

Changes to GLA AEB Funding and Performance Management Rules for Grant-funded Providers

Paragraph 64 - Revision to text	
Original Text - Paragraph 64 (July)	Revised Text - Paragraph 64 (November)
We do not set limits on the length of time of either prior learning or previously certified learning. However, where the individual's learning and/or achievement occurs outside of five years, you must assess whether the learning is still valid and relevant.	You must assess whether any prior learning negates the need for a learner to undertake the whole learning aim.

Paragraph 72-73.5 – Addition of new paragraphs on ‘Response to Coronavirus’	
<p>72. In line with paragraphs 69 to 71 you and the learner can agree to suspend learning to enable the learner to take a break in learning where:</p> <p>72.1 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</p> <p>72.2 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</p> <p>73. To record breaks in learning for coronavirus (COVID-19) reasons, you must:</p> <p>73.1 Include these learners in your ILR submissions</p> <p>73.2 Record the reason, retain and submit evidence as set out in paragraphs 69 to 70</p> <p>73.3 Ensure affected learners are not recorded as permanently withdrawn from their learning, by entering the ‘completion status’ field of the ILR as ‘6’, denoting that the learner has temporarily withdrawn from learning due to an agreed break in learning as a direct impact of coronavirus (COVID-19)</p> <p>73.4 Not change the current planned end date of the learning aim record</p> <p>73.5 Agree a new planned end date, when the learner returns, that must be assessed and recorded against the revised learning aim record</p>	

Paragraph 80 - Revision to text	
Original Text - Paragraph 78 (July)	Revised Text - Paragraph 80 (November)
Your governing body or board of directors and your accounting officer (senior responsible person) must be satisfied that all your delivery subcontracting meets your strategic aims and enhances the quality of your learner offer. You must set out the	Your governing body or board of directors and your accounting officer (senior responsible person) must agree your policy for delivery subcontracting. You must publish your policy for delivery subcontracting on your website .

reasons for subcontracting in your published delivery subcontracting funding retention and charges policy to reflect your strategic aims. You must be able to evidence this, such as minutes of meetings and written sign-off.	
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Paragraphs 89 and 95 - New paragraphs under 'Entering into a Subcontract'

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| 89. You must not enter into any agreement for Brokerage |
| 95. You must ensure that there is a continuity of Services for existing learners |

Paragraph 108 - Addition of new paragraph under 'Distributing Income Between your Delivery Subcontractors'

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| 107. You must publish your delivery subcontracting funding retention and charges policy on your website before entering into any subcontracting agreements for each funding year. <i>(paragraph 103 in July 2020 version)</i> |
| 108. 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. |

Paragraphs 132-133 – Addition of new paragraphs

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| 132. 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: |
| 132.1 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 |
| 132.2 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 |
| 109. 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 to 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. |

Paragraph 147- Revision to text

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| 147. Eligible learners exercising their legal entitlement, must be enrolled on qualifications from the: <i>(Paragraph 141 in July 2020 version)</i> |
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147.1	2020 to 2021 list of qualifications in the level 2 and 3 legal entitlement; and/or
147.2	2020 to 2021 list of qualifications in the English and maths legal entitlement
147.3	2020 to 2021 qualifications in the digital legal entitlement

Paragraph 156 - Addition of new paragraph

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, for more information on eligibility criteria refer to paragraphs 171-173.

Contribution Table (157) - Addition of new text

New line added to include high-value skills offer as part of London's response to COVID-19.

= one-year high value skills offer for 19-year olds

Paragraphs 158-159 - Revision to text under '*London Recovery Flexibilities*'

Unemployed

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

158.1 they receive Jobseeker's Allowance (JSA), including those receiving National Insurance credits only;

158.2 they receive Employment and Support Allowance (ESA);

158.3 they receive Universal Credit, and their take home pay as recorded on their Universal Credit statement (disregarding Universal Credit payments and other benefits) is less than £343 a month (learner is sole adult in their benefit claim) or £549 a month (learner has a joint benefit claim with their partner)

158.4 they are released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice.

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

159.1 receives other state benefits (not listed in paragraph 158) and their take home pay (disregarding Universal Credit payments and other benefits) is less than £343 a month (learner is sole adult in their benefit claim) or £549 a month (learner has a joint benefit claim with their partner), and

159.2 wants to be employed, or progress into more sustainable employment, and their take home pay (disregarding benefits) is less than £343 a

month (learner is sole adult in their benefit claim) or £549 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.

Paragraph 160 – Amendment to London Living Wage

160. You may fully fund learners who are employed, or self-employed, and would normally be co-funded, up to and including level 2. You must be satisfied the learner meets both of the following:
- 160.1 is eligible for co-funding; and
 - 160.2 earns less than the London Living Wage as an annual gross salary on the date of the learner's learning start date. Learners will be deemed to earn less than the London Living Wage as an annual gross salary if they earn less than the hourly London Living Wage at that point in time, multiplied by 37.5 (hours per week), multiplied by 52 (weeks per year). Based on the 2020/21 London Living Wage, this would be £21,157.50.

Paragraph 163-174 - Addition of new paragraph on COVID-19 Skills Recovery package

163. On 8 July the Chancellor announced that there would be additional funding made available as part of the Department for Education's (DfE) COVID-19 Skills Recovery Package and wider Government plans to protect, support and create jobs. The Mayor also approved additional GLA held AEB funding to add to the Skills Recovery Package.

London Recovery Programmes

164. London Recovery Programmes are focussed on supporting unemployed Londoners or Londoners at risk of becoming unemployed to undertake skills provision that will support them into employment. This would support provision only where it relates to:
- skills provision to support sector-based work academies to progress adults into local vacancies;
 - courses to support employment aligned to the Expanded Work and Health programme; and
 - any other specified provision related to London's recovery.

Sector-based work academy programme (SWAP)

165. The sector-based work academy programme (SWAP) is designed to help Jobcentre Plus claimants build confidence to improve their job prospects to enhance their CV, whilst helping employers in sectors with current local vacancies

to fill them. Sector-based work academies can last up to 6 weeks and has 3 main components:

- pre-employment training
- work experience placement
- a guaranteed job-interview

166. Participants must remain on benefits throughout their placement. Only the pre-employment training element in London can be funded through the AEB, and normally lasts 2-3 weeks.
167. Other components, travel and childcare costs must be funded through the Jobcentre Plus whilst claimants are on the work experience placement.
168. FE providers must be part of the SWAP local design process and should be informed when to expect referrals and how many.
169. You must record in the evidence pack that you have seen the claimant's sector-based work academies referral notification issued by Jobcentre Plus setting out start date and times for their AEB funded pre-employment training.
170. To claim full funding for claimants referred to SWAP pre-employment training you must use LDM code 375 and complete the Benefit Status Indicator (BSI) to identify the claimant is in receipt of Jobseeker's Allowance (BSI 1), Universal Credit (BSI 4), or Employment and Support Allowance (all categories) (BSI 5).

High value courses for 19-year olds

171. As part of the government response a one-year high value courses skills offer for level 2 and level 3 qualifications has been developed to support 19-year olds who are at risk of becoming not in education, employment and training (NEET) due to Coronavirus (COVID-19).

The one-year offer includes:

- level 2 and level 3 qualifications from September 2020 for learners who cannot find employment or work- based training
- support funding in line with paragraphs 243 to 249
- an uplift payable whilst the learner is in learning, following the earnings methodology set out in the GLA Adult Education Budget funding rates and formula 2020 to 2021
- an increased job-outcome payment payable if learners leave early to enter employment

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 paragraph 147.

We fund the one-year skills offer for 19-year olds through the ESFA's AEB funding methodology.

172. We will fully fund individuals as part of this offer where they;
- are aged 19 on 31 August within the 2020 to 2021 funding year
 - enrol on one level 2 or level 3 qualification on the one-year skills offer for 19-year-olds
 - already hold a level 2 or level 3 qualification or this is their first level 2 or level 3 qualification
173. You must:
- use LDM code 376 and FFI code 1 to claim full funding for learners who meet the requirements
 - record in the evidence pack self-declaration from the learner that they have been unable to secure employment prior to enrolment
 - a declaration that you are unable to offer alternative work-based learning opportunities at the point of enrolment

Job outcome payments

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 paragraphs 262.1 and 262.2.

Paragraph 175 - Addition of new paragraph on Skills for Londoners Innovation Fund and COVID-19 Response Fund

Providers that have received awards through the Skills for Londoners Innovation Fund or Strand 1 of the COVID-19 Response Fund must complete delivery by July 2021. You should use DAM code 003 and LDM code 369 respectively to claim funding through the steams. Please refer to the technical guidance note for further information.

Paragraphs 183- Revision to Text

Original Text - Paragraph 163 (July):	Revised Text - Paragraph 183 (November)
Certain qualifications that meet statutory employer requirements or a licence to practise are eligible for unemployed learners, and some economically inactive learners, that meet the criteria in paragraphs 151 to 152.	We will fund certain qualifications 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 160.

Paragraph 188- Revision to Text- clauses 188.2 and 188.3 (November 2020)

Original Text - Paragraph 169 (July)	Revised Text - Paragraph 188 (November)
<p>169. The eligibility principles we apply to non-regulated learning are as follows:</p> <p>169.2. it must not be provision linked to statutory employer requirements (including a licence to practise) unless there is an agreed concession in place;</p> <p>169.3. it must not be vendor-specific provision, linked to a particular employer or commercial system</p>	<p>188. The eligibility principles we apply to non-regulated learning are as follows:</p> <p>188.2. it must not be provision linked to occupational regulation unless there is an agreed concession in place;</p> <p>188.3. it must not be restricted to being delivered to employees of only one employer</p>

Paragraph 192 – Text moved to ‘Learning in the Workplace’

Paragraph 192 has been moved from the section on ‘Who we fund’ to ‘Learning in the workplace’.

192. 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:
- 192.1 It is a legal entitlement qualification stated in paragraph 189
 - 192.2 It is a first qualification in BSL as stated in paragraph 147
 - 192.3 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 a traineeship programme, or the Prince’s Trust Team programme, or
 - 192.4 It is delivered in in order to upskill staff to deliver improved specialist provision for learners with SEND within the adult and further education sectors, as outlined in paragraph 149-151.

Paragraphs 213-215 - Revision to text under ‘London Recovery Flexibilities

213. Learners may undertake a full funded Level 3 qualification in addition the legal entitlement, where they are:
- 213.1 Unemployed; or
 - 213.2 in receipt of a low wage as described at paragraph 159, and
 - 213.3 enrolled on a vocational qualification of no longer than 12 months that supports an individual to regain work or employment stability.
214. The Level 3 flexibility supports the London recovery in respect of the COVID-19 pandemic. The flexibility will apply initially one year only to support recovery. Qualifications eligible for the Level 3 flexibility may include vocational courses such as certificates or vocational diplomas **of no longer than 12 months in duration** and that are designed to provide progression to work. Qualifications should be listed on Learning Aim Reference Service (LARS) database and be available to new learners and will be funded at the listed or matrix funding rate. Further guidance will be issued about recording the flexibility on the ILR.

215. Qualifications such as Access to HE Diplomas, A Levels and two-year Diplomas or Extended Diplomas are not in scope for the Level 3 flexibility. Where the intended programme of study is the completion of a **qualification of longer than 12 months in duration**, the GLA would not expect to fund the first year of study under the flexibility. Qualifications that are confirmed as being withdrawn under the Review of post-16 qualifications at level 3 and below in England are not included. Permission should be sought from the GLA Provider Manager for the delivery of any qualifications that may fall outside the above arrangements but where exceptional circumstances may apply for priority employment reasons.

Paragraphs 247, 249 & 250 - Revision to text under 'Learner Support'

Paragraph 247 (Paragraph 229 in July 2020 Version):

247. 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':
- 247.1 hardship funding – general financial support for vulnerable and financially disadvantaged learners;
 - 247.2 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;-
 - 247.3 Residential access funding – to support GLA AEB-funded learners (set out in paragraph 35) where they need to live away from home **in order to access provision; and**
 - 247.4 **COVID-19 response support disadvantaged learners who cannot undertake online delivery in the event of local or national measures in response to COVID-19.**

Paragraph 249 (Paragraph 231 in July 2020 Version):

249. You must:
- 249.1 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
 - 249.2 assess and record the learner's needs, demonstrating the need for support – **you must record this information and retain in the evidence pack**
 - 249.3 report the appropriate Learner Support Reason codes in the 'Learner Funding and Monitoring' fields in the ILR
 - 249.4 complete a mid-year funding forecast and a final claim

- 249.5 take into account the availability of other support for learners, for example from Jobcentre Plus
- 249.6 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
- 249.7 Use either AEB or loans bursary to support specific provision funded by either AEB or ALL where a learner is on 2 courses at the same time.

Paragraph 250 (Paragraph 232 in July 2020 Version):

- 250. You must not use learner support funds for any of the following:
 - 250.1 essential equipment or facilities if the learner is eligible to receive full funding with the exception of the items covered in the Hardship section in paragraph 250.1 and the new flexibilities responding to Coronavirus (COVID-19) in paragraph 257
 - 250.2 a learner in custody or released on temporary licence
 - 250.3 a learner carrying out a higher education course or learning aims fully funded from other sources
 - 250.4 to pay weekly attendance allowances or achievement and attendance bonuses.

Paragraph 251- Revision to text under 'Hardships'

- 251. You can use hardship funds for the following:
 - 251.1 course-related costs, including course trips, books and equipment (where costs are not included in the funding rate)
 - 251.2 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
 - 251.3 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)
 - 251.4 examination fees
 - 251.5 accreditation fees, professional membership fees and any fees or charges due to external bodies
 - 251.6 your registration fees.

(Paragraph 233 in July 2020 Version)

Paragraph 257- Revision to Text under ‘Resident access funding’

257. You can use residential access funding to support GLA-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:
- 257.1 set out the criteria and procedures for considering and agreeing applications for support from your residential access funds
 - 257.2 only pay for travel costs for learners who are awarded residential access funding in exceptional circumstances.
 - 257.3 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.

(Paragraph 239 in July 2020 Version)

Paragraph 258-262- New paragraphs on Response to Coronavirus (Covid-19)

258. You can support disadvantaged learners who were undertaking classroom or blended learning to continue to participate via online learning where the learner is:
- 258.1 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
259. You must secure value for money when purchasing IT devices and/or internet access including:
- 259.1 deploying any unused devices before you purchase new ones
 - 259.2 exploring options to access low cost second hand or recycled devices
 - 259.3 avoiding entering long term contract arrangements
 - 259.4 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
260. 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:
- 260.1 they will return the device when their online learning aim(s) complete, or if they leave before completing their learning
 - 260.2 they will return the device in the same condition in which they received it

261.	You must maintain an up to date record of the loan and return of devices to learners
262.	<p>You must record the following evidence in the learner's evidence pack:</p> <ul style="list-style-type: none"> • The outcome of the assessment undertaken to identify the learners individual need • The learner declaration referred to in paragraph 260

Paragraph 277- Addition of New Text on Continuing Learners

277.	The ESFA will continue to be responsible for AEB learners that are resident in a devolved/delegated area 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.
278.	Learners that started since the 1 August 2019 continue to be the GLA's responsibility.

Paragraph 282- Revision to Text under 'AEB Grant'

282.	<p>You must provide three 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. Where applicable, these claims must also provide a breakdown of your delivery against your ringfenced AEB London Recovery funding set out at paragraphs 164-174. The funding claims you must provide are set out below but please refer to the funding claims guidance (when published) for details of the:</p> <ul style="list-style-type: none"> • the mid-year funding claim; • the year-end forecast claim; and • the final funding claim. <p><i>(Paragraph 258 in July 2020 Version)</i></p>
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Paragraph 296-304 - Addition of new paragraphs on Additional AEB Funding for 2020/21 (AEB London Recovery)

296.	The GLA wrote to providers in September 2020 to set out additional AEB funding allocations for 2020/21 to deliver high value courses to 19-year olds, sector-based work academy programmes (SWAP) and other London Recovery Programmes. Throughout this section, and for the purposes of returning data via the ILR, this funding will be referred to as AEB London Recovery allocation.
297.	The AEB London Recovery allocation will be managed as a separate and ringfenced allocation in 2020/21. Provision should be delivered as formula funded activity and funding rules set out in this document apply including the London Recovery flexibilities at paragraphs 194-198.

298. Your AEB London Recovery allocation is funded for the 2020/21 academic year only i.e. from 1 August 2020 to 31 July 2021.
299. You have flexibility to decide how to deliver across all eligible provision under the allocation in order to best meet the needs of London residents.
300. An initial review of performance will be undertaken in January 2021. The GLA may, following approval from the AEB Mayoral Board, redistribute allocations across providers if needed. Providers will receive payments for this funding in line with the standard national profile.
301. The AEB London Recovery allocation will be subject to reconciliation. The 10% reconciliation tolerance set out at paragraph 283 will apply to the allocation. Where you deliver 90% of this ringfenced pot, you will be paid in full.
302. Learners must start their programme before 1 August 2021 and must complete it by 31 March 2022. Where learners do not complete their programme by 31 July 2021, you must use your AEB allocation for 2021 to 2022 to fund the remainder of their programme.
303. You should use the following Delivery Monitoring codes to record delivery under this funding:

AEB London Recovery strand	ILR Delivery Monitoring code type	ILR Delivery Monitoring code
Classroom based 18/19 Offer – High Value Courses	LDM	376
Sector Based Work Academies – pre-employment training	LDM	375
London Skills Recovery – JCP or Work and Health Programme	DAM	040

304. Eligibility requirements for delivery of High Value Courses to 19-year olds is discussed in full in paragraphs 170-172. Sector Based Work Academy Programme arrangements are described at paragraphs 164-169. London Recovery Programmes are described in paragraph 163. Further detail regarding strands of the London Recovery Programme will be published during the 2020/21 academic year.

Changes to GLA AEB Funding and Performance Management Rules for Procured Providers

Paragraph 86 - Amendment to text	
Original text - Paragraph 86 (July 2020)	Revised text - Paragraph 86
We do not set limits on the length of time of either prior learning or previously certified learning. However, where the individual's learning and/or achievement occurs outside five years, you must assess whether the learning is still valid and relevant.	You must assess whether any prior learning negates the need for a learner to undertake the whole learning aim.

Paragraph 95 - Addition of new paragraphs on Response to Coronavirus (COVID-19)	
95.	In line with paragraphs 91 to 94 you and the learner can agree to suspend learning to enable the learner to take a break in learning where: <ul style="list-style-type: none"> 95.1 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 95.2 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.
96.	To record breaks in learning for coronavirus (COVID-19) reasons, you must: <ul style="list-style-type: none"> 96.1 Include these learners in your ILR submissions 96.2 Record the reason, retain and submit evidence as set out in paragraphs 91 to 92 96.3 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) 96.4 Not change the current planned end date of the learning aim record 96.5 Agree a new planned end date, when the learner returns, that must be assessed and recorded against the revised learning aim record.

Paragraph 101- Amendment to text

Original text - Paragraph 99 (July)

Your governing body or board of directors and your accounting officer (senior responsible person) must be satisfied that all your delivery subcontracting meets your strategic aims and enhances the quality of your learner offer. You must set out the reasons for subcontracting in your published delivery subcontracting funding retention and charges policy to reflect your strategic aims. You must be able to evidence this, such as minutes of meetings and written sign-off.

Revised text- Paragraph 101 (November)

Your governing body or board of directors and your accounting officer (senior responsible person) must agree your policy for delivery subcontracting. You must publish your policy for delivery subcontracting on your website.

Paragraphs 111 and 116 - New paragraphs under 'Entering into a subcontract'

111. You must not enter into any agreement for Brokerage

116. You must ensure that there is a continuity of services for learners

Paragraph 129 - New paragraph under 'Distributing income between you and your delivery subcontractors'

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.

Paragraph 134 - Revision to text

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

134.1 list of qualifications in the level 2 and level 3 legal entitlement published from time to time (see the Government's [Qualifications eligible for public funding web pages](#)); and/or

134.2 list of qualifications in the English and maths legal entitlement published from time to time (see the Government's [Qualifications eligible for public funding web pages](#));

134.3 **2020 to 2021 qualifications in the digital legal entitlement**

(Paragraph 129 in July 2020 version)

Paragraph 143 - New paragraph under 'Local flexibility'

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, for more information on eligibility criteria refer to paragraphs 175-177.

Contribution Table (144) - Addition of new text

New line added to include high-value skills offer as part of London's response to COVID-19.

= one-year high value skills offer for 19-year olds

(Paragraph 139 in July 2020 version)

Paragraph 145-146 – Amendment in definition of Unemployed

Unemployed

145. For funding purposes, we define a learner as unemployed if one or more of the following apply:
- 145.1 they receive Jobseeker's Allowance (JSA), including those receiving National Insurance credits only;
 - 145.2 they receive Employment and Support Allowance (ESA);
 - 145.3 they receive Universal Credit, and their take home pay as **recorded on their Universal Credit statement (disregarding Universal Credit payments and other benefits)** is less than **£343** a month (learner is sole adult in their benefit claim) or **£549** a month (learner has a joint benefit claim with their partner);
 - 145.4 they are released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice.
146. Providers may also use their discretion to fully fund other learners if both of the following apply. The learner:
- 146.1 receives other state benefits (not listed in paragraph 158) and their take home pay (disregarding **Universal Credit payments and other** benefits) is less than **£343** a month (learner is sole adult in their benefit claim) or **£549** a month (learner has a joint benefit claim with their partner); and
 - 146.2 wants to be employed, or progress into more sustainable employment, and their take home pay (disregarding **Universal Credit payments and other** benefits) is less than **£343** a month (learner is sole adult in their benefit claim) or **£549** 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.

Paragraph 163 – Amendment to London Living Wage

163. You may fully fund learners who are employed for AEB funding purposes (including self-employed) and would normally be co-funded, up to and including level 2. You must be satisfied the learner meets both of the following:

163.1 is eligible for co-funding; and

163.2 earns less than the London Living Wage as an annual gross salary on the date of the learner's learning start date. Learners will be deemed to earn less than the London Living Wage as an annual gross salary if they earn less than the hourly London Living Wage at that point in time, multiplied by 37.5 (hours per week), multiplied by 52 (weeks per year). Based on the 2020/21 London Living Wage, this would be £21,157.50, but AEB Procured providers will need to check the updated rates each year.

Paragraph 167-178 - New paragraphs on COVID-19 Skills Recovery package

167. The GLA wrote to AEB Procured Providers in September 2020 to notify them of Mayoral priorities to support the London recovery. This comprised three programmes which are described below.

London Recovery Programmes

168. London Recovery Programmes are focussed on supporting unemployed Londoners or Londoners at risk of becoming unemployed to undertake skills provision that will support them into employment. This would support provision only where it relates to:

- skills provision to support sector-based work academies to progress adults into local vacancies;
- courses to support employment aligned to the Expanded Work and Health programme; and
- any other specified provision related to London's recovery.

Sector-based work academy programme (SWAP)

169. The sector-based work academy programme (SWAP) is designed to help Jobcentre Plus claimants build confidence to improve their job prospects to enhance their CV, whilst helping employers in sectors with current local vacancies to fill them. Sector-based work academies can last up to 6 weeks and has 3 main components:

- pre-employment training

- work experience placement
 - a guaranteed job interview
170. Participants must remain on benefits throughout their placement. Only the pre-employment training element in London can be funded through the AEB, and normally lasts 2-3 weeks.
171. Other components, travel and childcare costs must be funded through the Jobcentre Plus whilst claimants are on the work experience placement.
172. FE providers must be part of the SWAP local design process and should be informed when to expect referrals and how many.
173. You must record in the evidence pack that you have seen the claimant's sector- based work academies referral notification issued by Jobcentre Plus setting out start date and times for their AEB funded pre-employment training.
174. To claim full funding for claimants referred to SWAP pre-employment training you must use LDM code 375 and complete the [Benefit Status Indicator \(BSI\)](#) to identify the claimant is in receipt of Jobseeker's Allowance (BSI 1), Universal Credit (BSI 4), or Employment and Support Allowance (all categories) (BSI 5). High value courses for 19-year olds.

High value courses for 19-year olds

175. As part of the government response a one-year high value courses skills offer for level 2 and level 3 qualifications has been developed to support 19-year olds who are at risk of becoming not in education, employment and training (NEET) due to Coronavirus (COVID-19).

The one-year offer includes:

- Level 2 and level 3 qualifications from September 2020 for learners who cannot find employment or work- based training
- Support funding in line with paragraphs 95 to 96
- an uplift payable whilst the learner is in learning, following the earnings methodology set out in the GLA Adult Education Budget funding rates and formula 2020 to 2021
- an increased job-outcome payment payable if learners leave early to enter employment

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 paragraph 134.

176. We will fully fund individuals as part of this offer where they:
- Are aged 19 on 31 August within the 2020 to 2021 funding year

	<ul style="list-style-type: none"> • Enrol on one level 2 or level 3 qualification on the one-year skills offer for 19-year-olds • Already hold a level 2 or level 3 qualification or this is their first level 2 or level 3 qualification.
177.	<p>You must:</p> <ul style="list-style-type: none"> • use LDM code 376 and FFI code 1 to claim full funding for learners who meet the requirements • record in the evidence pack • a self-declaration from the learner that they have been unable to secure employment prior to enrolment • a declaration that you are unable to offer alternative work-based learning opportunities at the point of enrolment
<i>Job outcome payments</i>	
178.	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 paragraphs 175-177.

Paragraphs 185- Revision to Text

Original Text - Paragraph 167 (July):	Revised Text - Paragraph 185 (November)
Certain qualifications that meet statutory employer requirements or a licence to practise are eligible for unemployed learners, and some economically inactive learners, that meet the criteria in paragraphs 139 to 141.	We will fund certain qualifications 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 paragraphs 139 and 141.

Paragraph 191- Revision to clauses 191.2 and 191.3 under 'non-regulated learning'

Original text - Paragraph 174 (July)	Revised text - Paragraph 191 (November)
<p>174. The eligibility principles we apply to non-regulated learning are as follows:</p> <p>174.2. it must not be provision linked to statutory employer requirements (including a licence to practise) unless there is an agreed concession in place;</p> <p>174.3. it must not be vendor-specific provision, linked to a particular employer or commercial system.</p>	<p>191. The eligibility principles we apply to non-regulated learning are as follows:</p> <p>191.2. it must not be provision linked to occupational regulation unless there is an agreed concession in place;</p> <p>191.3. it must not be restricted to being delivered to employees of only one employer.</p>

Paragraphs 220-222- Revision to text under ‘London Recovery Flexibilities’

147. Learners may undertake a full funded Level 3 qualification in addition the legal entitlement, where they are:
- Unemployed; or
 - in receipt of a low wage as described at paragraph 159; and
 - enrolled on a vocational qualification **of no longer than 12 months** that supports an individual to regain work or employment stability.
148. The Level 3 flexibility supports the London recovery in respect of the COVID-19 pandemic. The flexibility will apply initially one year only to support recovery. Qualifications eligible for the Level 3 flexibility may include vocational courses such as certificates or vocational diplomas **of no longer than 12 months in duration** and that are designed to provide progression to work. Qualifications should be listed on Learning Aim Reference Service (LARS) database and be available to new learners and will be funded at the listed or matrix funding rate. Further guidance will be issued about recording the flexibility on the ILR.
149. Qualifications such as Access to HE Diplomas, A Levels and two-year Diplomas or Extended Diplomas are not in scope for the Level 3 flexibility. Where the intended programme of study is the completion of a **qualification of longer than 12 months in duration**, the GLA would not expect to fund the first year of study under the flexibility. Qualifications that are confirmed as being withdrawn under the Review of post-16 qualifications at level 3 and below in England are not included. Permission should be sought from the GLA Provider Manager for the delivery of any qualifications that may fall outside the above arrangements but where exceptional circumstances may apply for priority employment reasons.

Paragraphs 240, 243 and 244 - Revision to text under ‘Learner support’

Paragraph 240 (paragraph 223 in July 2020 version):

240. 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':
- 240.1 hardship funding - general financial support for vulnerable and financially disadvantaged learners;
- 240.2 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;
- 240.3 Residential Access funding - to support learners where they need to live away from home **in order to access provision; and**

- 240.4 COVID-19 response – support disadvantaged learners who cannot undertake online delivery in the event of local or national measures in response to COVID-19.

Paragraph 243 (paragraph 226 in July 2020 version):

243. You must:
- 243.1 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
 - 243.2 assess and record the learner's needs, demonstrating the need for support – you must record this information and retain in the evidence pack
 - 243.3 report the appropriate Learner Support Reason codes in the 'Learner Funding and Monitoring' fields in the ILR
 - 243.4 complete a mid-year funding forecast and a final claim each year
 - 243.5 take into account the availability of other support for learners, for example from Jobcentre Plus
 - 243.6 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
 - 243.7 Use either AEB or loans bursary to support specific provision funded by either AEB or ALL where a learner is on 2 courses at the same time.

Paragraph 246 (paragraph 227 in July 2020 version):

246. You must not use Learner Support funds for any of the following:
- 246.1 essential equipment or facilities if the learner is eligible to receive full funding with the exception of the items covered in the Hardship section in paragraph 247 and the new flexibilities responding to Coronavirus (COVID-19) in paragraphs 255-259.
 - 246.2 a learner in custody or released on temporary licence
 - 246.3 a learner carrying out a higher education course or learning aims fully funded from other sources
 - 246.4 to pay weekly attendance allowances or achievement and attendance bonuses.

Paragraph 247 - Revision to clause 247.2 under 'Hardships'

247. You can use hardship funds for the following:
- 247.1 course-related costs, including course trips, books and equipment (where costs are not included in the funding rate)

- 247.2 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
- 247.3 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)
- 247.4 examination fees
- 247.5 accreditation fees, professional membership fees and any fees or charges due to external bodies
- 247.6 your registration fees.

(Paragraph 228 in July 2020 version)

Paragraph 253- Revision to text under 'Residential access funding'

253. You can use residential access funding to support GLA-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:
- 253.1 set out the criteria and procedures for considering and agreeing applications for support from your residential access funds
 - 253.2 only pay for travel costs for learners who are awarded residential access funding in exceptional circumstances.
 - 253.3 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

(Paragraph 234 in July 2020 version)

Paragraph 255-259- New paragraphs on Response to Coronavirus (COVID-19)

255. You can support disadvantaged learners who were undertaking classroom or blended learning to continue to participate via online learning where the learner is:
- 255.1 self-isolating, or caring for others affected by coronavirus (COVID-19) or is otherwise affected by local/national measures if they:
 - 255.1.1 Do not have internet access at home; and/or
 - 255.1.2 Do not have a suitable device, i.e. laptop or tablet to complete the necessary online course work
256. You must secure value for money when purchasing IT devices and/or internet access including:
- 256.1 deploying any unused devices before you purchase new ones

	256.2	exploring options to access low cost second hand or recycled devices
	256.3	avoiding entering long term contract arrangements
	256.4	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.
257.		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:
	257.1	they will return the device when their online learning aim(s) complete, or if they leave before completing their learning
	257.2	they will return the device in the same condition in which they received it.
258.		You must maintain an up to date record of the loan and return of devices to learners.
259.		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 255.

Paragraph 337 (addition of new text) and 338 (amendment to text) under 'Confirmation and signatures'

Paragraph 337:

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.

Paragraph 338:

338. Digital signatures, electronic evidence and the wider systems of control must give your management team assurance that learners exist and are eligible for funding. You must make sure you have systems in place to monitor learner activity, including that they are continuing to learn and achieve. Good electronic signature systems would offer:

- 338.1 authentication – linking the originator to the information;
- 338.2 integrity – allowing any changes to the information provided to be easily detected; and
- 338.3 non-repudiation – ensuring satisfaction (in a legal sense) about where the electronic signature has come from. **This includes the definitions of both wet and dry signatures. Systems and processes must be in place to assure to 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.**

Changes to GLA AEB Funding Rates and Formula

Paragraph 54 - New Paragraphs on COVID-19 Skills Recovery Package

54. In September, the Mayor approved a series of measures to support Londoners as part of the COVID-19 Skills Recovery Package. This includes delivery of high value courses to 19-year olds, sector-based work academy programmes and London Recovery Programmes which are discussed in further detail in the GLA AEB Grant Funding and Performance Management and GLA AEB Funding and Performance Management Rules for Procured Providers.
55. For starts from 1 September 2020 to 31 July 2021, we will increase the rate by £400 for eligible learning aims under the one-year offer to deliver high value courses to learners aged 19 as defined in the respective Rules documents.
56. Any job outcomes achieved for learning under this offer will be funded to the full amount of the achievement element, rather than half the achievement element.
57. For further detail on how to code delivery in the ILR please refer to the 2020/21 GLA AEB Technical Guidance Note.