

ESOL Fees Policy 2019-20

Who is eligible?

Funding is not available for an individual if any of the following apply:

They are here illegally

- Those who are resident in the United Kingdom on a Tier 4 (general) student visa unless they are eligible through meeting any other of the eligibility categories
- Non-EEA citizens who are in the United Kingdom on holiday, with or without a visa • Non-EEA citizens who are a family member of a person granted a Tier 4 visa, have been given immigration permission to stay in the UK and have not been ordinarily resident in the UK for the previous three years on the first day of learning
- Their biometric residence permit or residence permit imposes a study prohibition or restriction on the individual.

Most people will be eligible for funding if they:

- are a UK citizen or a citizen of a country within the European Economic Area (EEA) or other countries determined within the EEA, including those with bilateral agreements such as Switzerland, or have the Right of Abode in the UK

and

- have been ordinarily resident in the EEA or other countries determined within the EEA, including those with bilateral agreements such as Switzerland, other than for the purposes of education, for at least the previous three years on the first day of learning.

In addition, **family members** of a 'principal' (husband, wife, civil partner, child, grandchild or dependent parent or grandparent) who has been ordinarily resident in the UK for three or more years will be eligible as follows:

		'Principal' ordinarily resident in EEA for three years			
		UK citizen	EU citizen	EEA citizen	Non-EEA citizen
Family member not ordinarily resident in EEA for three years	UK citizen	Eligible	Eligible	Eligible	Non-eligible
	EU citizen	Eligible	Eligible	Eligible	Non-eligible
	EEA citizen	Eligible	Eligible	Non-eligible	Non-eligible
	Non-EEA citizen	Eligible	Eligible	Non-eligible	Non-eligible

Non-EEA citizens

A non-EEA citizen is eligible for funding if they have permission granted by the UK government to live in the UK, which is not for educational purposes, and have been ordinarily resident in the UK for at least the previous three years before the start of learning.

Individuals with certain types of immigration status and their family members

Any individual with any of the statuses listed below is eligible to receive funding and are exempt from the three-year residency requirement rule. Evidence of the learner's immigration permission in these circumstances:

- refugee status
- discretionary Leave to Enter or Remain
- exceptional Leave to Enter or Remain
- indefinite Leave to Enter or Remain
- humanitarian protection
- leave Outside the Rules
- section 67 of the Immigration Act 2016 Leave
- Calais leave to remain
- the husband, wife, civil partner and child of any of the above

The learner's immigration permission in the UK may have a 'No recourse to public funds' condition. Public funds do not include education or education funding, so this does not affect a learner's eligibility, which must be decided under the normal eligibility conditions.

Asylum seekers are eligible to receive funding if:

- they have lived in the UK for six months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made

or

they are in the care of the local authority and are receiving local authority support under section 23C or section 23CA of the Children Act 1989 or section 21 of the National Assistance Act 1948 A114.

An individual who has been refused asylum will be eligible if:

- they have appealed against a decision made by the UK government against granting refugee status and no decision has been made within six months of lodging the appeal

or

- they are granted support for themselves under section 4 of the Immigration and Asylum Act 1999

or

- they are in the care of a local authority and are receiving local authority support for themselves under section 23C or section 23CA of the Children Act 1989.

Learners not eligible for funding will be charged the full fee. Priority will be given to learners eligible for funding.

How ESOL courses are funded

Age on first day of the course	Not Eligible	16-18	19-23	24+ Unemployed	24+ Other
ESOL learning up to and including Level 2	Not funded	Fully Funded	Co-funded * However fully funded if classed as unemployed	Fully Funded	Co-funded * However fully funded if classed as unemployed

Definition of unemployed

For funding purposes, we define a learner as unemployed if one or more of the following apply

- They receive Jobseeker's Allowance (JSA), including those receiving National Insurance credits only
- They receive Employment and Support Allowance (ESA)
- They receive Universal Credit, and their earned income from employment (disregarding benefits) is less than £338 a month (learner is sole adult in their benefit claim) or £541 a month (learner has a joint benefit claim with their partner)
- Receives other state benefits and their earned income (disregarding benefits) is less than £338 a month (learner is sole adult in their benefit claim) or £541 a month (learner has a joint benefit claim with their partner) **and** wants to be employed, or progress into more sustainable employment, and the learning is directly relevant to their employment prospects and the local labour market needs

Learners in receipt of low wage (low wage flexibility)

We will fully fund learners who are employed and cannot contribute towards the cost of co-funding fees, if we are satisfied the following applies

- The learner is eligible for co-funding
- The learner earns less than £16,009.50 annual gross salary
- We have seen evidence of the learner's gross annual wages that supports this. This could be a wage slip within 3 months of the

ESOL Refund Policy

If NALS cancel the course before it starts or cancels the course within two weeks of it starting, a refund of the full amount will be made.

Learners have a 14 day cooling off period from the point they book the course in which they can change their mind and withdraw their enrolment. To be clear this is 14 days from the point of booking not from the course's start date.

Once the cooling off period has expired there is no obligation to make any refund. If the start date of your course occurs during the cooling off period you will not be entitled to a refund.

Refunds relating to learner medical condition

Refunds for leaving a course due to a learner's medical condition will only be given on proof of a doctor's certificate. The learner will receive a proportional refund of the fees paid in relation to the number of classes remaining. The refund will be dealt with from the date the doctor confirms the learner's medical condition.

All refund applications must be made in writing and emailed to AL-Supportservices@northamptonshire.gov.uk

The amount of refund will be for the remaining sessions of the course and calculated from the date on the written request for a refund from the learner, less an administration charge.

ESOL Payment by Instalments Policy

Learners can pay fees in instalments on ESOL courses subject to agreement from our Essential skills team. This should include exam or other fees.

Short Courses (lasting 1 term or less)

- 50% of the balance must be paid before the start of the course
- The second 50% of the balance must be paid by week 8.

Learners failing to pay fee instalments by the due date will be given a written reminder. Continued failure to pay will result in their removal from class and the raising of an invoice for the outstanding amount.