



**LIVERPOOL  
CITY REGION**  
COMBINED AUTHORITY

**METROMAYOR**  
LIVERPOOL CITY REGION

# **Liverpool City Region Combined Authority adult education budget (AEB): Funding and Performance Management Rules**

**For the 2020 to 2021 funding year (1 August 2020 to 31 July 2021)**

This document sets out the funding and performance management rules that apply to all providers of education and training who receive adult education budget funding from the Liverpool City Region Combined Authority

**Final Version 2 – September 2020**

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## Introduction and purpose of the document

This document sets out the Liverpool City Region Combined Authority AEB funding rules for the 2020 to 2021 funding year (1 August 2020 to 31 July 2021). These rules contain conditions of funding (in accordance with section 101 of the Apprenticeships Skills Children and Learning Act 2009) and apply to all providers who receive LCRCA funded AEB.

We know that providers are working through exceptional circumstances due to Coronavirus (COVID-19). We may publish further updates about the impact of COVID-19 on our funding rules as these become clear. We will tell you about any changes in our LCRCA updates. We would like to take this opportunity to thank you for your continued hard work in these difficult times. For further information on the latest COVID-19 response, please read the ESFA guidance on [Maintaining education and Skills training provision: further education](#) providers.

LCRCA funded AEB aims to engage adults and provide the skills and learning they need to progress into, or within, work or equip them for an apprenticeship or other learning. It enables more flexible tailored programmes of learning to be made available, which may or may not require a qualification, to help eligible learners engage in learning, build confidence, and/or enhance their wellbeing.

Providers must have due regard to the skills analysis and priorities of Liverpool City Region Local Enterprise Partnership and the Skills Advisory Panel.

These rules do not apply to

- apprenticeships
- advanced learner loans
- education and training services funded by the European Social Fund/HMT Guarantee
- individuals resident in a different devolved authority area, unless they meet the criteria detailed in these rules

This document forms part of the terms and conditions of funding and you must read them in conjunction with your grant funding agreement and/or contract for services with the Combined Authority. You must operate within the terms and conditions of the grant funding agreement and/or contract for services, these rules, and the Individualised Learner Record (ILR) specification. If you do not, you are in breach of your funding agreement /contract for services with the Combined Authority.

All information, including hyperlinks were correct when we published this document.

LCRCA reserves the right to make changes to these rules.

## How this document can help you

We have divided this document into two sections that contain the AEB specific funding rules, and payment and performance management rules. Each section may include the context of the rule in a box, or set out in a table, and/or the rule/s itself as a numbered paragraph.

These funding rules should be read alongside:

- Liverpool City Region Combined Authority's Skills Strategy 2018–2023; [link](#)
- 2020/2021 ILR Specification; [link](#)
- The Gov.UK reference guides on qualifications eligible for public funding found [here](#) including:
  - [Adult education budget: legal entitlements and qualification eligibility principles;](#)
  - [English and math's legal entitlement offer;](#)
  - [Level 2 and level 3 legal entitlement offer;](#)
  - [2020 to 2021 qualifications in the digital legal entitlement](#)
  
  - [Adult education budget: funding rates and formula. Link:](#)
  - [Qualification achievement rates and Minimum Standards: Link:](#)
- Liverpool City Region AEB Grant Funding Agreement; and/or
- Liverpool City Region AEB Contract for Services.

We have included a [glossary](#) to explain technical terms.

We have included a [summary of changes](#) to explain new policy rules and amendments that differ from 2019 to 2020.

The Combined Authority reserves the right to make changes to these rules during the academic year.

### Understanding the terminology

The term 'we' or 'us' or 'Combined Authority' or 'LCRCA' refers to the Liverpool City Region Combined Authority.

When we refer to 'you' or 'providers', this includes colleges, training organisations and local authorities who receive LCRCA funded AEB to deliver education and training to learners set out on [Who we fund](#) section on page 11

We will use the generic term 'you' or 'provider' unless the requirements only apply to a specific provider type. We use the term 'funding agreement' to include:

- grant funding agreement
- contract for services

We use the terms 'individual' and 'learner' to cover those whose provision is funded by us. Eligible learners will reside in Halton, Knowsley, Liverpool, Sefton, St Helens and Wirral. Learner postcodes can be checked for eligibility at on the ESFA website [postcode checker data set](#). Grant funded organisations should refer to paragraph 19 if they are in receipt of an allocation to support Greater Manchester residents

We use the term 'provision' or 'learning' or 'learning aims' to refer to LCRCA funded AEB, whether it is a regulated qualification, or other learning that is not a regulated qualification or as agreed with the Combined Authority.

If we refer to qualifications, either these will be from the Regulated Qualifications Framework (RQF) <https://www.gov.uk/find-a-regulated-qualification> or an Access to Higher Education Diploma recognised and regulated by the Quality Assurance Agency (QAA).

If we refer to 'learning aims', we mean a single episode of learning which could be a regulated qualification, a component of a regulated qualification or non-regulated learning.

If we refer to 'programmes', we mean a coherent package of learning which may include regulated qualifications, components of regulated qualifications or non-regulated learning with clearly stated aims supporting agreed outcomes.

We may refer to this document as 'funding rules' or 'the rules'.

## **Contacting us**

You can contact us at [aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk). Organisations with a funding agreement/contract for services can also make contact through their assigned Relationship Manager.

# Section 1 - General Funding Requirements

## Liverpool City Region: Principles of funding

1. In 2020/2021, the Combined Authority will build upon previous national AEB Funding and Performance Management Rules with adaptations to accommodate local delivery priorities for Liverpool City Region residents.

2. This approach will provide continuity for those Colleges, Local Authorities and Independent Training Providers with existing funding agreements and certainty of learner funding eligibility and funding rates. The Combined Authority will continue to make crucial changes to local funding and performance management rules, rates and learner eligibility criteria for fully funded delivery.

3. Our focus will be to work with Colleges, Local Authorities and Independent Training Providers to build an evidenced based social and business case for future changes. In the longer term, a step change is needed for residents to become more economically productive and engage more effectively in their local communities. The Combined Authority will make improvements in the short, medium and longer term through:

- Collaboration between Providers
- Encouraging co-location and co-delivery of services;
- Engagement and training of economically inactive and unemployed people;
- Narrowing of the gap of underrepresented learners; and
- Aligning local commissioning of AEB with other funding streams.

4. The Liverpool City Region commissioning approach is underpinned by the following delivery principles, designed to convey clarity and transparency:

- Local skills investment priorities will be aligned to Skills Strategy outcomes;
- The Combined Authority will align, where possible, with national policy on funding eligibilities, rates and entitlements and will seek to improve or enhance these in support of local priorities as appropriate;
- The Combined Authority will encourage new market developments and innovation that strengthens the local Provider base and responds to needs and opportunities;
- Skills funding decisions including European Social Fund and Skills Capital will be considered alongside the AEB;
- Subcontracting will be agreed where this adds value to the mix and balance of provision locally and enriches the learning offer; and

- Allocations and details of commissioned provision will be openly published to ensure transparency of process.

5. These funding rules apply to all learners starting new learning aims on or after 1 August 2020 who are a resident within Liverpool City Region at the commencement of learning for Colleges and Providers with a grant funding agreement or contract for services with the Combined Authority.

6. Individuals continuing their learning in 2020/21 funding year, who were a resident within Liverpool City Region at the commencement of learning (start date 1<sup>st</sup> August 2019 - 31<sup>st</sup> July 2020 funding year) will be funded through the Providers LCRCA allocation.

- You must not transfer funding between the Combined Authority procured contracts for services and grant funding agreements should a Provider hold both.
- The Combined Authority will negotiate Grant Funding Agreements with general Further Education colleges, sixth form colleges (and academy trusts incorporating former sixth form colleges) and local authorities with campuses located within the Liverpool City Region at our discretion and in line with legal advice.
- Liverpool City Region's market entry point for other organisations that intend to deliver AEB funded provision to Liverpool City Region residents is our standard Selection Questionnaire, Invitation to Tender and due diligence checks. These will be issued as part of any commissioning calls for new provision, followed by a specification of the delivery required.
- LCRCA funded AEB Providers do not have to complete and update the Register of Training Organisations.
- Where a funding agreement / contract for services contains specific ring-fenced budgets, e.g. for Test and Learn Pilots / procured Lot 2 provision, this should not be transferred or expended on any learning or learner support outside of the pilot without the written permission of the Combined Authority.
- You must not transfer, cross or double fund learning between the following ring-fenced budgets and funders (or any other funding - this list is not exhaustive):
  - AEB budget devolved to Liverpool City Region for Liverpool City Region resident learners;
  - AEB from national ESFA funds in separate funding;
  - AEB sourced from other devolved City Regions; and
  - Advanced Learner Loan funding where AEB devolved to the Liverpool City Region supports learning aims at Level 3 and above; and

- Any other funding

7. We will review and monitor whether the LCRCAs funded AEB provision you provide represents good value for money. If we consider that funding is significantly more than the cost of providing education and training, we may reduce your funding after consulting with you.

8. Failure to comply with funding and subcontracting rules could lead to action or intervention. Providers should have regard to relevant ESFA policies and guidance about the oversight of providers. Please refer to the updated and published documents on the Gov.uk website. The triggers for action and the type of action the ESFA may take is set out in these documents and is in accordance with their provisions

- [College oversight: support intervention](#)
- [How ESFA maintains oversight of independent training providers](#)

## Who we fund

9. Where we refer to a learner's age being 19, this relates to the learner being aged 19 or over on the 31 August within the funding year they start a learning aim.

10. For all other purposes, the age of the learner is at the start of each learning aim. Eligible learners for AEB with residency in the Liverpool City Region include those:

- Aged 19 or older within the 2020/2021 funding year; or
- Aged 25 on 31 August within the 2020/2021 funding year or older for learners that previously had an Education Health and Care Plan; and
- Agreed in advance by exception with the Combined Authority in writing.

11. A learner's eligibility will not change during a learning aim.

12. Learners will be eligible for funding for the whole of the learning aim if they are eligible for funding at the start, even if the duration is for over one academic year.

13. You must reassess the learner eligibility for any further learning they start.

14. If an individual starts a learning aim or programme and is not eligible for funding, we will not fund their learning while they remain ineligible.

15. You must not fund a learner who is unable to complete a learning aim or programme of study in the time they have available. Any learner, of any age, must be able to achieve the learning aim or programme of study in line with their initial assessment and individual learning plan.

## Cross border learners

16. Providers should not actively engage learners in devolved skills areas where they do not have a devolved AEB funding award or allocation.

17. Providers will be able to meet the needs of learners' resident outside of the Liverpool City Region from ESFA funding or other funding from other devolved AEB Mayoral Combined Authority areas if funded by these organisations and contracts/grants are in place with each one.

18. Providers must not actively recruit learners who live or work in devolved administration areas for skills and must develop arrangements with the relevant devolved administration if they are planning to deliver a significant quantity of learning to learners who reside in devolved skills areas.

19. Grant funded providers may receive in 2020/21 a proportion of their allocation from which they can support learning for residents of the Greater Manchester devolved AEB Mayoral Combined Authority Area.

20. **BY EXCEPTION AND ONLY WITH PRIOR PERMISSION FROM LIVERPOOL CITY REGION COMBINED AUTHORITY:** Providers who do not hold an LCRCA AEB funding agreement or funding from a neighbouring devolved AEB Combined Authority area may be allowed with permission to fund learners that are resident outside of Liverpool City Region. In all other circumstances Providers, starting learners that are not resident within Liverpool City Region will be considered ineligible and unfunded by the Combined Authority.

## Funding rates and formula

21. You can access this information in the Adult Education Budget: funding rates and formula 2020 to 2021 by the following [Link](#)

## Residency eligibility

22. You must check the eligibility of a learner and their residency ensuring they reside within the local authority areas of Halton, Knowsley, Liverpool, Sefton, St Helens and Wirral at the start of each learning aim and only claim funding for eligible learners unless otherwise agreed in writing with the Combined Authority. Please refer to the [glossary](#) definition of 'learner residency' and the devolution [postcode checker data set](#). Grant funded organisations should refer to paragraph 19 if they are in receipt of an allocation to support Greater Manchester residents

23. Individuals will be eligible for Liverpool City Region Combined Authority devolved AEB funding if they meet the criteria in '[who we fund](#)' are currently or ordinarily

resident in the Liverpool City Region and their learning is taking place in England and they:

- are 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 settled status or 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, for at least the previous 3 years on the first day of learning.

24. The EEA includes all the countries and territories listed in [annex A](#).

25. The eligibility of individuals who do not meet the requirements in paragraph 22 as stated above.

26. Any learner or relevant family member who has applied for an extension or variation of their current immigration permission in the UK is still treated as if they have that leave. This only applies if the application was made before their current permission expired. Their leave continues until the Home Office decide on their immigration application. Their leave will continue where they have appealed or sought an administrative review of their case within the time allowed to them for doing so.

27. Therefore, a learner or relevant family member is considered to still have the immigration permission that they held when they made their application for an extension, administrative review or appeal, and their eligibility would be based upon this status.

28. You can find further information on eligibility from the [UK Council for International Student Affairs](#).

29. 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. Therefore, this does not affect a learner's eligibility, which must be decided under the normal eligibility conditions.

## **Non-EEA citizens**

30. 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 3 years before the start of learning.

## Individuals with certain types of immigration status and their family members

31. Any individual with any of the statuses listed below is eligible to receive funding and are exempt from the 3-year residency requirement rule. You must have seen the learner's immigration permission which would include the biometric residence permit (2BRP) and in some cases an accompanying letter from the Home Office in these circumstances:

- 31.1. refugee status
- 31.2. discretionary leave to enter or remain
- 31.3. exceptional leave to enter or remain
- 31.4. indefinite leave to enter or remain
- 31.5. humanitarian protection leave outside the rules the husband, wife, civil partner or child of any of the above in paragraphs 31.1 to 31.4
- 31.6. section 67 of the Immigration Act 2016 leave
- 31.7. Calais leave to remain.

## Asylum seekers

32. Asylum seekers are eligible to receive funding if they are resident in the Liverpool City Region; and

- have lived in the UK for 6 months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made, or
- are receiving local authority support under [section 23C](#) or [section 23CA of the Children Act 1989](#) or the Care Act 2014

33. An individual who has been refused asylum will be eligible if they are currently resident in the Liverpool City Region; and

- they have appealed against a decision made by the UK government against granting refugee status and no decision has been made within 6 months of lodging the appeal, or
- they are granted support for themselves under [section 4 of the Immigration and Asylum Act 1999](#), or
- are receiving local authority support for themselves under [section 23C](#) or [section 23CA of the Children Act 1989](#)

## Family members of EU and EEA nationals

34. In the explanations below, the ‘principal’ is the European Union (EU) or EEA national. The ‘family’ or ‘family member’ is the learner, and must be the husband, wife, civil partner, child, grandchild, dependent parent or grandparent of the ‘principal’.

35. If the learner, who is a family member of an EEA national, has been ordinarily resident in the EEA for the 3 years prior to the start of their course, they are eligible for funding.

36. This table shows the eligibility for family members if:

- the family member is now ordinarily resident in Liverpool City Region, but has not been ordinarily resident in the EEA for at least the previous three years before the start of learning, and
- a principal has been resident within the EEA for the last three years

		Principal ordinarily resident in the EEA for three years		
		EU (including the UK) citizen	Non-EU EEA citizen	Non- EEA citizen
Family member not ordinarily resident in the EEA for three years	EU (including the UK) citizen	Eligible	Eligible	Not eligible
	Non-EU EEA citizen	Eligible	Not eligible	Not eligible
	Non-EEA citizen	Eligible	Not eligible	Not eligible

## Children of Turkish workers

37. A child of a Turkish worker is eligible if both the following apply:

- the Turkish worker is currently ordinarily resident in the UK and is, or has been, lawfully employed in the UK

- the child has been ordinarily resident in the EEA and/or Turkey for the full 3-year period before the start of their programme

## Persons granted stateless leave

38. A person granted stateless leave is a person who:

- has extant leave to remain as a stateless person under the immigration rules (within the meaning given in [section 33\(1\) of the Immigration Act 1971](#)); and
- has been ordinarily resident in the UK and Islands throughout the period since the person was granted such leave

39. A stateless person must:

- be ordinarily resident in the UK on the first day of the first funding year of the course; and
- have been ordinarily resident in the UK and Islands throughout the 3-year period preceding the first day of the first funding year of the course

40. Certain family members are also eligible under this category if:

- the spouse or civil partner of a person granted stateless leave (and who was the spouse or civil partner of that person on the leave application date), who is ordinarily resident in the UK on the first day of the first funding year of the course, and who has been ordinarily resident in the UK and Islands throughout the 3 year period preceding the first day of the first funding year of the course; or
- the child of a stateless person or of the stateless person's spouse or civil partner (and who was the child of that stateless person or the child of the stateless person's spouse or civil partner on the leave application date), was under 18 on the leave application date, is ordinarily resident in the UK on the first day of the first funding year of the course, and has been ordinarily resident in the UK and Islands throughout the 3 year period preceding the first day of the first funding year of the course

41. "Leave application date" means the date on which a person is granted stateless leave made an application to remain in the UK as a stateless person under the immigration rules (within the meaning given in [section 33\(1\) of the Immigration Act 1971](#)).

## Individuals who are not eligible for funding

42. You must not claim funding for individuals who do not meet the eligibility criteria set out above. Examples of individuals who do not meet the eligibility criteria include the following. Please note this list is not exhaustive:

- those who are here without authority or lawful status
- those who are resident in the UK on a Tier 4 (general) student visa unless they are eligible through meeting any other of the categories described above
- non-EEA citizens who are in the UK on holiday, with or without a visa
- non-EEA citizens who are a family member of a person granted a Tier 4 visa, who 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
- individuals who are ordinarily resident in the Channel Islands or the Isle of Man, unless they are also ordinarily resident within England
- those whose biometric residence permit or residence permit imposes a study prohibition or restriction on the individual

## Learners in the armed forces

43. We will fund armed forces personnel, Ministry of Defence (MoD) personnel or civil and crown servants where the learning takes place in England and they are ordinarily resident in the Liverpool City Region. We will class members of the British armed forces on postings outside of the EU, including their family members, as ordinarily resident in the UK.

44. Members of other nations' armed forces stationed in England, and their family members, aged 19 and over, are eligible for ESFA funded AEB, set out in '[who we fund](#)', if the armed forces individual has been ordinarily resident in England for 3 years. We will not fund family members that remain outside of England.

## Learners temporarily outside of England

45. Individuals ordinarily resident in the Liverpool City Region (England) working outside of England as part of their job, are eligible for AEB funding as long as some of the learning takes place in Liverpool City Region. You cannot claim for the additional expense of delivering learning outside of England.

## Learners who live in Wales, Scotland or Northern Ireland

46. Any learning for non-Liverpool City Region residents requires prior written approval by the Combined Authority.
47. Wales, Scotland and Northern Ireland have their own funding arrangements. You must develop arrangements with the relevant devolved administration if you are planning to deliver a significant quantity of learning to learners who do not live in England.
48. You must not actively recruit learners who live or work outside of England.
49. We will fund an individual who does not live in the Liverpool City Region (England), if specialist skills training is only available in Liverpool City Region and agreed prior to the commencement of learning by the Combined Authority. For example, in cases where an employer is moving location to the Liverpool City Region, and staff will then work and / or live in the Liverpool City Region (England) to study or learn. We do not expect these numbers to be significant.
50. For learning delivered at an employee's workplace, we will fund individuals whose main employment or normal place of work is in Liverpool City Region where eligible e.g. for fully funded entitlement provision. These circumstances should be agreed prior to the commencement of learning with the Combined Authority in writing

## Fees and charging

51. You must not make compulsory charges relating to the direct costs of delivering a learning aim to learners we fully fund, including those with a legal entitlement to full funding for their learning. Direct costs include any essential activities or materials without which the learner could not complete and achieve their learning.
52. If a fully funded learner needs a Disclosure and Barring Service (DBS) check to participate in learning, you cannot charge them for this. If the learning is associated with the learner's employment, their employer is responsible for carrying out and paying for this check.
53. When charging a fee to co-funded learners, the sum of the government contribution and the learner's fee must not exceed the fully funded weighted rate for the learning aim, and the learner should not have to pay more than 50% of the unweighted rate.

## Qualifying days for funding

54. A learner must be in learning for a minimum number of days between their learning start date and learning planned end date before you can earn funding,

including learning support. You can access this information in the [adult education budget: funding rates and formula 2020 to 2021 guidance](#).

55. This does not apply where the learner achieves the learning aim.

## Recognition of prior learning

56. A learner could have prior learning that has been previously accredited by an awarding organisation or could be formally recognised and count towards a qualification. If this is the case, you must:

- reduce the funding amount claimed for the learning aim by the percentage of learning and assessment the learner does not need
- follow the policies and procedures set by the awarding organisation for delivery and assessment of the qualification

57. You must assess whether any prior learning negates the need for a learner to undertake the whole learning aim.

58. You must not use prior learning to reduce funding for English and maths qualifications up to and including level 2.

59. If a learner enrolls on an advanced subsidiary (AS) level qualification followed by an A level, you must reduce the funding claimed for the A level to take account of the prior study of the AS level and record this in the 'Funding adjustment for prior learning' field in the ILR. More information available at GOV.UK [ILR guidance](#).

## Breaks in learning

60. The Combined Authority will not fund a learner whilst on a break in learning.

61. You and the learner can agree to suspend learning while the learner takes a break from learning. This allows the learner to continue later with the same eligibility that applied when they first started their learning.

62. You must record the date a learner takes a break in learning and the date they restart their learning in the ILR. Further guidance on recording breaks can be found in the ESFAs [ILR provider support manual 2020 to 2021](#).

63. You must have evidence that the learner agrees to return and continue with the same learning aim; otherwise, you must report the learner as withdrawn. When the learner returns to learning, you must re-plan and extend the remaining delivery as required.

64. You must not use a break in learning for short-term absences, such as holidays or short-term illness. Breaks in learning should be for a reasonable length of time in relation to the duration and number of learning aims a learner is registered for and should be regularly reviewed by Providers.

## **Response to coronavirus (Covid-19)**

65. In line with paragraphs 60 to 64 you and the learner can agree to suspend learning to enable the learner to take a break in learning where:

- the learner is self-isolating, or caring for others affected by coronavirus (COVID-19) and is unable to continue by distance learning and/or an online offer, or
- you are unable to deliver learning because of the impact of coronavirus (COVID-19) on your business and there is no reasonable way to achieve appropriate delivery by distance learning and/or online learning

66. To record breaks in learning for coronavirus (COVID-19) reasons, you must:

- include these learners in your ILR submissions
- record the reason, retain and submit evidence as set out in paragraphs 62 to 63
- ensure affected learners are not recorded as permanently withdrawn from their learning, by entering the 'completion status' field of the ILR as '6', denoting that the learner has temporarily withdrawn from learning due to an agreed break in learning as a direct impact of coronavirus (COVID-19)
- not change the current planned end date of the learning aim record
- agree a new planned end date, when the learner returns, that must be assessed and recorded against the revised learning aim record

## **What we will not fund**

67. If an individual starts a learning aim or programme which is not eligible for funding, we will not fund their learning while they remain ineligible.

We will not fund:

- Any provision you deliver to a learner whose learning is taking place outside of England or non-Liverpool City Region residents unless otherwise agreed in writing by the Combined Authority

- qualifications, units or learning aims that are not listed on [the Hub](#) or on the legal [Qualification funding approval: funding year 2020 to 2021 manual](#) – please see paragraphs 140 to 144
- provision to learners in custody - the Ministry of Justice funds prison education in England. Please note you can use your LCRCA funded AEB to fund individuals released on temporary licence as set out in paragraph 145
- any part of any learner’s learning aim or programme that duplicates provision they have received from any other source
- training through LCRCA funded AEB, where a learner is undertaking or planning to undertake an apprenticeship and where that training will:
  - replicate vocational and other learning aims covered by the apprenticeship standard or framework, including English and maths
  - offer career related training that conflicts with the apprenticeship aims
  - be taking place during the apprentices working hours. Where an apprentice has more than one job, working hours refers to the hours of the job the apprenticeship is linked to
- a learner to repeat the same regulated qualification where they have previously achieved it, unless it is for any GCSE where the learner has not achieved grade 4 (C) or higher
- learner to sit or resit a learning aim assessment or examination where no extra learning takes place

## **Learners funded from other funders**

68. We will not fund learners who would otherwise be eligible for funding for 24+ Level 3 advanced learner loans via the student loan company.

## Subcontracting

Please note this section is subject to potential further amendments and clarifications. These changes are likely to be made in further iterations of this document.

From 2019, the ESFA introduced an annual review of subcontracting for all providers who subcontract ESFA programmes including the Adult Education Budget. The Liverpool City Region Combined Authority will have regard to the published report, but will not necessarily align the findings to the funding rules.

We can confirm that for 2020 /2021 we will protect learners by looking for signs of non-compliance and checking with main providers that the rules are being followed.

- It is vital that all directly funded organisations must properly monitor and control all subcontracted delivery
- Lead providers are responsible for the selection and actions of their delivery subcontractors
- Details of all proposed subcontractors and their allocations will be submitted via the subcontractor declaration included in your delivery plan, the % of delivery that you are planning to subcontract must not exceed year 1
- Subcontractors must have Matrix accreditation (or working towards)
- The funding you retain in relation to each Subcontractor's AEB delivery for that funding year must be capped at a maximum of 20% of subcontracted earnings

For Information, the ESFA have published additional information describing their expectations of lead providers when they [subcontract](#). These rules have been reordered for clarity.

### Your policy for delivery subcontracting

69. You must take your own legal advice about whether, in subcontracting part of your service delivery, you are a contracting authority awarding a public contract as defined by of [Public Contracts Regulations 2015](#). If you are, then you should comply with the provisions of the 2015 Regulations. You must provide a synopsis of the legal advice for inspection by us on request.

70. Your governing body or board of directors and your accounting officer (senior responsible person) must agree your policy for delivery subcontracting. This policy must

set out your reasons for subcontracting and that all your delivery subcontracting meets your strategic aims and enhances the quality of your learner offer. You must be able to confirm this by way of evidence, such as minutes of meetings and/or written sign-off. The minimum content for your policy for delivery subcontracting is set out in paragraph 80.

71. You must publish your policy for delivery subcontracting on your website.

72. You must not subcontract for delivery to meet short-term funding objectives.

73. Your Subcontractors do not need to register with the Combined Authority, however, we expect full due diligence checks to be undertaken by Lead Providers and all subcontracted provision to be declared to the Combined Authority for agreement prior to the commencement of any learning by the Subcontractor.

74. Subcontracts of all values will be declared and published once agreed by the Combined Authority.

75. If your organisation does not apply a rigorous subcontracting due diligence process, we will review your funding arrangements and limit your ability to subcontract provision.

76. You must only use, and hold up to date, written evidence to support your use of delivery subcontractors;

If you have the knowledge, skills and experience within your organisation to:

- successfully procure
- contract with and manage those subcontractors and
- can evidence this with the CVs of relevant staff
- who your governing body/board of directors and your accounting officer (senior responsible person) determine as being of high quality and low risk
- if you have robust procedures in place to ensure subcontracting does not lead to the inadvertent funding of extremist organisations

77. You are responsible for the actions of your delivery subcontractors connected to, or arising out of, the delivery of the services, which you subcontract.

## **Review and publication of your policy for delivery subcontracting**

78. You must review your policy for delivery subcontracting annually. This policy must be signed by your governing body or board of directors and your accounting officer.

79. You must publish your policy for delivery subcontracting on your website before entering into any subcontracting agreements for the 2020 to 2021 funding year. We expect the policy, including the rationale to be published by 31 October 2020. It should be easy to navigate from the front page of your education and training web pages.

## **Minimum content requirements for your policy for delivery subcontracting**

80. As a minimum, you must include the following in your policy for delivery subcontracting:

- your reason for subcontracting
- your contribution to improving your and your delivery subcontractor's quality of teaching and learning
- the funding you retain in relation to each subcontractor's AEB delivery for that funding year must be capped at a maximum of 20% of subcontracted earnings unless otherwise agreed in writing by us
- the support delivery subcontractors will receive in return for the fee you charge
- how you will identify the support required and associated costs for different delivery subcontractors
- how and when you communicate and discuss your policy for delivery subcontracting with potential delivery subcontractors, or current ones for new learner starts
- how you will ensure you describe to each subcontractor, before each subcontracting relationship is agreed:
- payment terms between you and your delivery subcontractors; the timing of payments in relation to delivery and timescale for paying invoices and claims for funding received
- timing for review of your policy for delivery subcontracting
- where you publish your policy for delivery subcontracting

## Selection and procurement of your delivery subcontractors

81. If you have not previously subcontracted delivery of LCRCA AEB provision you must obtain our written approval before awarding a subcontract to a delivery subcontractor and keep evidence of this. We will place restrictions on your future use of AEB delivery Subcontractors if approval is not sought and agreed prior to delivery taking place.

82. When appointing delivery subcontractors, you must avoid conflicts of interest and you must:

- write to us through your Relationship Manager about any circumstances (for example, where you and your proposed subcontractor have common directors or ownership) which might lead to an actual or perceived conflict of interest and
- not award the contract without our written permission and
- keep as evidence both your request and our reply

83. You must carry out your own thorough due diligence checks when appointing delivery subcontractors and have both the detailed process and the results available for inspection by us.

84. You must not use a delivery subcontractor's presence on the Register of Training Organisations, or any other public register or database, as an indicator that they are suitable to deliver to your specific requirements.

85. You must not appoint any delivery subcontractors for a period greater than a single academic year unless with prior written agreement of your Relationship Manager

86. You must ensure that any delivery subcontractor you appoint continues to meet the requirements of your due diligence procedures and that you provide them with all the necessary support.

87. You must not enter new subcontracting arrangements or increase the value of your existing arrangements if any of the following circumstances apply. These conditions will continue until we are satisfied that the concerns have been addressed and the circumstances below no longer apply if:

- Ofsted has rated your leadership and management as inadequate
- you do not meet our jointly agreed [minimum standards](#) between the Combined Authority and the ESFA
- the outcome of any annual financial health assessment completed is inadequate, unless we have provided written permission in advance

- You must not increase the total percentage of subcontracted delivery that you originally declared in 2019/20
- You must seek approval to change or amend subcontractors in-year by contacting your Relationship Manager who will provide you with the necessary documentation

## Entering into a delivery subcontract

88. You must only award contracts for delivering LCRCA funded AEB provision to legal entities. If the legal entity is a registered company, it must be recorded as 'active' on the [Companies House](#) database.

89. You must not award, or renew a subcontract to any organisation if:

- it has an above-average risk warning from a credit agency
- it has passed a resolution (or the court has made an order) to wind up or liquidate the company, or administrators have been appointed
- its statutory accounts are overdue

90. You must make sure that learners supported through subcontracting arrangements know about you and your delivery subcontractor's roles and responsibilities in providing the learning.

91. You must have a legally binding contract with each delivery subcontractor that includes all the terms set out in paragraph 93

92. You must have a contingency plan in place for learners in the event that:

- you need to withdraw from a subcontract arrangement
- a delivery subcontractor withdraws from the arrangement
- a delivery subcontractor goes into liquidation or administration

93. You must make sure that the terms of your subcontracts allow you to:

- monitor the delivery subcontractor's activity
- have control over your delivery subcontractors
- monitor the quality of education and training provided by delivery subcontractors

94. You must obtain an annual report from an external auditor if your LCRCA funded AEB contracts with your delivery subcontractors will exceed £100,000 in any one funding year. The report must provide assurance on the arrangements to manage and control your delivery subcontractors and comply with any guidance issued by us

95. You must also supply us with a certificate signed by the external auditor and an authorised signatory to confirm you have received a report that provides satisfactory assurance. We may ask you to provide a copy of the full report and any associated plan to implement the external auditor's recommendations.

## **Terms that you must include in your contracts with delivery subcontractors**

96. You must make sure your delivery subcontractors:

- meet the requirements set out in these funding rules
- provide you with ILR data so your data returns to us accurately reflect your subcontractor's delivery information
- give us, and any other person nominated by us, access to their premises and all documents relating to LCRCA funded AEB provision
- give you sufficient evidence to allow you to:
  - assess their performance against [Ofsted's Education Inspection Framework](#)
  - incorporate the evidence they provide into your self-assessment report
  - guide the judgements and grades within your self-assessment report
- always have suitably qualified staff available to provide the education and training we fund through LCRCA funded AEB
- co-operate with you to make sure there is continuity of learning if the subcontract ends for any reason
- tell you if evidence of any irregular financial or delivery activity arises; irregular activity could include, but is not limited to:
  - non-delivery of training when funds have been paid

- sanctions imposed on the delivery subcontractor by an awarding organisation
  - an inadequate Ofsted grade
  - complaints or allegations by learners, people working for the delivery subcontractor or other relevant parties
  - allegations of fraud
- are bound by European Social Fund (ESF) clauses from your funding agreement being then included in the subcontract, even if the provision being subcontracted is not funded by the ESF
- do not use our funding to make bids for, or claims from, any European funding on their own behalf or on our behalf
- do not use payments made as match funding for ESF co-financing projects

97. You must include in your contract with each delivery subcontractor:

- reference to your delivery subcontracting policy and where it can be found on your website
- your reason for subcontracting with them
- a list of all services you will provide to them and the associated costs for doing so.

## **Monitoring of your delivery subcontractors and subcontracted provision**

98. You must manage and monitor all your delivery subcontractors to ensure that high-quality delivery is taking place that meets these funding rules.

99. You must carry out a regular and substantial programme of quality-assurance checks on the education and training provided by delivery subcontractors, including visits at short notice and face-to-face interviews with staff and learners. The programme must:

- include whether the learners exist and are eligible
- involve direct observation of initial guidance, assessment, and delivery of learning programmes

100. The findings of your assurance checks must be consistent with your expectations and the delivery subcontractor's records.

## **Second-level delivery subcontracting**

101. You must not agree the use of any delivery subcontractor where this would require you to deliver LCRCA funded AEB provision to a second level. All your delivery subcontractors must be contracted directly by you and you may have more than one subcontractor. The restriction on the level of subcontracting is in place to ensure:

- that lead providers retain clear and transparent accountability for the quality of training provision
- that proper and appropriate controls are in place to manage the learner experience; and
- that value for money is achieved by mitigating funding being utilised for multiple tiers of subcontractor management

## **Reporting your subcontracting arrangements**

102. You must provide a fully completed delivery subcontractor declaration by dates determined by the Combined Authority. If you do not make the declaration on time, we will suspend your payments. If you do not subcontract, you must still provide a nil return to confirm this within the deadline dates set.

103. You must also update your subcontractor declaration and associated LCRCA spreadsheets if, and when any of your subcontracting arrangements change during the year. This must follow the completion of all relevant documents provided by your Relationship Manager

104. You must report to us the actual level of funding paid and retained for each of your delivery subcontractors in 2020 to 2021. You must email this information to your Relationship Manager using a template which we will supply to you. We will let you know the date by when you must do this. We will publish the information on LCRCA website at our discretion.

You must include the following:

- name of each delivery subcontractor
- the [UK Provider Reference Number](#) (UKPRN) of each delivery subcontractor
- contract start and end date for each delivery subcontractor

- funding we have paid to you for LCRCA funded AEB delivery by each delivery subcontractor in that funding year
- funding you have paid to each delivery subcontractor for LCRCA funded AEB delivery in that funding year
- details of the funding you have retained in relation to each delivery subcontractor's LCRCA funded AEB delivery for that funding year capped at a maximum of 20% of subcontracted earnings unless otherwise agreed in writing by us
- if appropriate, funding each delivery subcontractor has paid to you for services or support you have provided in connection with the subcontracted delivery

## Match funding requirements relevant to the adult education budget

105. The Combined Authority are comfortable in principle to allow AEB funding to be matched to ESF; however any organisation wishing to use AEB funding as match are asked to submit a formal request via [aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk) outlining how you are proposing to use the funds and the potential additionality that will be secured for the City Region as a result.

106. You must return complete ILR data, including contact details such as telephone numbers, and you must only return 'not knowns' in exceptional circumstances. In particular, you must ensure data for employment status prior to starting, household situation, prior attainment and destination is returned, as these are important for match funding. If the information is not provided, or 'not known', or is not available, then you must use 'learner has withheld this information'.

107. You and your subcontractors must follow the retention of documents, 'publicity' and horizontal themes rules and provide evidence as detailed in the [ESF 2014 to 2020 funding rules](#).

108. You and your subcontractors must follow the evaluation, surveys and annual implementation reporting rules in the ESF 2014 to 2020 funding rules.

109. You must keep to the rules of the ESF programme or you will break the conditions of your contract and this could result in ESFA recovering funds. This includes keeping to the eligibility evidencing rules in the 'evidence pack' section of this document.

## Evidence

110. You must hold evidence to assure us that you are using LCRCA funded AEB appropriately. Most evidence will occur naturally from your normal business process.

111. You must make sure applications for LCRCA funded AEB, support your decision to claim funding and support the individual's case for consideration as ordinarily resident in England, specifically Liverpool City Region, or any exceptions set out in the Residency Eligibility section.

112. In line with [General Data Protection Regulations](#) (GDPR), you must record in the evidence pack what appropriate documentation you have seen, rather than take photocopies to prove eligibility.

## Evidence Pack

113. The evidence pack must contain evidence to support the funding claimed and must be available to us if we need it.

114. Evidence in the evidence pack must assure us that the learner exists.

115. The learner must confirm information they provide is correct when it is collected.

116. If the time spent in learning is short, the level of evidence in the evidence pack would reflect this.

117. Where you hold information centrally, you only need to refer to the source.

118. If applicable, the evidence pack must confirm the following:

- all information reported to us in the ILR and the earnings adjustment statement (EAS), and all supporting evidence to substantiate the data that you report
- your assessment and evidence of eligibility for funding and a counter signed record of the evidence the learner has provided to support their eligibility for funding
- copies of all assessments and diagnostics undertaken to determine a learners' requirements
- information on prior learning that affects the learning or the funding of any of the learning aims or programme

- for 'personalised learning programmes', for example, non-regulated learning aims, full details of all the aspects of the learning to be carried out, including supporting evidence of the number of planned hours reported in the ILR
- a description of how you will deliver the learning and skills and how the learner will achieve
- the supporting evidence about why you have claimed funding and the level of funding for a learner
- details of any learner or employer contribution
- support needs to be identified, including how you will meet these needs and the evidence of that
- that learning is taking or has taken place and records are available
- if applicable, a learner's self-declaration as to what state benefit they claim
- if applicable a learners self-declaration to confirm their unemployed status if they are not in receipt of unemployment benefits/universal credit
- a learner's self-declaration on their status relating to gaining a job; and
- all records and evidence of achievement of qualifications, learning aims or traineeship programme. This must be available within three months of you reporting it in the ILR.
- Approved job outcomes claims must adhere to the specific evidence requirements detailed in [Annex D](#)

119. You must keep evidence that the learner is eligible for funding.

120. Where the learner is unemployed, this must include a record of what you have agreed with them, including the relevance of the learning to their employment prospects and the labour market needs.

121. If a subcontractor delivers any provision to the learner, it must clearly identify who it is. This must match the information reported to us in the ILR.

## **Confirmation and signatures**

122. The learner must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.

123. We accept electronic evidence, including electronic/digital signatures. Where evidence is electronic, you must have wider systems and processes in place to assure you that learners exist and are eligible for funding.

124. Both electronic and digital signatures are acceptable, we do not specify which should be used, only that a secure process to obtain and store signatures is followed:

- An electronic signature is defined as any electronic symbol or process that is associated with any record or document where there is an intention to sign the document by any party involved. An electronic signature can be anything from a check box to a signature and/or
- A digital signature is where a document with an electronic signature is secured by a process making it non-refutable. It's a digital fingerprint which captures the act of signing by applying security to a document. Usually documents which have a digital signature embedded are extremely secure and cannot be accessed or amended easily

125. Where an electronic or digital signature is being held, from any party for any reason, you must ensure it is non-refutable. This includes the definitions of both wet and dry signatures. Systems and processes must be in place to assure us the original signature has not been altered. Where any document needs to be renewed, and a new signature taken, it must be clear from when the new document takes effect, and both must be held.

126. You must keep effective and reliable evidence. You are responsible for making the evidence you hold easily available to us when we need it.

## **Starting, participating and achieving**

127. You can only claim funding for learning when directly related learning starts. This would not include enrolment, induction, prior assessment, diagnostic testing or similar learning.

128. For your direct delivery, and any subcontracted delivery, you and where relevant, your subcontractor(s) must have direct centre approval and where appropriate, direct qualification approval from the respective awarding organisation for the regulated qualifications you are offering.

129. Delivery of the qualification (including learner registration with the awarding organisation) for direct delivery and any subcontracted delivery must be in line with the qualification specification and guidance set out by the relevant awarding organisation.

130. You must have evidence that the learning took place and the learner was not certificated for prior knowledge.

131. Where the learning is certificated, you must follow the relevant awarding organisation's procedure for claiming the relevant certificate(s) and ensure the learner receives them. You must evidence this has happened in the evidence pack.

## Leaving learning

132. You must report the learning actual end date in the ILR for a learner who leaves learning as the last day that you can evidence they took part in a learning activity.

## Individualised learner record (ILR)

133. You must accurately complete all ILR fields as required in the [2020 to 2021 ILR specification](#), even if they are not required for funding purposes.

134. The ILR must accurately reflect the learning and support (where applicable) you have identified, planned and delivered to eligible individuals. You must not report inaccurate information that would result in an overstatement of the funding claimed.

135. Where your data does not support the funding claimed, we will take action to correct this and we could recover funds you overstated.

## Self-declarations by learners

136. All self-declarations must confirm the learner's details and describe what the learner is confirming for requirements set out in this document.

137. If a learner self-declares prior attainment, you must check this in the [personal learning record \(PLR\)](#) and query any contradictory information with the learner. The PLR will not necessarily override the learner's self-declaration.

138. With prior agreement from the Combined Authority, learners who are unemployed and not in receipt of any benefits may be considered eligible for funding. Evidence must be gathered that confirms the learner's status, the learner must complete a self-declaration confirming their unemployed status and the reason for participating in AEB. This self-declaration must be signed and dated by both the learner and tutor and held in the file for audit purposes.

## Section 2 – LCRCA funded adult education budget (AEB)

### Provision and individuals we fund

#### Legal entitlements

LCRCA AEB supports 4 legal entitlements to full funding for eligible adult learners.

These entitlements are set out in the [Apprenticeships, Skills and Children Learning Act 2009](#), and enable eligible learners to be fully funded for the following qualifications:

- English and maths, up to and including level 2, for individuals aged 19 and over, who have not previously attained a GCSE grade 4 (C), or higher, and/or
- first full qualification at level 2 for individuals aged 19 to 23, and/or
- first full qualification at level 3 for individuals aged 19 to 23
- Information technology ('digital') skills, up to and including level 1, for individuals aged 19 and over, who have digital skills assessed at below level 1

139. If an individual meets the legal entitlement eligibility criteria, you must not charge them any course fees.

140. Eligible learners exercising their legal entitlement, must be enrolled on qualifications from the qualifications approval manual:

- [2020 to 2021 qualifications in the legal entitlement level 2 and level 3](#) and/or
- [2020 to 2021 qualifications in the legal entitlement English and maths and/or](#)
- [2020 to 2021 qualifications in the digital legal entitlement](#)

#### ESFA Defined Local flexibility

LCRCA funded AEB also supports delivery of flexible tailored provision for adults, including qualifications and components of these **and/or** non-regulated learning, up to level 2 – we call this 'ESFA defined local flexibility'.

ESFA Defined Local flexibility provision either is fully or co-funded, depending on the learner's age, prior attainment and circumstances. Please refer to the 'level of government contribution' table on page 37 for learner eligibility. Where appropriate for the learner, you can deliver local flexibility provision alongside a legal entitlement qualification.

141. Learners aged 19 to 23 progressing towards their first full level 2, must undertake learning at entry and/or level 1 only from [local flexibility](#).

### **ESFA Defined Local flexibility and legal entitlements**

142. Learners aged 19 to 23 who progress to their first full level 2, must only enrol on a qualification from the [Qualification funding approval: funding year 2020 to 2021 manual](#)

143. Learners aged 19 to 23 and aged 24 and over, who have already achieved at level 2, or above can undertake learning up to and including level 2 qualifications from the local flexibility offer or qualifications for the level 2 legal entitlement available on the [Qualifications website](#) or [the Hub](#).

144. Learners aged 24 and over who have not achieved a level 2 qualification can undertake learning up to and including level 2 qualifications from the local flexibility offer or qualifications in the level 2 legal entitlement list available on the [Qualifications website](#) or [the Hub](#).

145. Eligible 19-year-old learners exercising their legal entitlement, can also access qualifications from the qualifications in the one-year skills offer for 19 year olds

### **Developing new Learning Aims and funding rates for devolved AEB funding**

146. Where there is a local need for skills that are not currently listed on 'The Hub' the Combined Authority has the opportunity to add new learning aims or adjust funding rates for existing learning aims.

147. The Combined Authority will discuss the potential development of new learning aims with providers or adjustments to funding rates and the rationale for this with stakeholders and Providers on an individual basis.

# LCR AEB Contribution Table

148. The level of LCRCA contribution for funded AEB is as follows.

Provision	19-23 year olds	24+ year olds unemployed	24+ year olds – other
English and maths, up to and including level 2 (must be delivered as part of the legal entitlement)	Fully funded <sup>(1)</sup>	Fully funded <sup>(1)</sup>	Fully funded <sup>(1)</sup>
Essential Digital Skills Qualifications up to and including level 1	Fully funded*	Fully funded*	Fully funded*
Level 2 (excluding English and maths. First full level 2 must be delivered as part of the legal entitlement)	Fully funded <sup>(1)</sup> (first and full)	Fully funded	Co-funded Fully funded if earns less than £18,135 annual gross salary.
Learning to progress to level 2	Fully funded <sup>(2)</sup> (up to and including level 1)	Fully funded	Co-funded Fully funded if earns less than £18,135 annual gross salary.
Level 3 (First full level 3 must be delivered as part of the legal entitlement)	Fully funded <sup>(1)</sup> (first and full) Or Loan-funded <sup>(3)</sup> (if previously achieved full level 3 or above)	Loan funded	Loan-funded
English for Speakers of Other Languages (ESOL) learning up to and including level 2	Co-funded or Fully funded if earns less than £18,135 annual gross salary. Or fully funded if unemployed	Fully funded	Co-funded or Fully funded if earns less than £18,135 annual gross salary.
Learning aims up to and including level 2, where the learner has already achieved a first full level 2 or above	Co-funded or Fully funded <sup>(2)</sup> if earns less than £18,135 annual gross salary. Or fully funded if unemployed	Fully funded	Co-funded or Fully funded <sup>(2)</sup> if earns less than £18,135 annual gross salary.
Learning aims up to and including level 2, where the learner has not achieved a first full level 2, or above.	N/A	Fully funded	Co-funded or Fully funded if earns less than £18,135 annual gross salary
<p>(1) Must be delivered as one of the English and maths, Digital entitlement and/or first full level 2 or first full level 3 qualifications required as part of the legal entitlements.                      (2) Must be delivered as entry or level 1 provision from local flexibility.                      (3) Availability of loans at level 3 does not replace the legal entitlement to full funding for learners aged 19 to 23 undertaking their first full level 3.</p>			

## Definitions used in the adult education budget (AEB)

### Unemployed

149. 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
- receive Employment and Support Allowance (ESA)
- receive Universal Credit, and their take-home pay as recorded on their Universal Credit statement (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)
- are released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice

150. Providers may also use their discretion to fully fund other learners if both of the following apply. The learner:

- receives other state benefits (not listed in paragraph 149) and their take-home pay (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 their take-home pay (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 you are satisfied identified learning is directly relevant to their employment prospects and the local labour market needs

### Learners in receipt of low wage

151. You may fully fund learners who are employed, or self-employed, and would normally be co-funded for provision, up to and including level 2. You must be satisfied the learner is both:

- eligible for co-funding, and
- earns less than £18,135 annual gross salary. The Combined Authority has increased this threshold salary level to the Real Living Wage or the

equivalent of £18,135 per annum (as detailed [here](#)) enabling a greater proportion of learners to access fully funded skills provision.

152. 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.

153. Refer to the LCRCA Data Briefing Document and use the correct DAM codes to claim full funding for learners who meet the requirements set out above

## Full Level 2

154. Full level 2 is the level of attainment which, is demonstrated by:

- a General Certificate of Secondary Education (GCSE) in five subjects, each at grade 4 (C) or above, or
- a Technical Certificate at level 2 which meets the requirements for the 2018, 2019, 2020, 2021 and 2022 16 to 19 performance tables
- certain Technical Certificates in the 2017 16 to 19 performance tables

155. a learner, aged 19 to 23 has achieved a level 2 qualification that was, at the time they started, or still is, classed as a full level 2, any subsequent level 2 qualifications will be co-funded. Please contact [qualifications.esfa@education.gov.uk](mailto:qualifications.esfa@education.gov.uk) if you need advice on a previous qualification's designation.

## Full level 3

156. Level 3 is the level of attainment which is demonstrated by a:

- General Certificate of Education at the advanced level in two subjects
- General Certificate of Education at the AS level in four subjects
- QAA Access to Higher Education (HE) Diploma at level 3
- Tech level, or applied general qualification at level 3, which meets the requirements for the 2018, 2019, 2020, 2021 and 2022 16 to 19 performance tables
- certain Tech level, or applied general qualification in the 2017 16 to 19 performance tables

157. If a learner, aged 19 to 23 has achieved a level 3 qualification that was not classed as a full level 3 at the time they started it, but has since been classed as a full level 3, and wants to enrol on any subsequent level 3 qualification, of any size, they may apply for an advanced learner loan (provided the qualification is designated for funding, and subject to learner eligibility conditions), or pay for their own learning.

158. Please contact [qualifications.esfa@education.gov.uk](mailto:qualifications.esfa@education.gov.uk) if you need advice on a previous qualification's designation.

159. For new linear AS and A levels, where a learner enrolls on an AS qualification and continues with further study to take the A level qualification in the same subject, you must record both the AS and A level in the ILR. The AS learning aim will be funded separately to the A level learning aim.

## Approved qualifications

160. You must make sure that learning is eligible for funding before the learner starts. The [Learning Aims Reference Service](#) and [The Hub](#) contain details of eligible regulated qualifications, qualification components and non-regulated learning aims OR programmes of learning agreed with the Combined Authority that have then been entered on the Learning Aims Reference Service.

161. Where you deliver regulated qualifications and/or their components, you must ensure they are [approved for ESFA funded AEB](#) and available on [the Hub](#).

162. Where you deliver approved qualifications and/or their components you must ensure that learners are registered for the qualifications and/or component in line with the awarding policies and procedures. You must not 'pre-register' students a significant period in advance of the learner starting the qualification.

163. We will fund certain qualifications that are linked to specific regulations for a particular occupation and where provision is the responsibility of the employer for eligible unemployed learners that meet the criteria in paragraph 149. You can find more information about these qualifications in the [Qualification funding approval: funding year 2020 to 2021 manual](#).

164. Before delivering a component, you must check with the awarding organisation that they provide a learner registration facility and the learner can achieve it alone or as part of accumulating achievement towards a qualification.

165. If the [National Academic Recognition Information Centre](#) has confirmed the authenticity of a qualification gained overseas and confirmed it is comparable/compatible with a regulated qualification in England, currently part of the level 2 and level 3 [legal entitlement](#), the individual will be deemed to have achieved their first level 2 and/or level 3 qualification.

166. You must provide accurate unique learner number (ULN) information to awarding organisations and ensure all information you use to register learners for qualifications is correct. You can find more information in the [Learner Records Service guidance](#).

## Non-regulated learning

167. Where you deliver non-regulated learning, you must ensure it is eligible for funding. Such learning could include:

- Test and Learn Pilots (Lot 2) for Liverpool City Region residents (community funding model 10);
- independent living skills or engagement learning supporting adults to operate confidently and effectively in life and work
- locally commissioned and/or locally-developed basic knowledge and skills needed to access technical qualifications
- employability and labour market re-entry
- locally commissioned and/or locally-devised technical education short courses (also known as taster sessions)
- community learning courses

168. The eligibility principles we apply to non-regulated learning are as follows:

- it must not be provision linked to UK visa requirements
- it must not be provision linked to occupational regulation unless there is an agreed concession in place
- it must not be restricted to being delivered to employees of only one employer.
- it must not be learning, for example, 'induction to college', that should be part of a learner's experience
- it must not be a non-regulated version of a regulated qualification
- it must not be above notional level 2 (that is, at notional levels 3 or 4)
- at notional level 2 it must focus on technical provision.

169. Where you are delivering non-regulated learning, you must ensure you have appropriate and robust quality assurance processes in place. For instance, 'The

Recognising and Recording Progress and Achievement (RARPA) Cycle'. Further [information on RARPA](#) is available from the Learning and Work Institute.

## Learning in the workplace

170. We will fund learning in the workplace where a learner has a [legal entitlement](#) to full funding for:

- English and/or maths up to and including level 2 , and/or
- a first full level 2, or
- a first full level 3 qualification
- essential digital skills qualification, up to and including level 1

171. We will not fund any qualification or learning aim delivered at an employee's workplace, and is either relevant to their job or their employer's business, unless:

- it is a legal entitlement qualification, or
- we have confirmed a national level concession that responds to a significant negative economic impact for a specific industry, or work placement or work experience, unless it is delivered as part of the Prince's Trust Team programme

## English and maths for those aged 19 or older

172. We will fully fund individuals, including individuals who are employed, aged 19 or older, who have not previously attained a GCSE grade 4 (C), or higher, in English and maths, as part of their legal entitlement on the day they start the following qualifications:

- GCSE English language or maths
- Functional Skills English or maths from Entry to level 2
- Stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education and

173. If a learner wants to 'retake' their GCSE English and maths qualification because they did not achieve a grade 4 (C), or higher, we will not fund the learner to only resit the exam.

174. You must not enrol individuals on qualifications which are not necessary for progressing towards a GCSE or Functional Skill level 2.

175. You must not fund an apprentice for English or maths from LCRCA funded AEB.

176. We will fully fund non-regulated English and maths learning for learners, including those assessed at pre-entry level with significant learning difficulties and/or disabilities as part of a personalised learning programme, where assessment has identified the learner cannot undertake provision identified in paragraph 168.

177. You must:

- carry out a thorough initial assessment to determine an individual's current level using current assessment tools based on the national literacy and numeracy standards and core curriculums or DfE published English and Maths Functional Skills subject content
- carry out an appropriate diagnostic assessment to inform and structure a learner's evidence pack to use as a basis for a programme of study
- enrol the learner on a level above that at which they were assessed and be able to provide evidence of this
- deliver ongoing assessment to support learning
- record the evidence of all assessment outcomes in the evidence pack

178. The assessments must place a learner's current skills levels within the level descriptors used for the RQF

## **Digital entitlement for those aged 19 or older**

179. We will fully fund individuals, including individuals who are employed, aged 19 or older, assessed at below level 1, as part of their legal entitlement on the day they start the following qualifications:

- Essential Digital Skills Qualification (EDSQ up to and including level 1)

180. We will fully fund non-regulated learning for learners, including those assessed at pre-entry level with significant learning difficulties and/or disabilities as part of a personalised learning programme, where assessment has identified the learner cannot undertake provision identified in paragraph 179.

181. You must:

- carry out an initial assessment using current assessment tools based on the national standards for essential digital skills

- carry out an appropriate diagnostic assessment to inform and structure a learner's learner file to use as a basis for a programme of study
- enrol the learner on a level above that at which they were assessed and be able to provide evidence of this
- deliver ongoing assessment to support learning
- record the evidence of all assessment outcomes in the evidence pack

182. The assessments must place a learner's current skills levels within the level descriptors used for the RQF.

### **Individuals aged 19 to 23 (excluding English, maths, digital and ESOL)**

183. We will fully fund 19 to 23-year-olds, including individuals who are employed, on the day they start the following learning.

184. Qualifications defined within the [legal entitlement](#) that are a learner's:

- first full level 2, and/or
- first full level 3
- [ESFA Defined Local flexibility provision](#):
- up to and including level 1 to support progression to a first full level 2, and/or
- level 2 for those who already have a full level 2, or above, if they are unemployed

185. We will co-fund provision up to, and including, a level 2 for learners who have already achieved a full level 2, or above, who are employed. The low wage flexibility may apply, refer to paragraph 151.

### **Individuals aged 24 or older (excluding English, maths, digital and ESOL)**

186. Liverpool City Region has a high proportion of older residents (many aged 50+). We will fully fund individuals aged 24 or older on the day they start provision up to, and including, a level 2, if they are unemployed.

187. We will fully fund individuals aged 24 or older on the day they start provision up to, and including, a level 2, if they are unemployed, as set out in paragraphs 149 to 150.

188. We will co-fund all other learners aged 24 years and older for provision up to, and including, a level 2. Where learners are employed, the low wage flexibility may apply, please refer to paragraph 151.

## **English for speakers of other languages (ESOL)**

189. We will fully fund individuals aged 19 and over on the day they start their ESOL learning aim where they are unemployed

190. We will co-fund all other individuals aged 19 and over on the day they start their ESOL learning aim. Where learners are employed, the low wage flexibility may apply.

191. We will fund ESOL learning up to and including level 2.

192. Providers offering ESOL qualifications may need to deliver additional learning to individual learners that incurs additional cost above the qualification rate. You can access information on how to do this in the [adult education budget: funding rates and formula 2019 to 2020](#) guidance.

## **Learners with learning difficulties and/or disabilities**

193. We will fund learners with learning difficulties and/or disabilities as set out in the [Apprenticeships, Skills, and Children and Learning Act 2009](#),

194. The Secretary of State has devolved to the Combined the Authority the responsibility for securing the provision of reasonable facilities for education and training suitable to the requirements of persons who are 19 and over. This includes learners with an identified learning difficulty and/or disability who have previously had an education, health and care (EHC) plan and have reached the age of 25.

## **Learners with an education, health and care (EHC) plan**

195. To access provision and support costs you must inform us before the start of the 2020 to 2021 funding year where a learner:

- has reached the age of 25 and has not completed their programme of learning as set out in their EHC plan by the end of the previous funding year, or

- will reach the age of 25 in the funding year, where their EHC plan is not extended by their local authority to allow them to complete their programme of learning

196. The learner must:

- have an EHC plan that confirms their needs could only be met by the training organisation they are, or were, attending
- continue to make progress on the programme of learning as set out in their EHC plan

197. If a learner has an EHC plan, you must report this in the 'Learner funding and monitoring' fields in the ILR.

198. We will not fund learners whose EHC plan is extended by the local authority beyond their 25th birthday. The local authority must continue to provide top-up funding and contract directly with the institution.

## Community Learning Allocations to Grand Funded Providers

**This section only applies to Grand Funded Providers with a non-formula Community Learning allocation included in appendix 1 of their contract.**

The purpose of Community Learning is to develop the skills, confidence, motivation and resilience of adults of different ages and backgrounds in order to:

- progress towards formal learning or employment and/or
- improve their health and well-being, including mental health and/or
- develop stronger communities

Community Learning Courses are delivered and reported on the ILR under the following four delivery strands:

- **Personal and Community Development Learning** - learning for personal and community development, cultural enrichment, intellectual or creative stimulation and for enjoyment (in most cases not leading to a formal qualification)
- **Family English, Maths and Language** - learning to improve the English, language and maths skills of parents, carers or guardians and their ability to help their children
- **Wider Family Learning** - learning to help different generations of family members to learn together how to support their children's learning
- **Neighbourhood Learning In Deprived Communities** - supports local Voluntary and other third sector organisations to develop their capacity to deliver learning opportunities for the residents of disadvantaged neighbourhoods

Please note, non-formula Community Learning funding follows funding model 10.

### Non-formula community learning funding

199. The Combined Authority will fund community learning provision within your overall allocation.

200. Providers in receipt of a community learning grant allocation in Liverpool City Region will complete the LCRCA Delivery Plan, providing details of the total value of ACL being delivered (including the value of sub-contracted ACL provision)

201. The Delivery Plan should also include supporting narrative of how ACL resources will be deployed to meet your communities and learners and include details of collaborative working with stakeholders. The narrative should be concise and wherever possible reference existing documents that naturally occur as part of your community learning curriculum plans and local prioritisation of funding. If the Plan is not considered robust your AEB allocation will be restricted to a formula funded approach until it is agreed with the Combined Authority.

202. As part of your planning, we expect you to work with other Providers in your local area, who may be in receipt of non-formula community funding. We expect you to develop a strategic, efficient community learning offer to reduce duplication of courses in a locality, and signpost learners to other partners as and when appropriate, particularly in relation to learner progression.

203. Colleges and Local Authorities with community learning allocations from the Combined Authority will detail within their planning:

- Evidence and practical application of collaborative curriculum planning for this provision with stakeholders including healthcare partners and Jobcentre Plus;
- Plans to deliver more cohesive and accessible entry routes for learners with low level skills including those who are economically inactive and those with no or low level skills aged 50 and over;
- Evidence and practical application of collaborative curriculum planning for this provision with other local Providers including Local authorities, Colleges and specialist partners and voluntary and community sector (VCS) organisations;
- Added value through links to voluntary and community sector (VCS) and grassroots engagement and referral organisations;
- Links to a diverse range of partners outside of the AEB provision linked to both health and employability; and
- Progression routes between their provision and that of other neighbouring Providers.

204. You must have in place a 'Social Value' policy.

205. Local fee remission policy - you must have in place and operate a fair and transparent community learning local fee remission policy that requires individuals to pay a course / tuition / joining fee, but also sets out clear eligibility criteria for those individuals who, due to their circumstances, qualify for either partial or total fee remission.

206. Your Plan, Social Value and Local Fee remission policies must be available on your website and/or in the venues, you deliver community learning to eligible learners.

207. You must not use non-formula community learning funding for learning that is eligible for funding through an Advanced Learner Loan.

208. General FE Colleges and Local Authority community learning Providers will work with stakeholders including Jobcentre Plus to collaboratively plan to deliver more cohesive and accessible entry routes for learners with low-level skills and progression pathways into more advanced levels of qualifications and skills.

209. Where applicable, your AEB allocation will include an amount of non-formula community learning funding. We state this value in your Grant Funding Agreement. For Contract for Services Providers in 2020/2021 this will apply should you have a Lot 2 (Test and Learn Pilot) allocation. You must deliver non-formula funded provision in line with the community learning objectives set out in [Annex B](#), up to this maximum amount or in line with your agreed Lot 2 (Test and Learn) Pilot scope.

210. Grant Funded non-formula funding is paid on a monthly profile, see [Annex H](#). You must 'attribute costs' for eligible learners, up to the value of your non-formula allocation. This should include the cost of delivering learning and any support costs, in line with learner and learning support, as outlined in the contents of this funding rules document. You must record these costs in the learner's learning plan.

211. If we fund you through a grant funding agreement, you have the flexibility to use all, or some, of your non-formula community learning funding in line with the AEB formula-funded methodology to meet local demand. This flexibility does not apply to contract for services funded Providers with a Lot 2 allocation.

212. Grant Funded Providers may use non-formula community learning funding to deliver non-regulated provision that may be similar to community learning. If you do, you must:

- Follow the AEB formula-funded methodology and submit ILR data under fund model 35;
- Enrol learners following the AEB eligibility requirements set out elsewhere in these funding rules; you must not use your community learning local fee remission policy.

213. If we fund your organisation through a contract for services, you do not have this flexibility, and we will reclaim unspent non-formula Lot 2 funding allocations at the end of the pilot period.

214. You must not use non-formula community learning or Lot 2 funding for learning that is eligible for funding through an Advanced Learner Loan.

215. You can support learners aged under 19 if they meet both of the following, they are:

- a parent, carer or guardian attending a wider family learning or family, English, maths or language course
- funded through non-formula community learning using funding model 10 in the funding model field (refer to ILR guidance for more information)

216. You must not use non-formula community learning funding for learning that is eligible for funding through an advanced learner loan.

## **Narrowing of the gap of under-represented learners – Equality and Diversity Impact Measures**

217. The Skills Strategy sets out how the Combined Authority will deliver inclusive growth: <http://www.lcrskillsforgrowth.org.uk/our-work/skills-for-growth>

218. Equality and Diversity Impact Measures are a key part of measuring how Providers are individually and collectively helping to narrow the gaps for under-represented learners through skills provision.

219. Colleges, Local Authorities and Providers are required to support the Combined Authority to deliver inclusive growth through targeting of activity to narrow the gaps in skills and employment outcomes through the setting of Equality and Diversity Impact Measures detailed in their Self-Assessment Reports.

220. Underrepresented groups and disadvantaged learner's imbalances in learner cohort performance will be monitored by you as part of Equality and Diversity Impact Measures detailed within Self-Assessment Reports. You are required to record and monitor core Equality and Diversity Impact Measures including participation and achievement of:

- Learners aged 50 and over with low skills;
- Black and minority ethnic learners;
- Learners with learning difficulties and/or disabilities;
- Underrepresented learners by gender specific to your provision; and
- Former Armed Forces staff (all ages not just those in receipt of pension).

221. [Annex E](#) sets out more details on Equality and Diversity Impact Measures. The Combined Authority encourages Providers to continue to measure their own additional Equality and Diversity Impact Measures that you have measured longitudinally over a number of years.

## Prince's Trust Team Programme

The Prince's Trust Team Programme is a 12-week course designed to improve confidence, motivation and skills for eligible 16 to 25 year olds. Each 'team' recruits a mix of 16 to 25 year olds of different abilities and backgrounds, including employees sponsored by their employer. We fund the team programme. Providers in partnership with the Prince's Trust run and manage it on a local basis.

222. In order to deliver the team programme, you must get approval from the [Prince's Trust](#).

223. For eligible learners aged 19 to 25, we fund the team programme through the ESFA's [AEB funding methodology](#). Please also refer to the Princes Trust section in the adult education budget: [funding rates and formula 2020 to 2021](#) guidance.

224. For eligible learners aged 16 to 19, the team programme is funded through the ESFA's 16 to 19 [funding methodology](#).

## Support funding – Learner and Learning support

The LCRCA funded AEB's over-arching aim is to support as many eligible adult learners as possible to access learning. Some learners will need additional support to start or stay in learning.

Where you identify that a learner has a learning difficulty and/or disability, or a financial barrier, your LCRCA funded AEB allocation enables you to claim learning support and/or learner support funding to meet the additional needs of learners.

## Learning support

225. Learning support is available to meet the cost of putting in place a reasonable adjustment, as set out in the [Equality Act 2010](#), for learners who have an identified learning difficulty and/or disability, to achieve their learning goal.

226. Learning support must not be used to deal with everyday difficulties that are not directly associated with a learner's learning on their programme.

227. You must:

- carry out a thorough assessment to identify the support the learner needs
- agree and record the outcome of your assessment in the evidence pack

- record all outcomes on the evidence pack and keep all evidence of the assessment of the needs, planned and actual delivery
- report in the ILR that a learner has a learning support need associated with an identified learning aim, by entering code LSF1 in the 'Learning Delivery Funding and Monitoring' field and entering the corresponding dates in the 'Date applies from' and 'Date applies to' fields

228. You can claim learning support for the learner at a fixed monthly rate if you report it in the ILR. You must use the earning adjustment statement (EAS) if your costs exceed this monthly rate for the learner and you must keep evidence of these additional costs in the evidence pack.

229. You can claim learning support if learning continues past the planned end date and the learner needs continued support in order to complete their programme.

### Exceptional learning support claims above £19,000

If a learner needs significant levels of support to start or continue learning and has support costs of more than £19,000 in a funding year, you can claim exceptional learning support (ELS).

Learners aged 19 to 24 who require significant levels of support should have an EHC plan provided by their local authority and, therefore, would access funding from their local authority.

230. You must submit ELS claims at the beginning of the learner's programme, or when you identify the learner requires support costs more than £19,000 in a funding year, by completing and sending the [ELS claims document](#) to [aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk) copying in your Relationship Manager.

231. To claim exceptional learning support for a learner aged 19 to 24 you must confirm why the individual does not have an EHC plan. This should be a letter or email from the learner's local authority stating the reason(s) why the individual does not need an EHC plan.

232. When you claim exceptional learning support you must explain why you have claimed the amount you have, which would be linked to the learner's assessment and planned learning support claim. You must only claim amounts for your costs of providing the support to the learner and not include any indirect costs or overheads.

### Learner support

233. Learner support is available to provide financial support for individuals with a specific financial hardship preventing them from taking part/continuing in learning.

Before you award support to a learner, you must identify their needs within the following 'categories'.

- Hardship funding – general financial support for financially disadvantaged learners to support participation
- 20+ childcare funding – for learners aged 20 or older on the first day of learning who are at risk of not starting or continuing learning because of childcare costs
- Residential Access funding – to support LCRCA funded AEB learners (set out in paragraph 9) where they need to live away from home in order to access provision
- Covid-19 response – support disadvantaged learners who cannot undertake online delivery in the event of local or national measures in response to Covid-19.
- You must not claim more than 5% of your total Learner Support final claim as administration expenditure. You must document your process for managing your administration costs over the current funding year and record, report and retain evidence on spending for each of the categories. If you do not have a Learner Support allocation, you must follow these rules and claim learner support using the earnings adjustment statement (EAS).

234. You must:

- have criteria for how you will administer and distribute your funds; these must reflect the principles of equality and diversity and be available to learners and to us on request
- assess and record the learner's needs, demonstrating the need for support – you must record this information and retain in the evidence pack
- report the appropriate Learner Support Reason codes in the 'Learner Funding and Monitoring' fields in the ILR
- submit Learner Support data using the guidance issued for your contract type, listed in the [AEB Grant Funded section and AEB Contract for Services section](#)
- consider the availability of other support for learners, for example from Jobcentre Plus

- make it clear to learners it is their responsibility to tell the Department for Work and Pensions about any learner support they are receiving from you, as learner support payments may affect their eligibility to state benefits
- consider using either AEB or loans bursary to support specific provision funded by either AEB or Adult Learning Loan where a learner is on 2 courses at the same time

235. You must not use learner support funds for any of the following:

- essential equipment or facilities if the learner is eligible to full funding. However, these learners can get support funding for childcare, transport and residential costs
- a learner in custody or released on temporary licence
- a learner carrying out a higher education course or learning aims fully funded from other sources
- to pay attendance allowances or achievement and attendance bonuses

## Hardship

236. You can use hardship funds for the following:

- course-related costs, including course trips, books and equipment (where costs are not included in the funding rate)
- support with domestic emergencies and emergency accommodation provided by others, or by providing items or services or cash direct to the learner, this can be in the form of a grant or repayable loan provided by you
- transport costs (but not make a block contribution to post-16 transport partnerships or routinely fund transport costs covered in the local authority's legal duty for learners of sixth-form age)
- examination fees
- accreditation fees, professional membership fees and any fees or charges due to external bodies
- your registration fees

237. In exceptional circumstances, you can use hardship funds to assist with course fees for learners who need financial support to start or stay in learning.

238. If an asylum seeker is eligible for provision, you may provide learner support in the form of course-related books, equipment or a travel pass. You must not give a learner who is an asylum seeker support in the form of cash.

## 20+ childcare

239. You can only use childcare funding to pay for childcare with a childminder, provider or childminder agency, registered with Ofsted.

240. You must not use childcare funding to:

- fund informal childcare, such as that provided by a relative
- set up childcare places or to make a financial contribution to the costs of a crèche
- fund childcare for learners aged under 20 on the first day of learning; instead you must direct them to the ESFA's ['Care to Learn' programme](#)

241. You must not use childcare for those aged 20 years or older to top up childcare payments for those receiving 'Care to Learn' payments.

## Residential access funding

242. You can use residential access funding to support LCRCA funded AEB learners who meet eligibility criteria where they need to live away from home, for example to access specialist provision which involves a residential element, or to support learners who cannot access provision locally. You must:

- set out the criteria and procedures for considering and agreeing applications for support from your residential access funds
- only pay for travel costs for learners who are awarded residential access funding in exceptional circumstances
- only claim residential access funding for the period the learner is resident, this could be in accommodation you own or manage or other accommodation which you have agreed to fund in line with your criteria

## Response to coronavirus (Covid-19)

243. You can support disadvantaged learners who were undertaking classroom or blended learning to continue to participate via online learning where the learner is:

- self-isolating, or caring for others affected by coronavirus (COVID-19) or is otherwise affected by local/national measures if they:
- do not have internet access at home, and/or
- do not have a suitable device, i.e. laptop or tablet to complete the necessary online course work

244. You must secure value for money when purchasing IT devices and/or internet access including:

- deploying any unused devices before you purchase new ones
- exploring options to access low cost second hand or recycled devices
- avoiding entering long term contract arrangements
- holding a record of actual costs for any IT devices and/or internet access bought for this purpose and make this available to us if asked

245. IT devices you purchase must only be loaned out to learners and returned at the end of their learning aim to allow them to be re-used by other learners. Learners must sign a declaration, confirming:

- they will return the device when their online learning aim(s) complete, or if they leave before completing their learning
- they will return the device in the same condition in which they received it

246. You must maintain an up to date record of the loan and return of devices to learners.

247. You must record the following evidence in the learner's evidence pack:

- the outcome of the assessment undertaken to identify the learners individual need
- the learner declaration referred to in paragraph 245

### **Job outcome 'learning achievement' compensation payments (achievement payments for learners leaving courses early for a job)**

248. For fully funded learners who are unemployed, we will pay 50% of the achievement payment if they start a job before achieving the learning aim. If the learner then achieves the learning aim, we will pay the remaining achievement payment. The following conditions apply:

- the learner must provide you with evidence through a declaration, that they have a job for at least 16 hours or more a week for four consecutive weeks
- Where the learner was claiming benefits relating to unemployment, they must also declare that they are now only claiming Universal Credit or other in-work related benefits.

## Section 4 – Payments and Performance management

249. This section sets out the principles by which we will manage your performance in the 2020 to 2021 funding year.

250. For the purposes of this section, we use the term ‘contract value’ to mean your funding allocation or contract value as set out in your funding agreement or contract for services.

251. We will apply different performance management processes according to the type of funding agreement/contract we have with you. For example, performance management and reviews of the Lot 2 / Test and Learn Pilots will be different to the other elements contained in your funding agreement or contract. Within these processes, we will apply our principles of performance management consistently to all Providers.

252. We will use our approach to funding to make sure learning provision is of a high quality. We will use your track record to assess your ability to deliver education and training to the required standard. We will not increase your allocation through our performance-management process and may reduce or remove your allocation if one or more of the following is true:

- your Ofsted grade is inadequate
- you are in formal intervention for minimum standards or inspection
- you have been issued with a notice to improve, additional conditions of funding or additional contractual obligations in relation to minimum quality standards for 19+ education and training
- you have significantly under-delivered against your contract value in previous years
- you are subject to an investigation for breach of contract and/or failed audit.

253. As part of our funding assurance work, we will continue to monitor compliance with the funding rules. We will contact you where we identify you have submitted data that does not meet our funding rules, or the ILR and EAS requirements. We will require you to correct inaccurate ILR and EAS data or to adjust your final funding claim.

254. You must submit your funding claims in line with [the funding claims 2020 to 2021 guide](#) which we will publish in autumn 2020.

255. We will review the actual spend you submit in your final funding claim against the ILR and EAS data you provide.

256. Should your contract for services / grant agreement be renewed in future academic years, we may increase or reduce your contract value to a level that is in line

with your 2020/2021 outturn (increases are not guaranteed and are subject to affordability and Providers meeting our track record criteria set out above).

257. You can voluntarily reduce your AEB funding allocation. If you want to do this, please let your Combined Authority Relationship Manager know as soon as you are aware that you may have potential under delivery.

258. Your funding agreement will span two financial years:

- August 2020 to March 2021: periods 1 to 8 of the 2020 to 2021 funding year
- April 2021 to July 2021: periods 9 to 12 of the 2020 to 2021 funding year.

259. You cannot vire between the two financial years without our written permission.

260. You cannot vire funds between the devolved AEB to any other funders programmes.

261. You cannot vire funds between funding agreements to another Provider even where this is within your group

262. The Combined Authority may increase, decrease or change the review points we operate, in line with delivery against the funding available or policy changes.

### **Continuing learners**

263. ESFA will continue to be responsible for AEB learners that are resident in Liverpool City Region who were in learning prior to 1 August 2019 but did not complete by 31 July 2020 (continuing learners). You must ensure you meet the cost of continuing learners from within your ESFA funded AEB allocation, as you have always done.

264. Learners residing in Liverpool City Region that started since the 1 August 2019 continue to be Liverpool City Region Authority responsibility and will be funded from your 2020/21 allocation.

## AEB Grant Funding Agreements

265. If your AEB is allocated to you through a Grant Funding Agreement for 2020/2021, we will make payments on the standard national profile as set out in [Annex H](#).

266. Your funding agreement will state the maximum amount of AEB provision you can deliver between 1 August 2020 and 31 July 2021. It will also state the maximum value of non-formula funded community learning we will fund (where applicable to you).

267. Data should be submitted via the ESFAs Submit Learner Data Portal on a Bi monthly basis from R02 in 2020/21

268. If your AEB is allocated to you as a block grant for 2020/2021 you must provide funding claims setting out your actual delivery to date and, where appropriate, provide a forecast for the remainder of the funding year. The funding claims must include adult skills, non-formula funded community learning and learner support funding. The funding claims you must provide are set out below:

- The mid-year funding claim – which may be subject to reconciliation;
- The year-end forecast claim; and
- The final funding claim.

269. Any over delivery you undertake is at your own risk.

270. The Combined Authority is currently considering rules related to in year reconciliation of grant funded providers following mid-year estimates. Further guidance will be made available following the grant funding provider's negotiation process.

## Grant Funding Agreement End of Year Reconciliation

271. At the end of the 2020 to 2021 funding year, the Combined Authority will apply a 3% reconciliation tolerance for Grant Funded Providers.

272. Where your delivery of the overall AEB is at least 97% of your Liverpool City Region AEB funding allocation for Grant Funded Providers, we will not make a year-end adjustment to your AEB funding allocation and you will not have to pay back any unspent funds. However, we will expect you to set out and submit to the Combined Authority proposals detailing how these unspent funds will be allocated to learning provision that meets the priorities of the Liverpool City Region including priority group learners and will ask for evidence that these funds have been applied as described.

273. Our calculation of whether you have delivered 97% will be up to the value specified in your grant funding agreement.

274. If you do not deliver 97% or above, the Combined Authority will confirm the value of funding you must pay back in a grant funding agreement reconciliation statement.

275. AEB Grants Funding Agreements and AEB contract for services remain separate with different payment and performance-management arrangements. You cannot vire funds between the two.

## AEB Contract for Services

276. AEB Contract for Services can be used to deliver formula funded adult skills and learner support for new starts.

277. Carry-in learners with a start date between the 1 August 2019 and 31 July 2020 will be funded through your LCRCA allocation

278. Your Contract for Services will state the maximum amount of formula funded adult skills provision and learner support you can deliver between 1 August 2020 and 31 July 2021.

279. We will manage your contract in accordance with [Public Contracts Regulations 2015](#).

280. Your Contract for Services will state the maximum amount for Lot 2 Test and Learn Pilot (if applicable). You cannot via funding between formula funded AEB and Test and Learn funding (community learning).

281. For Lot 1 provision, we will pay you on the basis of your actual delivery each month, up to your contract value for the financial year. We will calculate the value of your actual delivery using the latest validated Individual Learner Record (ILR) and EAS data you provide.

282. For Lot 2 provision, please refer to section [Test and Learn Payments](#)

283. The learner support component is claimed through the ESFA EAS template and reconciled throughout the year based on the funding claims you provide. We will recover under-delivery.

284. Monthly Learner Support authorised funding must be submitted to the ESFA Submit Learner Data portal via EAS under authorised claims in line with agreed deadlines.

285. Any over delivery you undertake is at your own risk.

286. At the performance management points, set out in [Annex G](#) we will use the information you provide in your funding claims, ILR and EAS data to measure your performance against your monthly financial profile and Delivery Plan.

287. At the performance management points, we will reduce your contract value if your performance is outside the tolerance levels. The tolerance levels we will apply at the performance management points are set out in [Annex G](#).

288. The reduction in your contract value will reflect some or all of the value of the under-delivery to date outside of the tolerance. We will not change this approach unless there are exceptional circumstances.

289. We will apply the reduction unless you demonstrate you were impacted by issues outside of your control.

## Changes to your AEB delivery plan / allocation

290. The Combined Authority will consider in-year change requests subject to affordability and subject to such requests addressing the skills priorities of the Liverpool City Region.

291. All Providers will be given equal opportunity to request change at the performance management points, subject to the conditions set out in this document and any additional criteria the LCRCA may apply in year. We expect Providers to assess the conditions set out in this document prior to submitting a change request.

292. If significant new funding becomes available in-year that would make a material difference to individual Provider contract values, we will give all Providers the opportunity to request change and reserve the right to go to open market for new or additional provision. We will apply a transparent assessment criteria depending upon budget availability, learner demand, and overall programme and individual provider performance. We will notify you in good time if we plan to launch a change request process outside of the published Performance Management Points.

293. At the performance management points set out in [Annex G](#), we will recover funds from underperformance. If, when recovered, the value is significant enough to make a material difference to individual Provider contract values, we may recycle it to Providers with the demonstrable capacity and capability to spend it in full. We will notify you if we intend to do this.

294. New funding and funding recycled from underperformance may be offered to Providers who meet the following criteria (please note the LCRCA reserves the right to apply additional criteria in year):

If you have evidence of AEB eligible demand for learning that meets local priorities;

- If you have an AEB Grant Funding Agreement and are on or ahead of profile for delivery in year;
- If you have an AEB contract for service and are on or ahead of profile for delivery in year against your Monthly Financial profile at the performance management points;
- You have a good track record of forecasting and delivery. Please note you will be judged on the accuracy of your forecasts for any future change requests;
- You are not under notice for failure of inspection or breach of contract;

- Any Provider under a notice to improve, additional conditions of funding or additional contractual obligations in relation to minimum quality standards for 19+ education and training will be assessed at the discretion of the LCRCA

295. We will calculate the amount of additional funding offered to Providers who meet the criteria using a locally consistent methodology. We will confirm this methodology when we do issue new funds or recycle funds.

296. Failure to deliver against your agreed delivery plan could constitute a breach of contract and may lead to a loss of payment for any variances to delivery.

## **Skills and Learner priorities**

297. Subject to affordability and a change request process being launched, we will publish our priorities and the process for applying for any change.

## **Test and Learn pilot (Lot 2) payments**

298. All Test and Learn pilots should commence within the academic year 2020/2021 and be completed by 31 July 2021

299. For 2020/21 Test and Learn Pilot allocations will be paid automatically on the standard national profile for grant funded providers and on the agreed profile for Contract for Services. No specific claims will be required, this will be monitored by your Relationship Manager and subject to year-end reconciliation.

300. You will be required to monitor and report on outcomes when requested by the Combined Authority.

301. The Combined Authority reserves the right to recover unspent funding allocations following an end of year review, evaluation and reconciliation process.

## **Test and Learn Lot 2 End of Year Reconciliation**

302. If you do not deliver 100% of the funding provided for Test and Learn pilots at the end of the pilot period for procured contracts for service with a Lot 2 allocation, we will confirm the value of funding you must pay back in a Lot 2 Test and Learn pilot reconciliation statement.

## Annex A: Eligibility for Funding

The [residency eligibility section](#) determines how eligibility to be ESFA funded can depend upon citizenship within the European Union (EU) or the European Economic Area (EEA). This annex details which countries will meet the residency requirements detailed in paragraph 22.

### Countries or areas where residency establishes eligibility for our funding

- a) Member states of the EU.

You can access a list of member states on the [EU website](#).

- b) Other territories categorised as being within the EU.

Other territories are categorised as being within the EU for the purposes of the fees regulations. These are:

**Cyprus:** any Cypriot national living on any part of the island qualifies for EU residency and is considered an EU national

**Finland:** includes the Aland Islands

**France:** the French Overseas Department (DOMS) (Guadeloupe, Martinique, French Guiana (Guyana), Reunion and Saint-Pierre et Miquelon) is part of metropolitan France and is part of the EU

**Germany:** includes the former German Democratic Republic and the tax-free port of Heligoland

**Portugal:** Madeira and the Azores are part of the EU; Macau is not

**Spain:** the Balearic Islands, the Canary Islands, Ceuta and Melilla are part of the EU

**United Kingdom:** Gibraltar is part of the territory of the EU

**To note:** The Channel Islands and Isle of Man are part of the United Kingdom and Islands but not part of the EU.

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

- c) EEA and eligible overseas dependent territories.

For funding eligibility purposes, this is defined as all member states of the EU and Iceland, Liechtenstein, Switzerland, Norway and all the eligible British overseas territories and EU overseas territories listed in paragraph d) below.

Although Switzerland is not part of the formally recognised EEA, its nationals are eligible under various international treaties signed by the UK and Swiss governments.

d) Eligible overseas territories of other British and EU member states.

Learners who are nationals of certain British Overseas Territories and of certain European overseas territories are eligible for funding, depending on the three-year rule on residence in the EEA. These are as follows:

- Anguilla
- Bermuda
- British Antarctic Territory
- British Indian Ocean Territory
- British Virgin Islands
- Cayman Islands
- Falkland Islands Henderson Island Montserrat
- Pitcairn, Ducie and Oeno Islands
- South Georgia and the South Sandwich Isles
- St Helena and its dependencies
- Turks and Caicos Islands Greenland and Faroe Isles
- Antilles (Bonaire, Curacao, Saba, St Eustatius and St Maarten) Aruba
- New Caledonia and its dependencies French Polynesia
- Saint Barthélemy
- The Territory of Wallis and Futuna Islands Mayotte
- French Southern and Antarctic Territories

## Annex B: Community learning objectives

- Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills
- Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot
- Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, including:
  - improved confidence and willingness to engage in learning
  - acquisition of skills preparing people for training, employment or self-employment
  - improved digital, financial literacy and/or communication skills
  - parents/carers better equipped to support and encourage their children's learning
  - improved/maintained health and/or social well-being
- Develop stronger communities, with more self-sufficient, connected and pro-active citizens, leading to:
  - increased volunteering, civic engagement and social integration
  - reduced costs on welfare, health and anti-social behaviour
  - increased online learning and self-organised learning
  - the lives of our most troubled families being turned around
- Commission, deliver and support learning in ways that contribute directly to these objectives, including:
  - bringing together people from backgrounds, cultures and income groups, including people who can/cannot afford to pay
  - using effective local partnerships to bring together key providers and relevant local agencies and services
  - devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer
  - involving volunteers and voluntary and community sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and encouraging employers to support informal learning in the workplace
  - supporting the wide use of online information and learning resources
  - minimising overheads, bureaucracy and administration

## Annex C – Test and Learn pilots

### C1 Test and Learn Pilot: English for Speakers of Other Languages (ESOL) – flexible and responsive delivery

#### RATIONALE:

- The Government's [Casey Review \(2016\)](#) stated that '*English language is a common denominator and a strong enabler of integration*'. The report recommends '*improving English Language provision through funding for community based classes and appropriate prioritisation of adult skills budgets*'. Our emerging findings from consultations with Providers, and the emerging English Skills for Growth Action Plan, details the need for discrete learning opportunities for those with skills needs related to: speaking and listening; reading and writing; and ESOL needs appropriate to the workplace. There is a need to provide opportunities for progression across these disciplines; courses at the right level and intensity for learners who may range from illiterate in their own language to graduates including pre-entry ESOL support; and learning experience enrichment with other learning alongside language skills.

#### AIM:

- Tailor delivery of ESOL provision to more effectively address skills needs in Liverpool City Region. Provision will not be restricted to current qualifications or formularised rates, to enable optimal cohort sizes or intensive tuition where this may be beneficial, for those learners that are: economically inactive; those wishing to gain employment, but face language barriers; those facing barriers to accessing ESOL learning due to work or caring responsibilities; refugees living within Liverpool City Region with 'permission to stay'; or asylum seekers pending a decision on 'permission to stay'.

#### KEY FEATURES:

The Combined Authority wishes to see true innovation in the delivery of ESOL locally that meets learner needs. Without being prescriptive, key features of a pilot could include one or more of the following:

- Effective initial assessment tools / diagnostic of the ESOL skills needs of learners;
- Testing of bespoke delivery for reading and writing and speaking and listening compared to employment and progression results from mainstream ESOL offers;
- Testing of results from RARPA (Recognising and Recording Progress and Achievement) approaches compared to mainstream ESOL qualifications;
- Development of pre-entry level provision for those illiterate in their own language with opportunities for progression to speaking and listening and reading and writing skills;

- Delivery as a minimum of 8 guided learning hours per week – in smaller class sizes or over an intensive initial period with reported comparisons to mainstream provision;
- Development of future ESOL tutors - support new peer mentors with teaching qualifications;
- Supporting peer language conversational clubs with peer mentor and volunteer support; and/or
- Supporting tutor Continuous Professional Development (CPD) for multiple Providers.

## **OUTCOMES:**

This may include the following:

- Better initial assessment and diagnostic tools developed;
- Number of new qualified ESOL tutors developed;
- Progression to employment or further learning other than ESOL;
- Developing new and better learning pedagogies co-designed with ESOL learners;
- Greater collaboration between Providers to meet needs and support progression;
- Successful testing of co-production techniques that informs future curriculum design; and
- Test the success of intensive smaller class sizes for a short initial period of learning.

## **C2 Test and Learn Pilot: English and maths – flexible and responsive delivery**

### **RATIONALE:**

On the whole Liverpool City Region's GCSE English and maths results for residents at age 16 underperforms when compared to national averages. This poor attainment has an effect on those that require English and maths skills in later life. Confidence in mathematics and written and spoken English are transformational skills that can make a difference to the lives and employment prospects of Liverpool City Region residents. Findings from a Liverpool City Region task and finish group on lower level skills needs found that: *“Course design and delivery are often based around traditional group education models, which can be inflexible and unresponsive to the needs of learners. This can also include timing of provision and the need to deliver qualifications with a lack of roll on / roll off, flexible access to skills support”*. There is a lack of opportunities to provide flexible attendance and opening hours due to cost constraints and staff contracts, which can also hamper access.

### **AIM:**

To ensure more local residents can access and gain the functional skills in English and maths that help residents gain the most out of work, education and everyday life.

Target groups will include residents who are:

- In employment and in need of improved literacy and numeracy skills;

- Economically inactive in need of improved English and maths;
- Aged over 50 with low-level skills including a need to improve their numeracy and literacy to support work related skills and employment goals (including changing job roles or sector); and
- Those looking to return to work with literacy or numeracy skills needs following an absence, e.g. those returning to work following caring or childcare responsibilities.

## **KEY FEATURES:**

Test and Learn Pilots will trial new methods of delivery that are not restricted to formularised rates of payment, enabling smaller cohort sizes and different teaching methodologies to test potential improvements in literacy and numeracy results and outcomes. The Combined Authority wishes to see true innovation in the delivery of literacy and numeracy. Key features of a pilot could include one or more of the following:

- Testing results from RARPA [hyperlink to RARPA approaches](#) compared to other literacy and numeracy qualifications;
- Use of smaller class sizes or an intensive initial period of literacy and numeracy learning with comparisons to mainstream provision results for learners;
- Supporting learners with the greatest needs with additional wrap around support or intensive support / short term 1:1 provision where necessary;
- Development of peer mentors through reading and maths clubs for adults with a view to providing qualifications for new mentors/tutors particularly for maths; and
- Support tutor Continuous Professional Development (CPD) for multiple Providers.

## **OUTCOMES:**

This may include the following:

- Improved attainment in English and maths with quicker and/or better results;
- Volumes of English and maths mentors supporting provision and progressing to higher level learning and teaching qualifications through CPD;
- Learner progression into employment and/or further learning of learners;
- Successful testing of co-production techniques that informs future curriculum design;
- Test the success of intensive smaller class sizes for a short initial period of learning compared to mainstream entitlement provision; and
- Identify and share good practice in delivery of English and maths across Providers.

## **Annex D. Job outcome payments**

### **Job outcome payments for learners undertaking sector-based work academies and Pre-Employment Training**

The Combined Authority is testing further outcome payments linked to job outcomes resulting from sector-based work academies and Pre-Employment Training in 2020/2021. This decision has been made following the completion of an independent evaluation, the recommendations included in the report support the continuation of outcome payments.

The Combined Authority are keen to ensure inclusive growth, providing access to work experience and job outcomes for unemployed and economically inactive residents.

To support these aims we will fund job outcome claims over and above the achievement of learning as part of sector based work academies (agreed by employers and Jobcentre Plus/DWP) and job outcomes achieved as a result of a learner completing other non-sector based work academies Pre-Employment Training.

Pre-Employment Training includes skills for employment vocational programmes, encompassing priority and non-priority SSAs, inclusive of SSA 14.2 Preparation for Life and Work, Employability Training.

### **Eligible Learners and Learning**

Only learners starting the appropriate programmes in the academic year 2020/21, with all required evidence, will be eligible for job outcome claims.

Learners must be eligible for fully funded learning for unemployed people and must have completed either a sector based work academy (approved by Jobcentre Plus/DWP) or a Pre-Employment Training programme formula funded by devolved AEB as a resident of Liverpool City Region.

Fully funded eligible learners include those who are unemployed and those learners who are deemed economically inactive as a result of not claiming benefits but have self-declared to their college or provider that they are now seeking work (appropriate self-declaration documentation must be completed and retained).

Learning supporting eligible learners for an outcome payment will:

- Be supporting a learner who is unemployed or self-declared as economically inactive and not in any form of work on their first day in learning;
- Be paid for through funding model 35 (formula funding) rather than funding model 10 (community learning).
- At Level 2 or below.

## Sector based work academies

Sector based work academies are one form of employability focused programme supported by devolved AEB. They can last up to 6 weeks and have 3 main components:

- Pre-employment training that is relevant to the needs of the business and sector;
- Work experience placement, of benefit to both the individual and business; and
- A guaranteed job interview linked to the employer vacancy
- sector based work academies pre-employment training and work experience placement last up to 6 weeks
- All elements of the programme (including work experience placement) are subject to a maximum of 35 hours activity each week to meet the requirements of state benefit rules
- More details on sector based work academies can be found [here](#):

Sector based work academies can be supported with devolved AEB funding within the following parameters:

You must plan to deliver the pre-employment training and where appropriate, a work experience placement, which must be aligned to a guaranteed job interview with a named employer.

If pre-employment training leads to a qualification, you must offer the qualification from an Ofqual-regulated awarding organisation.

Pre-employment training must focus on activities that will help progression to an apprenticeship and/or sustainable employment. Addressing the employability needs of the learner could include writing CVs, preparing for interviews, searching for jobs and developing interpersonal and communication skills.

Learning aims for sector-based work academies will not attract additional funding as they are fully funded for all unemployed learners.

If a learner returns to the sector-based work academy programme, within the same academic year, no further job outcome claim will be approved.

Sector based work academies must be recognised by, Jobcentre Plus / DWP to be eligible for job outcome payments from a provider's existing allocation.

Sector based work academies vocational related learning will be earned from the provider's allocation and evidenced / claimed through the ILR.

## **Sector based work academies and Pre-Employment Training**

Sector based work academies and Pre-Employment Training can be fully funded through the devolved AEB funding available for all unemployed learners for units on the Qualifications and Credit Framework (QCF) in line with the general funding and AEB eligibility rules set out in this document.

You can offer activities, including appropriate technical qualifications and skills required by the local labour market that will help the learner move into work or remove a barrier to them entering work.

You must assess all learners for English and maths as part of Sector based work academies and Pre-Employment Training programme.

You must support learners to progress to a GCSE grade A\* to C, grade 4 or higher, or level 2 Functional Skills. You may use English and maths steppingstone qualifications (including components, where applicable).

You can continue to fund a learner to complete their English and maths qualifications beyond completion of their Pre-Employment Training and into employment where applicable.

You must support learners to achieve English for speakers of other languages (ESOL) qualifications where necessary.

### **Job outcome payment**

We will pay £300 for a successful job outcome claim if the specified criteria and evidence requirements are met.

You must be in receipt of evidence from the employer and/or Jobcentre Plus/DWP of a positive job outcome as a result of a sector-based Work Academy or completion of a Pre-Employment Training programme or other suitable evidence of sustainable employment.

You must not claim job outcome compensation payments described elsewhere within the funding rules. This is in addition to any funding delivered through associated learning and payments for achievement.

Job outcome claims do not attract additional funds to your allocated maximum contract value. Outcome payments can only be claimed where you have sufficient funding within your remaining allocation in 2020/2021.

A maximum 5% is permitted, for job outcome claims, from within your total contract allocation. Any in-year growth can be proportionally applied to this 5%. In-year growth, following Performance Management Points, will be agreed through the application of a consistent methodology decided by the Combined Authority Commissioning Panel.

## **Eligible jobs for outcome payments**

Employment in any sector which has been sustained for more than four consecutive weeks for at least 16 hours per week (on average).

Agency employment and self-employment are accepted job outcomes if all evidence and criteria have been met. Job outcome claims will not include all jobs.

We will not fund, and you must not submit a job outcome claim:

- for zero-hour contract employment
- for job outcomes achieved following the completion of Community Learning – code 10
- for job outcomes achieved following the completion of learning at level 3 or above

## **Job outcomes evidence requirements**

You must gain 3<sup>rd</sup> party evidence from the employer and/or Jobcentre Plus/DWP which is authenticated that confirms the learner has secured a job for at least 16 hours or more a week for four consecutive weeks or other suitable evidence of sustained employment.

You must hold the evidence in the learner's Individual Learning Plan and/or evidence pack for audit purposes:

- 3<sup>rd</sup> party verification which is authenticated for example; company email, company stamped paperwork, compliments slip, letter headed paper
- ULN, learner name, DOB
- Employer Contact Details – name, email and postal address
- Job Outcome Details – job role, permanent or temporary, number of hours completed each week (average), start date confirmed
- Learner self-declarations of being economically inactive and not in any form of employment prior to learning

Other suitable evidence:

A learner self-declaration will be accepted if no other 3<sup>rd</sup> party evidence can be secured. This must be authentic and include all of the information stated above.

Audit and compliance checks will encompass both hard copy and electronic evidence.

## **Recording Requirements**

Tracking and reporting destinations via completion of the appropriate fields in the ILR are required to support analysis of the social and economic impact achieved by AEB delivery, therefore the destination field is now a mandatory field for all providers within your LCRCA return. This recording requirement applies consistently to all, this is not dependant on future job outcome claims and is subject to audit.

The job outcome must be achieved within 13 weeks of the learning end date to be eligible for payment. The ILR should only be updated to confirm the job outcome claim when the required evidence has been secured.

Valid job outcome claims for 2020/21 must be submitted by the R14 final return.

The final valid employment start for 2020/21 will be 30<sup>th</sup> July 2021.

An outcome payment of £300 can be claimed by selecting the agreed learning aim (refer to the Data Guidance Briefing 2020/21) for either sector-based work academy or Pre-Employment Training. The learning aim start date will be on the date the learner started employment. This specific learning aim must be closed the day after the employment start date. Accordingly, this means that the completion and learning end date will be the day after the employment start date.

This learning aim can only be used once per period of learning and only one job outcome payment can be claimed per individual learner per academic year.

### **Learner support**

Learning support for sector-based work academies and Pre-Employment Training is available as set out in the funding rules for other devolved AEB provision. For learners requiring Exceptional Learner Support, you must follow these rules and claim learner support using the EAS.

# Annex E – Equality and Diversity Impact Measures (EDIMs)

## What are EDIMs?

- They are targets (usually quantified) aimed to address identified variation between different groups of clients and narrowing gaps.
- They define actions that set out 'how' quantified targets can be achieved.
- EDIMs will provide challenging but realistic targeted measures for improvement;
- They measure progress against a baseline, and have clear milestones, monitoring and reporting procedures.

## Why do we set EDIMs?

- To ensure all Liverpool City Region resident AEB funded learners have equal opportunity to access learning and skills to achieve success.
- Colleges, Local Authorities and Providers should aim to support learners to have equal chances of success and opportunities for progression through EDIMs.
- EDIMs provide a measure of success in narrowing gaps and any imbalances evident within a client group or where performance is not as a result of unfair or unequal access, treatment or opportunity to learning.
- To develop and share best practice in supporting particular client groups engage in learning and achieve in their learning.

## How should Colleges, Local Authorities and Providers set EDIMs?

- Self-assessment reporting should identify differences for particular cohorts, trends in achievement, retention and progression.
- EDIMs are based on College and Provider analysis of their local learner cohort;
- Under-represented learners and the absence of learners engaged in learning may also be measured and targets for improvement set through EDIMs.

## What type of EDIMs can you set?

- Specific EDIMs could identify and seek to address and narrow gaps in relation to age, ethnicity, gender, disability and learning difficulty.
- More specific measures may include: number of starts, number of leavers, success rates, withdrawal rates and job outcomes.
- The setting of targets should consider local demographics and local economic circumstances.

## Where should EDIMs be recorded?

- EDIMs should be included within a Liverpool City Region Combined Authority AEB funded self-assessment report.
- Lead Providers should ensure sub-contractors are aware and record EDIMs in their own self-assessment processes.

## How should EDIMs be monitored?

- Colleges, Local Authorities and other Providers need to continually work to narrow gaps in learner occupancy and performance with clear actions for staff monitored through self-assessment reporting.
- EDIMs could equally be monitored through Equality and Diversity Impact Assessments as part of a change process for curriculum or generally.

## Annex F – Branding Guidelines

- It is the responsibility of providers funded through **LCRCA devolved AEB to ensure that they adhere to the Branding Guidelines. All parties, including subcontractors, producing publicity materials regarding the programme must meet these requirements.**
- Audits and verification checks will be carried out, it is therefore vital that all programmes not only meet the requirements but also retain verifiable evidence of compliant communication activities undertaken.

### Logos

- All information and communication measures provided shall acknowledge support from the Liverpool City Region AEB Funds (LCR AEB), by displaying:
  - The Liverpool City Region Combined Authority Logo and the Metro Mayor Logo (supplied together as a “lock up”) in accordance with the technical brand guidelines
- The Logos should always be clearly visible and placed in a prominent position. Its position and size shall be appropriate to the scale of the material or document being used.
- To ensure the integrity of the Logos at all times allow for the exclusion zone. This is the minimum clear area needed around the logo. For maximum impact and instant recognition, the Logo should not be crowded by other visual elements.
- Adequate white space should be left around the logo so that its prominence is not compromised. The exclusion zone allows for a clear area around the Logo at all times ensuring clarity.
- If other logos are displayed in addition then all shall have at least the same size, measured in height or width.
- In order to ensure a harmonised visual identity, providers must display the Logos together with the words Liverpool City Region Adult Education Budget
- It is mandatory that the Logos are used and applied correctly, prominently and consistently on all websites, publicity materials and programme documentation produced in relation to all provision supported by the LCRCA AEB fund.
- The Logos shall be created in accordance with the graphic standards set out in technical brand guide (email request for this information is required)

[aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk)

### Posters, Prints, Publications and Websites

- Providers are required to place at least one poster with information about the programme (minimum size A3), including the financial support from the LCR AEB, at a location readily visible to the public, such as the entrance area of a building.
- The Logos shall be clearly visible and placed in a prominent position on the poster, following the required standards.
- In addition to the Logos all printed documents, publications and websites must acknowledge and reference the funding through inclusion of the following line:

***This programme has been funded by the Liverpool City Region Combined Authority's Adult Education Budget.***

Examples listed below include activities and materials which must comply with the requirements (this is not exhaustive):

- Leaflets, brochures, newsletters, invitations, flyers and posters
- Case studies
- Exhibition banners and display panels
- Induction materials – Providers, including subcontractors, must ensure that they have provisions in place to notify those taking part in activities, associated with the programme, about the support from the fund at the start of their activity
- Logos on websites should be visible when landing, where this is possible, or inside the viewing area of a digital device, without requiring a user to scroll down the page. Where the provider is placing details of the funded programme on a website, which is not exclusively for the LCR AEB, the full colour version of the Logos should be placed on the main programme specific page. This does not preclude the provider from also placing the Logos on the homepage where they feel this is appropriate. Logos should be displayed in colour on websites (in all other media, colour shall be used whenever possible and a monochrome version may only be used in justified cases).
- Electronic and hard copies of all materials should be kept as evidence of compliance.

### **Media and PR Activity**

A minimum of two weeks' notice of any planned media or other official communications activities related to programmes funded by the LCRCA AEB must be given to the Liverpool City Region Combined Authority Communications Team via [aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk). This relates to events which are LCRCA AEB focused and where you are requesting support from the Combined Authority. Requests will be acknowledged and if support can be offered this will be discussed.

Permission needs to be granted by the Liverpool City Region Combined Authority Communications Team before any press releases or other content - e.g. news stories / features / web content are issued or published, if versions request quotes or other content, this sign-off will be obtained from the Combined Authority Communications Team, if appropriate.

All press releases relating to programmes supported by the LCRCA AEB should include the relevant version of the Logos and must feature the following line:

- ***This programme has been funded by the Liverpool City Region Combined Authority's Adult Education Budget***

Please note that the funding agreement/contract for services must be in place before any media or PR activities to publicise the programme are commenced.

### **Evidencing Publicity Activities**

- Regular monitoring and audits can take place a long time after the programme has been completed. Providers and subcontractors should ensure all evidence is kept until advised by the Combined Authority that it is safe to dispose of it.
- Should a Provider not adhere to the Branding Guidance they will be considered to be in breach of their grant funding agreement / contract for services.

Please email [aeb@liverpoolcityregion-ca.gov.uk](mailto:aeb@liverpoolcityregion-ca.gov.uk) for Logos and further technical guidance. This must be prior to contract start date to ensure standards are met from the commencement of delivery.

## Annex G: Performance management review

Adult education budget tolerances and minimum thresholds

	<b>1<sup>st</sup> PMP Following the December submission</b>	<b>2<sup>nd</sup> PMP Following the March submission</b>
Funding in scope	All providers	All providers
Tolerance for under-delivery	6%	3%
Lower threshold for contract value adjustments	£20,000 or at discretion of LCRCA	£20,000 or at discretion of LCRCA
Change request form published	November 2020	February 2021
Change requests to be received by	January 2021	April 2021
Delivery information using the latest validated ILR data you provide	January 2021	April 2021
Providers told the outcome by	January 2021	April 2021

## Annex H: Standard national profiles

The following table refers to P1 to P12. These represent the funding year periods where P1 is August and P12 is July.

**Table 1: AEB grant standard national profile\***

	<b>P1 Aug</b>	<b>P2 Sep</b>	<b>P3 Oct</b>	<b>P4 Nov</b>	<b>P5 Dec</b>	<b>P6 Jan</b>	<b>P7 Feb</b>	<b>P8 Mar</b>	<b>P9 Apr</b>	<b>P10 May</b>	<b>P11 Jun</b>	<b>P12 Jul</b>
AEB block grant (including community learning)	14.40%	8.56%	8.65%	7.06%	5.67%	7.42%	5.38%	5.34%	12.75%	10.26%	8.74%	5.77%
<i>AEB block grant cumulative profile</i>	14.40%	22.96%	31.61%	38.67%	44.34%	51.76%	57.14%	62.48%	75.23%	85.49%	94.23%	100.00%

**\*Please note these % have changed slightly from those included in the Grant Funded Delivery Plans as they have been aligned to the changed ESFAs profile payments**

## Annex I – AEB Proposed Claim Payment Dates 2020/21

2020/21		Contracted Providers	Grant Funded Providers
	ILR Return Dates*	Payment Dates	Payment Dates
R01	04/09/2020	24/09/2020	20/08/2020
R02	06/10/2020	22/10/2020	24/09/2020
R03	05/11/2020	19/11/2020	22/10/2020
R04	04/12/2020	24/12/2020	19/11/2020
R05	07/01/2020	21/01/2021	24/12/2020
R06	04/02/2021	25/02/2021	21/01/2021
R07	04/03/2021	25/03/2021	25/02/2021
R08	08/04/2021	22/04/2021	25/03/2021
R09	07/05/2021	20/05/2021	22/04/2021
R10	04/06/2021	24/06/2021	20/05/2021
R11	06/07/2021	22/07/2021	24/06/2021
R12	05/08/2021	19/08/2021	22/07/2021

**\*Grant funded providers are required to submit data at least 6 times per year, every two months. Contract for Service providers are required to submit data on a monthly basis**

## Glossary

Term	Description
20+ childcare	A category of learner support to assist learners aged over the age of 20 who are at risk of not starting learning or leaving learning due to issues in obtaining childcare.
AEB funding methodology	The funding methodology for individuals aged 19 and over, participating in AEB learning. You can access <a href="#">AEB funding methodology</a> on GOV.UK.
Advanced learner loan	<a href="#">Advanced learner loans</a> are available for individuals aged 19 or above to undertake approved qualifications at levels 3 to level 6, at an approved provider in England. Advanced learner loans give individuals access to financial support for tuition costs similar to that available in higher education and is administered by Student Loans Company.
Break in learning	When a learner is not continuing with their learning but has told you beforehand that they intend to resume their learning in the future.
Care to learn	A Department for Education scheme to assist young parents under the age of 20 with the childcare costs that may form a barrier to them continuing in education.
Continuers	Learners who commenced learning in a previous funding year and remain in learning as of 1 August 2020.
Community Learning	Helps people of different ages and backgrounds gain a new skill, reconnect with learning, pursue an interest, and learn how to support their children better, or prepare for progression to more formal courses/employment.
Components of regulated qualification	A subset of a qualification, which could be a unit.
Devolution of adult education functions	The devolution of adult education functions refers to the transfer of certain Secretary of State functions in the Apprenticeships, Skills, Children and Learning Act 2009 to specified Mayoral Combined Authorities by way of orders made under section 105A of the Local Democracy, Economic Development and Construction Act 2009, and the delegation of those functions to the Mayor of London under section 39A of the Greater London Authority Act 1999, in relation to their areas.
Digital Entitlement	The study of EDS qualifications for learners who have digital skills assessed at below level 1. Qualifications that are designated up to and including level 1 are: <ul style="list-style-type: none"> <li>Essential Digital Skills Qualifications</li> </ul>
Direct costs of learning	Any costs for items without which it would be impossible for the learner to complete their learning aim. This can include the costs of registration, examination or any other activities or materials without which the learner cannot achieve their programme of study.

Term	Description
Earnings adjustment statement (EAS)	The form providers need to complete to claim funding that cannot be claimed through the Individualised Learner Record (ILR).
Education health and care (EHC) plan	An EHC plan replaces statements of special educational needs and learning difficulty assessments for children and young people with special educational needs. The local authority has the legal duty to 'secure' the educational provision specified in the EHC plan, that is, to ensure that the provision is delivered.
Employment status (formerly employed)	<p>The main types of employment status are:</p> <ul style="list-style-type: none"> <li>• worker</li> <li>• employee</li> <li>• self-employed and contractor</li> <li>• director</li> <li>• office holder</li> </ul> <p>More information on <a href="#">employment status</a> is available.</p>
English for speakers of other languages (ESOL)	The study of English by speakers of other languages.
European social fund (ESF)	The ESF is a structural fund from the European Union (EU). It improves the skills of the workforce and helps people who have difficulties finding work.
Evidence pack	A collection of documents and information brought together to form a single point of reference relating to learning that is taking place. This must provide evidence to prove the learner exists, is eligible for funding, the planned learning to be provided and that learning has been delivered.
Exceptional learning support	Learning support funding to meet the costs of putting in place a reasonable adjustment for a learner who requires more than £19,000 in a funding year.
Full level 2	<p>The following qualifications are designated full at level 2:</p> <ul style="list-style-type: none"> <li>• General Certificate of Secondary Education in five subjects, each at grade C or above, or grade 4 or above</li> <li>• a Technical Certificate at level 2 which meets the requirements for 2018 to 2019 16 to 19 performance table</li> </ul>
Full level 3	<p>The following qualifications are designated full at level 3:</p> <ul style="list-style-type: none"> <li>• a General Certificate of Education at the advanced level in two subjects</li> <li>• a General Certificate of Education at the AS level in four subjects</li> <li>• a QAA Access to Higher Education (HE) Diploma at level 3</li> <li>• a Tech level or applied general qualification at level 3 which meets the requirements for 2018 16 to 19 performance tables</li> </ul>

Term	Description
Full or co-funding Indicator (FFI)	Indicates whether a learning aim is fully funded or co-funded in Adult Skills or Other Adult Funding.
Functional skills	Applied practical skills in English, maths and ICT that provide the learner with the essential knowledge, skills and understanding to enable them to operate effectively and independently in life and work.
Funding agreement	The agreement between the Secretary of State for Education acting through the Education and Skills Funding Agency (ESFA) and providers who receive funding for education and skills training.
Funding Model (10 and 35)	Identifies the funding methodology we apply to submission of finalised ILR data. For AEB funding, Funding Model 10 (Community Learning) and 35 (Adult Skills) are used, noting model 10 is non-formula funded (i.e. ILR data does not generate a funding rate and is paid on monthly profile) and model 35 is formula funded. More information is available in the <a href="#">2020 to 2021 ILR Specification</a> .
Funding year	The ESFA's adult funding system operates on a funding year basis, which starts on 1 August and finishes on 31 July.
General Data Protection Regulation	The General Data Protection Regulation (GDPR) is a, Europe-wide law that replaced the Data Protection Act 1998 in the UK. It is part of the wider package of reform to the data protection landscape that includes the Data Protection Act 2018. The GDPR sets out requirements for how organisations must handle personal data.
Guided learning	As defined by Ofqual: "The activity of the learner in being taught or instructed by – otherwise participating in education or training under the immediate guidance or supervision of – a lecturer, supervisor, tutor or other appropriate provider of education or training. For these purposes the activity of 'participating in education and training' shall be treated as including the activity of being assessed if the assessment takes place under the immediate guidance or supervision of a lecturer, supervisor, tutor or other appropriate provider of education or training."  You can find more information in the <a href="#">Ofqual Handbook</a>
Hardship	Within learner support, a category of support to assist vulnerable and disadvantaged learners to remove barriers to education and training.
High value courses skills offer	High value qualifications adapted from an already approved for funding regulated qualification list
The Hub	The <a href="#">Hub</a> provides online services including the return of your Individualised Learner Record (ILR) and completed EAS. You can also search all learning aims, components of qualifications, apprenticeship frameworks and standards along with their validity and funding details.
Individualised learner record (ILR)	The primary data collection requested from learning providers for further education and work-based learning in England. The government uses this data to monitor policy implementation and the performance of the sector. It is also used by organisations that allocate funding for further education.

Term	Description
Job outcome payments	<p>Payments made for learners who are unemployed at the start of learning who cease learning to take up a job.</p> <p>Job Outcome Claims are different to job outcome payments. Please refer to the <a href="#">ANNEX D</a> (Year 2 LCRCA flexibility)</p>
Learner residency	<p>We use the term ‘resident’ or ‘residence’ in this document for different purposes.</p> <ul style="list-style-type: none"> <li>• Residence in the UK, EU and EEA has specific definitions in education law, and this is set out in the ‘residency eligibility’ section.</li> <li>• Following the devolution of adult education functions, there is a new emphasis on residence in England, in determining and evidencing eligibility for ESFA funded AEB - see ‘who we fund’ and ‘evidence’ sections.</li> <li>• This means the permanent residency of an individual in England (i.e. not a temporary address for duration of learning taking place), immediately prior to enrolment determines eligibility for ESFA and LCRCA funded AEB.</li> </ul>
Learner support	<p>Funding to enable providers to support learners with a specific financial hardship that might prevent them from being able to start or complete their learning.</p>
Learning aim	<p>Statements that describe the overarching intentions of a course</p>
Learning aim reference number	<p>The unique eight-digit code used to identify a specific learning aim.</p>
Learning delivery monitoring (LDM)	<p>A code used as part of the Individualised Learner Record (ILR) to indicate participation in programmes or initiatives.</p>
Learning planned end date	<p>The date entered onto the individualised learner record (ILR) when the learner is expected to complete their learning.</p>
Learning support	<p>Funding to enable providers to put in place a reasonable adjustment, set out in the <a href="#">Equality Act 2010</a>, for learners with an identified learning difficulty and/or disability to achieve their learning goal.</p>
Local flexibility (ESFA)	<p>Regulated qualifications, and or their components, and non-regulated learning that the ESFA funds, that is <b>not</b> part of the English and maths, or level 2 or level 3 legal entitlement offer. All regulated and non-regulated learning that is available for funding through the flexible local offer is listed on <a href="#">the Hub</a>.</p>
Legal entitlement	<p>The legal entitlement to education and training allows learners to be fully funded who are aged:</p> <ul style="list-style-type: none"> <li>• 19 and over, who have not achieved a grade 4 (legacy grade C), or higher, and study for a qualification in English or maths up to and including level 2, and/or</li> <li>• 19 to 23, if they study for a first qualification at level 2 and/or level 3</li> <li>• 19 and over, who have digital skills assessed at below level 1</li> </ul>

Term	Description
Local flexibility	Regulated qualifications, and or their components, and non-regulated learning that the ESFA funds, that is not part of the English and maths, or level 2 or level 3 legal entitlement offer. All regulated and non-regulated learning that is available for funding through the flexible local offer is listed on the Hub.
Low wage threshold	<p>The Combined Authority has set a threshold salary level to the Real Living Way to enable low paid employed people to access fully funded skills provision.</p> <p>The threshold of £18,135 as an annual gross salary, is based on the Real Living Wage (25 and over hourly rate) of £9.30, on the assumption of a 37.5 hour contract with paid statutory holiday entitlement (therefore, £9.30 multiplied by 37.5 hours per week, multiplied by 52 weeks per year).</p>
Non-regulated learning	<p>Learning which is not subject to awarding organisation external accreditation in the form of a regulated qualification. It may be designed, delivered and certificated by a provider or another organisation. This could include:</p> <ul style="list-style-type: none"> <li>• independent living skills and engagement learning</li> <li>• employability and work skills</li> <li>• labour market re-entry</li> <li>• technical education tasters</li> <li>• community learning</li> </ul>
Non-formula community learning funding	Where applicable, Grant Funded Providers receive a non-formula funded community learning allocation' as part of their AEB which is paid on a monthly profile. Submission of ILR data does not generate a funding value for the learning aim/s a learner participates on. Instead providers attribute costs up to the value of their non-formula community learning allocation. Providers submit community learning data through funding model 10. More information is available in the <a href="#">2019 to 2020 ILR Specification</a>
Ofqual	The <a href="#">Office of Qualifications and Examinations Regulation</a> , which regulates qualifications, examinations and assessments in England.
One Year Skills offer for 19-year olds	Added as part of the wider COVID-19 skills recovery package – this is a one-year high value course skills offer developed to support school and college leavers aged 19 to 21 August within the 2020 to 2021 funding year.
Personal learning record (PLR)	A database that allows individual learners access to their past and current achievement records. These can be shared with schools, colleges, further education training providers, universities or employers.
Recognising and Recording Progress and Achievement (RARPA)	The Learning and Work Institute have published <a href="#">updated RARPA Guidance</a> . This comprises a clear framework designed to support learners through the learning process, identifying key outcomes. It provides a robust approach to quality control and improvement of non-regulated provision with a focus on self-assessment that supports standards acceptable to the Office of Standards in Education (Ofsted). You can access further information from <a href="#">The Learning and Work Institute</a> .

<b>Term</b>	<b>Description</b>
Recognition of prior learning (RPL)	An assessment method that considers whether a learner can demonstrate that they can: <ul style="list-style-type: none"> <li>• meet the outcomes for a qualification or a component of a qualification through knowledge, understanding, or</li> <li>• skills they already have and so do not need to undertake a course of learning for that component or qualification</li> </ul>
Register of training organisations (the Register)	A register that provides assurance on organisations that deliver non-apprenticeship education and training services funded by the ESFA, or subcontractors with an aggregated contract value of £100,000 or more in our non-apprenticeship supply chain. Organisations apply to enter the register by completing our market-entry pre-qualification process, which includes due diligence questions and testing of capacity and capability.
Residential Support	Support provided under learner support to learners receiving specialist provision, which involves a residential element, or to support learners who cannot receive provision locally.
Regulated Qualifications Framework (RQF)	The RQF provides a way of understanding and describing the relative level and size of qualifications. The RQF, operated by Ofqual, is a single regulatory framework containing a range of general, technical and professional qualifications.
Senior responsible	For example, chief executive, managing director, principal or their equivalent.
Self-declaration	A process where the learner can confirm something through his or her own signature.
Skills advisory panel (SAP)	SAPs aim to bring together local employers and skills providers to pool knowledge on skills and labour market needs, and to work together to understand and address key local challenges. This includes both immediate needs and challenges and looking at what is required to help local areas adapt to future labour market changes and to grasp future opportunities. This will help colleges, universities and other providers deliver the skills required by employers, now and in the future.
Start of learning	The date on which learning begins. We do not consider enrolment, induction, diagnostic assessment or prior assessment to be part of learning.
State benefits	State benefits are contributions, both financial and non-financial, made by central and local government to individuals in certain circumstances to meet their day-to-day living needs.
Subcontractor	A separate legal entity that has an agreement with you to deliver any element of the education and training we fund. A separate legal entity includes companies in your group, other associated companies and sole traders. It also includes individuals who are self-employed or supplied by an employment agency, unless those individuals are working under your direction and control, in the same way as your own employees.
UK provider reference number	A unique identifying number given to all providers by the UK register of learning providers.

Term	Description
Unique learner number	A 10-digit number used to match a learner's achievement to their personal learning record (PLR).
Young people's funding methodology	The funding methodology for individuals aged 16 to 19 (and those aged 19 to 24 with an EHC plan). You can access <a href="#">16 to 19 funding methodology</a> on GOV.UK.

## Summary of main changes since funding rules 2019 to 2020

303. We have highlighted the main changes made in this document compared to the final version we published for 2019 to 2020 in the table below.

Please note this is not an exhaustive list of all changes. You must refer to the main document for the definitive rules, which apply to all providers of education and training who receive funding from LCRCA AEB funding.

Please note, any changes highlighted in **Yellow** reflect changes made between version 1 and version 2 of the LCRCA Funding Rules

304. If you have a specific query on the funding rules, please speak to your Relationship Manager.

Section	Paragraph Number	Change
Who we fund	9	The devolution postcode checker for learner residency has been linked to paragraph 17.
Individuals with certain types of immigration status and their family members	31	Additional text has been added by the Home Office to clarify evidence for immigration permission.
Individuals who are not eligible for funding	42	Removed Fees and Awards Regulations 2007 as it is not necessary to reference
Fees and charging	51	graph added
Breaks in learning – response to coronavirus (Covid 19)	65	New section added to align to the ESFA Covid-19 FE Operational guidance (continued for 2020 to 2021)
What we will not fund	67	We have made it clear that legacy GCSE grade C or higher is the equivalent of a grade 4 or higher under the new grading scheme.
Subcontracting	69 to 102	This section has been reorganised for clarity, no paragraphs have changed or been removed.
Evidence	110	We have removed all references to 'learner file' and replaced them with 'evidence pack' for accuracy. Minor drafting changes have been made for clarity and has not changed policy.

Signatures (digital)	122 to 126	We have updated these paragraphs to include more clarity with regard to digital signatures and evidence requirements.
Self-declaration by learners	138	New paragraph added to clarify the necessity for a signed and dated learner self-declaration for those learners who are unemployed, not in receipt of any benefits and who may be considered eligible for funding (prior permission required from CA)
Unemployed definition	149	We have updated these paragraphs in line with the definition. For clarity, references to 'earned income' have been replaced with 'take-home pay'.
Full level 2 and English and maths for those aged 19 or older	154	We have made it clear that legacy GCSE grade C or higher is the equivalent of a grade 4 or higher under the new marking scheme.
Full level 3	156	No policy changes have been made this paragraph has been revised for clarity.
Approved qualifications	160	This paragraph has been added to clarify your role where you deliver eligible qualifications and/or their components.
Digital Skills for those aged 19 and over	179 -182	The addition of new rules for the Information technology ('digital') skills entitlement
English for speakers of other languages (ESOL)	189	Paragraph added to clarify that we will fund ESOL learning up to and including Level 2.
Learning support	225	Paragraphs revised for claiming learning support, referencing evidence kept on learner file for any extra costs over the monthly fixed rate
Learner support	234	Paragraph revised for using Adult Learning Loans bursary fund and Learner support
Learner support	242	Paragraphs revised for residential support funding
Learner support	243-247	This section has been updated in response to Covid-19, to enable providers to use Learner Support funds to purchase IT devices for learners and to help them meet learners' IT connectivity costs
Continuing Learners – Section 4 Performance Management	263- 264	Change to how ESFA will support and fund continuing learners. We have also made it clearer for the arrangements for continuing learners resident in the LCR with a start date after 1 <sup>st</sup> August 2019.

Job outcomes	Annex D Page 72	Job outcome claims now include introduction of job outcome payments for pre-employment training
Destination – tracking and reporting	Annex D Page 73	This paragraph has been included to provide clarity on recording requirements, ensuring all destinations are tracked and reported on the ILR.
Performance Management	Annex G – Page 80	We have reviewed and changed the timing of performance management reviews we will operate.
High Value qualifications – One year skills offer for 19 year olds	Page 93	Added as part of the wider Covid-19 skills recovery package – this is a one-year high value course skills offer developed to support 19 year old learners within the 2020/21 funding year.

## High value courses for school and college leavers: a one-year skills offer for 19-year-olds

As part of the government response a one-year high value courses skills offer has been developed to support school and college leavers who are at higher risk of becoming not in education, employment or training (NEET) because of Coronavirus (COVID-19). This includes the funding via AEB of high value course for schools and college leavers: a one year skills off for 19 year olds.

Please note only level 2 and level 3 qualifications on the Qualifications in the one-year skills offer for 19 year olds will attract the uplift and increased job-outcome payment.

This includes for those 19-year olds undertaking a qualification from this list which is also included on the 19 to 23-year-old legal entitlement list, refer to paragraphs 136

ESFA fund the one year skills offer for 18 year olds (and 19 to 24 year olds with an EHC Plan) through the their young people's funding methodology.

We fund the one year skills offer for 19 year olds through the ESFA's AEB funding methodology. The rules that apply to 19 year olds are set out in the following section.

294. We will fully fund individuals as part of this offer where they;
- 294.1. are aged 19 on 31 August within the 2020 to 2021 funding year
  - 294.2. enrol on one Level 2 or Level 3 qualification on the one-year skills offer for 18/19 year olds
  - 294.3. already hold a Level 2 or Level 3 qualification or this is their first Level 2 or Level 3 qualification
295. You must:
- 295.1. use LDM code 376 and LCRCA issued DAM code claim full funding for learners who meet the requirements set out in paragraph 294 above
  - 295.2. record in the evidence pack:
  - 295.3. a self-declaration from the learner that they have been unable to secure employment prior to enrolment
  - 295.4. a declaration that you are unable to offer alternative work-based learning opportunities at the point of enrolment

### Job outcome payments

296. For eligible 19-year old learners, we will pay the full 20% achievement element if they leave their training early to start a job. This is subject to meeting requirements in paragraph 248