

AEB Provider Guidance

GLA AEB Eligibility for migrant Londoners

Key information

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Foreword

This document outlines a recent change to the [Adult Education Budget \(AEB\) Rules for 2022-23](#) concerning the eligibility of migrant Londoners to access adult learning.

Previous rule

Under previous versions of the funding rules, learners who were not otherwise exempt, were required to have been ordinarily resident in London and have been residing in the UK for at least the previous three years on the first day of learning, to access funding for adult education in London.

New funding flexibility

From November 2022, paragraph 35 of the 2022-23 funding rules now further enables UK residents who plan to be resident in London in the long term to, in certain circumstances, access AEB funded learning opportunities

from their first day of arrival in London. This means that Londoners who have British (having right to abode) or Irish nationality (ordinarily resident in the UK) and those of other nationalities who have permission to live in the UK long term (for more than 12 months) will now be eligible for AEB funded provision immediately on arrival in London.

Beneficiaries

The list below outlines the individuals who do not benefit from this rule change and who are required to continue to meet requirements related to residency. A full list can be found in clause 59 of the AEB funding rules

- People who are unable to evidence their permission to stay in the UK, those who are on a Student Visa, and visitors to the UK, with or without a visa, continue to be ineligible for AEB funding as long as they do not fall into any of the categories stated above.
- Those whose BRP or residence permit imposes a study prohibition or restriction on the individual continue to be ineligible for funding.
- The dependent family members of people on Student Visas continue to need to meet a three-year residency requirement.

People seeking asylum continue to need to meet the six-month residency requirement while they await a decision on their case or appeal, after which they qualify for full funding in London.

Extension of variation of current immigration permission

Any learner or dependent 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. Their leave will continue until a decision has been made on their application, and where they have appealed or sought an administrative review of their case within the time allowed to them for doing so.

Therefore, a learner or 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. Eligibility is assessed at the start of each course only and does not change during the learning aim or programme.

No Recourse to Public Funds

The learner's immigration permission in the UK may have a 'no recourse to public funds' (NRPF) condition. 'Public funds' are defined in the Immigration Rules, and the benefits and services listed do not include education or any education funding. Therefore, this condition does not affect a learner's AEB eligibility, which must be decided under the normal eligibility conditions.

Evidence for full funding eligibility

Usual AEB eligibility rules for full funding continue to apply (please refer to the latest version of the AEB Grant or Procured funding rules).

In order to evidence eligibility for full funding for some courses, providers must be satisfied that the learner is unemployed, on a low income, or out of work and outside benefit arrangements. Employed learners must provide evidence which confirms that they earn below the London Living Wage. Unemployed learners must provide evidence of take-home pay through proof of state benefits or other evidence of take-home pay where the individual does not or cannot claim state benefits. Evidence may include payslips, Universal Credit Statements, employment contracts, bank statements or self-declarations. To allow for flexibility this list is not exhaustive, and savings do not count towards income and are not a factor in eligibility for funding.

Questions or queries

Providers should contact their AEB provider manager should they have any questions or queries.

Additional information

Additional information on support for migrants, refugees and people seeking asylum can be found on the [GLA website](#).

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