



BBSRC

GUIDE TO STUDENTSHIP ELIGIBILITY

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SECTION 1: GENERAL

1. BBSRC offers opportunities for postgraduate training in areas relevant to its mission through a wide range of training awards. Full details can be found in our publication *BBSRC Postgraduate Studentships* which is available on the BBSRC Website at http://www.bbsrc.ac.uk/funding/training/studentships_booklet.pdf.
2. **BBSRC does not make awards directly to students.** Awards are made to eligible research training institutions (university departments, research institutes and other bodies), and they are responsible for selecting students for these awards who meet the BBSRC eligibility criteria. This document provides additional information on the criteria for candidates' eligibility for a BBSRC training award.
3. Heads of departments and supervisors who need advice on the application of the eligibility criteria to particular candidates should contact their university administrative authority (or equivalent in non-university organisations). Where there is doubt about a candidate's eligibility the university administrative authority can contact the Postgraduate Training and Fellowships Branch at BBSRC for a ruling (E-mail: postgrad.studentships@bbsrc.ac.uk). Whilst BBSRC will give general advice, a formal ruling will not be given without full written details of the candidate's academic qualifications and residence, and a copy of their curriculum vitae.
4. University administrative authorities must always submit the appropriate nomination form to BBSRC including the declaration that the candidate nominated meets the eligibility criteria. BBSRC will take action regarding reimbursement of funds from the institution where there is evidence of failure to comply fully with BBSRC's conditions and procedures. BBSRC also reserves the right to withdraw or reduce studentship funding in future allocations.
5. BBSRC requires candidates who are nominated for BBSRC training awards to satisfy two principal eligibility conditions:
 - Residence criteria
 - Qualifications criteria
6. Section 2 deals in more detail with the residence criteria, and Section 3 deals in more detail with the qualifications criteria. Section 2 also details whether the candidate nominated is eligible for a full award (fees and stipend) or a fees only award.

SECTION 2: THE RESIDENCE CRITERIA

7. The guidance below is based on the guidance on eligibility for undergraduate student support produced by the Department for Education and Skills (DfES).¹
8. The residence eligibility criteria are satisfied in full if **all three** of the following conditions are met:
 - (a) the candidate is **settled** in the UK i.e. is ordinarily resident in the UK without being subject under the immigration laws to any restriction on the period for which they may stay in the UK (see paragraphs 12-14);
 - (b) the candidate has been **ordinarily resident** in the UK and Islands for three years immediately prior to the date of start of their course;
 - (c) no part of the period of residence in (b) was **wholly** or **mainly** for the purpose of receiving full-time education.

The requirement given in (c) has been removed, following the European Court of Justice ruling in March 2005. A letter was sent out on behalf of all councils on 22 July 2005 regarding eligibility rules affecting EU nationals and can be found on the RCUK sit at <http://www.rcuk.ac.uk/rescareer/rcdu/postgradtrain.htm>.

9. Candidates who are British nationals and who have lived all their lives in the UK will automatically satisfy all three of these criteria.
10. Provisions covering:
 - refugees and asylum-seekers who have been granted leave to remain in the UK, and their dependents
 - European Economic Area (EEA) and Swiss migrant workers and their dependents
 - European Union (EU) nationals and their children who are applying for fees-only supportare outlined separately later in this section.
11. British nationals, Irish nationals, persons whose documents carry a “Certificate of Entitlement to the Right of Abode” vignette authenticated with an official seal, and persons who have been granted Indefinite Leave to Remain (ILTR) by the UK Home Office, are settled in the UK and fulfil criterion 8(a).
12. Candidates who are settled in the UK as defined in paragraph 11 will be eligible for full awards if they fulfil the additional residence criteria [8(b) and 8(c)]. They may be required to present documentary evidence of their settled status (e.g. a passport or travel document bearing an appropriate stamp from the Home Office Immigration and Nationality Directorate, or an appropriate letter confirming their settled status).
13. Nationals of an European Economic Area (EEA) member state (this includes all Member States of the European Union (EU) together with Iceland, Liechtenstein and Norway) and Switzerland are free to live and work in the UK. However, they are not settled in the UK unless they have applied for and been granted settled status, and are therefore not eligible for full awards. EU/EEA and Swiss nationals who are resident in the UK may, however, be eligible for full awards as “EEA migrant workers” (see paragraphs 16-21), and EU nationals may qualify for “fees-only” awards (see paragraphs 26-28).

Periods spent living outside the UK

14. Candidates who are settled in the UK may have spent periods living outside the UK and hence may appear to fail to meet criterion 8(b) above. However, their period of ordinary residence in the UK will not be regarded as having been interrupted by an absence caused by:
 - the temporary employment outside the UK of the candidate, the candidate's spouse, or the candidate's parent, guardian or other person having care of the candidate while the candidate is under 18;
 - the temporary full-time education outside the UK of the candidate or spouse;
 - a period spent outside the UK during a student's gap year.
15. Candidates should produce evidence to indicate that their absence from the UK did not interrupt the period of ordinary residence. Institutions should consider each case on its merits, taking into account of, amongst other things:
 - the nature and duration of the absence
 - whether the absence was wholly or partly determined by people other than the candidate e.g. was as a consequence of temporary periods of employment abroad of the candidate's parent or spouse or of full-time education abroad of the candidate's spouse
 - evidence that the candidate returned at the earliest opportunity
 - whether links were maintained e.g. through regular visits or vacation work.

UK Armed Forces personnel on active service abroad, and their children and spouses, are regarded as ordinarily resident in the UK.

EEA migrant workers

16. EU/EEA and Swiss nationals working in the UK (including UK nationals who have taken up employment in the UK after living in a EU/EEA country or Switzerland) are classified as "EEA migrant workers".
17. EEA migrant workers, and their spouses, children and stepchildren may be eligible for full awards provided that:
 - (a) at the time of the start of the course the candidate, or their spouse, parent or step-parent, was working in the UK;
 - (b) the candidate was ordinarily resident in the UK at the start of the course;
 - (c) the candidate was ordinarily resident within the EEA or Switzerland for the three years prior to the start of the course, other than wholly or mainly for full-time education.
18. The European Court of Justice has set out a definition of a migrant worker as
any person who pursues an activity which is effective and genuine, to the exclusion of activities on such a small scale as to be regarded as purely marginal and ancillary
19. A person could lose EEA migrant worker status if:
 - employment is ancillary to their studies
 - they left work voluntarily without good reason

- they left work to begin a course of study which had no link to their previous employment

Government guidance is that an EEA or Swiss national is generally entitled to be classified as a migrant worker for a period of six months from their arrival in the UK where they have arrived in the UK without work but are actively seeking employment.

20. Candidates need to provide evidence of their migrant worker status, e.g. a copy of the contract of employment supported by a letter from their employer confirming the information provided by the candidate. Institutions should take into account relevant advice provided by the UK Department for Education and Skills.¹
21. EU nationals (including UK nationals) who do not qualify for a full award as EEA migrant workers and their dependants may qualify for a “fees-only” award (see paragraph 27).

Refugees and asylum seekers who have been granted leave to remain in the UK

22. A candidate who has been granted refugee status by the UK Government, or is the child, stepchild or spouse of a refugee, is eligible for a full award provided that they have been ordinarily resident in the UK and Islands (apart from temporary absences) since being granted refugee status. Refugees do not have to meet the normal three years’ residence requirement but become eligible for an award immediately after being granted refugee status.
23. Prior to 1 April 2003 the Home Office granted “exceptional leave to enter or remain” (ELE/ELR) to some unsuccessful asylum seekers. From 1 April 2003 the Home Office replaced the granting of ELE/ELR with Humanitarian Protection (HP) or Discretionary Leave (DL). Although persons granted ELE/ELR, HP or DL are not settled in the UK, they are eligible for full awards provided that they meet the usual three-year residence requirements [criteria 8(b) and 8(c)] on the first day of their course.
24. Candidates must provide official documentary evidence of their refugee, ELE/ELR, HP or DL status, normally in the form of a letter from the Home Office Immigration and Nationality Directorate.
25. A student who becomes recognised as a refugee by the UK Government, or who is granted ELE/ELR, HP or DL, after the start of their course (or a student who is the spouse, child or stepchild of such a person) becomes eligible for an award from the payment date immediately following the award of refugee status.

“Fees-only” awards

26. EU nationals (including UK nationals) who fail to qualify for a full award under the UK residence criteria [8(a)-8(c)] or the EEA migrant worker criteria are generally eligible for awards restricted to the payment of tuition fees only; no maintenance award is payable. In order to be eligible for a fees-only award, the candidate must be an EU national (or the child of an EU national) who has been ordinarily resident in a member state of the EEA (including the UK) or Switzerland for three years previously other than wholly or mainly for full-time education. Candidates who are nationals of EEA countries which are not member states of the EU (Iceland, Liechtenstein and Norway) or Switzerland are not eligible for fees-only awards.

27. The residence criteria which apply to determine eligibility for a full award, including the consideration of temporary or occasional absences, apply to fees-only awards with substitution of the EEA and Switzerland for the UK.
28. Currently, the member states of the EU are:

Austria	Germany (note 3)	Netherlands (note 4)
Belgium	Greece	Poland
Bulgaria	Hungary	Portugal (note 5)
Czech Republic	Ireland	Romania
Cyprus	Italy	Slovakia
Denmark (note 1)	Latvia	Slovenia
Estonia	Lithuania	Spain (note 6)
Finland	Luxembourg	Sweden
France (note 2)	Malta	United Kingdom (note 7)

Note 1 **Greenland** and the **Faroe Islands** are not part of the EU.

Note 2 The French Overseas Departments (DOMs) of **French Guyana**, **Guadeloupe**, **Martinique**, and **Réunion** are part of Metropolitan France and therefore of the EU. However, French Overseas Territories (TOMs) e.g. **French Polynesia**, are not part of the EU.

Note 3 **Heligoland** is part of the EU.

Note 4 The **Netherlands Antilles** are not part of the EU.

Note 5 The **Azores Islands** and **Madeira** are part of the EU under special terms.

Note 6 The **Balearic Islands**, the **Canary Islands** and **Ceuta** and **Melilla** are all part of the EU.

Note 7 **Gibraltar** is part of the EU but not of the UK, and students from Gibraltar are treated as other EU nationals. The **Channel Islands** and the **Isle of Man** are not part of the UK, and students from these territories should approach their own Education Departments. The UK Sovereign Bases on **Cyprus**, and **UK Dependent Territories** are not part of the EU.

Andorra, **Monaco**, **San Marino** and **The Vatican City** are not part of the EU.

SECTION 3: ACADEMIC QUALIFICATIONS

29. Candidates for BBSRC training awards must normally hold a first or upper second class UK honours degree, or the equivalent qualifications gained outside the UK, in an appropriate area of science or technology. Universities are expected to comply with the guidelines on the selection and admission of candidates in the QAA's Code of Practice on Postgraduate Research Programmes (2004) available at www.qaa.ac.uk/public/COP/cop/contents.html.
30. Below provides guidance on **equivalence** for non-UK qualifications; on **enhancement** of lower class degrees by further postgraduate qualifications and/or relevant work experience; and on circumstances when unclassified or **unexpectedly low degree results** can be accepted.

Equivalence

31. Degree qualifications gained outside the UK are assessed by BBSRC through the National Academic Recognition Information Centre (NARIC) database. University Registrars must use this database to ensure that qualifications are of the appropriate level.

Enhancement

32. As a general rule an undergraduate degree below, or below the equivalent of, a UK upper second class honours degree is acceptable if accompanied by one of the following enhancements:
- a postgraduate Masters degree in a relevant subject will enhance a first degree by one step (e.g. from a lower second to an upper second). A second postgraduate Masters degree will not, by itself, constitute a further step; it can, however, be regarded as postgraduate work experience (ie. one year Masters equates to one year's relevant postgraduate work experience).
 - completion of 3 years full-time equivalent relevant postgraduate work experience will enhance a first degree by one step, and 6 years or more experience by two steps. 'Relevant' employment is regarded as employment which is relevant either to the first degree or to the proposed course of postgraduate study. For example, a graduate in computer studies who has been employed as a computer programmer will have relevant employment experience.
 - employment undertaken before the completion of undergraduate study does not count for the purposes of enhancement.
33. Four year UK first degrees denoted as 'Masters' e.g. MChem are undergraduate degrees and provide no automatic enhancement.
34. BBSRC expects to see evidence that universities have appropriate processes in place for the exercise of judgement in making such assessments, bearing in mind the responsibility to properly assess the suitability of a candidate for a research degree programme.

Unexpectedly low degree results

35. Candidates who did not sit their final undergraduate examinations due to a certificated illness, may in some cases be awarded an aegrotat degree. Also, illness or other adverse personal circumstances may result in a candidate attaining a lower than

expected level of degree. In these cases, the candidate may have the ability to undertake postgraduate training, and the university should assure itself that:

- the candidate was suffering from specific health conditions or adverse personal circumstances in the period prior to or during the exams; *and*
- the candidate's performance during previous years of study was such that they would have been expected to have achieved the appropriate level of degree; *and*
- the examination procedures did not allow for the adverse conditions to be taken into account.

SECTION 4 : ENQUIRIES

Enquiries about this guide should be directed to:

BBSRC
Postgraduate Training and Fellowships Branch
E-mail: postgrad.studentships@bbsrc.ac.uk

Other information on BBSRC training awards is available on the BBSRC website at <http://www.bbsrc.ac.uk/>

¹ *Higher Education Student Finance in England and Wales 2004/05 Academic Year – Assessing Eligibility Guidance* available on the DfES website at <http://www.dfes.gov.uk/studentssupport/administrators/doc/Assessing%20Eligibility.doc>