

MAYOR OF LONDON

GLA Adult Education Budget 2020-21

**Funding and Performance Management Rules for
Grant-funded Providers**

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

This document sets out the funding rules that apply to all providers of education and training for London residents who receive adult education budget grant funding from the Greater London Authority.

Version 2

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CONTENTS

Introduction and purpose of the document	1
How this document can help you	2
Understanding the terminology	2
Contacting us	3
Section 1 – General Funding Requirements	4
Principles of funding	4
Who we fund	4
Residency eligibility	5
Non-EEA Citizens	6
Individuals with certain types of immigration status and their family members	6
Asylum seekers	6
Family members of EU and EEA nationals	7
Children of Turkish workers	8
Persons granted stateless leave	8
Individuals who are not eligible for funding	9
Learners in the armed forces	9
Learners temporarily outside of England	10
Fees and charging	10
Qualifying days for funding	10
Recognition of prior learning	10
Breaks in learning	11
The Register of Training Organisations	12
Subcontracting	13
Subcontractor selection and procurement	13
Entering into a subcontract	14
Terms that you must include in your contracts with delivery subcontractors	15
Monitoring	16
Second-level subcontracting	17
Requesting subcontracting arrangements	17
Distributing income between you and your delivery subcontractors	17
Match funding requirements relevant to the adult education budget	18
State Aid	19
Evidence	20
Evidence pack	20
Confirmation and signatures	22

Starting, participating and achieving	22
Leaving learning	23
Individualised Learner Record	23
Self-declarations by learners	23
Section 2 – Adult Education Budget	24
Provision and individuals we fund	24
Legal entitlements	24
British Sign Language	24
Upskilling of teaching staff to deliver improved specialist provision for learners with SEND	25
Local flexibility	26
Contribution table	27
Definitions used in the AEB	30
Unemployed	30
Learners in receipt of low wage	30
Skills for Londoners Innovation Fund and COVID-19 Response Fund	33
Full level 2	33
Full level 3	33
Eligible qualifications	34
Non-regulated learning	35
English and maths for those aged 19 or older	37
Individuals aged 24 or older (excluding English, maths, digital and ESOL)	39
English for Speakers of Other Languages (ESOL)	39
London Recovery Flexibilities	39
Learners with learning difficulties or disabilities	40
Learners with an Education, Health and Care Plan	41
Community Learning	41
Non-formula funding	42
Pound Plus and local fee remission policy	43
Partnership working	44
Prince's Trust Team Programme	44
Support funding	45
Learning support	45
Exceptional learning support claims above £19,000	46
Hardship	48

20+ childcare	48
Residential access funding	49
Job outcome payments	50
Section 3 – Payments and Performance Management	51
Increases to your adult education budget grant agreement	53
Monitoring and managing performance	54
Impact of COVID-19 and London Recovery	54
Annex 1 – Eligibility for Funding	57
Annex 2 – Community Learning Objectives	60
Annex 3 – Grant Agreement milestones	62
Annex 4 – Standard National Profiles	63
Annex 5 – Glossary	64
Annex 6 – Summary of main changes against GLA AEB 2020-21, Funding and Performance Management Rules for Grant funded Providers, Version 1	73

Introduction and purpose of the document

1. This document sets out the Greater London Authority's adult education budget (“**AEB**”) funding rules for the academic year running from 1 August 2020 to 31 July 2021. The rules apply to all providers of education and training who receive AEB Grant funding from the Secretary of State for Education acting through the Greater London Authority (“**GLA**”). Section 101 of the Apprenticeships, Skills, Children and Learning Act 2009 allows for funding to be subject to conditions in this way.
2. We know that providers are working through exceptional circumstances due to Coronavirus (COVID-19). We have made specific changes to these funding rules to support providers to effectively respond to the impact of COVID-19 and may publish further updates later in the funding year. We would like to take this opportunity to pay tribute to the hard work and dedication of London’s further education (FE) sector in responding to the impact of COVID-19 and successfully ensuring GLA AEB funded learning has been able to continue online where possible. For further information on COVID-19 response, please read the guidance on [Maintaining education and Skills training provision: further education](#) providers.
3. The AEB aims to engage adults and provide the skills and learning they need to equip them for work, 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.
4. Providers must respond to the priorities set by the Mayor in the [Skills for Londoners Framework](#), and those set by local commissioners and other stakeholders, for example, the London Economic Action Partnership (“**LEAP**”).
5. These rules do not apply to apprenticeships, advanced learner loans or to education and training services funded by the Education and Skills Funding Agency (“**ESFA**”).
6. Separate rules apply to AEB Procured provision funded by the GLA.
7. This document forms part of the terms and conditions of funding and you must read them in conjunction with your Conditions of Funding (Grant). You must operate within the terms and conditions of the Conditions of Funding (Grant), these rules, and the Individualised Learner Record (“**ILR**”) Specification and supplementary GLA guidance. If you do not, you are in breach of the Conditions of Funding (Grant) with the GLA.

8. All information, including hyperlinks, was correct when we published this document.
9. The GLA reserves the right to make changes to these rules. This may be, for example, to ensure devolved AEB aligns to the priorities outlined in the [Skills for Londoners Strategy](#) and accompanying [Framework](#) and continues to comply with any requirements set by government.

How this document can help you

10. We have divided this document into three sections that contain the general funding requirements, AEB specific funding rules and payment and performance management rules.
11. Each section may include:
 - 11.1 the context of the rule in a box; and/or
 - 11.2 the rule itself as a numbered paragraph.
12. We have included a glossary to explain technical terms.
13. We have included a summary of changes to explain new policy rules and amendments that differ from Version 1 of the GLA's 2020/21 AEB Grant Funding Rules.

Understanding the terminology

14. The terms 'GLA', 'we', 'us' and 'our' refer to the Greater London Authority.
15. When we refer to 'you', 'your' or 'providers', this includes colleges, higher education institutions and local authorities who receive funding from us to deliver education and training. We will use the generic term 'you' or 'provider' unless the requirements only apply to a specific provider type.
16. We use the term 'grant agreement' to describe the GLA Adult Education Budget Conditions of Funding (Grant) which is issued to AEB Grant providers.
17. We use the terms 'individual' and 'learner' to cover those whose provision is funded by us.
18. We use the term 'provision' or 'learning' to refer to all learning that we fund, whether it is a regulated qualification or other learning that is not a regulated qualification.

19. If we refer to qualifications, either these will be from the Regulated Qualification Framework (RQF) or an Access to Higher Education Diploma recognised and regulated by the Quality Assurance Agency (QAA).
20. If we refer to a 'learning aim', we mean a single episode of learning which could be a regulated qualification, a component of a regulated qualification or non-regulated learning identified by a Learning Aim Reference Code.
21. 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.

Contacting us

22. You can contact us through our Service Desk at AEB@london.gov.uk. You can also contact your GLA Provider Manager.

Section 1 – General Funding Requirements

Principles of funding

23. These funding rules apply to all learners starting new learning aims on or after 1 August 2020 on the GLA's AEB Grant funded provision.
24. You must not transfer funding between your GLA-funded adult education budget and any other education funding you may hold.
25. We will review and monitor whether the education and training you provide represents good value for money. If we consider the funding of education and training we have provided is significantly more than the cost, we may reduce the amount of funding we pay after consulting with you.

Who we fund

26. You must check the eligibility of the learner at the start of each learning aim and only claim funding for eligible learners.
27. To be funded by us, on the first day of learning a learner must be aged 19 or older on 31 August within the 2020 to 2021 funding year.
28. The age of the learner on 31 August in the funding year determines whether the learner is funded through the AEB funding methodology (for individuals aged 19 and over). Individuals aged 19 to 24 with an Education Health and Care Plan are funded by the ESFA through the young people's funding methodology and fall outside the scope of these rules. The AEB funding methodology will be reviewed each year and providers will be notified of changes. Please see the [GLA Adult Education Budget 2019-23 Funding Rates and Formula for All Providers](#) for more information about the methodology.
29. Where we refer to a learner's age being 19, this relates to the learner being aged 19 on the 31 August within the funding year they start a learning aim. For all other purposes, the age of the learner is at the start of each learning aim.
30. A learner's eligibility will not change during the learning aim or programme.
31. Where we refer to the Employment Status of the learner, this relates to the learner's status on the day they begin their programme of learning.
32. Learners will be eligible for funding for the whole of the learning aim or programme if they are eligible for funding at the start, even if the duration is for

over one year. You must reassess the learner for any further learning they start.

33. 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.
34. You must not fund a learner who is unable to complete a learning aim in the time they have available. Any learner, of any age, must be able to achieve the learning aim or programme within the time they have available.
35. Providers must make sure an individual is eligible before claiming funding for them.

Residency eligibility

36. Individuals will be eligible for funding if the learning is taking place in England and they:
 - 36.1 are resident in London; and
 - 36.2 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
 - 36.3 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 three years on the first day of learning.
37. The EEA includes all the countries and territories listed in Annex 1.
38. The eligibility of individuals who do not meet the requirements in paragraph 36 is stated below.
39. 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.
40. 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.

41. You can find further information on eligibility from the [UK Council for International Student Affairs](#).
42. 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

43. A non-EEA citizen is eligible for funding if they are resident in London and 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 three years before the start of learning.

Individuals with certain types of immigration status and their family members

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

- 44.1 Refugee Status;
- 44.2 Discretionary Leave to Enter or Remain;
- 44.3 Exceptional Leave to Enter or Remain;
- 44.4 Indefinite Leave to Enter or Remain;
- 44.5 Humanitarian Protection;
- 44.6 Leave Outside the Rules;
- 44.7 the husband, wife, civil partner or child of any of the above in paragraphs 44.1 to 44.6²;
- 44.8 Section 67 of the Immigration Act 2016 Leave; or
- 44.9 Calais Leave to Remain;

Asylum seekers

45. Asylum seekers are eligible to receive funding if:

² A child of a person who has received leave under section 67 of the Immigration Act 2016 or Calais leave to remain will come within paragraph 44.8 or 44.9 where they have been granted "leave in line" by virtue of being a dependent child of such a person.

- 45.1 they are resident in London; and
 - 45.1.1 have lived in the UK for six months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made; or
 - 45.1.2 are receiving local authority support under [section 23C](#) or [section 23CA of the Children Act 1989](#) or the [Care Act 2014](#).
- 46. An individual who has been refused asylum will be eligible if:
 - 46.1 they are currently resident in London; and
 - 46.1.1 they have appealed against a decision made by the UK government against granting refugee status and no decision has been made within six months of lodging the appeal; or
 - 46.1.2 they are granted support for themselves under [section 4 of the Immigration and Asylum Act 1999](#); or
 - 46.1.3 they 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

- 47. 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’.
- 48. If the learner, who is a family member of an EEA national, has been ordinarily resident in the EEA for the three years prior to the start of their course, they are eligible for funding.
- 49. This table shows the eligibility for family members if:
 - 49.1 the family member is now ordinarily resident in England, but has not been ordinarily resident in the EEA for at least the previous three years before the start of learning; or
 - 49.2 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

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

- 50.1 the Turkish worker is currently ordinarily resident in the UK. The Turkish worker is or has been, lawfully employed in the UK; and
- 50.2 the child has been ordinarily resident in the EEA and/or Turkey for the full three-year period before the start of their programme.

Persons granted stateless leave

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

- 51.1 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
- 51.2 has been ordinarily resident in the UK and Islands throughout the period since the person was granted such leave.

52. A stateless person must:

- 52.1 be resident in London; and
- 52.2 be ordinarily resident in the UK on the first day of the first academic year of the course; and
- 52.3 have been ordinarily resident in the UK and Islands throughout the three-year period preceding the first day of the first academic year of the course.

53. Certain family members are also eligible under this category:

- 53.1 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 academic year of the course, and who has been ordinarily resident in the UK and Islands throughout the three-year period preceding the first day of the first funding year of the course; or

- 53.2 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), who was under 18 on the leave application date, is ordinarily resident in the UK on the first day of the first academic year of the course, and who has been ordinarily resident in the UK and Islands throughout the three-year period preceding the first day of the first funding year of the course.
54. "Leave application date" means the date on which a person 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

55. 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:
- 55.1 those who are here without authority or lawful status;
- 55.2 those who are resident in the United Kingdom on a Tier 4 (general) student visa unless they are eligible through meeting any other of the categories described above;
- 55.3 non-EEA citizens who are in the United Kingdom on holiday, with or without a visa;
- 55.4 non-EEA citizens who are a family member of a person granted a Tier 4 visa, 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;
- 55.5 individuals who are ordinarily resident in the Channel Islands or the Isle of Man, unless they are also ordinarily resident within England and reside in London; and
- 55.6 those whose biometric residence permit or residence permit imposes a study prohibition or restriction on the individual.

Learners in the armed forces

56. We will fund armed forces personnel, Ministry of Defence (MoD) personnel or civil and crown servants, who reside in London, where the learning takes place in England. We will class members of the British armed forces on postings outside of the EU, including their family members, as ordinarily resident in the United Kingdom.

57. Members of other nations' armed forces stationed in England, and their family members, aged 19 and over, are eligible for funding if the armed forces individual has been ordinarily resident in England for three years and resides in London. We will not fund family members that remain outside of London.

Learners temporarily outside of England

58. Individuals resident in London who work outside of England as part of their job are eligible for GLA funded AEB as long as some of the learning takes place in England. You cannot claim for the additional expense of delivering learning outside of England.

Fees and charging

59. 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.
60. 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.

Qualifying days for funding

61. 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 [GLA Adult Education Budget 2019-23 Funding Rates and Formula](#) for All Providers.
62. This does not apply where the learner achieves the learning aim.

Recognition of prior learning

63. 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:
- 63.1 reduce the funding amount claimed for the learning aim by the percentage of learning and assessment the learner does not need.
 - 63.2 follow the policies and procedures set by the awarding organisation for delivery and assessment of the qualification.
64. You must assess whether any prior learning negates the need for a learner to undertake the whole learning aim.

65. You must not use prior learning to reduce funding for English and maths qualifications up to and including level 2.
66. 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. You can access ILR information on the ILR specification, validation rules and appendices, and ILR guides and templates web pages in the [ILR guidance](#).

Breaks in learning

67. You and the learner can agree to suspend learning while the learner takes a break from learning. This allows the learner to continue at a later date with the same eligibility that applied when they first started their learning.
68. We will not fund a learner during a break in learning.
69. 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 on the [ILR provider support manual 2020 to 2021](#).
70. 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.
71. You must not use a break in learning for short-term absences, such as holidays or short-term illness.

Response to Coronavirus (Covid-19)

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:
 - 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
 - 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
73. To record breaks in learning for coronavirus (COVID-19) reasons, you must:
 - 73.1 Include these learners in your ILR submissions
 - 73.2 Record the reason, retain and submit evidence as set out in paragraphs 69 to 70

- 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)
- 73.4 Not change the current planned end date of the learning aim record
- 73.5 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

74. We will not fund:

- 74.1 qualifications, units or learning aims that are not listed on [the Hub](#) or on the legal entitlement lists/[Qualification funding approval: funding year 2020 to 2021](#)
- 74.2 provision to learners in custody. The [Ministry of Justice](#) funds prison education in England. Please note you can use your GLA funded AEB to fund individuals released on temporary licence as set out in paragraph 158.4
- 74.3 any part of any learner's learning aim or programme that duplicates provision they have received from any other source
- 74.4 individuals on learning aims or programmes eligible for AEB funding at the same time as any new apprenticeship they start, funded from an employer's digital account or government-employer co-investment
- 74.5 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 C, or 4, or higher
- 74.6 a learner to sit or resit a learning aim assessment or examination where no extra learning takes place

The Register of Training Organisations

- 75. The [Register of Training Organisations](#) (the Register) is the ESFA's current market entry point for organisations that intend to deliver non-apprenticeship education and training services or operate in the supply chain as a subcontractor with an aggregated contract value of £100,000 or more.

76. We may refer to and check organisations against information held on the Register but reserve the right to carry out our own due diligence checks.
77. We reserve the right to allow Providers who are not listed on the Register to deliver AEB delivery funded by us, subject to our due diligence checks.

Subcontracting

78. We define a delivery subcontractor as 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.
79. You must take your own legal advice about the impact of [Public Contracts Regulations 2015](#) on your recruitment of delivery subcontractors and have this advice available for inspection by us on request.
80. 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.
81. You must only use delivery subcontractors:
 - 81.1 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;
 - 81.2 that your governing body/board of directors and your accounting officer (senior responsible person) determine as being of high quality and low risk, and provide written evidence confirming this; and
 - 81.3 if you have robust procedures to ensure subcontracting does not lead to the inadvertent funding of extremist organisations.
82. You are responsible for all the actions of your delivery subcontractors connected to, or arising out of, the delivery of the services, which you subcontract.

Subcontractor selection and procurement

83. You will be required to outline any subcontracting plans you anticipate carrying out prior to commencement of your grant. Any subcontracting plans must be agreed with us before any subcontracts are signed.

84. Changes to your subcontracting plans after you have entered into a grant agreement with us must be agreed with us in advance.
85. When appointing delivery subcontractors, you must avoid conflicts of interest and you must write to us through your GLA Provider 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.
86. You must carry out your own due diligence checks when appointing delivery subcontractors and have both the process and the results available for inspection by us. You must not use a delivery subcontractor's presence on the Register, or any other public register or database, as an indicator that they are suitable to deliver to your specific requirements.
87. We reserve the right to allow you, subject to our prior written permission, to use sub-contractors who are not listed on the [Register](#).
88. You must not enter into 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:
 - 88.1 if Ofsted has rated your leadership and management as inadequate;
 - 88.2 if you do not meet the [minimum standards](#); or
 - 88.3 if the outcome of your annual financial health assessment is inadequate, unless we have provided written permission in advance.

Entering into a subcontract

89. You must not enter into any agreement for Brokerage.
90. You must only award contracts for delivering provision funded by the AEB to legal entities. If the legal entity is a registered company, it must be recorded as 'active' on the [Companies House](#) database.
91. You must not award a subcontract to any organisation if:
 - 91.1 it has passed a resolution (or the court has made an order) to wind up or liquidate the company, or administrators have been appointed; or
 - 91.2 its statutory accounts are overdue

92. 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.
93. You must have a legally binding contract with each delivery subcontractor that includes all the terms set out in paragraph 99.
94. You must have a contingency plan in place for learners in the event that:
 - 94.1 you need to withdraw from a subcontract arrangement;
 - 94.2 a delivery subcontractor withdraws from the arrangement; or
 - 94.3 a delivery subcontractor goes into liquidation or administration.
95. You must ensure that there is a continuity of Services for existing learners
96. You must make sure that the terms of your subcontracts allow you to:
 - 96.1 monitor the delivery subcontractor's activity;
 - 96.2 have control over your delivery subcontractors; and
 - 96.3 monitor the quality of education and training provided by delivery subcontractors.
97. You must obtain an annual report from an external auditor if the AEB contracts with your delivery subcontractors will exceed £100,000 in any one funding year. The report must:
 - 97.1 provide assurance on the arrangements to manage and control your delivery subcontractors; and
 - 97.2 comply with any guidance issued by us.
98. You must 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

Terms that you must include in your contracts with delivery subcontractors

99. You must make sure your delivery subcontractors:
 - 99.1 meet the requirements set out in our funding rules;
 - 99.2 provide you with ILR data so your data returns to us accurately reflect your subcontractor's delivery information;

- 99.3 give us, and any other person nominated by us, access to their premises and all documents relating to GLA provision funded by the AEB; and
- 99.4 give you sufficient evidence to allow you to:
 - 99.4.1 assess their performance against *Ofsted's Common Inspection Framework*;
 - 99.4.2 incorporate the evidence they provide into your self-assessment report; and
 - 99.4.3 guide the judgements and grades within your self-assessment report.
- 99.5 always have suitably qualified staff available to provide the education and training we fund through the AEB;
- 99.6 co-operate with you to make sure there is continuity of learning if the subcontract ends for any reason;
- 99.7 tell you if evidence of any irregular financial or delivery activity arises; irregular activity could include, but is not limited to:
 - 99.7.1 non-delivery of training when funds have been paid;
 - 99.7.2 sanctions imposed on the delivery subcontractor by an awarding organisation;
 - 99.7.3 an inadequate Ofsted grade;
 - 99.7.4 complaints or allegations by learners, people working for the delivery subcontractor or other relevant parties; and
 - 99.7.5 allegations of fraud.

Monitoring

- 100. You must manage and monitor all of your delivery subcontractors to ensure that high-quality delivery is taking place that meets our funding rules.
- 101. 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:
 - 101.1 include whether the learners exist and are eligible; and

- 101.2 involve direct observation of initial guidance, assessment, and delivery of learning programmes.
102. The findings of your assurance checks must be consistent with your expectations and the delivery subcontractor's records.

Second-level subcontracting

103. You must not agree the use of any delivery subcontractor where this would require you to subcontract education and training to a second level. All of your delivery subcontractors must be contracted directly by you.

Requesting subcontracting arrangements

104. Prior to the commencement of your grant, you must submit your subcontracting plan for the delivery year to us. You may not subcontract without our prior written approval.
105. You must also update and reconcile your subcontracting plan if your subcontracting arrangements change during the year. You may not make changes to your subcontracting plan without our prior written approval.

Distributing income between you and your delivery subcontractors

106. Your governing body or board of directors must review your delivery subcontracting funding retention and charges policy. Your accounting officer must sign the policy.
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.
108. As a minimum, you must include the following in your delivery subcontracting funding retention policy:
- 108.1 your contribution to improving your and your delivery subcontractor's quality of teaching and learning;
 - 108.2 the typical percentage range of funding you retain to manage delivery subcontractors, and how you calculate this range. We will consider a retention of up to 20% of funding to manage delivery subcontractors as a maximum cap and would not expect providers to retain more than this. In exceptional cases, we will consider higher retention amounts and then only if there is a compelling rationale. This will be assessed on a case-by-case basis;

- 108.3 any support delivery subcontractors will receive in return for the fee you charge;
 - 108.4 any oversight and management of delivery which you will carry out with the funding you retain;
 - 108.5 if appropriate, the reason for any differences in retention amounts or support provided to and management and oversight of different delivery subcontractors;
 - 108.6 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;
 - 108.7 how and when you communicate and discuss your policy with current and potential delivery subcontractors;
 - 108.8 timing for policy review (which should be done annually); and
 - 108.9 where you publish your policy.
109. You must also tell us the actual level of funding paid and retained for each of your delivery subcontractors in 2020 to 2021.
110. You must include the following in your published delivery subcontracting funding retention and charges information:
- 110.1 name of each delivery subcontractor;
 - 110.2 the *UK Provider Reference Number* (UKPRN) of each delivery subcontractor;
 - 110.3 contract start and end date for each delivery subcontractor;
 - 110.4 funding we have paid to you for AEB delivery by each delivery subcontractor in that funding year;
 - 110.5 GLA funding you have paid to each delivery subcontractor for AEB delivery in that funding year;
 - 110.6 GLA funding you have retained in relation to each delivery subcontractor's AEB delivery for that funding year; and
 - 110.7 if appropriate, GLA 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

111. ESF match funding requirements no longer apply to GLA Grant-funded AEB providers. Providers must seek GLA approval before using our funds to make bids for, or claims from, European funding on their own behalf or on our behalf.
112. If you are a provider of AEB Procured provision, please refer to the separate document [Funding and Performance Management Rules for Procured Providers](#).

State Aid

Where support is made to individuals in employment and/or their employers then you must adhere to EU competition law and State Aid rules for the provision to be eligible. State Aid is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade in the European Union.

The definition of State Aid is very broad because 'an advantage' can take many forms. It is anything that an undertaking (an organisation engaged in economic activity) could not get on the open market.

State Aid rules can (amongst other things) apply to the following:

- Grants;
- Loans;
- Tax breaks; or
- The use or sale of a state asset for free or at less-than-market price.

The rules can apply to funding given to charities, public authorities and other non-profit-making bodies where they are involved in commercial activities.

You can find guidance on State Aid on [GOV.UK](#)

113. It is your responsibility to ensure that you comply with the provisions of all applicable rules on State Aid and ensure that all requirements for application of exemptions or notification to, and approval by, the European Commission under such rules, are met.
114. Where the rules on State Aid apply, you must assess the employer for the State Aid they have already received and are proposed to receive from your GLA-funded adult education budget.
115. Where an employer (based on the assessment in paragraph 114 above) will exceed the De Minimis threshold under Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of

the Treaty on the Functioning of the European Union to De Minimis OJ L 352, 24.12.2013 (“the De Minimis Aid Block Exemption”) the De Minimis Aid Block Exemption, you must contact the GLA to obtain written guidance on how to proceed.

116. Where any State Aid is provided to an employer on the basis of the De Minimis Aid Block Exemption you will be required to ensure that the necessary State Aid De Minimis assessment (in the form specified by the GLA and as required in terms of compliance with the De Minimis Aid Block Exemption) are obtained, retained and provided (on demand) to the GLA such assessments.
117. We may require you to obtain a contribution towards the cost of the services delivered under this grant agreement from the employer of any participant. Where a contribution is required, we will confirm to you in writing the exact percentage of the contribution and you will be required to maintain (and provide on demand) evidence that the required contribution has been made.
118. Where we require you to obtain a contribution towards the cost of the services in this grant agreement, you must provide evidence that the contribution has been received.
119. In the event that any funding paid under this grant agreement is deemed to constitute unlawful State Aid, the GLA reserves the right to require immediate repayment of any such funding.

Evidence

120. You must hold and retain evidence to assure us that you are using the funding appropriately. Most evidence will occur naturally from your normal business process.
121. 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

122. The evidence pack must contain evidence to support the funding claimed and must be available to us if we need it.
123. Evidence in the evidence pack must assure us that the learner exists.
124. The learner must confirm information they provide is correct when it is collected.

125. If the time spent in learning is short, the level of evidence in the evidence pack would reflect this.
126. Where you hold information centrally, you only need to refer to the source.
127. If applicable, the evidence pack must confirm the following:
 - 127.1 all information reported to us in the ILR and the Earnings Adjustment Statement (EAS), and if it applies, the supporting evidence for the data you report;
 - 127.2 your assessment and evidence of eligibility for funding and a record of what evidence the learner has provided;
 - 127.3 all initial, basic skills and diagnostic assessments;
 - 127.4 information on prior learning that affects the learning or the funding of any of the learning aims or programme;
 - 127.5 for 'personalised learning programmes', for example, learning not regulated by a qualification, full details of all the aspects of the learning to be carried out, including supporting evidence of the number of planned hours reported;
 - 127.6 a description of how you will deliver the learning and skills and how the learner will achieve;
 - 127.7 the supporting evidence about why you have claimed funding and the level of funding for a learner, including details of any learner contribution;
 - 127.8 support needs identified, including how you will meet these needs and the evidence of that;
 - 127.9 that learning is taking or has taken place and records are available;
 - 127.10 a learner's self-declarations as to what state benefit they claim;
 - 127.11 a learner's self-declarations on their status relating to gaining a job; and
 - 127.12 all records and evidence of achievement of learning aims. This must be available within three months of you reporting it in the ILR.
128. You must keep evidence that the learner is eligible for funding. 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.

129. 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

130. The learner must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.
131. We accept electronic evidence, including digital signatures, but you must have wider systems and processes in place to assure you that learners exist and are eligible for funding.
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
133. 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.
134. 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

135. You can only claim GLA funded AEB for learning when directly related learning starts. This would not include enrolment, induction, prior assessment, diagnostic testing or similar learning.
136. 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.

137. 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.
138. You must have evidence that the learning took place and the learner was not certificated for prior knowledge.
139. Where the learning is certificated, you must follow your 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

140. 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 learning.

Individualised Learner Record

141. You must accurately complete all ILR fields as required in the [2020 to 2021 ILR Specification](#) supplementary GLA guidance, even if they are not required for funding purposes.
142. 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 inflated claim for funding.
143. Where your data does not support the funding you have claimed, we will take action to get this corrected and could recover funds you have claimed.

Self-declarations by learners

144. All self-declarations must confirm the learner's details and describe what the learner is confirming for requirements set out in this document.
145. If a learner self-declares prior attainment, you must check this in the [personal learning record \(PLR\)](#) query any contradictory information with the learner. The PLR will not necessarily override the learner's self-declaration.

Section 2 – Adult Education Budget

Provision and individuals we fund

Legal entitlements

GLA funded AEB supports four legal entitlements to full funding for eligible adult learners. These are set out in the [Apprenticeships, Skills, Children and 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 A*-C or grade 4, 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

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

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

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](#)

British Sign Language

148. We will fully fund any learner aged 19+ whose first or preferred language is British Sign Language (BSL), or who cannot access spoken language because of their deafness and would benefit from BSL, to study for qualifications in BSL, up to and including level 2.

149. The following qualifications will be covered under this entitlement:

149.1 Entry level award in BSL (accredited by iBSL or ABC);

149.2 Level 1 certificate in BSL (accredited by Signature, iBSL or ABC); and

149.3 Level 2 certificate in BSL (accredited by Signature, iBSL or ABC).

Upskilling of teaching staff to deliver improved specialist provision for learners with SEND

150. We will fully fund eligible learning aims which support the upskilling of teaching or learning support staff to deliver improved specialist provision for learners with SEND within the adult/further education sector.
151. The above funding flexibility must be used to support eligible staff employed within the publicly funded adult and further education sectors in teaching or learning support roles.
152. Only learning aims approved by the GLA in advance of enrolment will be fundable within this flexibility. A list of eligible learning aims will be published on the GLA website and updated from time to time. In order to add a learning aim to this list of eligible learning aims, providers must submit a short business case, using a [template](#) found on the GLA website, to AEB@london.gov.uk.

Local flexibility

GLA 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 ‘local flexibility’.

Local flexibility provision either is fully or co-funded, depending on the learner’s prior attainment and circumstances. Please refer to the ‘level of government contribution’ table in paragraph 157 and paragraphs 158 to 223 for learner eligibility. Where appropriate for the learner, you can deliver local flexibility provision alongside a legal entitlement qualification.

153. 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. When learners' progress onto their first full level 2 (legal entitlement) they must only enrol on a qualification from the relevant legal entitlement list set out in paragraph 154.
154. 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 in the level 2 legal entitlement list available on [the Hub](#). This is set out in further detail in:
 - 154.1 paragraphs 204 and 205, for individuals aged 19 to 23, and
 - 154.2 paragraphs 206 to 207 for individuals aged 24 and over.
155. 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 Hub.
156. 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 to 173.

Contribution table

157. The level of contribution we will fund is as follows.

Provision	19- to 23-year-olds	24+ unemployed	24+ other
English and maths, up to and including level 2 ⁿ (Must be delivered as part of the legal entitlement)	Fully funded*	Fully funded*	Fully funded*
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* (first and full) =	Fully funded	Co-funded+
Learning to progress to level 2	Fully funded [^] (up to and including level 1)	Fully funded	Co-funded+
Level 3 (First full level 3 must be delivered as part of the legal entitlement)	Fully funded* (first and full) or Fully funded (if covered by the London Recovery Flexibility****) =	Fully funded (if covered by the London Recovery Flexibility)	Fully funded (if covered by the London Recovery Flexibility and the learner earns below London Living Wage)
	Loan-funded** (if not covered by London Recovery Flexibility) =	Loan-funded** (if not covered by London Recovery Flexibility)	Loan-funded** (if not covered by London Recovery Flexibility or the learners earns above

			the London Living Wage)
English for Speakers of Other Languages (ESOL) learning up to and including level 2	Co-funded+	Fully funded	Co-funded+
	Fully funded - unemployed		
Learning aims up to and including level 2, where the learner has already achieved a first full level 2 or above	Co-funded+	Fully funded	Co-funded+
	Fully funded - unemployed		
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+
British Sign Language (BSL), up to and including level 2 where the learner's preferred language is BSL ***	Fully funded	Fully funded	Fully funded
Eligible learning aims which support the upskilling of teaching or learning support staff to deliver improved specialist provision for learners with SEND	Fully funded	N/A	Fully funded

ⁿGLA will introduce a funding uplift for English and maths as set out in Paragraph 200.

*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.

^Must be delivered as entry or level one provision from local flexibility.

** 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.

+ Low Wage flexibility may apply, refer to paragraphs 160 to 161.

***GLA will fully fund this provision as per paragraphs 148-149. For more information on how to record it please refer to the GLA AEB Technical Guidance for Providers

****New flexibilities apply to Level 3 qualifications in 2020/21 as part of the London Recovery. See paragraphs 213-215 for further information.

= one year high value skills offer for 19 year olds

Definitions used in the AEB

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 145) 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 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.

Learners in receipt of low 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.

161. 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 must support your decision to award full funding to an individual who would normally be eligible for co-funding.
162. You must use DAM code 010, FFI code 2 and the appropriate Other Funding Adjustment factor to claim full funding for learners who meet the requirements set out in paragraph 160. Guidance will be issued to providers on how to calculate Other Funding Adjustment factors.

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 239-246
- an uplift payable whilst the learner is in learning, following the earnings methodology set out in the [GLA Adult Education Budget 2019-23 Funding Rates and Formula for All Providers](#)
- an increased job-outcome payment payable if learners leave early to enter employment

Please note only level 2 and level 3 qualifications on the included 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
- 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

Job outcome payments

174. 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 263.

Skills for Londoners Innovation Fund and COVID-19 Response Fund

175. 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.

Full level 2

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

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

177. If 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 if you need advice on a previous qualification's designation.

Full level 3

178. Full level 3 is the level of attainment which is demonstrated by a:

- 178.1 General Certificate of Education at the advanced level in two subjects;
 - 178.2 General Certificate of Education at the AS level in four subjects;
 - 178.3 QAA Access to Higher Education (HE) Diploma at level 3;
 - 178.4 Tech level, or applied general qualification at level 3, which meets the requirements for the 2020 and 2021 16 to 19 performance tables; or
 - 178.5 certain Tech level; or applied general qualification in the 2017 16 to 19 performance tables.
179. If a learner aged 19 to 23 has achieved a level 3 qualification that was, at the time they started, or still is 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. Please contact qualifications.esfa@education.gov.uk if you need advice on a previous qualification's designation. Some subsequent level 3 qualifications are funded in 2020/21 through the London Recovery Flexibility. See paragraphs 213-215 for further information.
180. 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.

Eligible qualifications

181. Where you deliver regulated qualifications and/or their components you must ensure they are eligible for GLA funded AEB and available on [The Hub](#).
182. 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.
183. 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 160. You can find more information about these qualifications in [Qualification funding approval: funding year 2020 to 2021 manual](#).
184. 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.

185. 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.
186. 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 about the [Learner Records Service guidance](#).

Non-regulated learning

187. Where you deliver non-regulated learning you must ensure it is eligible for funding. Such learning could include:
 - 187.1 independent living skills or engagement learning supporting adults to operate confidently and effectively in life and work;
 - 187.2 locally-commissioned and/or locally-developed basic knowledge and skills needed to access technical qualifications;
 - 187.3 employability and labour market re-entry;
 - 187.4 locally-commissioned and/or locally-devised technical education short courses (also known as taster sessions); or
 - 187.5 community learning courses.
188. The eligibility principles we apply to non-regulated learning are as follows:
 - 188.1 it must not be provision linked to UK visa requirements;
 - 188.2 it must not be provision linked to occupational regulation unless there is an agreed concession in place;
 - 188.3 it must not be restricted to being delivered to employees of only one employer
 - 188.4 it must not be learning, for example, ‘induction to college’, that should be part of a learner’s experience;
 - 188.5 it must not be a non-regulated version of a regulated qualification;

- 188.6 it must not be above notional level 2 (that is, at notional levels 3 or 4); and
- 188.7 at notional level 2 it must focus on technical provision.
189. 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](#).
190. Provision that is funded via the Skills for Londoners Innovation Fund will be funded by exception and may include delivery of qualifications other than those eligible in paragraphs 181-189. Providers must use Delivery Area Monitoring Code 003 in their ILR data returns to identify learning delivered through the Fund. In addition, funding for all non-formula provision must be claimed via the Earnings Adjustment Statement.

Learning in the workplace

191. We will fund learning in the workplace where a learner has a legal entitlement to full funding for:
- 191.1 English and/or maths up to and including level 2 (paragraph 193); and/or
- 191.2 a first full level 2 (paragraph 204.1.1)
- 191.3 a first full level 3 qualification (paragraph 204.1.2).
- 191.4 essential digital skills qualification, up to and including level 1 (paragraph 201)
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 191
- 192.2 It is a first qualification in BSL as stated in paragraph 148
- 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 150-152.

English and maths for those aged 19 or older

193. 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:
- 193.1 GCSE English language or maths;
 - 193.2 Functional Skills English or maths from Entry to level 2; and
 - 193.3 Stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education and ESFA.
194. If a learner wants to 'retake' their GCSE English and maths qualification because they did not achieve a grade 4 or higher (C or higher), we will not fund the learner to only resit the exam.
195. You must not enrol individuals on qualifications, which are not necessary for progressing towards a GCSE or Functional Skill level 2.
196. You must not fund an apprentice for English or maths from the AEB.
197. We will fully fund non-regulated English and maths learning for learners, including those assessed at pre-entry level, aged 19 years and over with significant learning difficulties or disabilities as part of a personalised learning programme, where assessment has identified the learner cannot undertake provision identified in paragraph 193.
198. You must:
- 198.1 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;
 - 198.2 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;
 - 198.3 enrol the learner on a level above that at which they were assessed and be able to provide evidence of this;
 - 198.4 deliver ongoing assessment to support learning; and
 - 198.5 record the evidence of all assessment outcomes in the evidence pack.

199. The assessments must place a learner's current skills levels within the level descriptors used for the RQF.
200. We will provide additional funding uplift for fully funded English and maths learning aims at levels 1 and 2 under the legal entitlement. More information on this is available at the [GLA Adult Education Budget 2019-23 Funding Rates and Formula for All Providers](#).

Digital entitlement for those aged 19 or over

201. 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)
202. 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 201.

You must:

- 202.1 Carry out an initial assessment using current assessment tools based on the national standards for essential digital skills
 - 202.2 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
 - 202.3 Enrol the learner on a level above that at which they were assessed and be able to provide evidence of this
 - 202.4 Deliver ongoing assessment to support training
 - 202.5 Record the evidence of all assessment outcomes in the evidence pack.
203. 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)

204. We will fully fund 19 to 23-year-olds, including individuals who are employed, on the day they start the following learning:
 - 204.1 qualifications defined within the legal entitlement that are a learner's:
 - 204.1.1 first full level 2; and/or
 - 204.1.2 first full level 3.

204.2 local flexibility provision:

204.2.1 up to and including level 1 to support progression to a first full level 2; and/or

204.2.2 level 2 for those who already have a full level 2 if they are unemployed.

205. 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 paragraphs 160 to 162.

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

206. 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, set out in paragraphs 158 to 159.

207. 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, refer to paragraphs 160 to 162.

English for Speakers of Other Languages (ESOL)

208. We will fully fund individuals aged 19 and over on the day they start their ESOL learning aim where they are unemployed, set out in paragraphs 158 to 159.

209. 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, refer to paragraphs 160 to 162.

210. We will fund ESOL learning up to and including Level 2.

211. 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 this in the [GLA Adult Education Budget 2019-23 Funding Rates and Formula](#) for All Providers.

London Recovery Flexibilities

212. Please note that the flexibilities below will be valid for the 2020/21 academic year only.

Level 3

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 160, 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.

Non-formula funding

216. To adapt provision and respond flexibly to the London recovery skills needs in each local area, providers may use up to 10% of their AEB formula funded allocation for non-formula funded provision. Providers should use this flexibility to respond to local skills needs such as short courses to enable Londoners to progress into work, in particular where they are unemployed as a result of the Covid-19 pandemic. Providers should demonstrate good value for money when applying this flexibility. Providers should refer to the guidance set out at paragraphs 224-229 in designing non-formula activity. Further guidance will be issued regarding the reconciliation of this aspect of provision.

Learners with learning difficulties or disabilities

217. We will fund learners with learning difficulties or disabilities as set out in the *Apprenticeships, Skills, and Children and Learning Act 2009*, section 111.
218. The ESFA has the responsibility for securing the provision of reasonable facilities for education and training suitable to the requirements of persons who are 19 and over. The ESFA has delegated this responsibility to the GLA. This includes learners with an identified learning difficulty or disability who have previously had an Education, Health and Care Plan (EHC) plan and have reached the age of 25.
219. The *young people's funding methodology* will apply to learners aged 19 to 24 who have an EHC plan and require provision and support costs.
220. We will fund learners aged 19+ whose first language is BSL to study for a first qualification in BSL, up to and including level 2 as stated in paragraphs 148 to 149.

Learners with an Education, Health and Care Plan

221. To access provision and support costs you must inform us before the start of the 2020 to 2021 funding year where a learner:
- 221.1 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
 - 221.2 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.
 - 221.3 The learner must:
 - 221.3.1 have an EHC plan that confirms their needs could only be met by the training organisation they are, or were, attending; and
 - 221.3.2 continue to make progress on the programme of learning as set out in their EHC plan.
222. If a learner has an EHC plan, you must report this in the 'Learner funding and monitoring' fields in the ILR.
223. 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

This section only applies to providers with a non-formula Community Learning allocation included in Appendix 1 of their grant agreement.

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 may not involve qualifications, but it focuses on building confidence and skills – inspiring people from a wide range of backgrounds to engage in what they feel motivated to learn and encouraging them to be ambitious about their next steps. A portfolio of community learning may include programmes to help people acquire positive behaviours and the interpersonal skills appropriate to both work and social situations. It may also include training in digital skills, basic literacy, numeracy and ESOL. Community learning is typically planned, structured and delivered in conjunction with other local support services, which may include health, housing and social services.

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; and

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 funding

224. Where applicable, your AEB allocation will include an amount of non-formula community learning funding. We state this value in Appendix 1 of your grant agreement. You must deliver non-formula funded community learning

provision in line with the existing community learning objectives set out in Annex 2, up to this maximum amount, and subject to any approved increases to your budget or reduction requests.

225. Non-formula community learning funding is paid on a monthly profile, see Annex 4. You must 'attribute costs' for eligible learners, up to the value of your non-formula community learning allocation. This should include the cost of delivering learning and any support costs, in line with learner and learning support set out in paragraphs 239 to 263. You must record these costs in the learner's evidence pack.
226. You have the flexibility to use all, or some, of your non-formula community learning funding in line with the AEB formula-funded methodology (fund model 35), to meet local demand.
227. You can use this amount of non-formula community learning funding (stated in your Appendix 1) to deliver non-regulated provision that may be similar to community learning. If you do, you must:
 - 227.1 follow the AEB formula-funded methodology and submit ILR data under fund model 35; and
 - 227.2 enrol learners following the AEB eligibility requirements set out paragraphs 157 to 223, you must not use your community learning local fee remission policy.
228. You can support learners aged under 19 if they meet both of the following criteria, the learner is:
 - 228.1 a parent, carer or guardian attending a wider family learning or family, English, maths or language course; and
 - 228.2 funded through non-formula community learning using funding model 10 in the funding model field (refer to ILR guidance for more information.)
229. You must not use non-formula community learning funding for learning that is eligible for funding through an advanced learner loan.

Pound Plus and local fee remission policy

230. **Pound Plus** – the 'Pound' represents the public pound, the 'Plus' is everything else that you can generate in addition to your non-formula community learning funding allocation, such as fee income, funding from other sources, resources in kind and other sources of revenue/sponsorship/volunteering.

231. You must have in place a 'Pound Plus' policy. You must invest Pound Plus fee income/savings for the people who most need, and can least afford, community learning provision.
232. **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 for 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.
233. Your Pound Plus and Local Fee remission policies must be available on your website and/or in the venues you deliver community learning to eligible learners.

Partnership working

234. Partnership working underpins the community learning objectives and is critical to developing and delivering an effective community learning offer in a given locality.
235. You must engage and work closely with a wide range of relevant partners and stakeholders in your local area to help shape your community learning offer to engage specific groups. These could include specialist partners, such as health, Jobcentre Plus and schools, and voluntary and community sector (VCS) organisations.
236. 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.

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.

237. In order to deliver the team programme, you must get approval from *The Prince's Trust*.
238. For eligible learners aged 19 to 25, we fund the team programme through our AEB funding methodology. Please also refer to the Prince's Trust section in

the [GLA Adult Education Budget 2019-23 Funding Rates and Formula for All Providers](#).

Support funding

The 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 or disability, or a financial barrier, your AEB allocation enables you to claim learning support and/or learner support funding to meet the additional needs of learners.

Learning support

239. 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 or disability, to achieve their learning goal.
240. Learning support must not be used to deal with everyday difficulties that are not directly associated with a learner's learning on their programme.
241. You must:
 - 241.1 carry out a thorough assessment to identify the support the learner needs;
 - 241.2 agree and record the outcome of your assessment in the evidence pack;
 - 241.3 record all outcomes on the evidence pack and keep all evidence of the assessment of the needs, planned and actual delivery; and
 - 241.4 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.
242. You can claim learning support 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 and you must keep evidence of these costs. You can find details of how to make a claim in the [ESFA funding claims and reconciliation guidance](#).
243. 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.

244. You must submit ELS claims at the beginning of the learner's programme, or when you identify the learner requires support costs of more than £19,000 in a funding year, by completing and sending the GLA [ELS claims document](#).
245. 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.
246. 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

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.
248. 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).
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.
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 251.1 and the new flexibilities responding to Coronavirus (Covid-19) in paragraph 258
 - 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.

Hardship

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

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

253. 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

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

255. You must not use childcare funding to:

- 255.1 fund informal childcare, such as that provided by a relative
- 255.2 set up childcare places or to make a financial contribution to the costs of a crèche
- 255.3 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.

256. 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

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

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:
 - 258.1.1 Do not have internet access at home, and/or
 - 258.1.2 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. You must record the following evidence in the learner's evidence pack:
- 262.1 The outcome of the assessment undertaken to identify the learners individual need
 - 262.2 The learner declaration referred to in paragraph 260

Job outcome payments

263. 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:
- 263.1 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
 - 263.2 Where the learner was claiming benefits relating to unemployment they must also declare that they have stopped claiming these.

Section 3 – Payments and Performance Management

264. This section sets out the principles by which we will manage your performance in the 2020 to 2021 funding year.
265. For the purposes of this section, we use the term ‘grant value’ to mean your funding allocation as set out in Appendix 1 of your grant agreement.
266. We will apply our principles of performance management consistently to all AEB-grant funded providers.
267. 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. Your track record will include Ofsted grades, minimum quality standards, education performance data, financial health, financial management and control, and your previous delivery against your grant agreement, where this information is available. Further information is available in our monitoring and intervention policy – [Managing Provider Performance](#).
268. As part of our financial assurance and monitoring work, we will continue to monitor compliance with the funding rules. We will contact you where we identify you have submitted data, claims or evidence that does not meet our funding rules and ILR and EAS requirements. We will require you to correct inaccurate ILR and EAS data or to adjust your final funding claim.
269. We expect to undertake quarterly performance management meetings.
270. The frequency of monitoring and review visits may be increased if you are underperforming or we have other concerns about your delivery.
271. We strongly encourage you to submit monthly ILR and quarterly EAS returns via the national process.
272. You must submit your funding claims in line with the funding claims 2020 to 2021 guide which we will publish in autumn 2020. We will review the actual spend you submit in your final funding claim against the ILR and EAS data you provide.

273. In autumn 2020, we may use your 2019 to 2020 outturn to review your grant value for 2020 to 2021. We may increase or reduce your 2020 to 2021 grant value to a level that is in line with your 2019-20 outturn (increases are subject to affordability and providers meeting our track record criteria set out in paragraph 267).
274. You can voluntarily reduce your AEB funding allocation. If you want to do this, please let your GLA Provider Manager know by Friday 31 January 2021 at the latest.
275. Your Conditions of Funding (Grant) will span two financial years:
- 275.1 August 2020 to March 2021: periods 1 to 8 of the 2020 to 2021 funding year; and
 - 275.2 April 2021 to July 2021: periods 9 to 12 of the 2020 to 2021 funding year.
276. We may increase or decrease the number of performance management meetings we operate, in line with delivery against the funding available for AEB.

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.

AEB Grant

279. Your AEB is allocated to you as a block grant for 2020 to 2021. We will make payments on the standard national profile as set out in Table 1 of Annex 4.
280. Your grant 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).
281. Your AEB block grant can be used to fund new starts for adult skills, non-formula funded community learning (where applicable to you) and learner support.

282. 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 163-174. The funding claims you must provide are set out below but please refer to the funding claims guidance (when published) for details of the:

282.1 the mid-year funding claim;

282.2 the year-end forecast claim; and

282.3 the final funding claim.

283. At the end of the 2020 to 2021 funding year we will apply a 10% reconciliation tolerance for under-delivery. Where your delivery of the overall AEB is at least 90% of your AEB block grant funding allocation, we will not make a year-end adjustment to your AEB block grant funding allocation and you will not have to pay back any unspent funds.

284. Our calculation of whether you have delivered 90% will only include delivery of non-formula funded community learning up to the value specified in your grant agreement (where applicable).

285. If you do not deliver 90% or above, we will confirm the value of funding you must pay back in your reconciliation statement.

286. If a learner is continuing learning at the final R14 data collection at the end of the year, but you record in a subsequent ILR year that they should have left in the previous ILR year, you will have earned funding that you need to pay back. You can pay this funding back through the earnings adjustment statement as per the [GLA Adult Education Budget 2019-23 Funding Rates and Formula for All Providers](#). You will be required to submit an additional return identifying the learner who is the subject of the late data and further guidance on the process is included in the GLA AEB Technical Guidance for Providers.

287. AEB block grants and AEB contract for services remain separate with different payment and performance management arrangements. You cannot vire funds between the two without our prior written approval.

Increases to your adult education budget grant agreement

288. We will provide information on opportunities to request increases to your adult education budget in Autumn 2020.

Monitoring and managing performance

289. GLA Provider Managers will work closely with AEB providers to ensure that their delivery and performance meets the criteria agreed in the grant agreement. GLA Provider Managers will undertake regular monitoring visits to providers and will raise any concerns regarding delivery, including performance, at the earliest opportunity.
290. Where issues with performance and/or the quality of delivery are identified, we will work with you, the ESFA and Mayoral Combined Authorities (where appropriate) to develop an action plan to address these issues. If performance does not improve in accordance with the action plan, we reserve the right to reduce your grant value.
291. 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 may not consider growth requests may reduce or remove your allocation if one or more of the following is true:
- 291.1 your Ofsted grade is inadequate
 - 291.2 you are in formal intervention for *minimum standards* or inspection
 - 291.3 you have been issued with a notice for financial management and control
 - 291.4 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
 - 291.5 you have significantly underdelivered against your contract value in previous years
 - 291.6 you are subject to an investigation for breach of contract and/or failed audit.
292. Please refer to *GLA Managing Provider Performance* for further details on GLA AEB Grant-funded provision monitoring and intervention processes.

Impact of COVID-19 and London Recovery

293. Due to the need to maintain social distancing, we recognise that there will be a continuing impact of COVID-19 in 2020/21. We will take into account the impact as part of the reconciliation process for 2020/21. Providers should seek to ensure that AEB funding is fully utilised for the purpose of supporting the London recovery through the delivery of adult education and skills, in particular engaging those Londoners who are recently unemployed.
294. We will initially introduce a revised performance threshold of 90%, which is a reduction from the current threshold of 97%. Where a provider performs at

90%, the AEB grant-funding allocation will be paid in full. This measure will provide additional funding stability and flexibility to support providers in responding to the London recovery.

295. As the impact of COVID-19 upon adult learning recruitment following the easing of lockdown measures is uncertain, the performance threshold and reconciliation arrangements for 2020/21 will be reviewed in January 2021. Based on this milestone review, the Mayor may determine any further support measures in respect of reconciliation that are necessary to support provider funding stability and the London recovery.

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 212-216.
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. 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	ILR Delivery
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	Monitoring code type	Monitoring code
Classroom based 19 year old 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 171-173. Sector Based Work Academy Programme arrangements are described at paragraphs 165-170. London Recovery Programmes are described in paragraph 164. Further detail regarding strands of the London Recovery Programme will be published during the 2020/21 academic year.

Annex 1 – Eligibility for Funding

The section on eligibility determines how eligibility to be funded can depend upon citizenship within the European Union or the European Economic Area (EEA). This Annex details which countries will meet the residency requirements detailed in paragraph 36 of the rules.

Countries or areas where residency establishes eligibility for our funding

1. Member states of the European Union.

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

2. Other territories categorised as being within the European Union.

Other territories are categorised as being within the European Union for the purposes of the fees regulations; these are:

- 2.1 **Cyprus:** any Cypriot national living on any part of the island qualifies for EU residency and is considered an EU national;
- 2.2 **Finland:** includes the Aland Islands;
- 2.3 **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;
- 2.4 **Germany:** includes the former German Democratic Republic and the tax-free port of Heligoland;
- 2.5 **Portugal:** Madeira and the Azores are part of the EU; Macau is not;
- 2.6 **Spain:** the Balearic Islands, the Canary Islands, Ceuta and Melilla are part of the EU; and
- 2.7 **United Kingdom:** Gibraltar is part of the territory of the EU.
- 2.8 **To note:** The Channel Islands and Isle of Man are part of the United Kingdom and Islands but not part of the EU.
- 2.9 Andorra, Monaco, San Marino and the Vatican are not part of the EU.

3. EEA and eligible overseas dependent territories.

- 3.1 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 4 of this Annex.
 - 3.2 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.
4. Eligible overseas territories of other British and EU member states.
- 4.1 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:
 - 4.1.1 Anguilla;
 - 4.1.2 Bermuda;
 - 4.1.3 British Antarctic Territory;
 - 4.1.4 British Indian Ocean Territory;
 - 4.1.5 British Virgin Islands;
 - 4.1.6 Cayman Islands;
 - 4.1.7 Falkland Islands;
 - 4.1.8 Henderson Island;
 - 4.1.9 Montserrat;
 - 4.1.10 Pitcairn, Ducie and Oeno Islands;
 - 4.1.11 South Georgia and the South Sandwich Isles;
 - 4.1.12 St Helena and its dependencies;
 - 4.1.13 Turks and Caicos Islands;
 - 4.1.14 Greenland and Faroe Isles;
 - 4.1.15 Antilles (Bonaire, Curaçao, Saba, St Eustatius and St Maarten) Aruba;

- 4.1.16 New Caledonia and its dependencies;
- 4.1.17 French Polynesia;
- 4.1.18 Saint Barthélemy;
- 4.1.19 The Territory of Wallis and Futuna Islands;
- 4.1.20 Mayotte; and
- 4.1.21 French Southern and Antarctic Territories

Annex 2 – Community Learning Objectives

1. 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.
2. Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot.
3. Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, e.g.:
 - 3.1 improved confidence and willingness to engage in learning;
 - 3.2 acquisition of skills preparing people for training, employment or self-employment;
 - 3.3 improved digital, financial literacy and/or communication skills;
 - 3.4 parents/carers better equipped to support and encourage their children's learning; and
 - 3.5 improved/maintained health and/or social well-being.
4. Develop stronger communities, with more self-sufficient, connected and pro-active citizens, leading to:
 - 4.1 increased volunteering, civic engagement and social integration;
 - 4.2 reduced costs on welfare, health and anti-social behaviour;
 - 4.3 increased online learning and self-organised learning; and
 - 4.4 the lives of our most troubled families being turned around.
5. Commission, deliver and support learning in ways that contribute directly to these objectives, including:
 - 5.1 bringing together people from backgrounds, cultures and income groups, including people who can/cannot afford to pay;

- 5.2 using effective local partnerships to bring together key providers and relevant local agencies and services;
- 5.3 devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer;
- 5.4 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;
- 5.5 supporting the wide use of online information and learning resources; and
- 5.6 minimising overheads, bureaucracy & administration.

Annex 3 – Grant Agreement milestones

Adult education budget minimum information returns:

Milestone	Timing of Milestone
ILR Returns	In line with Annex A of <i>ILR specification</i>
Funding Claims (including Earnings Adjustment Statements where applicable)	<p>Mid-year: February 2021</p> <p>Year-end: September 2021</p> <p>Final claim: October 2021</p> <p>Please note: Earnings Adjustment Statements can be submitted more frequently, as required.</p>
3% tolerance for under-delivery at year end calculated	Final claim: October 2021

Annex 4 – 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 block grant standard national profile

	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12
AEB block grant monthly profile	14.40%	8.56%	8.65%	7.06%	5.67%	7.42%	5.38%	5.34%	12.75%	10.26%	8.74%	5.77%
AEB block grant cumulative profile	14.40%	22.96%	31.61%	38.67%	44.34%	51.76%	57.14%	62.48%	75.23%	85.49%	94.23%	100.00%

Annex 5 – Glossary

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.
Advanced learner loan	Advanced learner loans 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 Finance England.
AEB funding methodology	The funding methodology for individuals aged 19 and over, participating in AEB learning. You can access AEB funding methodology on the GLA website .
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.
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.
Devolved area Monitoring (DAM)	A code used as part of the Individualised Learner Record (ILR) to indicate participation in GLA funded programmes or initiatives.
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:

	Essential Digital Skills Qualifications
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.
Earnings adjustment statement (EAS)	The form providers need to fill in to claim funding that cannot be claimed through the Individualised Learner Record.
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"> • worker • employee • self-employed and contractor • director • office holder <p>More information on employment status is available.</p>
Employment Status (formerly employed)	<p>The main types of employment status in employment law are:</p> <p>Worker</p> <p>Employee</p> <p>Self-employed and contractor</p> <p>Director</p> <p>Office holder</p> <p>Please refer to GOV.UK for further information.</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. 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 the learning that is taking place. This provides the evidence to prove the learner exists, is eligible for funding, and the learning to be provided.
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	The following qualifications are designated full at level 2: <ul style="list-style-type: none"> • a General Certificate of Secondary Education in five subjects, each at grade C or above, or grade 4 or above • a Technical Certificate at level 2 which meets the requirements for 2020 to 2021 16 to 19 performance tables
Full level 3	The following qualifications are designated full at level 3: <ul style="list-style-type: none"> • a General Certificate of Education at the advanced level in two subjects • a General Certificate of Education at the AS level in four subjects • a QAA Access to Higher Education (HE) Diploma at level 3 • a Tech level; or applied general qualification at level 3 which meets the requirements for 2020 16 to 19 performance tables
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.

<p>Funding Model (10 and 35)</p>	<p>Identifies the funding methodology we apply to submission of finalised ILR data. For AEB funding, Funding Model 10 and 35 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. Refer to 2020-21 ILR Specification for more information.</p>
<p>Funding year</p>	<p>The adult funding system operates on a funding year basis, which starts on 1 August and finishes on 31 July.</p>
<p>General Data Protection Regulation</p>	<p>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 have to handle personal data.</p>
<p>Guided learning</p>	<p>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.”</p> <p>You can find more information in the Ofqual Handbook</p>
<p>GLA Provider Manager</p>	<p>Each grant recipient will be allocated a dedicated single point of contact within City Hall.</p>
<p>Hardship</p>	<p>Within learner support, a category of support to assist vulnerable and disadvantaged learners to remove barriers to education and training.</p>
<p>The Hub</p>	<p>The Hub 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.</p>

Individualised learner record (ILR)	The primary data collection requested from learning providers for further education and work-based learning in England. 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.
Job outcome payments	Payments made for learners who are unemployed at the start of learning who take up a job.
Learner file	A collection of documents and information brought together to form a single point of reference relating to the learning that is taking place. This provides the evidence to prove the learner exists, is eligible for funding, and the learning to be provided.
Learner support	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.
Legal entitlement	<p>The <i>legal entitlement to education and training</i> allows learners to be fully funded who are aged:</p> <ul style="list-style-type: none"> • 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 • 19 to 23, if they study for a first qualification at level 2 and/or level 3 <p>19 and over, who have digital skills assessed at below level 1.</p>
Learning aim reference number	The unique eight-digit code used to identify a specific learning aim.
Learning delivery monitoring (LDM)	A code used as part of the Individualised Learner Record (ILR) to indicate participation in ESFA funded programmes or initiatives.
Learning planned end date	The date entered onto the individualised learner record (ILR) when the learner is expected to complete their learning.
Learning support	Funding to enable providers to put in place a reasonable adjustment, set out in the <i>Equality Act 2010</i> , for learners

	with an identified learning difficulty and/or disability to achieve their learning goal.
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 .
London	The area comprising the areas of the London boroughs, the City and the Temples shall constitute an administrative area to be known as Greater London.
London Living Wage	The London Living Wage is an hourly rate of pay, currently set at £10.85. It is calculated independently to reflect the high cost of living in the capital, giving a worker in London and their family enough to afford the essentials and to save. The basket of goods draws on the Minimum Income Standard to identify everyday living costs through public consensus. The rates are calculated annually by the Resolution Foundation and overseen by the Living Wage Commission, based on the best available evidence about living standards in London and the UK. The rates are announced on Monday of the first week of November each year.
Non-formula community learning funding	Where applicable, 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 – Refer to the 2020-21 ILR Specification , for more information.
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"> • independent living skills and engagement learning • employability and work skills • labour market re-entry • technical education tasters

	<ul style="list-style-type: none"> • community learning
Ofqual	The Office of Qualifications and Examinations Regulation, which regulates qualifications, examinations and assessments in England.
Other funding adjustment (OFA)	A factor used as part of the Individualised Learner Record (ILR) to adjust the funding claimed for GLA programmes or initiatives that are funded differently to national AEB rates.
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 undertaken a consultation on the RARPA Cycle and have published updated RARPA Guidance . 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 The Learning and Work Institute .
Recognition of prior learning (RPL)	<p>An assessment method that considers whether a learner can demonstrate that they can:</p> <ul style="list-style-type: none"> • meet the outcomes for a qualification or a component of a qualification through knowledge, understanding, or • skills they already have and so do not need to undertake a course of learning for that component or qualification.
The Register of Training Organisations (the Register)	The Register of Training Organisations (the Register) maintained by the ESFA of organisations qualified to receive Funding from the ESFA other than for apprenticeships, or any subsequent register which serves a similar purpose.
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.

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.
Self-declaration	A process where the learner is able to confirm something through his or her own signature.
Senior responsible person	For example, chief executive, managing director, principal or their equivalent.
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.
Take-home pay	An unemployed learner may also receive an income alongside their benefit claim. In order to be fully funded under the unemployed definition their “take home pay” (stated on the Universal Credit statement) is less than £343 a month (sole adult in their benefit claim) or less than £549 a month (joint benefit claim with partner)
UK provider reference number	A unique identifying number given to all providers by the UK register of learning providers.
Unique learner number	A 10-digit number used to match a learner’s achievement to their personal learning record (PLR).
Work placement	A placement with an employer in a workplace setting as part of a Prince's Trust Programme.

Young people's funding methodology	The ESFA funding methodology for individuals aged 16 to 19 (and those aged 19 to 24 with an Education Health and Care plan). You can access young people's funding methodology on GOV.UK .
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Annex 6 – Summary of main changes against GLA AEB 2020-21, Funding and Performance Management Rules for Grant funded Providers, Version 1

We have highlighted the main changes from GLA Adult Education Budget 2020/21, Funding and Performance Management Rules for Grant funded Providers, Version 1, July 2020 in the table below.

Please note that 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 the GLA.

If you have a specific query on the funding rules, please speak to your provider manager.

Paragraph 64 - Revision to text	
Original Text - Paragraph 64 (July)	Revised Text - Paragraph 64 (December)
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’	
72.	In line with paragraphs 69-71 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"> 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 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
73.	To record breaks in learning for coronavirus (COVID-19) reasons, you must: <ul style="list-style-type: none"> 73.1 Include these learners in your ILR submissions 73.2 Record the reason, retain and submit evidence as set out in paragraphs 69 to 70

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)
73.4	Not change the current planned end date of the learning aim record
73.5	Agree a new planned end date, when the learner returns, that must be assessed and recorded against the revised learning aim record

Paragraph 80 - Revision to text	
Original Text - Paragraph 78 (July)	Revised Text - Paragraph 80 (December)
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	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 89 and 95 - New paragraphs under 'Entering into a Subcontract'	
89.	You must not enter into any agreement for Brokerage
95.	You must ensure that there is a continuity of Services for existing learners

Paragraphs 132-133 – Addition of new paragraphs	
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
133.	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

147. Eligible learners exercising their legal entitlement, must be enrolled on qualifications from the: **(Paragraph 141 in July 2020 version)**

- 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

Paragraph 158-159 – Amendment in definition of Unemployed

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 **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 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 2019-23 Funding Rates and Formula for All Providers](#)
- 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

<p>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.</p> <p>We fund the one-year skills offer for 19-year olds through the ESFA's AEB funding methodology.</p> <p>172. We will fully fund individuals as part of this offer where they;</p> <ul style="list-style-type: none"> • 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 <p>173. 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 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 <p>Job outcome payments</p> <p>174. 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 263.</p>
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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)
<p>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.</p>	<p>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. You can find more information about these qualifications in Qualification funding approval: funding year 2020 to 2021 manual.</p>

Paragraph 188 - Revision to Text- clauses 188.2 and 188.3

Original Text - Paragraph 169- (July)	Revised Text - Paragraph 188 (December)
<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 191
 - 192.2 It is a first qualification in BSL as stated in paragraph 148
 - 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 150-152.

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:
- Unemployed; or
 - in receipt of a low wage as described at paragraph 160, and
 - 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 251.1 and the new flexibilities responding to Coronavirus (Covid-19) in paragraph 258
 - 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.	You must record the following evidence in the learner's evidence pack: <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.	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 163-174. The funding claims you must provide are set out below but please refer to the funding claims guidance (when published) for details of the: <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.
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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 212-216.
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 19 year old 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 171-173. Sector Based Work Academy Programme arrangements are described at paragraphs 165-170. London Recovery Programmes are described in paragraph 164. Further detail regarding strands of the London Recovery Programme will be published during the 2020/21 academic year.

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