

Education - support for part-time study and disabled students

Scottish Government consultation

Children and Young People's Commissioner Scotland

October 2025

Established by the Commissioner for Children and Young People (Scotland) Act 2003, the Commissioner is responsible for promoting and safeguarding the rights of all children and young people in Scotland, giving particular attention to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner has powers to review law, policy and practice and to take action to promote and protect rights.

The Commissioner is fully independent of the Scottish Government.

We have responded only to the consultation questions that are relevant to our office.

3. Do you think that support for part-time and distance learning study needs to be simplified?

Yes.

Article 28 of the UNCRC requires states to “encourage development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need”.

Part time and distance learning are options which contribute to ensuring that all children in Scotland have their right to an education which develops their personality, talents mental and physical abilities to the maximum extent possible realised (Article 29(1)(b) of the UNCRC).

The current system is complex and may not provide the flexibility some children and young people need. The current system, with its assumption that part time students have the ability to work to support themselves, discriminates against children and young people who are already recognised as being at risk of not achieving their fullest potential.

Children and young people opting for part-time or distance learning may be doing so to balance study with caring responsibilities or because their ability to study full time is limited by a health condition, disability or mental health. This may mean they are unable to study full time but are able to achieve qualifications over a longer period of time. The UNCRC requires states to ensure that the disabled “has effective access to and receives education [and] training... in a manner conducive to the child’s achieving the fullest possible social integration and individual development...” (UNCRC Article 23(3)). The UN Convention on the Rights of People with Disabilities (UNCRPD) affirms the right of disabled people over 18 “to access general tertiary

education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others” (UNCRPD Article 24).

Part time and distance learning can support children and young people who are returning to education, including those who have had a period of non-attendance at school. It can provide a way to gain qualifications that were not achieved in school or a stepping stone into full time education. For those who have had negative experiences of school, their return to education can be on a very part-time basis, which can be built on as confidence increases.

6. **To be eligible for living cost support (bursary and/or student loan), full-time higher and further education students must meet eligibility criteria relating to their course choice and residency. This also considers the household income of the student and any previous study supported by public funds.**

The introduction of living cost support for part time or distance learning study would mean the same eligibility criteria being used as it is for full-time study.

Do you agree with this?

It is important not to treat part time or distance learning students less favourably than full time students – this could amount to discrimination. We agree that the same criteria should apply and would also request that the same exceptions and concessions apply. For example, a disabled student who has to change studies, or repeat a course, should have the same access to the equivalent of a “+1” year of funding and access to the appeals process for additional funding when their disability has resulted in them not completing a course.

7. **Further education students can get their fees paid (this is called a fee waiver) or can get some support towards fees depending on their circumstances. Access to this support is subject to eligibility criteria which can include a means-test.**

What are your views on this approach?

At present, further education (non HNC/HND) courses are not automatically funded, although funding is available for many disabled and care experienced students and those on benefits or low incomes. Having to apply for fee waivers may be a barrier and for those who do not qualify this can prevent a return to education. For example a child who has left school following non-attendance for mental health reasons may not identify as disabled, or may not be recognised as disabled. This may mean they need to pay a fee to gain qualifications they have missed due to their inability to complete school education.

8. **The Part-time Fee Grant (PTFG) is a grant towards tuition fees for eligible higher education students.**

What do you think would help to further improve support for part-time and distance learning students in higher education?

The current support is restricted to study at a level of 50% of full time or higher. As noted above, some children and young people returning to education may need to build their confidence over time, possibly at a level below 50% of full time. We would welcome increased flexibility for the Part-time Fee Grant to cover these scenarios.

9 The Scottish Government has focused support for students on low income to access higher education through the PTFG, which is accessible for those with personal incomes of under £25,000.

Do you feel the current eligibility criteria for the part-time fee grant work on focusing support for students who need it the most?

Can you explain the reasons for your answer?

We would welcome further extension of the grant. There is a significant group of children for whom part time further and higher education is an alternative to school education and both disabled and care experienced children are disproportionately likely to be amongst them.

At present a child can study an HNC at college while still enrolled at school and neither pay fees or use any of their 4+1 years of SAAS funding. A child studying the same (higher education) qualification directly at college will receive funding from SAAS but this will use up one year of SAAS funding. This discrepancy between children enrolled in school and those enrolled in college, some of whom will be sitting in the same classes, should be addressed.

10 Are there any non-monetary improvements relating to support for part-time and distance learning students, not already asked in this consultation, that you would like to comment on?

It is important to ensure that children and young people studying part time or by distance learning have access to the same pastoral and study support that full time students can access.

11 SIMD-20 learners are students from the 20% most deprived areas in Scotland according to the Scottish Index of Multiple Deprivation.

Should part-time and distance learning first-degree students be included in the official data measuring progress towards the Scottish Government's target to increase the proportion of SIMD-20 learners entering higher education?

We welcome any increase in data available, but this must be disaggregated, for example differentiating between full-time, part-time and full- or part-time distance learning. It is also important, given the incorporation of the UNCRC into Scots law, that when data is disaggregated by age, 16 and 17 year olds are classed as children, not adults. We would also welcome further disaggregation of data by disability, using the definition of disability in Article 1 of the UNCRPD which was adopted by the UN Committee on the Rights of the Child in General Comment 9 (<https://www.refworld.org/legal/general/crc/2007/en/48507>).

12 Do you think that support for disabled students in further and/or higher education needs to be simplified?

Yes

Can you please explain further the reasons for this?

The Disabled Students Allowance (DSA) provides an important way of providing disabled children and young people with equipment and support in further and higher education. However, it is only available for studying at HNC level or above and as with the Part-time Fees Grant, it is only available for students studying the equivalent of 50% of a full time course.

Students studying further education courses are not eligible for DSA and are instead supported by their college. We are concerned that the result is children and young people attending the same college may have quite different support. For example, a student studying an HNC might receive funded specialist coaching via DSA but this may not be available for a student studying an NC.

We would welcome a system which treated college student the same, regardless of the qualification level.

15 Disabled Students' Allowance (DSA) is administered by the Student Awards Agency Scotland (SAAS) based on the recommendations of the Disability Advisor following a needs assessment.

What improvements do you feel could be made to the administration of support for disabled students in higher education?

At present, students are required to purchase equipment and are reimbursed by DSA. This can present a significant barrier to children from low-income households and may unintentionally lead to children and young people going into debt to finance the initial purchase.

20 DSA is currently administered under 3 separate allowances (equipment, software and accessories / consumable items / Non-Medical Personal Help) with different limits applying to each component. In the other devolved nations across the United Kingdom, DSA is administered as a single allowance to be used for study support as required by the student.

In your opinion, is it helpful for students to have different allowances and limits or do you think that a single DSA allowance limit would better support students?

We do not have a strong opinion on this but combining the allowances would seem to support simplification and flexibility of DSA, as long as it did not result in a reduction in overall funding available.

23 In most circumstances financial support for disabled students in further education is currently managed by the colleges.

Should funding for disabled students in further education continue to go to the college to support the student with their disability, or do you think this should go directly to the student (similar to DSA for HE students) to manage the additional costs?

☐ Other

The discrepancies between further and higher education students should be addressed. However, this needs to be done in a way which is not burdensome to children and young people. As noted above, having to purchase equipment and claim the cost back can be a barrier to some children and young people, particularly those whose parents are unable or unwilling to support them.

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