

West of England Adult Education Funding 2019/2020

APPLICATION GUIDANCE AND APPRAISAL
CRITERIA

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1. PURPOSE OF THIS PAPER

This document sets out the funding approach for the West of England Combined Authority (WECA) devolved Adult Education Budget (AEB) for the 2019/20 academic year (1st August 2019 to the 31st July 2020). It is intended an aide for completing the WECA Adult Education Funding Application Form for providers planning on delivering funded adult skills provision to WECA residents of Bath & North East Somerset, Bristol and South Gloucestershire. This document does not consider arrangements for the 2020/21 academic year onwards.

2. BACKGROUND

Devolution of the Adult Education Budget (AEB) was indicated in the West of England Combined Authority Devolution Agreement of the 16th of March 2016. By taking local control of these powers and funding WECA are aiming to improve outcomes for our residents, employers and local economy. In July 2018, the Combined Authority gave formal consent to the Order which will transfer the AEB functions, including a range of statutory obligations, to WECA from the 1st of August 2019 onwards. Following confirmation from the Secretary of State that local readiness conditions had been met by WECA, the order was subsequently laid in Parliament and came into effect on the 6th November 2018. Further information on devolution for providers with a current Education and Skills Funding Agency (ESFA) funding agreement and AEB allocation can be found [here](#).

3. WECA'S VISION FOR ADULT EDUCATION FUNDING

The Adult Education Budget 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 and tailored programmes of learning to be made available for learners to engage with. This provision helps learners build confidence, develop the skills required for work and life and enhance their wellbeing. WECA's vision for Adult Education Funding is as follows:

- **Residents:** WECA residents are able to access the education and skills they need to participate in society and progress in education, training and work;
- **Employers and the Economy:** The WECA area has a skilled workforce which can meet the needs of local employers and the local economy;
- **Strategic Integration:** WECA has a strategic Adult Education offer which is part of an integrated employment, education and skills system and is informed by employer and learner needs.

WECA will reach this long-term ambition by working in partnership with adult learners, employers, and education providers to ensure we achieve positive results. In future years WECA will be seeking to make changes to areas such as: funding rules and learner eligibility, the mix and balance of provision/curriculum and the mix of providers.

The approach to change will be a measured one based on evidence, to ensure that we maintain a stable post-16 provider base. We do not intend to make significant changes to the allocations of our Core Providers in the 2019/20 academic year and have purposefully aligned to the existing Education and Skills Funding Agency (ESFA) policies, processes and key milestones for this first year of devolved funding and delivery.

4. HOW MUCH FUNDING IS AVAILABLE AND HOW WILL IT BE ALLOCATED?

For the 2019/20 academic year, the Government has allocated £14.7m of AEB to WECA. This is the actual figure confirmed in January of 2019.

The West of England Combined Authority will use grant processes to allocate funding to the vast majority of providers seeking to deliver funded adult learning to WECA residents. All grant processes that make public money available to applicants must use an open and transparent method for reaching a decision on the allocation of funds. WECA's process will result in a robust, clear and evidenced audit trail supporting the funding decisions that will ultimately be made by the WECA Committee.

All providers planning to provide adult skills to West of England residents should read this guidance and submit an application for funding using the associated Provider Application Form.

Applications for funding must be completed and emailed to:

AdultEducation@WestofEngland-ca.gov.uk by 11.59pm on the 3rd March 2019.

Adopting a harmonised approach to grant funding for Higher Education Institutions, Further Education Colleges and Independent Training Providers is WECA's preferred approach and meets our corporate considerations. We have structured the grant funding arrangements to address State aid risks. However, If WECA identifies a particular group of provision, for example niche provision that meets the needs of the local community, that cannot be delivered via our grant funded provision WECA will consider procurement to address these needs.

5. ELIGIBILITY, FUNDING RULES AND STATUTORY ENTITLEMENTS

WECA will cover the majority of adult education budget funded provision in the West of England and for the 2019 / 20 academic year will be using the national funding rules, eligibility criteria and rates. This supports WECA's intention to create a stable and measured transition from national to local control.

There are a number of areas that the devolved West of England Adult Education Funding does **not** cover. Please ensure that your request for funding does **not** include any functions relating to the follow:

- Anything related to apprenticeships
- Anything related to adult offender learning
- Anything related to young people between 16-18
- Anything related to traineeships
- Anything related to Advance Learner Loans
- Anything related to loan bursary funds

These programmes will remain nationally contracted with funds provided by ESFA, regardless of whether the learner/trainee resides in the West of England area. AEB forms one part of the funding provision for skills development in West of England area. The way our post 16 education, Apprenticeships and Traineeships are funded will remain unchanged.

WECA will continue to fund free study for learners, who meet certain conditions, as a result of statutory entitlements. Eligible learner's exercising their legal entitlement, must be enrolled on qualifications from the:

- 2019 to 2020 list of qualifications in the level 2 and level 3 legal entitlement and/or the 2019 to 2020 list of qualifications in the English and maths legal entitlement.

The process and the eligibility principles that the ESFA apply to include qualifications in the adult education budget, as part of the legal entitlements are set out here;

<https://www.gov.uk/government/publications/qualifications-getting-approval-for-funding/legal-entitlements-and-qualification-eligibility-principles-within-in-the-adult-education-budget>

WECA AEB will cover all providers who deliver eligible provision in the WECA area from the start of the academic year 2019/20, irrespective of where the provider is geographically located, as it will be based on the residency of the learner. Any provider that registers a learner on the Individual Learners Record (ILR) system with a resident address in the West of England Combined Authority's administrative boundary with the expectation that the provision be funded from what was the Adult Education Budget, will not receive any funding from the ESFA for that learner. All claims against that learner will be rejected by the ESFA.

Providers of further education and training to adult residents in the West of England Combined Authority area who are relying on WECA to fund this provision **must** have a funding agreement in place with WECA prior to delivery of provision. Any provision made without such an agreement is at the providers own financial risk; WECA has no obligation to fund provision, including any which meets statutory entitlements if the provider does not have a funding agreement with the Combined Authority. See "In Year Exceptions" (Section 10) for more information.

Table showing WECA Adult Funding Qualifications and Entitlements (with contributions)

Provision by Level	Type of Provision	Age of Learner		
		19 to 23 Year Olds	24 + Unemployed	24+ Other
Entry Level and up to and including Level 2	English for Speakers of Other Languages (ESOL) learning up to and including level 2	Co-funded+	Fully funded	Co-funded+
		Fully funded unemployed		
Level 2	English and maths, up to and including level 2 (Must be delivered as part of the legal entitlement)	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 2	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		
Level 3	Level 3 e.g. A Levels (First full level 3 must be delivered as part of the legal entitlement)	Fully funded* (first and full)	Loan-funded	Loan-funded
		Loan-funded**(previously achieved full level 3 or above)		

*Must be delivered as one of the English and maths, 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.
Excludes flexible element where funding depends on age and level.
16- to 18-year-old learners must be eligible under the ESFA's young people's residency requirements.
** 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, see Performance Management Rules

The AEB supports the delivery of flexible tailored provision for adults, including qualifications and components of these (units), and /or non-regulated learning, up to Level 2 – this Local flexibility provision is either fully or co-funded, depending on the learner’s prior attainment and circumstances.

AEB also supports delivery of a wider range of provision as set out in section 2 of the [2018 to 2019 AEB funding and performance management rules](#). [Update to 2019 to 2020 when published].

The eligible qualifications or non-regulated learning aims are set out on the HUB: <https://hub.fasst.org.uk/Pages/default.aspx>, and the separate qualifications offer and legal entitlement documentation published on the GOV.UK: <https://www.gov.uk/government/collections/qualifications-approved-for-public-funding>

6. GRANT FUNDING DECISIONS

The WECA Committee is responsible for awarding all grants taking into account the recommendations from the Business and Skills team and the priorities determined by government and the ESFA. WECA will secure provision through an open and transparent process within a series of known constraints and consideration.

The guiding principles for awarding funding are set out below, ultimately WECA must meet its statutory duties and the principles of public law and ensure that we do not destabilise the provider base.

The context for Adult Education Funding decisions is set out below:

- The value of funding available to WECA.
- Historic provision to West of England residents.
- Meeting WECA's Statutory Duties.
- Maintaining a stable provider base and the findings of our Area Based Review and a full range of provision.
- Geographical coverage and accessibility for West of England residents
- The Provider offer as set out in the application form alongside the scale of funding sought.
- Quality of historic provision (measured by relevant OFSTED ratings to include quality of provision and financial health).
- Deliverability (as in value of funding sought against historic and likely levels of provision)
- Any subcontracting enhances the quality of the learner offer and is not to meet short-term funding objectives.
- For New Provider Entrants, financial status as measured by WECA Due Diligence (See Section 9)
- Evidence of collaboration and partnership at a local level

The Application form is designed to allow you to set out how you will address each one of the bullet points outlined in the funding context (box above). The formal decisions of the WECA Committee on grant allocations will be final.

The WECA Committee is chaired by the Regional Mayor, Tim Bowles, and is made up of the leaders and Mayor from the three councils in the region – Bath & North East Somerset (Leader, Cllr Tim Warren), Bristol City Council (Mayor Marvin Rees) and South Gloucestershire Council (Leader, Cllr Toby Savage). The Chair of the West of England Local Enterprise Partnership (LEP), Professor Steve West, also attends committee meetings.

The WECA Committee minutes detailing the decisions will be published promptly on the WECA Website and provider Funding Agreements will be in place by the end of June 2019.

7. APPRAISAL CRITERIA

In line with our Funding Principles scoring will be applied to applications as follows;

Overall Marks and Weighting

Application Form Section	Score	Weighting	Aspect %
Section 1 - Provider Information	0	0	
Section 2 - Gateway Questions*	Pass/ Pass with Conditions/Fail (see below for definition p8)		
Section 3 - Learning Offer / Track Record	5	X 5	25%
Section 4 - Statutory Entitlements	5	X 3	15%
Section 5 - Accessibility and Geographical Coverage	5	X 3	15%
Section 6 - Collaboration and Partnership Working	5	X 2	10%
Section 7 - Performance Management, Capacity and Capability	5	X 4	20%
Section 8 - Quality of Provision	5	X 3	15%
Section 9 - Historic Provision	0	0	
Section 10 - Request for Funding	0	0	
Section 11 Sub-Contracting	0	0	
Section 12 New Entrants and Due Diligence	Pass / Pass with Conditions/Fail (see below for definition p8)		
Section 13 Supporting Information	0	0	
Section 14 Declaration	0	0	

Section 1 of the Application Form - Provider Information

This Section will not be scored

Section 2 of the Application Form - Gateway Questions

The gateway questions marked with a (*) in the application form in Section 2 will be appraised on a 'pass/pass with conditions/fail' basis. If an application should fail Section 2, the rest of the application will not be appraised. However, the application may 'pass with conditions' subject to the outcome of WECA financial due diligence, if funding is awarded.

A 'pass' or a 'pass with conditions' will be defined as follows:

- i. If the organisation is currently a registered training provider and has provided it's UKPRN.
- ii. The organisation delivered AEB provision under a ESFA contract in 2017/18 and/or has a draft allocation for 2018/19.
- iii. An 'Outstanding', 'Good' or 'Satisfactory' grade from the ESFA Financial Health Assessment or the outcome of the WECA financial Due Diligence for a New Provider Entrant.
- iv. If the organisation has a ILR Compliant Management Information System in place.
- v. The applicant has confirmed they have established a State Aid compliant position

Section 3 of the Application Form – Summary of Learning Offer /Track Record

5 Points	The response demonstrates a track record in delivering successful outcomes in AEB provision, including specifically to WECA residents and is supported by robust evidence.
3 Points	The response demonstrates a track record in delivering successful outcomes in AEB provision and is supported in the evidence
1 Point	The response demonstrates a track record in delivering AEB provision and there are gaps in the supporting evidence.
0 Points	No response or fails to address the question

Section 4 of the Application Form – Statutory Entitlement

5 Points	The response demonstrates a track record in delivering Statutory Entitlements. Eligibility, deliverability and managing the budget has been addressed and is supported by robust evidence.
3 Points	The response demonstrates a track record in delivering Statutory Entitlement supported in the evidence.
1 Point	The response demonstrates a track record in delivering Statutory Entitlements there are gaps in the supporting evidence.
0 Points	No response or fails to address the question

Section 5 of the Application Form - Accessibility and Geographic Coverage

5 Points	The response demonstrates that the provision set out is fully accessible to all WECA learners and is supported by robust evidence.
3 Points	The response demonstrates in part that the provision set out is reasonably accessible to most WECA learners and is supported by limited evidence
1 Point	The response lacks detail or there is a concern in relation to how the provision set out in the Delivery Plan is accessible to some WECA learners and/ or there are significant gaps in the supporting evidence.
0 Points	No response or fails to address the question.

Section 6 of the Application Form - Collaboration and Partnership working

5 Points	Effective collaboration takes place at a local level to help meet the needs of WECA employers and learners and is supported by robust evidence. (Including any specific plans)
3 Points	Seeking to develop and sustain partnerships to help meet the needs of WECA employers and learners and is supported in the evidence
1 Point	Limited relevant collaboration efforts and there are gaps in the supporting evidence.
0 Points	No response or fails to address the question

Section 7 of the Application Form - Performance Management, Capacity and Capability

5 Points	Demonstrates strong proposal for performance management, capability and capacity which is supported by robust evidence including a fully comprehensive assurance system and processes in place to manage a grant agreement and associated funding.
3 Points	Demonstrates acceptable proposals for performance management, capability and capacity which are supported by some evidence but they could be improved in at least one area.
1 Point	Lacks detail in relation to how Funding will be performance managed and there are significant gaps in the supporting evidence and/or there is a concern in at least one area
0 Points	No response or fails to address the question

Section 8 of the Application Form - Quality of Provision

Response Rating	Scoring
No Ofsted	0
Inadequate	0
Requires Improvement	1
Good	4
Outstanding	5

Section 8 of the Application Form – Historic Provision to West of England Residents

This section will not be scored

Section 9 of the Application Form - Request for Funding

This section will not be scored. These figures will be compared against the [provisional ESFA publication of provider level delivery data for 2017/18](#). WECA will check that requests are within the 5% range on previous full year earned income.

Section 11 of the Application Form - Planned Sub-Contracting

Details of proposed sub-contracting arrangements for 2019/20 will not be scored. Details of WECA's subcontracting management requirements are outlined in the WECA 2019/20 Adult Education Funding Performance Management Rules.

Section 12 of the Application Form - New Entrants & Due Diligence

New Provider Entrants must submit the listed documentation and consent to a reference check to be carried out. (This section does not need to be completed for existing ESFA Providers).

Section 13 of the Application Form - Supporting Information

This section will not be scored. This section requires providers to up-load their key policies as detailed.

Section 14 of the Application Form - Declaration

This section must be signed by a suitably authorised Accountable Officer within the organisation i.e. Chief Executive, College Principle, Financial Officer or equivalent. If you do not sign and submit your application, we will be unable to accept your application.

8. EXISTING PROVIDER ALLOCATIONS

WECA intend to meet all funding requests received from existing providers and it is not anticipated that funding requests will exceed the available budget. However, this will depend on both the funding available and the information submitted by the provide applicant.

WECA will not consider funding requests which exceed growth of 5% of the previous full year's income earned from delivering adult education to WECA residents. This is to achieve the aim of not destabilising the provider base. For clarity, the last full years' worth of funding information will relate to the 2017/18 academic year (being the last academic year which WECA currently has delivery data).

For the reasons set out above, you should limit your funding ask for 2019/20 to within 5% of your Adult Education earnings for West of England learners in 2017/18 as a maximum.

If you consider that there are exceptional reasons why WECA should fund more than your Adult Education earnings for West of England learners in 2017/18, you should set this out in Section 7 of the application form (Proposed Changes). We also recommend that you contact WECA at Adulteducation@westofengland-ca.gov.uk to discuss significant changes, prior to applying.

9. NEW PROVIDER ENTRANTS AND DUE DILIGENCE

A New Provider Entrant is defined as one that has not received ESFA funding for provision in the WECA area in the academic year 2017/18. It also includes Providers who are not registered as approved ESFA providers and do not currently have access to ESFA services.

For compliance and value for money purposes, WECA undertakes a rigorous due diligence process that is reasonable and proportionate to the value of funding awarded. Funding can only be provided to financially sound and compliant businesses.

As part of this process a business credit score will be obtained from a credit reference agency, together with recognised accountancy tests being undertaken on the last 3 years of accounts. New Provider Entrants are asked to provide their Company/Entity Registration number and consent for a reference check to be carried out in Section 10 of the application form.

Additional checks will also be undertaken to identify any relevant risks.

Information Requirements

The following documentation and information is required to accompany new entrant's application form:

Financial Statements / Accounts

1. 3 Years full filled accounts to include P&L, balance sheet and notes to the accounts.
2. If trading for less than 3 years, full filled accounts to include P&L, balance sheet and notes to the accounts for trading years & management accounts for the current accounting period.
3. For new start-ups, full business plan including 3 years' cash flow and assumptions.

Other Information

1. Evidence of valid business insurance (professional indemnity & public liability insurance).
2. Up to date business continuity plan.
3. Details of any ongoing / pending legal cases. If so, please state the nature and value of claim.

Further Information

Further information may be requested as part of the due diligence checks, including evidence to support the performance management, capability and capacity questions.

If you have any questions regarding this due diligence, please contact the team on adulteducation@westofengland-ca.gov.uk

If the provider should fail the initial due diligence gateway, the rest of the application will not be reviewed against the funding context, and an allocation will not be awarded.

If a provider satisfies the due diligence test, WECA will score the application as set out in Section 7 (Appraisal Criteria). If sufficient funds are not available, WECA will prioritise those applications which score highly and best align with our funding principles to help to achieve a viable and stable provider base.

If successful, WECA and the ESFA will guide you through a number of different actions to become fully registered and enable access to the necessary ESFA services.

10. IN YEAR EXCEPTIONS

WECA expects that during the 2019/20 academic year, there will be instances where provision is made to a WECA resident by a provider that does not have an existing funding agreement with us.

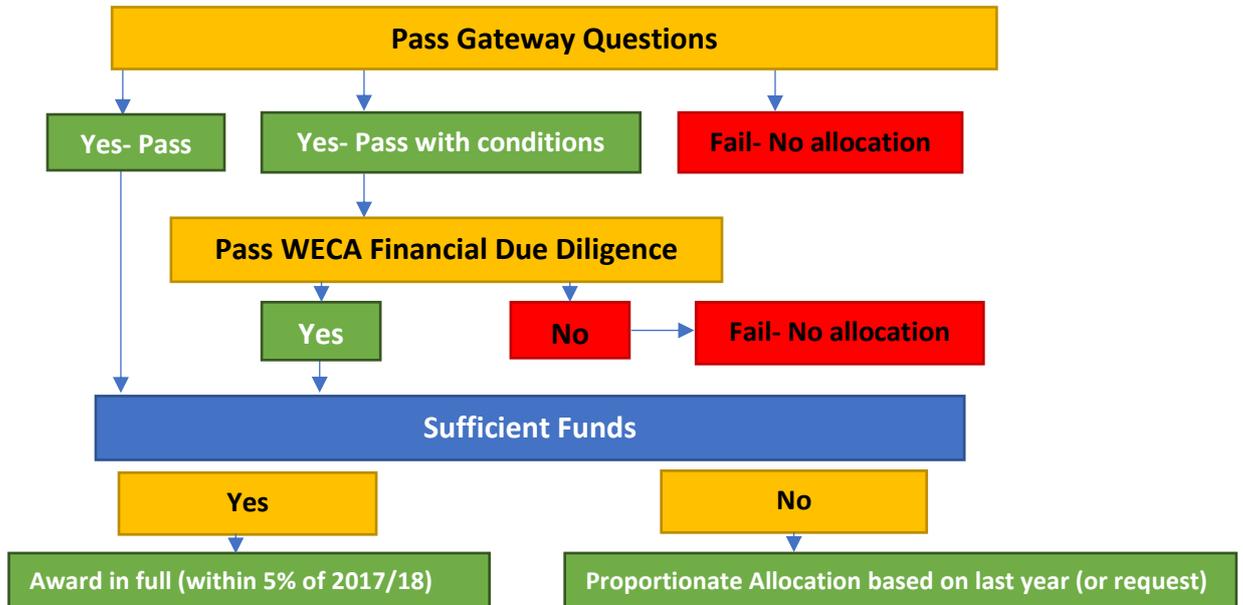
As such, for the 19/20 Academic year only, we will run an In-Year Exception process, where any provider who identifies that they have made provision to a WECA resident can approach us In Year for a retrospective funding agreement. These agreements will be capped at a maximum of £15,000 and will only be made available within our allocated budget.

To apply in year, you must complete the WECA Adult Education Provider Application form.

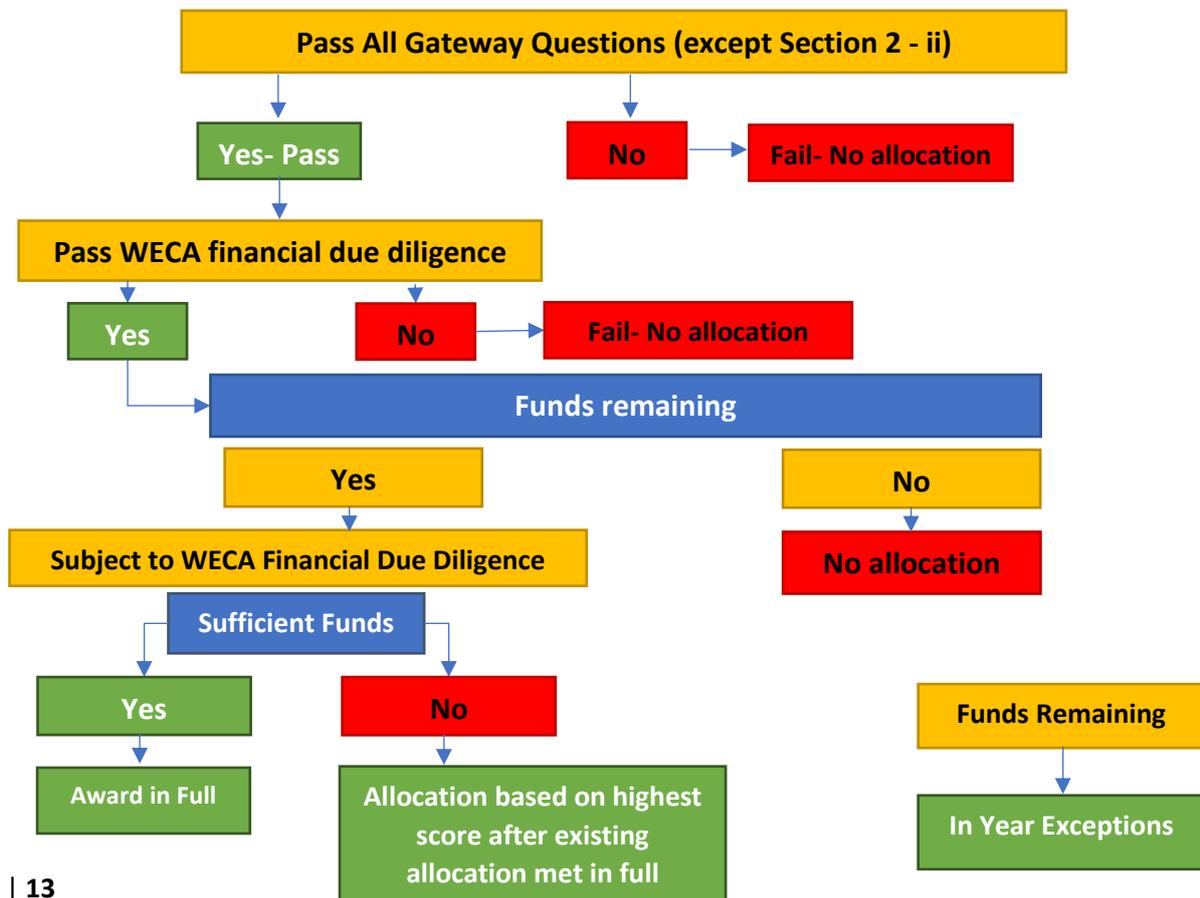
Please note that WECA does not guarantee to meet in-year exception requests.

11. FUNDING ALLOCATIONS FLOW CHART

1. Existing Providers



2. New Provider Entrants



12. TIMETABLE

In order to be operationally ready for AEB delivery to commence in August 2019, we aim to follow the high-level timetable below:

Date	Milestone
03/09/18	Start of 2019/20 Provider Engagement Process
21/01/19	Start of Grant Funded Allocation process
03/03/19	Provider Application Deadline
31/05/19	WECA Committee Grant Allocation Decision
28/06/19	All final Grant funding provider allocations confirmed
28/06/19	All Funding Agreements and Contract for Services issued, signed and returned
01/08/19	Start of devolved AEB provision

13. SUB CONTRACTING

WECA understands the rationale for sub-contracting skills provision when intended to provide positive outputs, like bringing niche provision into the market, or where it enables new providers to enter the market who do not have the underpinning financial management systems to allow a direct contract. Sub-contracting for protection of allocation only, which appears to have no positive effect on learners and providers, will be looked upon less favourably.

Any plans to sub contract should be clearly set out in your Provider Application using the relevant section and Annex Two (Planned Sub-Contracting 2019/2020). Your subcontracted delivery must meet your strategic aims and enhance the quality of your learner offer.

If we confirm your allocation, this includes agreement to the planned Sub-contracting detailed. Successful applicants will need to declare to WECA any further sub-contracting agreed in-year.

This will help manage and mitigate risk and ensure value for money in relation to fees and charges linked to sub-contracting arrangements are channelled directly into delivering high quality provision to WECA residents.

Please see the WECA Performance Management Funding Rules 2019-2020 and WECA Funding Higher Risk Organisations and sub-contractors for full details.

14. AUDIT

WECA's preferred position on audit is still subject to agreeing a service offer with the ESFA. It will be necessary to audit providers to assure public funds are used correctly and we will reserve the right to amend, withdraw or clawback allocations based on audit, if putting public funds at risk. The specific terms and conditions of Audit will be set out in the Funding Agreement.

15. PAYMENT TERMS

The Provider Funding Agreement will set out the terms and conditions and payment profile. A sample offer letter will be made available on the WECA website.

Any potential funding agreement will state the maximum financial amount of AEB provision you can deliver between 1 August 2018 and 31 July 2019. Section 3 'payment and performance management rules' of the Adult Education Budget Funding and Performance Management Rules sets out the principles by which we will manage your performance [Insert 2019/20 version when published].

WECA will pay grant to Providers in advance on a monthly profile agreed in your funding agreement.

You must provide three financial statements to WECA setting out your actual delivery to date and, where appropriate, provide a forecast for the remainder of the funding year. These are set out below;

- the mid-year funding claim
- the year-end forecast claim
- the final funding claim

WECA will request a mid-year statement from you, which sets out what you believe to be your earned income which we will check against the relevant Individual Learner Record (ILR) and Earnings Adjustment Statement (EAS) related data. We will again review the actual spend you submit in your final funding claim against the ILR) and EAS data you provide.

Reconciliation will be calculated and enacted based on the final year end claim with the total AEB delivery compared to the total funding allocation for the whole year, and the shortfall recovered as necessary. In line with current national Adult education budget: funding and performance management rules, grant funded providers delivering within 3% of their funding allocation are not required to repay the shortfall. Our policy is that we will not fund over-delivery of non-formula funded community learning. WECA's performance management process will mirror the ESFAs as much practically possible.

16. STATE AID

In simple terms, State aid arises where money from State resources e.g. grant funding, is used to favour undertakings (a term that is used to describe any entity, of whatever legal structure, that is offering a good or service to the market) in a way which distorts competition and affects trade between Member states. Providers applying to us will need to reassure themselves that any grant funding they receive from WECA will be compliant with the relevant State Aid legislation and need to notify WECA of how they wish their application to be considered.

WECA fully expects to grant fund Further Education Colleges and Local Authorities which currently deliver AEB funded provision as 'No Aid'. This is on the grounds of EU case law confirming that as they generally form part of the state-maintained system of public education; organised, funded and supervised by the State, the activities that they are carrying out are considered as 'non-economic' activity, to which, again in simple terms, State Aid does not apply. However, be aware that, in certain Member States public entities can also offer educational services which, due to their nature, financing structure and the existence of competing private organisations, are also to be regarded as economic.

According to the same case-law, the non-economic nature of public education is in principle not affected by the fact that pupils or their parents sometimes have to pay tuition or enrolment fees which contribute to the operating expenses of the system. Such financial contributions often only cover a fraction of the true costs of the service and can thus not be considered as remuneration for the service provided.

Independent training providers offering services for remuneration (at or near full cost recovery, or for profit) financed predominantly by learners or by payment from commercial users (businesses) will generally be deemed to be undertaking economic activity to which State Aid does apply. This means that grant cannot be offered as 'no aid'.

One available mechanism for supporting ITPs (or others) who do not meet the criteria for a 'no aid' award (as described above) is the *de minimis* regulation, based on the Commission's view that small amounts of grant support are unlikely to distort EU wide competition. The *de Minimis* Regulation allows small amounts of grant support – less than €200,000 over 3 rolling years – to be given to an undertaking for any purpose. If you use this mechanism, you must complete a *de minimis* declaration form. It is important to meet the terms and maximum aid amounts set out in the regulation.

The state aid branch of the Department for Business, Energy & Industrial Strategy (BEIS) has lead responsibility within the UK for coordination and development of state aid policy. The [BEIS state aid guidance](#) has further information. You can also visit the [European Commission's information on state aid](#).

Taking all of the above into account, as well as reviewing the operation and practice of the ESFA, WECAs assessment is that there are three options to make grant funding available, compliantly and applicants will be required, having sought any necessary advice, to select one of the options. They are

- 'No Aid'
- Support under *De Minimis* regulation.
- As State Aid under another existing State Aid exemption (applicant to detail)

All applicants are advised to seek their own expert independent legal advice on State Aid. The financial risk of receiving illegal Aid will lie entirely with the recipient of that Aid and penalties will normally include a requirement to repay any illegal Aid with interest. This section does not represent binding legal guidance or advice on which any applicant should rely.

17. CONTACT AND FURTHER INFORMATION

If you wish to contact WECA to discuss the AEB application process and funding arrangements, please email Adulteducation@westofengland-ca.gov.uk

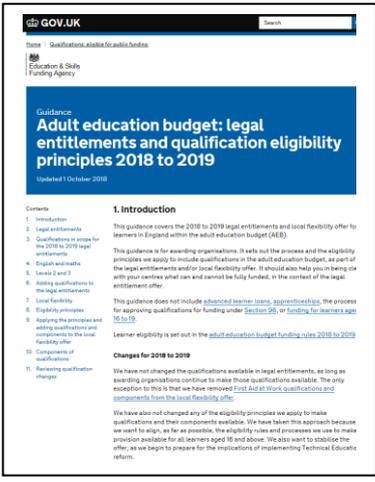
Please visit the WECA Website for further information and full suite of forms and further resources at <https://www.westofengland-ca.gov.uk/adult-education-budget/>

18. IMPORTANT POLICY AND GUIDANCE DOCUMENTATION

This WECA guidance was prepared in November 2018, prior to the publication of the ESFA 2019/20 academic year policy documentation, and before the confirmation of the AEB allocation figure for the WECA area. We have aligned as far as possible to the ESFA 2018 to 2019 eligibility rules and processes. The ESFA always include a summary of changes to explain new policy rules and amendments that differ from the previous year, we recommend that Providers read the latest version (2019/20 when published) and the summary of changes.

Further operational guidance will be developed over the coming months, including the WECA Provider Performance Management Framework. Any additional policy and guidance documentation will be published on the WECA website once finalised, and communicated directly to successful applicants.

Document Title	Purpose	Status
WECA Adult Education Funding Provider Application Form 2019/20	All providers seeking an Adult Education Funding award from WECA to deliver adult learning to WECA residents in the academic year 2019/20, are required to complete the WECA Adult Education Funding Application form to which these Guidance Notes relate.	Published on WECA website
WECA Adult Education Funding and Performance Management Rules 2019/20	WECA document sets out the funding rules that apply to all providers of education and training who receive adult education budget funding. This document forms part of the terms and conditions of funding. Providers must operate within the terms and conditions of the funding agreement, these rules, and the ILR Specification. If you do not, you are in breach of the funding agreement with WECA.	Published on WECA website
WECA Adult Education Funding Rates and Formula 2019/20	This document sets out the details of the funding system used to fund activity paid for from the Adult Education Budget (AEB).	Published on WECA website
Privacy notice for WECA Adult Education Funding Grant Applicants	The privacy notice below describes how WECA will treat the personal information applicants provide to us during the grant application process and throughout the life of the grant.	Published on WECA website
	The Due Diligence Framework sets out the activities undertaken to obtain assurance	In development

<p>WECA Due Diligence Framework for New to the Market Providers</p>	<p>of a new provider’s capacity and capability to deliver Adult Education Funding. In reviewing the provider’s financial status and capacity. WECA will gain a much better understanding of the strengths, weaknesses and risks in funding that provider.</p>	
<p>Funding Higher-Risk Organisation’s and Subcontractors 2019/2020</p>	<p>The purpose of this document is to identify the criteria that would prevent an organisation being considered for funding by WECA or result in the discontinuation of Adult Education Funding to that organisation. This also applies to those proposing to deliver education and training services funded by WECA Adult Education under a subcontracting arrangement.</p>	<p>Published on WECA website</p>
<p>Adult education budget: legal entitlements and qualification eligibility principles</p> 	<p>This ESFA guidance covers the legal entitlements and local flexibility offer for learners in England within the adult education budget (AEB).</p>	<p>Not yet published for 2019/20</p>

19. GLOSSARY

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.
The Hub	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.
Education and Skills Funding Agency (ESFA)	The ESFA brings together the former responsibilities of the Education Funding Agency (EFA) and Skills Funding Agency (SFA) to create a single agency accountable for funding education and skills for children, young people and adults. ESFA is an executive agency, sponsored by the Department for Education.
Funding agreement	The agreement between the WECA and the providers who receives grant funding for Adult Education provision delivered to WECA residents
New Provider Entrant	A New Provider Entrant is defined as one that has not received ESFA funding for provision in the WECA area in the academic year 2017/18. It also includes Providers who are not registered as approved ESFA providers and do not currently have access to ESFA services
Provider Application	The form providers need to fill in to apply for Adult Education Budget funding in the WECA area in 2019/20 (See Appendix 1 of Guidance)
Planned Sub-Contracting	Planned agreement for a separate legal entity 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. Further details need to be stated in your application form.
WECA area (West of England Combined Authority Area)	The administrative boundary of the West of England within which all learners funded by WECA Adult Skills Funding must be resident. The area is made up of the administrative boundaries of Bath and North East Somerset Council, Bristol City Council and South Gloucestershire Council.
WECA Committee	The Combined Authority is chaired by the Regional Mayor, Tim Bowles, and is made up of the leaders and Mayor from the three councils in the region – Bath & North East Somerset (Leader, Cllr Tim Warren), Bristol City Council (Mayor Marvin Rees) and South Gloucestershire Council (Leader, Cllr Toby Savage). The Chair of the West of England Local Enterprise Partnership (LEP), Professor Steve West, also attends committee meetings.