to contribute. This should be actioned as per the NCG standard operating procedure for apprenticeships. All fees for learners starting prior to 1<sup>st</sup> April 2021 should be set as per the 2020-21 FE Fees Policy.

### 7. Fees Policy - Other Provision

- Where there is no national guidance, colleges have the discretion to set fees appropriate to local needs, eg for Commercial Fees and International Fees.
- From 1<sup>st</sup> July 2021, all EU, EEA and Swiss nationals will require an assessment to determine whether they are eligible for home fee status.
- Higher Education/ International fees are contained within a separate policy.

### 8. Appeals

If a student wishes to appeal a decision regarding fees, the appeal should be made to the college Head of Finance or relevant member of the Senior Leadership Team. Alternatively, an appeal can be directed to the Chief Financial Officer.

### **9. Publication**

Group Policy Statements are held centrally on the Group intranet. This can be accessed whilst on campus or when using VPN using the following link [NCG - NCG Policies](#)

### **10. Policy Assurance**

Application of, and compliance with NCG policies, falls within the remit of the Group Business Assurance Team and could, therefore, be subject to review.