



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

Social Work Bursary Scheme 2023 to 2024



Noddir gan
Lywodraeth Cymru
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Part A: General

1. Introduction

- 1.1. The Social Work Bursary Scheme (SWBS) is an incentive award scheme funded by the Welsh Government (Government) and managed and administered by Social Care Wales.
- 1.2. SWBS provides a financial incentive to individuals undertaking social work training who are resident in Wales.
- 1.3. The aim of SWBS is to contribute to the growth of a sustainable social care workforce in Wales.
- 1.4. The purpose of providing financial support to social work students is to:
 - 1.4.1. provide an incentive to individuals in Wales to undertake social work training; and
 - 1.4.2. help ensure a sufficient supply of social workers in Wales in the future.
- 1.5. This document sets out arrangements for the administration of SWBS and sets out the criteria which Social Care Wales will apply when assessing eligibility for funding under SWBS.

2. Legal premise, Accountability, Monitoring and Review

- 2.1. Social Care Wales administers and manages SWBS on behalf of the Government. The Government has powers to make financial awards to individuals undertaking social work training pursuant to section 116 of the Regulation and Inspection of Social Care (Wales) Act 2016.
- 2.2. SWBS reflects the principles laid down by the Government.
- 2.3. SWBS is developed and managed within Social Care Wales's financial accountability framework and within the accountability framework set out in the Governance Statement issued by Government.
- 2.4. SWBS is monitored by Social Care Wales as part of its governance, audit and monitoring arrangements.

- 2.5. The administrative effectiveness of SWBS is evaluated by Social Care Wales on an on-going basis and SWBS is periodically revised and developed accordingly.
- 2.6. Amounts payable under SWBS will be periodically reviewed.
- 2.7. SWBS will be formally reviewed by Social Care Wales at least every five years.
- 2.8. Any variation of the terms of SWBS may be made only with the approval of the Chief Executive of Social Care Wales.
- 2.9. SWBS and awareness of SWBS are promoted by Social Care Wales.

3. Principles of the Scheme and Main Eligibility Criteria

- 3.1. The social work bursary is payable to eligible applicants as an incentive to train in social work. SWBS is intended to be a contribution to the costs incurred by individuals training to be social workers, but it is not intended to meet all expenditure.
- 3.2. A set number of bursaries will be allocated to each provider of social work education in Wales. In this context, a social work education provider means an approved social work course of study being run by an individual higher education body.
- 3.3. Funding under the SWBS has two distinct components, the details of which are set out in:
 - 3.3.1. Section 4 - the non-income assessed component; and
 - 3.3.2. Section 5 - the income assessed component.

These sections include the specific criteria which students must meet in order to be eligible to receive that component of the bursary.

- 3.4. Regardless of the specific eligibility criteria set out against the individual components all students must meet the following overarching eligibility criteria to apply under the SWBS:
 - 3.4.1. must be entering or already studying on an approved study course in Wales (for a list of approved study courses please refer to (www.socialcare.wales/careers/student-funding));

- 3.4.2. must not be funded or supported by an employer, future employer or any other organisation. Such support or funding may include:
 - 3.4.2.1. any paid time off to allow them to attend studies (including practice learning opportunities); or
 - 3.4.2.2. all or part of tuition fees.

- 3.4.3. if receiving a retainer from an employer or potential future employer, it must:
 - 3.4.3.1. be offered as an incentive to engage in employment with the retainer provider once the student qualifies as a social worker, and not as support towards the student's social work training.

- 3.4.4. must have been ordinarily resident in Wales for a minimum of 12 months and in the United Kingdom for the three year period preceding the date of the application for SWBS funding, or commencement of the course, whichever is the earliest and in any event satisfies the residency criteria in any one of categories A-J set out in Appendix 2.

Additionally to be eligible applicants must:

- 3.4.5. be nominated by the education provider responsible for delivering the approved study course on which they have been accepted;
- 3.4.6. be in, or commencing the first year of study on the approved study course. Students who are ineligible to receive a bursary in the first year of study will not be eligible to receive a bursary in subsequent years;
- 3.4.7. not already hold a Diploma in Social Work (DipSW), a Certificate of Qualification in Social Work (CQSW) or Certificate in Social Service (CSS) awarded by the Central Council for Education and Training in Social Work (CCETSW), Social Care Wales, or another social care regulatory council in the UK; or any other predecessor qualifications which qualify students for registration;

- 3.4.8. not be studying for a joint nursing and social work qualification and be in receipt of a NHS bursary; and
 - 3.4.9. be registered with Social Care Wales as a social work student in order to be eligible to receive bursary payments under the SWBS.
- 3.5. A student who was deemed eligible for a bursary in the first year of study will continue to be eligible for a bursary for the remainder of the course, unless their right to reside or leave to remain in the UK, as determined by the Home Office, expires. If this should occur, SCW will put the bursary on hold and will not resume payment of the bursary until the student provides confirmation that their right to reside or leave to remain in the UK has been renewed by the Home Office.

Part B: The Bursary Scheme Components

4. Non-income Assessed Component

4.1. General:

- 4.1.1. The non-income assessed component consists of three distinct elements (specific details are set out in the remainder of section 4):
 - 4.1.1.1. The bursary element;
 - 4.1.1.2. The Practice Learning Opportunity Allowance (PLOA) element; and
- 4.1.2. The following applies to all three elements of the non-income assessed components of the SWBS:
 - 4.1.2.1. Students who are awarded a bursary under the non-income assessed component will automatically be eligible to receive the PLOA subject to the terms of the PLOA; and
 - 4.1.2.2. Students studying on a part-time or distance learning basis are eligible to receive the non-income assessed bursary element on a proportional basis. For the purpose of SWBS, part-time study means study

designated as part-time by the college/university.
Students studying on a part-time or distance learning basis will also be eligible to receive PLOA for any year in which they undertake a practice learning opportunity.

- 4.1.3. If successful, the non-income assessed bursary is normally offered under SWBS up to the point of qualification or for a maximum of 3 years for undergraduate students and 2 years for Master's degree students whichever is the sooner. However, the student is required to apply each year for the relevant scheme and there is no guarantee that future funding will be made available to that student for the duration of their course of study.

4.2. Bursary Element:

- 4.2.1. The bursary element;
- 4.2.2. Applicants for the bursary element must comply with the general criteria set out in section 3.4; and
- 4.2.3. The annual funding available under the bursary element is as follows:

Undergraduate degree bursary:

- 4.2.3.1. studying full-time at a university/college: £3,750; or
- 4.2.3.2. studying part-time or distance learning: Percentage pro rata of the applicable bursary.

Master's degree bursary:

- 4.2.3.3. studying full-time at a university/college: £12,715 which is intended as a contribution towards the social work students tuition fee costs and living expenses; or
- 4.2.3.4. studying part-time or distance learning: Percentage pro rata of the applicable bursary.

4.3. Practice Learning Opportunity Allowance (PLOA) Element

- 4.3.1. The PLOA is a contribution towards the practice learning opportunity expenses that social work students incur as an integral part of their qualifying training.
- 4.3.2. In this section a practice learning opportunity will be interpreted as relating to practice learning in social work required by Social Care Wales Approval and Visiting of Degree Courses in Social Work (Wales) Rules 2018 for Social Work Degree.
- 4.3.3. Students are only eligible for the PLOA if they have been awarded a non-income assessed bursary under the SWBS.
- 4.3.4. The annual funding available under the PLOA element is as follows:
 - 4.3.4.1. The Initial PLOA is calculated as £7.50 per Practice Learning Opportunity (PLO) day in respect of eligible expenditure (the "Initial Allowance").
 - 4.3.4.2. Students undertaking the course on a part time or distance learning basis will receive the PLOA for any year in which they undertake a practice learning opportunity.
 - 4.3.4.3. Students who have used their initial allowance in any one defined year on eligible expenditure relating to their practice learning opportunity may be able to claim reimbursement of eligible costs in excess of the initial allowance. Please refer to [Appendix 1](#) for more details of PLOA.

Please note that maximum number of days apply to PLOA claims based on the length of the placement.

5. Income Assessed Component

5.1. General

- 5.1.1. The income assessed component consists of three distinct elements (specific details are set out in the remainder of section 5):
 - 5.1.1.1. Childcare Grant;

- 5.1.1.2. Adult Dependants' Grant; and
- 5.1.1.3. Parents' Learning Allowance element.

5.1.2. The following applies to all of the income assessed components of the SWBS:

- 5.1.2.1. These components are open only to Master's students; and
- 5.1.2.2. Eligibility to receive the income assessed elements depends on the level of the applicant's taxable unearned income during the relevant academic year and on the level of residual income of the applicant's spouse/civil partner/partner (where applicable) in the financial year immediately preceding the relevant academic year. Applicants may ask for a re-assessment of their income assessed allowances if the income of their spouse/civil partner/partner drops significantly during the academic year.

5.1.3. For the purpose of the income assessment:

Unearned income is income which is not earned by working. It includes dividends from shares, interest on savings and income from land and property, but excludes social security benefits.

Residual income is gross taxable income less allowable deductions which are available in respect of:

- a dependant other than a spouse/civil partner/partner.
- a pension scheme and superannuation payments that qualify for tax relief.
- the cost of wages to a domestic help where this is required because of disability.
- living costs where an applicant's spouse/civil partner/partner live outside the UK in a country where the cost of living is higher than in the UK.

5.2. Eligibility for the Income Assessed Component – Childcare Grant

5.2.1. The Childcare Grant is to provide financial support for students undertaking an eligible Master's degree to assist with childcare provision.

5.2.2. Applicants for the Childcare Grant must:

5.2.2.1. have one or more children in registered or approved childcare while the applicant is studying and use the Childcare Grant as a contribution to child care costs incurred during the period of study under the SWBS; and

5.2.2.2. the combined total of the Applicant's unearned income plus the residual income of any spouse/civil partner/partner with one child is £20,817 or less per annum, or with two children or more is £23,077 or less per annum.

Applicants will be ineligible to receive the Childcare Grant if they or their spouse/civil partner/partner receives the childcare element of Working Tax Credit from the HMRC or the childcare element of Universal Credit from the Department for Work and Pensions (DWP)

5.2.3. For the purpose of this section:

Registered childcare means childcare provided by a person or other body that is registered by Care Inspectorate Wales (CIW), Estyn or the Office for Standards in Education (Ofsted). Registered childcare includes registered child-minders, nurseries, playgroups, early excellence centres and holiday play schemes. Some schools provide day-care for children outside normal school hours. The Childcare Grant may be paid for this type of childcare as long as the school is registered as a provider of day-care by CIW, Estyn or Ofsted; and

Approved childcare means a provider who has gained approval from an accredited organisation's Quality Assurance (QA) scheme and has been given written confirmation of the approval. Approval is granted for a fixed period (not more than two years) and the childcare provider will supply a reference number.

5.2.4. The funding available under the Childcare Grant element is as follows:

5.2.4.1. one child in childcare:

Up to a maximum of £8,330 per annum.

- 5.2.4.2. two or more children in childcare:
Up to a maximum of £14,285 per annum.

5.3. Eligibility for the Income Assessed Component – Adult Dependants' Grant

- 5.3.1. The Adult Dependants' Grant is to provide financial support for students undertaking an eligible Master's degree to help maintain support for adults who are financially dependent on that student.
- 5.3.2. Applicants for the Adult Dependants' Grant must:
 - 5.3.2.1. have a dependant spouse/civil partner/partner/other adult who depends on the applicant financially during the applicant's period of study under the SWBS; and
 - 5.3.2.2. the combined total of the Applicant's unearned income plus the residual income of any spouse/civil partner/partner is £3,500 or less per annum.
- 5.3.3. The funding available under the Adult Dependants' Grant element is as follows:
Up to £2,645 (covers 52 weeks).

5.4. Eligibility for the Income Assessed Component – Parents' Learning Allowance

- 5.4.1. The Parents' Learning Allowance is to provide financial support for students undertaking an eligible Master's degree to help maintain support for children who are financially dependent on that student.
- 5.4.2. Applicants for the Parents' Learning Allowance must:
 - 5.4.2.1. have one or more dependent child; and
 - 5.4.2.2. the combined total of the applicant's unearned income plus the residual income of any spouse/civil partner/partner with one child is £20,817 or less per annum, or with two children or more is £23,077 or less per annum.

- 5.4.3. The funding available under the Parents' Learning Allowance element is as follows:

Up to £1,505 (covers 52 weeks).

Part C: Application Process

6. Application process

- 6.1. Following receipt of student nominations from an education provider in accordance with [section 3.4.4](#) a link to the bursary application form within their SCWonline account will be e-mailed to each student that was nominated for a bursary by the education provider.
- 6.2. Applications should normally be completed and submitted to Social Care Wales prior to the deadline date. Applications must be completed in full and should include all necessary supporting documentation. Documents should be scanned and e-mailed to the Student Funding and Grants Team or submitted directly through their SCWonline account.
- 6.3. Social Care Wales reserves the right to request, and applicants must provide such additional information as Social Care Wales deems necessary in order to assess eligibility for SWBS. Evidence can be scanned and e-mailed or sent by post to Social Care Wales. Applicants must send copies of the documentary evidence requested (applicants must not send the original documents).
- 6.4. Social Care Wales will acknowledge receipt of the application.
- 6.5. Applications will be processed in the order in which they are received.
- 6.6. Late applications will be dealt with at Social Care Wales' discretion. Processing time cannot be guaranteed.
- 6.7. Social Care Wales will not undertake any evaluation of the respective merits of applications received.
- 6.8. All social work bursaries are awarded conditionally. Once an application for funding and all necessary supporting documentation has been received and assessed by Social Care Wales the applicant will receive written notification of the terms of the award. No payment will be made to any applicant until Social Care Wales has received written confirmation from the education provider concerned that the

applicant has registered and enrolled upon an approved social work course and has commenced course attendance.

- 6.9. No payment will be made to any applicant until they are registered on the Register of Social Care Workers.

7. False Claims

Social Care Wales reserves the right to refuse to offer support under SWBS to applicants who submit applications for funding that are found to contain false or misleading information. Applicants are advised that the submission of false or misleading information may result in criminal prosecution and may affect the eligibility of applicants for current or future registration.

Part D: Post Award

8. Absences/Conduct

- 8.1. Payments made under SWBS are contingent on satisfactory course attendance, academic progress and personal conduct on the part of students.
- 8.2. Applicants are required to inform Social Care Wales in writing immediately of any change in their pattern of course attendance.
- 8.3. Social Care Wales will also seek information from education providers on a regular basis in relation to the progress of students in receipt of funding.
- 8.4. Where Social Care Wales is notified by an education provider that a student has been:
 - 8.4.1. suspended, expelled or has withdrawn from the course; or
 - 8.4.2. that the student's attendance/progress /conduct is unsatisfactory.

Social Care Wales may withhold or terminate payment of funds to that student. In the event that a student has received monies under SWBS to which he or she is not entitled by reason of conduct or absence Social Care Wales may demand that such monies be repaid by the student.

9. Transfer of Study

An applicant who transfers from one approved course in Wales to another approved course in Wales will continue to be eligible for support under SWBS.

10. Repeat Study

10.1. Social Care Wales will not normally fund repeat periods of study.

10.2. Applicants who have left a course without completing the academic year and who wish to repeat that part of the course in a subsequent year (and are otherwise eligible), will be entitled to a part award equivalent to the percentage of the whole award not taken up by the applicant in the original year of study, i.e. the funding to which they would have been entitled had they not left the course. No payment shall be made until the applicant reaches the point in time during the subsequent academic year at which the applicant withdrew from the original course of study.

11. Changes of Circumstances

11.1. Applicants must inform Social Care Wales immediately in writing if their circumstances change at any time after they have submitted an application. Relevant changes include but are not limited to:

- 11.1.1. changing education provider;
- 11.1.2. changing courses regardless of whether any new course is at the same or at an alternative university or college;
- 11.1.3. any changes to the month or year of the start or end of the course;
- 11.1.4. changing the main campus of study;
- 11.1.5. changing study pattern from full-time to part-time or vice versa;
- 11.1.6. withdrawing from the course before the completion date;
- 11.1.7. being suspended from the course by the university/college, either temporarily or permanently;

- 11.1.8. being unable to attend the course for any reason, including illness where this exceeds 15 days in total;
 - 11.1.9. taking a year or a term out from study;
 - 11.1.10. changing employment;
 - 11.1.11. gaining support from an employer;
 - 11.1.12. changes in the practice learning opportunity; or
 - 11.1.13. changing address or contact details.
- 11.2. It is the applicant's responsibility to inform Social Care Wales of any changes of circumstance that may affect funding.
- 11.3. Social Care Wales will not take responsibility for delays in the assessment of applications or in the making of payments arising from an applicant's failure to inform Social Care Wales of changes of circumstance. In the instance where a change of circumstances means the applicant is no longer eligible for SWBS, Social Care Wales may terminate the bursary. In the event that payments have been made under the bursary following the applicant no longer being eligible Social Care Wales reserves the right to recover such payments from the applicant.

12. Payment Dates and Methods

- 12.1. Payment information will be provided in a notification letter which will be e-mailed to the applicant once his or her application has been assessed and he or she has been deemed eligible for funding under SWBS.
- 12.2. The bursary will be paid in instalments.
- 12.3. All bursary instalments and PLOA funding will normally be paid into a bank account designated by the applicant.
- 12.4. Social Care Wales is unable to guarantee the exact dates for any payments.
- 12.5. Applicants are required to complete the 'Your Finance Details' section within the bursary application form and confirm that their bank details have not changed when completing the bursary renewal form.

- 12.6. For the avoidance of doubt Social Care Wales reserves the right to withhold payment where Social Care Wales is aware of any change referred to in section 11 or has reason to believe that any such change has occurred.

13. Debt Recovery Procedure

- 13.1. This procedure may be adopted by Social Care Wales when dealing with students for recovery of grant monies paid to them.
- 13.2. Social Care Wales may reclaim monies paid to students in the following circumstances but not limited to:
 - 13.2.1. Where there has been a change in the student's circumstances;
 - 13.2.2. Where the student has supplied false or misleading information on a bursary application form; or
 - 13.2.3. Where an overpayment has been made to the student.
- 13.3. Applicants are required to sign a declaration within the bursary form undertaking to refund on demand any overpayment made for whatever reason, including those reasons specified in section 13.2.
- 13.4. Where repayment is required Social Care Wales will implement Social Care Wales' Debt Recovery Procedure.
- 13.5. Social Care Wales will actively pursue repayment and will refer to solicitors where needed.

14. Application for Re-assessment

A student who is unsuccessful in their application for a bursary may apply for a re-assessment of their application on the following basis:

- 14.1. Re-assessment of an application for funding will take place where this is requested in writing by the applicant.
- 14.2. Once a re-assessment has been undertaken a letter/e-mail will be sent to the applicant advising of the re-assessment outcome.
- 14.3. Following re-assessment of an application further reassessment will not take place other than in exceptional circumstances.

15. Complaints

An applicant who wishes to make a complaint in relation to SWBS should refer to Social Care Wales External Complaints Policy. The applicant may also refer the complaint to the Public Services Ombudsman .

.16. Data Protection Act 2018

- 16.1. In administering the SWBS Social Care Wales will comply with its obligations under the Data Protection Act 2018. As such it will only use students' personal data for administering the scheme.
- 16.2. To enable Social Care Wales to administer the scheme, students will be required to consent to the education provider which provides the relevant course of study to release information to Social Care Wales regarding the student's attendance, performance and such other matters as Social Care Wales may reasonably require to the scheme and make payments.
- 16.3. Social Care Wales will also be permitted to use information in relation to the student which it obtains as part of its registration obligations in respect of the SWBS scheme.
- 16.4. Where Social Care Wales needs to use information for wider publications and reporting purposes it may only do so ensuring the data is anonymised and cannot be used to identify individual students.

Appendix 1: Practice Learning Opportunity Allowance (PLOA) additional expense claims

Students eligible for the PLOA may claim reimbursement of eligible costs in excess of the initial allowance as set out in 4.3.3.4. To do this, students must:

- a. provide evidence that the initial allowance has been spent on eligible practice learning opportunity expenditure; and
- b. demonstrate that the excess of the initial allowance has been spent on eligible practice learning opportunity expenditure. All claims for reimbursement, whether up to or in excess, must be accompanied by all relevant receipts.

Eligible expenditure for the additional PLOA is calculated on the following basis:

- Travelling costs incurred while undertaking a practice learning opportunity up to a maximum of £75 per day. This includes travel to and from the applicant's term-time address to the practice learning opportunity and home visits to service users.
- Costs incurred in renting temporary accommodation specifically to undertake the practice learning opportunity. Students who have to rent accommodation whilst undertaking a practice learning opportunity are entitled to claim up to £75 per day as a contribution towards the costs. This contribution towards rent will be calculated as part of the maximum £75 per day, which can be claimed for travelling to and from the practice learning opportunity.
- One pre-placement and one post placement visit per practice learning opportunity can be claimed as eligible expenditure. To be eligible to claim this allowance, students must also be continuing to maintain a term time address or permanent home address.

The PLOA is not available in respect of expenses incurred for the purpose of attending any recall days to the university/college.

In relation to claiming any of the allowances whilst undertaking a practice learning opportunity:

- claims cannot be made in advance;
- all receipts covering the dates claimed must be provided; and
- all claims must be certified by the student's practice learning opportunity supervisor.

Journeys may be made by private motor vehicle and motorbike are subject to the stated daily limits.

Journeys by public transport will:

- be reimbursed for the actual cost of the journey taken;
- require rail travel to be at standard rate, using return tickets and cheap rates; and
- require all receipts to be attached to each claim for each journey.

Mileage for private motor vehicles will be paid at the following rates:

| | |
|-------------|--------------|
| Motorcars | 45p per mile |
| Motorcycles | 24p per mile |
| Bicycles | 20p per mile |

Students travelling by private vehicle can claim a passenger supplement for each Social Care Wales bursary aided student carried. Claim forms must show the name(s) of passenger(s), Social Care Wales' reference number, the purpose of the journey and the number of miles carried. The rates are 5p per mile for each passenger. Please note that this can be claimed in addition to the daily travel limit. Please note that where students travel together only the driver can claim.

Parking fees payable during the practice learning opportunity can be claimed for within the daily travel limit of £75 for travel to and from the practice learning opportunity. Receipts must be attached with the claim for each daily parking fee claimed.

Parking fees will also be met within the daily travel limit of £75 for travel whilst on practice learning opportunity for fees incurred while undertaking work directly relating to the practice learning opportunity e.g. visits to the home of service users/carers.

Charges for tolls, tunnels, bridges and congestion charges incurred during the practice learning opportunity will be reimbursed in addition to the daily travel limit of £75. Receipts should be attached.

Insurance

All students must complete the "Insurance Cover Undertaking" section which is part of the application form. Students will need to complete this section

irrespective of whether they intend to use a private motor vehicle for the purposes of the practice learning opportunities.

It is a condition of payment of private transport claims that students have insurance cover for the following risk:

- a. claims relating to travel to and from permanent home address, term-time address, placement address and placement lodgings address:
 - bodily injury to, or death, of third parties and
 - bodily injury to, or death, of any passengers, and
 - damage to the property of third parties
- b. If the vehicle is used during the course of the practice learning opportunity, the cover must in addition include the following:
 - damage to, or theft of the vehicle, and
 - an endorsement that the policy covers use for business purposes by the student personally

It is the student's responsibility to see that their insurance policy covers these risks and is properly endorsed to show that the use of the vehicle is permitted in the course of training and that receipt of a mileage allowance is not deemed to constitute use for hire or reward. Social Care Wales will not pay for any additional cost of insurance for business use.

Social Care Wales will not accept liability in the event of any accident, damage, injury or death resulting from the use of a student's vehicle. Mileage allowance will only be paid if the insurance conditions are fulfilled. Although it is the student's responsibility to check that their policy meets the requirements, Social Care Wales reserves the right to examine the policy at any time.

Expense claims, over and above the initial allowance, will normally be submitted on a monthly basis.

Social Care Wales may carry out periodic checks on private transport mileage claims using a mileage verifying process and will pay the shortest journey.

Social Care Wales may carry out periodic checks on public transport fares.

Social Care Wales will process expense claims according to the date they were submitted or re-submitted.

Social Care Wales does not take responsibility for forms or documents lost in the post.

All expense claims must be verified by the student's practice learning opportunity supervisor.

We cannot accept claims that have been altered / tampered with in any way.

In circumstances where an overpayment has occurred, the amount overpaid will be treated as a debt for the purpose of recovery. In such circumstances, expense claims may be used to reduce/offset such overpayments.

Appendix 2: Residency Criteria

For the purpose of understanding the categories the following meaning shall apply:

| | |
|---------------------|--|
| Migrant workers | <p>For the purposes of this section a person is a migrant worker if he or she is, or has been, in an employment relationship within the UK and his or her occupational activity within the UK has been more than ancillary to any study activity. The essential characteristic of the employment relationship is that, for a certain period a person performs services for and under the direction of another person in return for which he or she receives remuneration. In order to be classified as a worker, a person must pursue an activity which is effective and genuine to the exclusion of occupational activities that are on such a small scale as to be regarded as purely marginal and ancillary. A person is unlikely to be a migrant worker for the purpose of SWBS simply on the basis of part-time work intended to finance study activity. However, an activity or a succession of individual employment relationships which enable a worker to support himself/herself without external assistance for a prolonged period of time is unlikely to be regarded as purely marginal and ancillary. An individual who has been engaged in such activity over a prolonged period is therefore likely to be considered a migrant worker for the purposes of SWBS.</p> |
| Ordinarily resident | <p>For the purposes of this section a person is ordinarily resident in a place or country which he or she 'has adopted voluntarily and for settled purposes as part of the regular order of his or her life for the time being, whether of long or short duration'. There may be more than one settled purpose. The settled purpose may be for a limited period, but the purpose must have a sufficient degree of continuity to be properly described as settled. Education, business or profession, employment, health, family or love of a place may count as settled purposes.</p> |

Categories A-J

Category A – Persons who are settled in the UK

On the first day of the first academic year of the course the Applicant is:

- settled in the UK within the meaning of the Immigration Act 1971;
- ordinarily resident in Wales; and
- the Applicant has been ordinarily resident in Wales for at least twelve calendar months in the three year period preceding the date of the application for SWBS funding, or commencement of the course whichever is the earliest.

Category B – Refugees and their family members

- The Applicant is a person who:
 - (a) is a refugee; or
 - (b) is the spouse or civil partner of a refugee; or
 - (c) was the spouse or civil partner of a refugee on the date when the refugee made his or her application for asylum; or
 - (d) is the child of a refugee or the child of the spouse or civil partner of a refugee who was under 18 on the date when the refugee made his or her application for asylum; or
 - (e) on the date on which the refugee made his or her application for asylum, was the child of a refugee or the child of a person who was the spouse or civil partner of a refugee on that date and was under 18 on that date; and
- the Applicant has been ordinarily resident anywhere in the UK, the Channel Islands or the Isle of Man since being informed of his/her refugee status or since he or she was given leave to remain in the UK; and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course; and
- the Applicant has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category C – Persons within the scope of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 ('the Citizens' Rights Regulations')

(a) The Applicant is a person who meets one of the following conditions on the first day of the first academic year of the course:

(i) the Applicant is within the personal scope of the citizens' rights provisions and is settled in the UK by virtue of the grant of indefinite leave to enter or remain; or

(ii) the Applicant –

(aa) is within the personal scope of the citizens' rights provisions;

(bb) is an Irish Citizen settled in the UK; and

(cc) would meet eligibility requirements for indefinite leave to enter or remain in the UK if that person were to make an application for such leave; or

(iii) the Applicant –

(aa) is within the personal scope of the citizens' rights provisions;

(bb) is a relevant person for the purposes of the 2020 Citizens' Rights Regulations; and

(cc) is treated as having a right of permanent residence; or

(iv) the Applicant a family member of a relevant person of Northern Ireland for the purpose of residence scheme immigration rules, where the family member is settled in the UK by virtue of indefinite leave to enter or remain; and

(b) the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course; and

(c) the Applicant has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category D – Persons granted stateless leave and their family members

- The Applicant is a person:
 - (a) granted stateless leave; or
 - (b) who is the spouse or civil partner of a person granted stateless leave on the date that such leave was granted; or
 - (c) is the child of a person granted stateless leave or the child of the spouse or civil partner of a person granted stateless leave, who was under 18 on the leave application date; and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course; and
- the Applicant has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category E – Persons with leave to enter or remain and their family members

- The Applicant is a person:
 - (a) with leave to enter or remain in the UK; or
 - (b) is the spouse or civil partner of a person with leave to enter or remain on the date that such leave was granted; or
 - (c) is the child of a person granted leave or the child of the spouse or civil partner of a person granted leave, who was under 18 on the leave application date; and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course; and
- the Applicant has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category F – Workers, employed persons, self-employed persons and their family members

- The Applicant is a person with protected rights or a frontier worker within the meaning of the Citizens' Rights (Frontier Workers) (EU Exit Regulations 2020, who is:
 - (a) an EEA migrant worker or an EEA self-employed person; or
 - (b) a Swiss employed person or a Swiss self-employed person; or
 - (c) a family member of a person in (a) or (b) above; or
 - (d) an EEA frontier worker or an EEA frontier self-employed person; or
 - (e) a Swiss frontier worker or a Swiss frontier self-employed person; or
 - (f) a family members of a person in (d) or (e) above; and
- the Applicant has been ordinarily resident in the territory comprising the UK, the European Economic Area, Switzerland and the overseas territories throughout the three year period preceding the first day of the first academic year of the course, and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course.
- the Applicant has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category G – Persons who are settled in the UK and have exercised a right of residence elsewhere

The Applicant is a person who:

- is settled in the UK; and
- left the UK and exercised a right of residence before 31 December 2020 after having been settled in the UK; and
- has been ordinarily resident in the territory comprising the UK, the EEA, Switzerland or the overseas territories throughout the three

year period preceding the first day of the first academic year of the course; and

- is ordinarily resident in Wales on the first day of the first academic year of the course; and
- has been ordinarily resident in Wales for at least twelve months in the three year period preceding the date of the application for SWBS funding.

Category H – EU nationals

- the Applicant is an EU national who has been ordinarily resident in the UK, Channel Islands or Isle of Man throughout the three year period preceding the first day of the first academic year of the course, and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course, and
- the Applicant has been ordinarily resident in Wales for a total period of at least 24 calendar months in the three year period preceding the first day of the first academic year of the course.
- In exceptional cases where an applicant who would otherwise satisfy all the requirements in category H is ineligible to receive funding because he or she has not been ordinarily resident in Wales for two years prior to the course commencement date, Social Care Wales may exercise its discretion with respect to the application, following consultation with the NHS Business Service Authority, the Scottish Social Services Council and the Northern Ireland Social Care Council.

Category I – Children of Swiss Nationals

The Applicant is a person who

- is the child of a Swiss national who is entitled to support in the UK; and
- has been ordinarily resident in the territory comprising the UK, the EEA, Switzerland and the overseas territories throughout the three year period preceding the first day of the first academic year of the course, and

- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course, and
- the Applicant has been ordinarily resident in Wales for a total period of at least 12 months in the three year period preceding the first day of the first academic year of the course.

Category J – Children of Turkish workers

'Turkish Worker' means a Turkish national who (a) is ordinarily resident in the UK and (b) is, or has been lawfully employed in the UK.

The Applicant is a person who

- is the child of a Turkish worker; and
- has been ordinarily resident in the territory comprising the UK, the EEA, Switzerland and the overseas territories throughout the three year period preceding the first day of the first academic year of the course, and
- the Applicant is ordinarily resident in Wales on the first day of the first academic year of the course, and
- the Applicant has been ordinarily resident in Wales for a total period of at least 12 months in the three year period preceding the first day of the first academic year of the course