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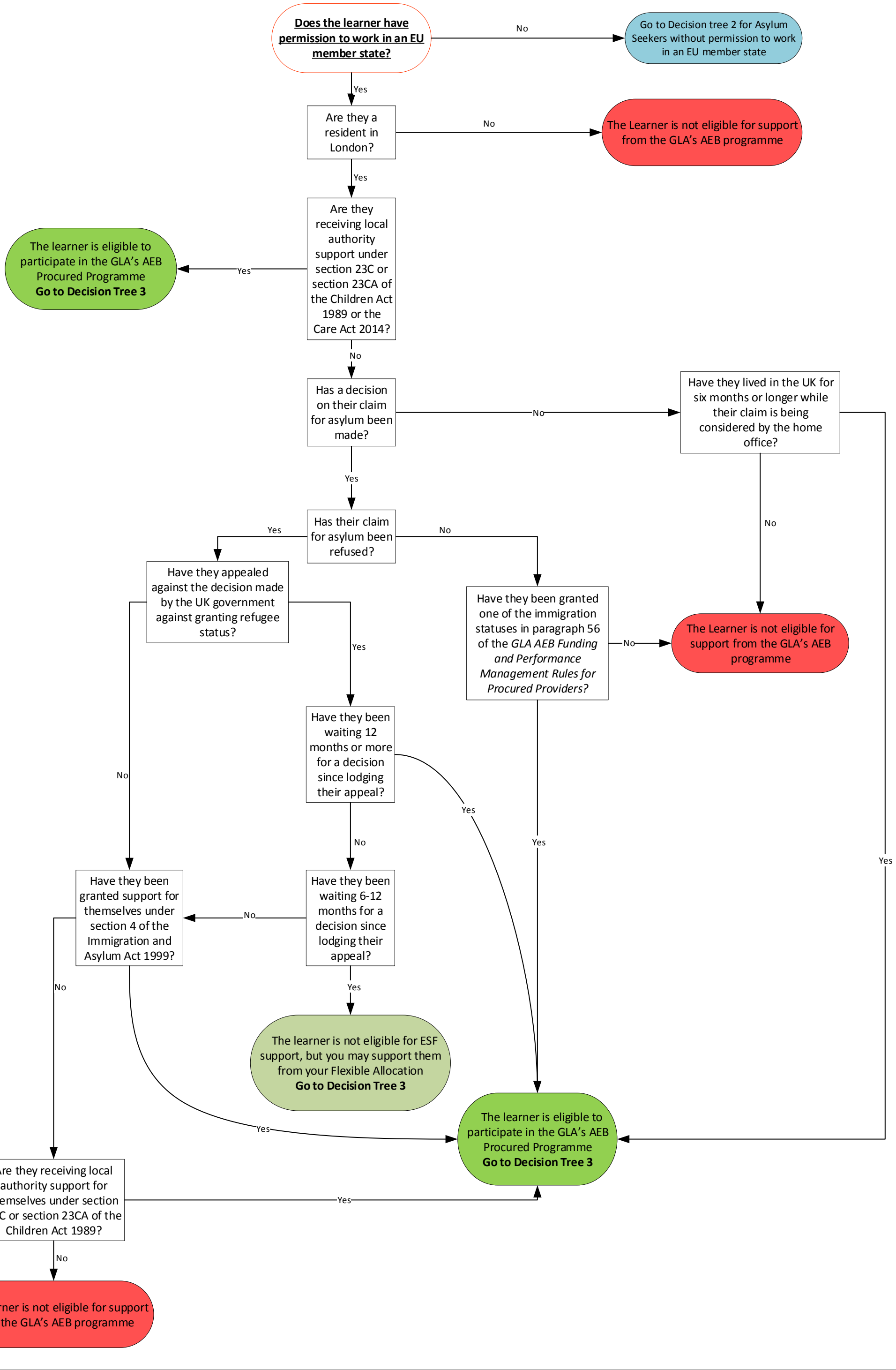
Decision Tree 1: Determining the Eligibility of Asylum Seekers for AEB support: Asylum seekers with permission to work in an EU member state



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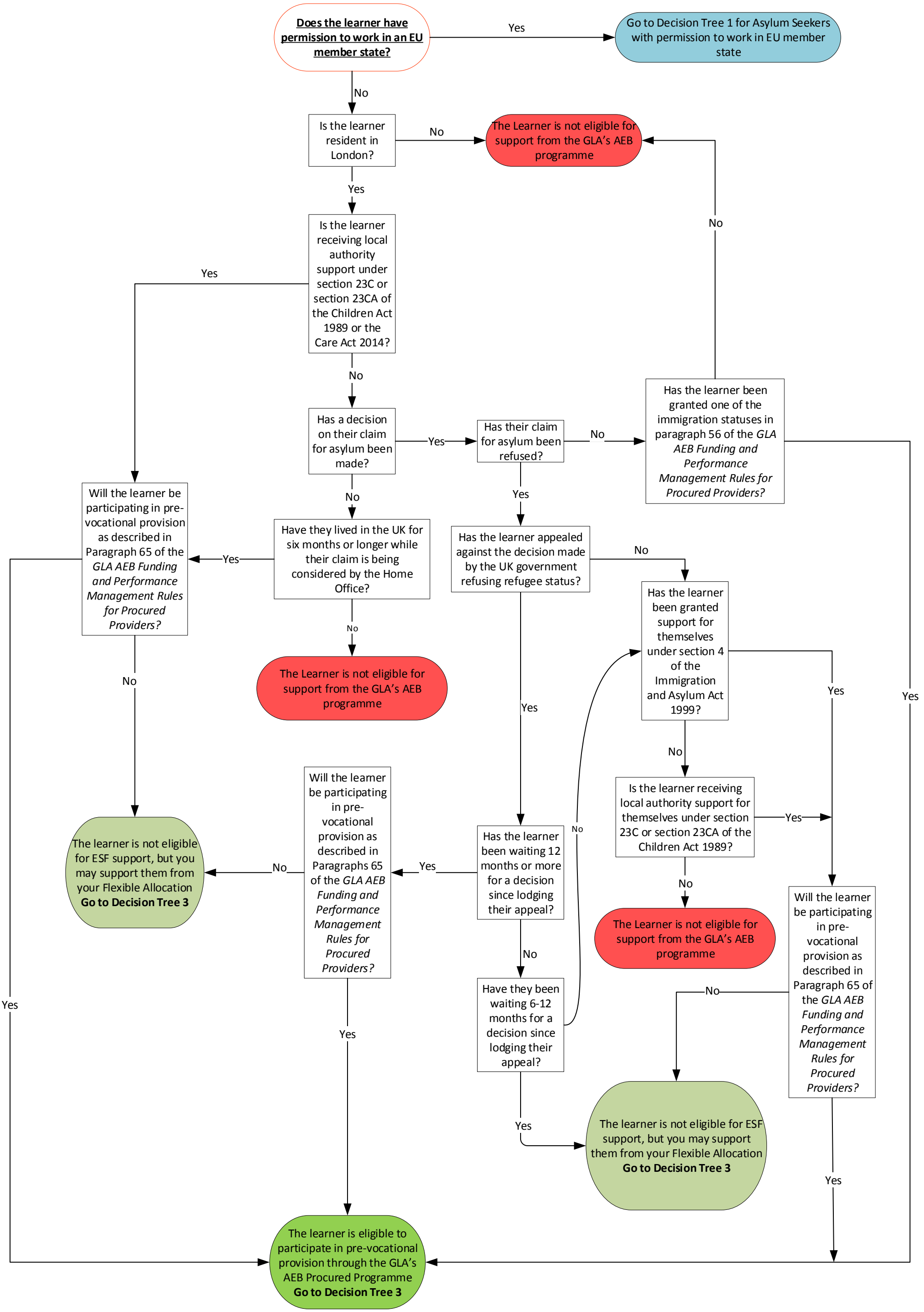
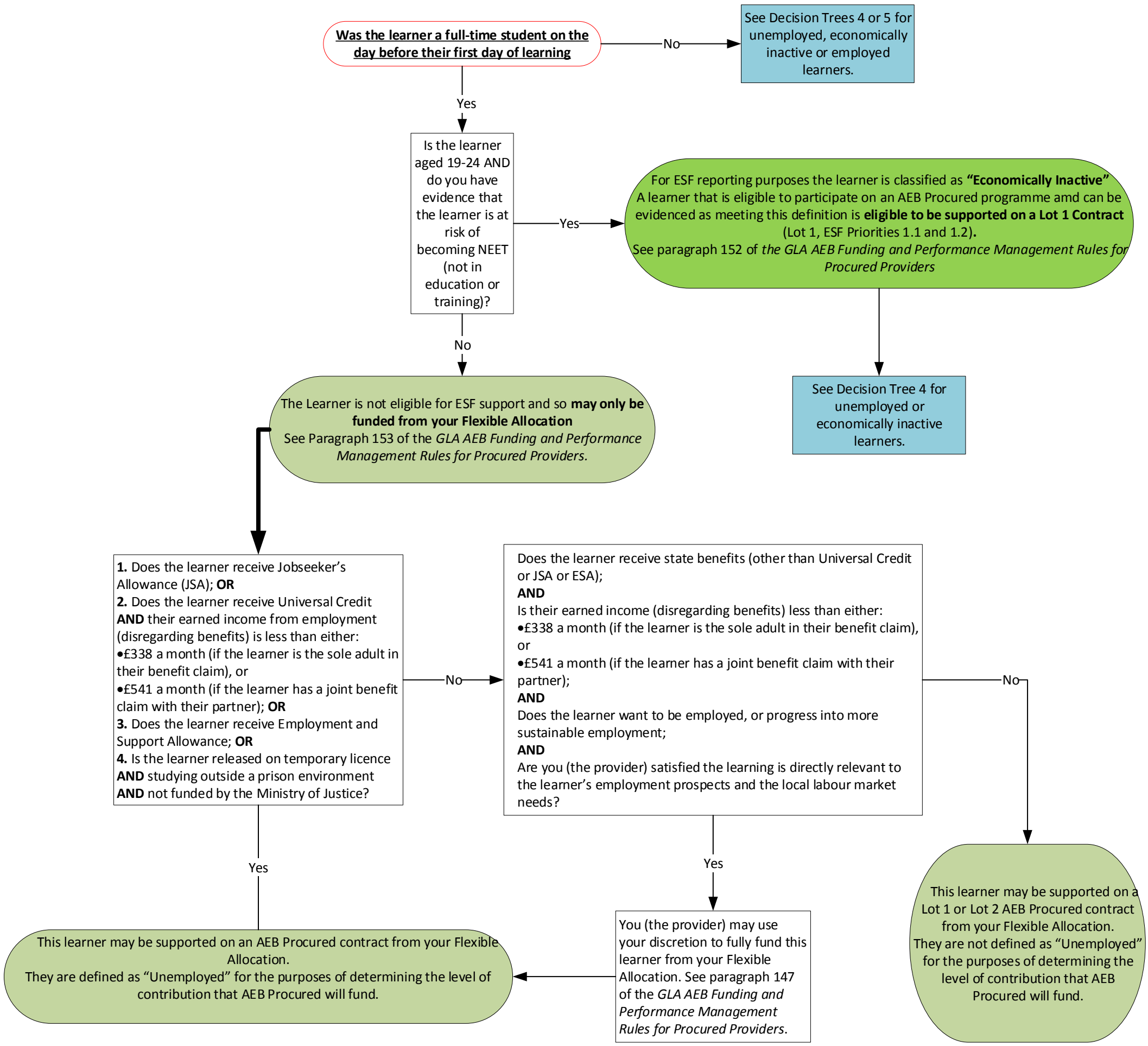
Decision Tree 2: Determining the Eligibility of Asylum Seekers for AEB support: Asylum seekers without permission to work in an EU member State



Decision Tree 3: Learners who are "full-time students" on the day before their first day of learning



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Decision Tree 4: Learners defined as "Unemployed" or "Economically Inactive" for ESF eligibility and AEB funding purposes

Is the learner without work? (i.e. they are not undertaking any paid work, even if they are also receiving benefits)

No → See Decision Tree 5 for Employed Learners

Yes → Is the learner available for work?

No → Was the learner a full-time student on the day before their first day of learning on your GLA AEB Procured provision?

No → For ESF reporting purposes the learner is classified as **"Economically Inactive".** A learner that is eligible to participate on an AEB Procured programme and can be evidenced as meeting this definition is **eligible to be supported on a Lot 1 Contract** (Lot 1, ESF Priorities 1.1 and 1.2). See paragraphs 150 to 152 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

Yes → Is the learner aged 19-24 AND do you have evidence that the learner is at risk of becoming NEET (not in education or training)?

No → See Decision Tree 3 for "Full-time Students" sheet

Yes → For ESF reporting purposes the learner is classified as **"Economically Inactive".** A learner that is eligible to participate on an AEB Procured programme and can be evidenced as meeting this definition is **eligible to be supported on a Lot 1 Contract** (Lot 1, ESF Priorities 1.1 and 1.2). See paragraphs 150 to 152 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

Yes → Is the learner actively seeking work?

No → Was the learner a full-time student on the day before their first day of learning on your GLA AEB Procured provision?

Yes → For ESF reporting purposes the learner is classified as **"Unemployed".** A learner that is eligible to participate on an AEB programme and can be evidenced as meeting this definition is **eligible to be supported on a Lot 1 Contract** (Lot 1, ESF Priorities 1.1 and 1.2) See paragraph 145 of the *GLA AEB Funding and Performance Management Rules for Procured Providers*

→ **1.** Does the learner receive Jobseeker's Allowance (JSA); **OR**
2. Does the learner receive Universal Credit **AND** have a joint benefit claim with their partner whose earned income from employment (disregarding benefits) is less than £541 a month; **OR**
3. Does the learner receive Employment and Support Allowance; **OR**
Is the learner released on temporary licence **AND** studying outside a prison environment **AND** not funded by the Ministry of Justice?

Yes → This learner is eligible to be supported on a Lot 1 contract and is defined as "Unemployed" for the purposes of determining the level of contribution that AEB Procured will fund. See paragraphs 146 and 147 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

No → Does the learner receive state benefits (other than Universal Credit or JSA or ESA);
AND
Have a joint benefit claim with their partner whose earned income (disregarding benefits) is less than £541 a month (if the learner);
AND
Does the learner want to be employed;
AND
Are you (the provider) satisfied the learning is directly relevant to the learner's employment prospects and the local labour market needs?

Yes → You (the provider) may use your discretion to fully fund this learner. See paragraph 147 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

No → Although this learner is eligible to be supported on a Lot 1 contract, they are <u>not</u> defined as "Unemployed" for the purposes of determining the level of contribution that the AEB Procured will fund.

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Decision Tree 5: Learners defined as "Employed" for ESF eligibility and AEB funding purposes

Is the learner working for pay, profit or family gain (this includes self-employment and part-time employment)?

No → Is the learner not working because they are temporarily absent from their job or business, because of, for instance, illness, holidays, industrial dispute, and education or training?

No → Is the learner self-employed and working in, or spending time on, their business or professional practice, although the business is not earning a profit, or not generating sales or income, or the business is in the process of being set up/ established?

No → Is the learner employed on a zero hours contract?

Yes → For ESF reporting purposes the learner is classified as **"Employed".** A learner that is eligible to participate on an AEB Programme and can be evidenced as meeting this definition is **eligible to be supported on a Lot 2 Contract** (Lot 2, ESF Priority 2.1)
See Paragraphs 156 to 160 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

Yes → Is the learner eligible for co-funding AND Can you evidence that the learner earns less than the London Living Wage as an annual gross salary on the date of the learner's learning start date?

Yes → This learner is eligible to be supported on a Lot 2 contract. This learner is defined as a **"learner in receipt of low wage"** for the purposes of determining the level of contribution that AEB Procured will fund.
See paragraph 163 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

No → **1.** Does the learner receive Jobseeker's Allowance (JSA); OR
2. Does the learner receive Universal Credit AND their earned income from employment (disregarding benefits) is less than either:
•£338 a month (if the learner is sole adult in their benefit claim), or
•£541 a month (if the learner has a joint benefit claim with their partner); OR
3. Does the learner receive Employment and Support Allowance; OR
4. Is the learner released on temporary licence AND studying outside a prison environment AND not funded by the Ministry of Justice?

Yes → This learner is **eligible to be supported on a Lot 2 contract**. However, this learner is defined as a "Unemployed" for the purposes of determining the level of contribution that AEB Procured *will fund.*
See paragraphs 146 and 147 of the *GLA AEB Funding and Performance Management Rules for Procured Providers*.

No → Does the learner receive state benefits (other than Universal Credit or JSA or ESA);
AND
Is their earned income (disregarding benefits) less than either:
- £338 a month (if the learner is sole adult in their benefit claim), or
- £541 a month (if the learner has a joint benefit claim with their partner);

AND
Does the learner want to be employed, or progress into more sustainable employment;
AND
Are you (the provider) satisfied the learning is directly relevant to the learner's employment prospects and the local labour market needs?

Yes → You (the provider) may use your discretion to fully fund this learner, classifying them as "Unemployed" for AEB funding purposes. See paragraph 147 of the *GLA AEB Funding and Performance Management Rules for Procured Providers*

No → This learner is eligible to be supported on a Lot 2 contract. They are classified as "Employed" for the purposes of determining the level of contribution that AEB Procured will fund.

Yes → Did they receive pay for work on the day they started their programme of learning?

No → See Decision Trees 3 and 4 for "Unemployed and Economically Inactive learners" or "Full-time students"

Yes → Yes → Yes

Decision Tree 6: Job Outcomes attracting Payments (Lot 1 or Lot 2)

Was the learner fully funded and defined as "unemployed" for AEB funding purposes? (See Decision Trees 3, 4, and 5)

No → This job outcome does not attract a payment. Go to Decision Tree 7 to determine whether the job outcome can be reported against your ESF Results Targets.

Yes → Has the Learner started a job **before** completing their learning aim?

No → Has the learner started a job **after** completing their learning aim but within four weeks of doing so?

No → This job outcome does not attract a payment and is not eligible to be reported against your ESF Results targets

Yes → If the learner was claiming benefits relating to unemployment, have they provided a compliant self-declaration to confirm that they have stopped claiming these?

No → This job outcome does not attract a payment. Go to Decision Tree 7 to determine whether the job outcome can be reported against your ESF Results targets.

Yes → Is the job evidenced as being for at least 16 hours per week and for at least 4 consecutive weeks with a form of evidence that meets the requirements of paragraphs 231 and 232 of the *GLA AEB Funding and Performance Management Rules for Procured Providers?*

No → Has the learner provided a compliant self declaration to confirm that the job is for at least 16 hours per week and for at least 4 consecutive weeks?

Yes → This job outcome attracts a payment but **only** from your **Flexible Allocations.** Go to Decision Tree 7 to determine whether the job outcome can be reported against your ESF Results targets.

Yes → Was the learner defined as Unemployed or Economically Inactive for ESF eligibility purposes? (See Decision Tree 4)

No → This job outcome attracts a payment but **only** from your **Flexible Allocation**. It is not eligible to be reported against your ESF Results Target

Yes → Is the learner an asylum seeker with permission to work? (See Decision Tree 1)

No → Is the job on the list of shortage occupations? (see paragraph 235 of the *GLA AEB Funding and Performance Management Rules for Procured Providers?*

No → This job outcome attracts a payment but **only** from your **Flexible Allocation**. It is not eligible to be reported against your ESF Results Target

Yes → Is the learner a Croatian Citizen?

No → The job outcome attracts a payment. The job outcome is also eligible to be reported against your ESF Results target.

Yes → Does the learner have an accession worker authorisation Certificate from the home office or proof that they are exempt from the requirement to have work authorisation? (See paragraph 236 of the *GLA AEB Funding and Performance Management Rules for Procured Providers*

No → This job outcome attracts a payment from your **Flexible Allocation.** It is not eligible to be reported against your ESF Results targets

Yes → Does the learner's accession worker authorisation certificate allow them to take the job outcome or type of employment?

Yes → The job outcome attracts a payment. The job outcome is also eligible to be reported against your ESF Results target.

No → This job outcome attracts a payment from your **Flexible Allocation.** It is not eligible to be reported against your ESF Results targets

Decision Tree 7: Job outcomes that can be reported against ESF Results Targets (Lot 1 Only)

Was the learner defined as Unemployed or Economically Inactive for ESF eligibility purposes?
(See Decision Tree 4)

No → This job outcome is not eligible to be reported against your ESF Results targets

Yes → Has the learner started the job before they completed their learning aim **OR** within 4 weeks of completing their learning aim?

No → This job outcome is not eligible to be reported against your ESF Results targets

Yes → Has the learner provided a compliant self declaration to confirm that the job is for at least 16 hours per week and for at least 4 consecutive weeks?

Yes → Has the learner started their job **before** completing their learning aim?

Yes → If the learner was claiming benefits related to unemployment have they provided a compliant self-declaration to confirm they have stopped claiming these?

Yes → Was the learner fully funded and defined as Unemployed for AEB Funding Purposes?
(See Decision Trees 3, 4 & 5)

Yes → Go to Decision Tree 6 to determine whether the job outcome may attract a payment from AEB Funding.

No → The job outcome does not attract a payment

No → The job outcome does not attract a payment. Continue to determine if it can still be reported against your ESF Results targets.

No → Has the learner provided other evidence of the job outcome that meets the requirement of paragraph 232 of the *GLA AEB Funding and Performance Management Rules for Procured Providers?*

Yes → Is the job evidenced for at least 16 hours per week and for at least 4 consecutive weeks?

Yes → Has the learner started their job **before** completing their learning aim?

No → The job outcome does not attract a payment. Continue to determine if it can still be reported against your ESF Results targets.

No → Has the learner provided a compliant self-declaration of a job outcome confirming employer, job details and number of hours, the job start date and the period that the job is expected to last
Note: This could be a job that is less than 16 hours per week and/or for less than 4 consecutive weeks

Yes → Is the learner an asylum seeker with permission to work? (see Decision Tree 1)

Yes → Is the job on the list of shortage occupations?
(see paragraph 235 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

Yes → This job outcome is eligible to be reported against your ESF Results targets

No → Is the learner a Croatian Citizen?

Yes → Does the learner have an accession worker authorisation certificate from the Home Office or proof that they are exempt from the requirement to have work authorisation? See paragraph 236 of the *GLA AEB Funding and Performance Management Rules for Procured Providers.*

Yes → This job outcome is eligible to be reported against your ESF Results targets

No → This job outcome is not eligible to be reported against your ESF Results targets

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