

Adult Education Funding

FUNDING AND PERFORMANCE MANAGEMENT RULES 2019/2020

(For the funding year 1 August 2019 to 31 July 2020)

This document sets out the funding rules that apply to all providers of education and training who receive adult education budget funding for learners residing in the West of England Combined Authority area.

VERSION 2 – 06/06/19

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Introduction and purpose of the document

1. This document sets out the West of England Combined Authority (WECA) adult education budget (AEB) funding rules for the 2019 to 2020 funding year (1 August 2019 to 31 July 2020). The rules apply to all providers of education and training who receive Adult Education Funding from the Secretary of State for Education acting through WECA for West of England Combined Authority residents.
2. Adult Education Funding 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 programme's of learning to be made available, which may or may not require a qualification, to help eligible adult learners engage in learning, build confidence, and/or enhance their wellbeing.
3. These rules do not apply to apprenticeships, traineeships and advanced learner loans or to education and training services funded by the European Social Fund. The Education Skills Funding Agency (ESFA) will continue to fund apprenticeships, traineeships and advanced learner loans for West of England Combined Authority learners – you can access these separate funding rules on the GOV.UK website.
4. This document forms part of the terms and conditions of funding and you must read them in conjunction with your funding agreement. You must operate within the terms and conditions of the funding agreement, these rules, and the Individualised Learner Record (ILR) Specification. If you do not, you are in breach of your funding agreement with WECA.
5. All information, including any hyperlinks were correct when WECA published this document.
6. WECA reserves the right to make changes to these rules and will publish any updated policies and rules on the WECA website.

How this document can help you

7. We have divided this document into three sections that contain the general funding requirements, AEB specific funding rules and payment and performance management rules. Each section may include:
 - 7.1 the context of the rule in a box, and/or
 - 7.2 the rule itself as a numbered paragraph

8. We have included a glossary to explain technical terms.

Understanding the terminology

9. The term 'we' refers to the Secretary of State for Education, acting through WECA.

10. When we refer to 'you' or 'providers', this includes Colleges, training organisations, Local Authorities and employers who receive funding from us to deliver adult education and training to West of England residents. We will use the generic term 'you' or 'provider' unless the requirements only apply to a specific provider type.

11. We use the term 'funding agreement' to include:
 - conditions of funding (grant)

12. We use the terms 'individual' and 'learner' to cover those whose provision is funded by us.

13. We use the term 'provision' or 'learning' to refer to all adult learning that we fund, whether it is a regulated qualification or other learning.

14. If we refer to qualifications, either these will be from the Regulated Qualifications Framework (RQF) or an Access to Higher Education Diploma recognised and regulated by the Quality Assurance Agency (QAA).

15. If we refer to 'learning aims', we mean a single episode of learning, which could be a regulated qualification, a component of a regulated qualification, or non-regulated learning.

16. If we refer to 'programmes' we mean a coherent package of adult learning which may include regulated qualifications, components of regulated

qualifications or nonregulated learning with clearly stated aims supporting agreed outcomes.

Section 1 - General funding requirements

Principles of funding

17. These funding rules apply to all learners residing in West of England Combined Authority area starting new learning aims on or after 1 August 2019. The only exception is for individuals continuing their learning from the 2018 to 2019 funding year. Continuing learners will continue to be funded by the ESFA.
18. The West of England Adult Education Funding must only be utilised to fund West of England residents. You must **not** transfer funding within the following ring-fenced budgets:
 - 18.1 Adult Education Funding
 - 18.2 Apprenticeships
 - 18.3 Loans bursary fund
 - 18.4 Advanced learner loan facility
 - 18.5 19 to 24 traineeship programme
19. We will continually review and monitor whether the education and training you provide is delivering positive and agreed outcomes as detailed and agreed by WECA within your WECA Adult Education Funding Provider Application Form 2019/20. We will also monitor your performance to ensure that the funding you received from WECA is delivering high quality provision for adults in the West of England and represents good value for money. Regular provider and WECA performance monitoring meetings will be completed throughout the funding agreement period and further detail of these performance monitoring meetings and evaluation activities are detailed within the WECA 2019/20 Provider Performance Management Framework.
20. If we consider the funding of education and training you have provided is not delivering positive outcomes for adults in the West of England and/or the quality of provision is not to the required standard and/or where applicable is significantly more than the cost, we may reduce the amount of funding we pay after consulting with you. Please see WECA Performance Management Framework 2019/20 for further information.

Who we fund

21. You must check the eligibility of the learner at the start of each adult learning aim, and only claim funding for eligible learners.
22. To be funded by us, on the first day of learning a learner must be:
 - 23.1 Aged 19 or older on 31 August 2019 and reside in a residence with a West of England postcode. Please use the Office for National Statistics Postcode Directory (ONSPD) to confirm if the learner is eligible
<http://www.ons.gov.uk/methodology/geography/geographicalproducts/postcodeproducts>
23. The age of the learner on 31 August in the funding year determines whether the learner is funded through the WECA's Adult Education Funding methodology. Learners aged 18 or below or learners aged 19-24 with an Education Health Care Plan, will continue to be funded by the ESFA's young people's funding methodology.
24. All individuals aged 19 or over on 31 August 2019 who are continuing a programme they began aged 16 to 18 ('19+ continuers') will continue to be funded by the ESFA's young people's funding methodology.
25. It is the providers' responsibility to ensure that the relevant funding is secured from the relevant funding body in 2019/20 for their learners.
26. 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.
27. A learner's eligibility will not change during the learning aim or learning programme.
28. Learners will be eligible for funding for the whole of the learning aim or learning programme if they are eligible for funding at the start, even if the duration is for over one year.
29. You must reassess the learner's eligibility for funding for any further learning they start.
30. 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.

31. You must not fund a learner who is unable to complete a learning aim in the time they have available. Any adult learner aged 19 or over must be able to achieve the learning aim or learning programme within the time they have available.

Residency eligibility*

32. Providers must make sure an individual is eligible before claiming funding for them.
33. Individuals will be eligible for WECA Adult Education Funding if the learning is taking place in England, and they:
 - 33.1 are a resident within the West of England Combined Authority area
 - 33.2 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 the Right of Abode in the UK; and,
 - 33.3 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
34. The European Economic Area (EEA) includes all the countries and territories listed in Annex A.
35. The eligibility of individuals who do not meet the requirements in paragraph 33 is stated below.
36. 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 make a decision 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.
37. 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.

38. You can find further information on eligibility from the [UK Council for International Student Affairs](#).
39. 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, so this does not affect a learner's eligibility, which must be decided under the normal eligibility conditions.

Non-EEA citizens

40. A non-EEA citizen is eligible for funding if they 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 3 years before the start of learning.

Individuals with certain types of immigration status and their family members

41. Any individual with any of the statuses listed below is eligible to receive funding and are exempt from the three-year residency requirement rule. You must have seen the learner's immigration permission in these circumstances:
 - 41.1 Refugee Status
 - 41.2 Discretionary Leave to Enter or Remain
 - 41.3 Exceptional Leave to Enter or Remain
 - 41.4 Indefinite Leave to Enter or Remain
 - 41.5 Humanitarian protection
 - 41.6 Leave Outside the Rules
 - 41.7 Section 67 of the Immigration Act 2016 Leave
 - 41.8 Calais leave to remain
 - 41.9 The husband, wife, civil partner and child of any of the above in subparagraphs 41.1 to 41.6

Asylum Seekers

42. Asylum seekers are eligible to receive funding if:

- 42.1 have lived in the UK for 6 months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made, or
 - 42.2 are receiving Local Authority support under [section 23C](#) or [section 23CA of the Children Act 1989](#) or the Care Act 2014.
43. An individual who has been refused asylum will be eligible if:
- 43.1 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,
 - 43.2 they are granted support for themselves under [section 4 of the Immigration and Asylum Act 1999](#); or,
 - 43.3 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

- 44. 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.'
- 45. 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.
- 46. Table 1 shows the eligibility for family members if:
 - 46.1 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,
 - 46.2 a principal has been resident within the EEA for the last three years.

Table 1: Eligibility for Family Members

		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

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

- 47.1 The Turkish worker is currently ordinarily resident in the UK and is, or has been, lawfully employed in the UK
- 47.2 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

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

- 48.1 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,
- 48.2 has been ordinarily resident in the UK and Islands throughout the period since the person was granted such leave

49. A stateless person must:

- 49.1 be ordinarily resident in the UK on the first day of the first academic year of the course; and,

- 49.2 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.
50. Certain family members are also eligible under this category:
- 50.1 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 3 year period preceding the first day of the first academic year of the course; or
- 50.2 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), 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 has 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.
51. "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

52. You must not claim funding from WECA for individuals who do not meet the eligibility criteria set out above unless they are eligible under the [Fees and Awards Regulations 2007](#) (as amended). This includes:
- 52.1 those who are here without authority or lawful status;
- 52.2 those who are residents in other authorities outside of the West of England Combined Authority
- 52.3 those who are resident in the West of England Combined Authority on a Tier 4 (general) student visa unless they are eligible through meeting any other of the categories described above
- 52.4 non-EEA citizens who are in the UK on holiday, with or without a visa

- 52.5 non-EEA citizens who are a family member of a person granted a Tier 4 visa, who 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
- 52.6 individuals who are ordinarily resident in the Channel Island or the Isle of Man, unless they are also ordinarily resident within the West of England
- 52.7 those whose biometric residence permit or residence permit imposes a study prohibition or restriction on the individual

Learners in the armed forces

- 53. We will fund armed forces personnel, Ministry of Defence (MoD) personnel or civil and crown servants where they are residents within the West of England Combined Authority area. We will class members of the British armed forces on postings outside of the European Union (EU), including their family members, as ordinarily resident in the West of England.
- 54. Members of other nations' armed forces stationed in the West of 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. We will not fund family members that remain outside of the West of England.

Learners temporarily outside of England

- 55. If someone ordinarily resident in the West of England works outside of England as part of their job, they are eligible for funding as long as some of the learning takes place in England. You cannot claim for the additional expense of delivering learning outside of England.

***Please note: the section 'Eligibility for funding', may be subject to change following the UK's exit from the European Union.**

What we fund

- 56. You must make sure that learning is eligible for funding before the learner starts. The ESFA Hub contains details of eligible regulated qualifications, qualification components and non-regulated learning aims.
- 57. You **must not** claim funding for any provision you deliver to a learner whose learning is taking place outside England.

58. We will not fund 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 level 4, or higher.

Fees and charging

59. You must not make compulsory charges relating to the direct costs of delivering a learning aim or learning programme to learners we fully fund, including those with a statutory 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 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. For further information, please refer to the WECA Adult Education Budget Funding Rates and Formula 2019/20 on the West of England Combined Authority website.
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. We do not set limits on the length of time of either prior learning or previously certificated 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.

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 GOV.UK website.

Breaks in learning

67. You can suspend learning while the learner takes an agreed and organised break from learning, where it is known that the intention of the learner is to return. This allows the learner to continue later with the same eligibility that applied when they first started their learning. Typical examples include; for economic reasons, long term sickness, maternity leave or religious trips.
68. Breaks in learning must not be used to 'suspend' learning where contact is lost or the attendance or academic performance of the learner is poor.
69. We will not fund a learner during a break in learning.
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.
71. You must not use a break in learning for short-term absences, such as holidays or short-term illness.

Contracting

Staying on the Register of Training Organisations

72. In 2019/20, WECA will continue to utilise the ESFA's Register of Training Organisations (the Register) as the market entry point for organisations that intend to deliver adult learning programmes or operate in our supply chain as a subcontractor with an aggregated contract value of £100,000 or more.
73. We expect you and any subcontractors to continue to be listed on the Register. You must successfully complete the Register, refresh, and update your information when asked to do so. If you fail to update when asked, you must apply at the next opening. During this period, you and any subcontractors will not:

- 73.1 be listed on the Register
- 73.2 If your organisation does not apply at the next opening of the Register, or you fail the application process, we will review your funding arrangements.

Subcontracting

Subcontracting Definition:

WECA considers the term 'subcontracting' to encompass all third party arrangements you have with other providers where the provider is managing and delivering a proportion of your WECA Adult Education Funding award.

WECA define a delivery subcontractor as a separate legal entity that has an agreement with you to deliver any provision that we fund for West of England residents. A separate legal entity includes any training provider with a UKPRN including those in your group and other associated companies.

The term 'subcontractor' will also apply to any partnership, associate, third party working relationships you have where your staff and/or provision is managed by another partner/ institution. WECA will consider all the above as a subcontracting arrangement and as such will require all relevant detail on your 2019/20 Adult Education Funding Provider Application for appraisal by WECA.

These arrangements must also be identified in the ILR using the Partner UKPRN Field. This type of partnership working will be reviewed at the relevant Provider Performance Meetings in terms of outcomes for learners and provider quality assurance activities.

- 74. 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.
- 75. 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 supply chain fees and charges policy to reflect your strategic aims. You must be able to evidence this, such as minutes of meetings and written sign-off.
- 76. You must not subcontract to meet short-term funding objectives.
- 77. You must only use delivery subcontractors:

- 77.1 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
 - 77.2 who 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
 - 77.3 if you have robust procedures to ensure subcontracting does not lead to the inadvertent funding of extremist organisations
78. You are responsible for all the actions of your delivery subcontractors and partners connected to, or arising out of, the delivery of the services, which you subcontract.

Level and Percentage of Subcontracting

- 79. All subcontracting must be effectively planned on an annual basis and detailed within your WECA Adult Education Funding Provider Application Form 2019/20. Your provider application form must be approved by WECA prior to the engagement of any subcontracting provision.
- 80. WECA will use the ILR to monitor subcontracting levels against your confirmed Grant Funding Provider allocation.
- 81. Any changes to your subcontracting arrangements, detailed on your 2019/20 WECA Adult Education Funding Provider Application Form, must be approved and agreed with your WECA Relationship Officer prior to any new or additional subcontracting procurement activity.

Selection and procurement of subcontracted provision

- 82. If you have not previously subcontracted AEB provision, you must get WECA written approval before awarding a contract to a delivery subcontractor and retain evidence of this. You can find details about seeking written approval in the WECA Subcontracting Policy.
- 83. When appointing delivery subcontractors, you must avoid conflicts of interest and you must:
 - 83.1 write to us through your WECA Relationship Officer 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
 - 83.2 not award the contract without prior agreement from WECA.

84. 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 your WECA Relationship Officer.
85. You must not use a delivery subcontractor's presence on the ESFA Register of Training Organisations, or any other public register or database, as an indicator that they are suitable to deliver to your specific requirements.
86. Where a subcontractor is not on the ESFA Register of Training Organisations, additional due diligence activities must be undertaken and evidenced. This evidence may be requested by WECA at any point during the funding agreement.
87. You must not appoint any delivery subcontractors with a contract value of £100,000 or greater for each funding year unless they are listed on the ESFA Register of Training Organisations first:
 - 87.1 this also applies if the subcontract from you would take the total value of all subcontracts that the delivery subcontractor holds to deliver AEB funded education and training to £100,000 or more
 - 87.2 we may place restrictions on your future use of AEB delivery subcontractors if this occurs
88. You must obtain the information relating to the total subcontracted funding value from each proposed delivery subcontractor and also refer to the latest published List of Declared Subcontractors and the ESFA Register of Training Organisations. If you use a delivery subcontractor who exceeds the £100,000 threshold and is not listed on the ESFA Register of Training Organisations, you must inform WECA immediately. This applies regardless of whether you were the provider whose contract took the delivery subcontractor over the threshold.
89. You must not enter into any subcontracting arrangements or increase the value of your existing arrangements prior to review and approval by WECA and 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:
 - 89.1 if Ofsted has rated your leadership and management as inadequate
 - 89.2 if you do not meet the ESFA Minimum Standards

- 89.3 if the outcome of your annual financial health assessment, completed by ESFA is deemed inadequate, unless we have provided written permission in advance

Entering into a subcontract

90. You must only award contracts for delivering provision funded by WECA 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 an above-average risk warning from a credit agency
 - 91.2 it has passed a resolution (or the court has made an order) to wind up or liquidate the company, or administrators have been appointed 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 101.
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
 - 94.3 a delivery subcontractor goes into liquidation or administration
95. You must make sure that the terms of your subcontracts allow you to:
- 95.1 monitor the delivery subcontractor's activity
 - 95.2 have control over your delivery subcontractors
 - 95.3 monitor the quality of education and training provided by all delivery subcontractors
96. You must obtain an annual report from an auditor if the Adult Education Funding contract with your delivery subcontractors will exceed £100,000 in any one funding year. The report must:

- 96.1 provide assurance on the arrangements to manage and control your delivery subcontractors
- 96.2 comply with any guidance issued by us
- 97. You must supply us with a certificate signed by an 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 prior to any award of a WECA funding agreement.

Terms that you must include in your contracts with delivery of subcontractors

- 98. You must make sure your delivery subcontractors:
 - 98.1 meet the requirements set out in our funding rules
 - 98.2 provide you with ILR data so your data returns to ESFA, and then subsequently forwarded to WECA for West of England residents, accurately reflect your subcontractor's delivery information
 - 98.3 give us, and any other person nominated by us, access to their premises and all documents relating to provision funded by the WECA Adult Education Funding.
 - 98.4 give you sufficient evidence to allow you to:
 - i. assess their performance against Ofsted's Common Inspection Framework.
 - ii. incorporate the evidence they provide into your self- assessment report.
 - iii. guide the judgements and grades within your self- assessment report
 - 98.5 always have suitably qualified staff available to provide the education and training we fund through WECA Adult Education Funding.
 - 98.6 co-operate with you to make sure there is continuity of learning if the subcontract ends for any reason

98.7 tell you if evidence of any irregular financial or delivery activity arises; irregular activity could include, but is not limited to:

98.7.1 Non-delivery of training when funds have been paid

98.7.2 Sanctions imposed on the delivery subcontractor by an awarding organisation

98.7.3 An inadequate Ofsted grades

98.7.4 Complaints or allegations by learners, people working for the delivery subcontractor or other relevant parties

98.7.5 Allegations of fraud

98.7.6 Are bound by European social fund (ESF) clauses from your funding agreement being then included in the subcontract, even if the provision being subcontracted is not funded by the ESF

98.7.7 Do not use WECA Adult Education Funding or any other WECA funding sources to make bids for, or claims from, any European funding on their own behalf

98.7.8 Do not use payments made as match funding for ESF co-financing projects or any other funding sources

Monitoring of subcontracted provision

99. You must manage and monitor all of your delivery subcontractors to ensure that high-quality delivery is taking place that meets WECA funding rules.

100. You must carry out a regular and substantial programme of quality-assurance checks on the adult education and training provided by delivery subcontractors, including visits at short notice and face-to-face interviews with staff and learners. The programme must:

100.1 include whether the learners exist and are eligible

100.2 involve direct observation of initial guidance, assessment, and delivery of learning programmes

101. The findings of your assurance checks must be consistent with your expectations and the delivery subcontractor's records.

102. Provider reports detailing the quality and outcomes of any subcontracted activity may be requested by WECA at any time and must be provided to WECA as requested.
103. WECA will monitor your subcontracting provision at:
 - 103.1 each in-year Provider Performance Review Meeting
 - 103.2 end of year Annual Performance Review
104. The level of subcontracting will be monitored, and the quality of outcomes assessed.
105. WECA will utilise the destination/outcome fields of the ILR and provider reports relating to the quality of all subcontracting provision, to assess the quality of both direct delivery and all subcontracted delivery.
106. It is a condition of funding that all outcomes for West of England learners, either directly delivered by you or your subcontractors, are recorded on the ILR.

Second-level subcontracting

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

Reporting subcontracting arrangements

108. Your WECA Adult Education Funding Provider Application Form 2019/20 will contain details of your subcontractors and WECA will use this information to create a list of subcontractors on your behalf.
109. WECA will publish annually a summary of provider subcontracting activity and information including the names of subcontractors and the value of the WECA adult learner subcontracted provision
110. These details will be confirmed at your WECA performance management points.

Subcontracting Fees and Charges

111. WECA recognise that there is a need for WECA funded providers to charge a management fee for managing a subcontracting agreement and the operation

of activities related to ensuring high quality provision and positive outcomes for adult learners.

112. Management fees should be reasonable and accurately reflect the management costs incurred by the WECA funded provider and declared in the WECA Adult Education Funding Provider Application Form 2019/20.
113. WECA reserves the right to challenge the level of management fee applied and the activities delivered by the provider to warrant the management fee.

Distributing income between you and your delivery subcontractors

114. You must regularly review your delivery subcontracting fees and your governing body or board of directors and your accounting officer must sign a charges policy for this.
115. You must publish your delivery subcontracting fees and charges policy on your website before entering into any subcontracting agreements for the 2019 to 2020 funding year.
116. As a minimum, you must include the following in your delivery subcontracting fees and charges policy:
 - 116.1 Your reason for subcontracting
 - 116.2 Your contribution to improving your and your delivery subcontractor's quality of teaching and learning
 - 116.3 The typical percentage range of fees you retain to manage delivery subcontractors, and how you calculate this range
 - 116.4 The support delivery subcontractors will receive in return for the fee you charge
 - 116.5 If appropriate, the reason for any differences in fees or support provided to different delivery subcontractors
 - 116.6 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
 - 116.7 How and when you communicate and discuss your policy with current and potential delivery subcontractors
 - 116.8 Timing for policy review

- 116.9 Where you publish your policy
117. You must tell us the proposed level of funding for each of your subcontractors within your WECA Adult Education Funding Provider Application Form 2019/20.
118. All subcontracting activity must be approved by WECA prior to any delivery of any subcontracting provision.
119. Any changes to your subcontracting partners or increase in subcontract values must be agreed and approved in writing by WECA via your Relationship Officer.
120. The actual level of funding paid and retained for each of your delivery subcontractors in 2019/20 will be reviewed in-year at your Provider Performance Meetings and at your Annual Performance Review.
121. You must include the following in your published Adult Education Funding delivery subcontractor fees and charges-:
- 121.1 Name of each delivery subcontractor
 - 121.2 The UK Provider Reference Number of each delivery subcontractor
 - 121.3 Contract start and end date for each delivery subcontractor
 - 121.4 Funding we have paid to you for Adult Education Funding delivery for West of England residents by each delivery subcontractor in that funding year
 - 121.5 Funding you have paid to each delivery subcontractor for Adult Education Funding delivery in that funding year
 - 121.6 Funding you have retained in relation to each delivery subcontractor's Adult Education Funding delivery for that funding year
 - 121.7 If appropriate, funding each delivery subcontractor has paid to you for services or support you have provided in connection with the subcontracted delivery

Match funding

122. WECA will not directly match fund any ESF projects with adult education budget funding. Providers may not utilise WECA Adult Education Funding as match funding for any source of funding without prior agreement from the WECA.

Evidence

123. You must hold evidence to assure us that you are using WECA Adult Education Funding appropriately. Most evidence will occur naturally from your normal business process.
124. You must make sure applications to WECA Adult Education Funding support your decision to claim WECA Adult Education Funding and support the individual's case for consideration as ordinarily resident in England, or any exceptions set out in the 'Residency Eligibility' section.
125. In line with General Data Protection Regulations (GDPR), you must record in the learner file what appropriate documentation you have seen, rather than take photocopies to prove eligibility.

Learner File

126. The learner file must contain evidence to support the WECA Adult Education Funding claimed and must be available to us if we need it.
127. Evidence in the learner file must assure us that the learner exists
128. The learner must confirm information they provide is correct when it is collected
129. If the time spent in learning is short, the level of evidence in the learner file would reflect this.
130. Where you hold information centrally, you only need to refer to the source.
131. If applicable, the learner file must confirm the following:
 - 131.1 All information reported to the ESFA for West of England residents in the ILR and the WECA Earnings Adjustment Statement (EAS), and if it applies, the supporting evidence for the data you report for each learner
 - 131.2 Your assessment and evidence of eligibility for funding and a record of what evidence the learner has provided

- 131.3 All initial, basic skills and diagnostic assessments
 - 131.4 Information on prior learning that affects the learning or WECA funding of any of the learning aims or programme
 - 131.5 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
 - 131.6 A description of how you will deliver the learning and skills and how the learner will achieve
 - 131.7 The supporting evidence about why you have claimed funding and the level of funding for a learner, including details of any learner or employer contribution
 - 131.8 Support needs identified, including how you will meet these needs and the evidence of that-
 - 131.9 That learning is taking or has taken place and records are available
 - 131.10 A learner's self-declarations as to what state benefit they claim
 - 131.11 A learner's self-declarations on their status relating to gaining a job
 - 131.12 All records and evidence of achievement of learning aims or learning programme. This must be available within three months of you reporting it in the ESFA ILR for West of England residents.
132. 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.
133. 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 ESFA ILR for West of England residents.

Confirmation and signatures

134. The learner or employer must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.

135. 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.
136. 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

137. You can only claim WECA Adult Education Funding for learning when directly related learning starts. This would not include enrolment, induction, prior assessment, diagnostic testing or similar learning.
138. 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.
139. 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.
140. You must have evidence that the learning took place and the learner was not certificated for prior knowledge.
141. 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 learner file.

Leaving Learning

142. 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

143. You must accurately complete all ESFA ILR fields as required in the 2019 to 2020 ILR Specification, published by the ESFA, even if they are not required for funding purposes.

144. The ESFA ILR must accurately reflect the learning and support (where applicable) you have identified, planned and delivered to eligible West of England residents. You must not report inaccurate information that could result in an inflated claim for funding.
145. 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.
146. All destinations and/or progression details are a mandatory requirement for West of England learners. Destination and progression must be detailed in the defined fields within the ESFA ILR. This is a condition of funding.

Self-declarations by learners

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

Section 2 – West of England Combined Authority Adult Education Budget

Provision and individuals' we fund

Legal Entitlements

WECA AEB supports three legal entitlements to full funding for eligible adult learners. These are set out in the [Apprenticeships, Skills and Children's 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

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

150. Eligible learner's exercising their legal entitlement, must be enrolled on qualifications from the:

150.1 [2019 to 2020 list of qualifications in the level 2 and level 3 legal entitlement](#) - and/or

150.2 [2019 to 2020 list of English and maths legal entitlement](#)

Local Flexibility

WECA will continue to support the 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 WECA contribution' table paragraph 153 and paragraphs 154 to 177 for learner eligibility.

Where appropriate for the learner, you can deliver local flexibility provision alongside a legal entitlement qualification.

151. Learners aged 19 to 23 who progress to their first full level 2, must only enrol on a qualification from the legal entitlement list set out in paragraph 150.

152. 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.

152.1 paragraphs 184 and 185, for individuals aged 19 to 23

152.2 paragraphs 186 and 187, for individuals aged 24 and over

WECA contribution table

153. The level of WECA contribution we will fund is as follows.

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+	
Level 2	Learning to progress to level 2	Fully funded^ (up to and including level 1)	Fully funded	Co-funded+	
	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+	
	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

Definitions used in the adult education budget

Unemployed

154. For funding purposes, we define a learner as unemployed if one or more of the following apply:
 - 154.1 They receive Jobseeker's Allowance (JSA), including those receiving National Insurance credits only
 - 154.2 They receive Employment and Support Allowance (ESA)
 - 154.3 They receive Universal Credit, and their earned income from employment (disregarding benefits) is less than £338 a month (learner is sole adult in their benefit claim) or £541 a month (learner has a joint benefit claim with their partner)
 - 154.4 They are released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice.
155. Providers may also use their discretion to fully fund other learners if both of the following apply. The learner:
 - 155.1 receives other state benefits (not listed in paragraph 151) and their earned income (disregarding benefits) is less than £338 a month (learner is sole adult in their benefit claim) or £541 a month (learner has a joint benefit claim with their partner), and
 - 155.2 wants to be employed, or progress into more sustainable employment, and their earned income (disregarding benefits) is less than £338 a month (learner is sole adult in their benefit claim) or £541 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

156. You may fully fund learners who are employed, or self-employed, and would normally be co-funded for provision, up to and including level 2. You must be satisfied the learner is both:
- 156.1 is eligible for co-funding; and,
 - 156.2 earns less than £16,009.50 annual gross salary.
157. You must have seen evidence of the learner's gross annual wages in these circumstances. This could be a wage slip 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.
158. You must use the appropriate Devolved Area Monitoring (DAM) code and FF1 code 1 to claim full funding for learners who meet the requirements set out in paragraph 156.

Full Level 2

159. Level 2 is the level of attainment which, is demonstrated by:
- 159.1 a General Certificate of Secondary Education in five subjects, each at grade C or above, or grade 4 or above, or
 - 159.2 Technical Certificate at level 2 which meets the requirements for the 2018, 2019 and 2020 16 to 19 performance tables
 - 159.3 certain Technical Certificates in the 2017 16 to 19 performance tables
160. 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

161. Level 3 is the level of attainment which is demonstrated by a:
 - 161.1 General Certificate of Education at the advanced level in two subjects
 - 161.2 General Certificate of Education at the AS level in four subjects
 - 161.3 QAA Access to Higher Education (HE) Diploma at level 3
 - 161.4 Tech level; or applied general qualification at level 3, which meets the requirements for the 2018, 2019 and 2020 16 to 19 performance tables
 - 161.5 Certain Tech level; or applied general qualification in the 2017 16 to 19 performance tables
162. Funding for level 3 qualifications from WECA is only available as legal entitlement. All learners over the age of 23 or aged 19-23 with a prior attainment of level 3 or above will not be funded by the WECA to undertake a level 3 qualification.
163. 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 ESFA ILR. The AS learning aim will be funded separately to the A level learning aim.

Eligible qualifications

164. Where you deliver regulated qualifications and/or their components, you must ensure they are eligible for WECA Adult Education Funding as indicated on the ESFA Hub.
165. Certain qualifications that meet statutory employer requirements or a licence to practise are eligible for unemployed learners that meet the criteria in paragraph 153. You can find more information about these qualifications in the ESFA Qualification Eligibility Principles document on the GOV.UK website.
166. Before delivering a component, you must check with the awarding organisation they provide a learner registration facility and the learner can achieve it alone or as part of accumulating achievement towards a qualification.

167. If the National Academic Recognition Information Centre have 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.

168. 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 in the Learner Records Service guidance.

Non-regulated learning

169. Where you deliver non-regulated learning you must ensure it is eligible for funding. Such learning could include:
 - 169.1 independent living skills or engagement learning supporting adults to operate confidently and effectively in life and work
 - 169.2 locally-commissioned and/or locally-developed basic knowledge and skills needed to access technical qualifications
 - 169.3 employability and labour market re-entry
 - 169.4 locally-commissioned and/or locally-devised technical education short courses (also known as taster sessions)
 - 169.5 community learning courses

170. The eligibility principles we apply to non-regulated learning are as follows:
 - 170.1 It must not be provision linked to UK visa requirements
 - 170.2 It must not be provision linked to statutory employer requirements (including a licence to practise) unless there is an agreed concession in place
 - 170.3 It must not be vendor-specific provision, linked to a particular employer or commercial system
 - 170.4 It must not be learning, for example, 'induction to college', that should be part of a learner's experience

- 170.5 It must not be a non-regulated version of a regulated qualification
- 170.6 It must not be above notional level 2 (that is, at notional levels 3 or 4)
- 170.7 At notional level 2 it must focus on technical provision
- 171. 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.
- 172. It is the intention of WECA to use the RARPA model to monitor, review and measure the quality and outcomes from non-regulated provision in 2019/20. Non-regulated learning should have clear achievement aims for the learners and identified progression outcomes prior to commencement of learning.

Learning in the workplace

- 173. We will fund learning in the workplace where a learner has a statutory entitlement to full funding for:
 - 173.1 English and/or Maths up to and including level 2 (paragraph 157), and/or
 - 173.2 a first full level 2 (paragraph 160), or
 - 173.3 a first full level 3 qualification (paragraph 163)

What we will not fund

- 174. We will not fund:
 - 174.1 learning aims delivered at an employee's workplace, that are either relevant to their job or their employer's business, unless:
 - 175.1.1 it is statutory entitlement learning stated in paragraph 172
 - 175.1.2 we have confirmed a national level concession that responds to a significant negative economic impact for a specific industry
 - 174.2 qualifications, units or learning aims that are not listed on the Hub or on the legal entitlement lists – please see paragraphs 149 to 152.

174.3 provision to learners in custody - the Ministry of Justice funds prison education in England. Please note you can use your ESFA funded AEB to fund individuals released on temporary licence as set out in paragraph 155.4

174.4 end-point assessment outside of apprenticeship standards, which is subject to Ofqual external quality assurance and regulated as a qualification

174.5 learner learning aim or programme that duplicates provision they have received from any other source

174.6 individuals on learning aims or programme's eligible for WECA Adult Education Funding at the same time as any new apprenticeship they start, funded from an employer's digital account or government-employer co-investment, where this provision is available as part of the apprenticeship programme

174.7 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

174.8 a learner to sit or resit a learning aim assessment or examination where no extra learning takes place

English and Maths for those aged 19 or older

175. We will fully fund individuals, including individuals who are employed, aged 19 or older, who have not previously attained a GCSE grade A* to C or grade 4, or higher, in English and Maths, as part of their legal entitlement on the day they start the following qualifications:

175.1 GCSE English language or maths.

175.2 Functional Skills English or maths from Entry to level 2.

175.3 Stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education and ESFA.

176. 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.

177. You must not enrol individuals on qualifications, which are not necessary for progressing towards a GCSE or Functional Skill level 2.

178. You must not fund an apprentice for English or Maths from the WECA AEB.

179. 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 176.
180. You must:
- 180.1 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
 - 180.2 carry out an appropriate diagnostic assessment to inform and structure a learner's learner file to use as a basis for a programme of study
 - 180.3 enrol the learner on a level above that at which they were assessed and be able to provide evidence of this
 - 180.4 deliver ongoing assessment to support learning
 - 180.5 record the evidence of all assessment outcomes in the learner file
181. 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 and ESOL)

182. We will fully fund 19 to 23-year-olds, including individuals who are employed, on the day they start the following learning.
- 182.1 Qualifications defined within the legal entitlement that are a learner's:
 - 182.1.1 first full level 2, and/or
 - 182.1.2 first full level 3
 - 182.2 Local flexibility provision:
 - 182.2.1 level 2 for those who already have a full level 2 if they are unemployed
 - 182.2.2 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 not unemployed. The low wage flexibility may apply, refer to paragraph 156.

183. 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 not unemployed. The low wage flexibility may apply, refer to paragraph 156.

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

184. 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 154 to 155.
185. 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 paragraph 156

English for Speakers of Other Languages (ESOL)

186. 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 154 and 155
187. 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 156 to 157.
188. 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 WECA Adult Education Funding Funding Rates and Formula 2019 to 2020.

Learners with learning difficulties or disabilities

189. We will fund learners with learning difficulties or disabilities as set out in the Apprenticeships, Skills, and Children and Learning Act 2009, section 111.
190. The WECA 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. This includes learners with an identified learning difficulty or disability who have previously had an Education, Health and Care Plan (EHCP) and have reached the age of 25.

191. The ESFA's young people's funding methodology will apply to learners aged 19 to 24, who have an Education, Health and Care Plan (EHCP) and require provision and support costs. You can access the ESFA's young people's funding methodology on the GOV.UK website.
192. To access provision and support costs you must inform us before the start of the 2019 to 2020 funding year where a learner:
 - 192.1 has reached the age of 25 and has not completed their programme of learning as set out in their EHCP by the end of the previous funding year, or
 - 192.2 will reach the age of 25 in the funding year, where their EHCP is not extended by their local authority to allow them to complete their programme of learning.
193. The learner must:
 - 193.1 have an EHCP that confirms their needs could only be met by the training organisation they are, or were, attending; and,
 - 193.2 continue to make progress on the programme of learning as set out in their EHCP.
194. If a learner has an EHCP, you must report this in the 'Learner funding and monitoring' fields in the ILR.
195. We will not fund learners whose EHCP 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 their funding 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 Apprenticeships
- improve their health and well-being, including mental health and/or
- develop stronger communities

Community learning courses are delivered and reported on the ESFA 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
- **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

In 2019/20, WECA will continue to use the above categories for community learning.

Please note, non-formula community-learning funding follows funding model 10.

Non-formula funding

196. Where applicable, your WECA Adult Education Funding allocation will include and detail an amount of non-formula community learning funding separately to your Adult Education Funding formula funded learning. You must deliver non-formula funded community learning provision as detailed and approved within your WECA Adult Education Funding Provider Application Form 2019/20.
197. Non-formula community learning funding is paid in equal monthly payments. 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, paragraphs 212 to 235. You must record these costs in the learner's learning plan.

198. You have the flexibility to use all, or some, of your non-formula community learning funding in line with the AEB formula-funded methodology (funding model 35), to meet local demand.
199. You can use this amount of non-formula community learning funding stated in your funding agreement to deliver non-regulated provision that may be similar to community learning. If you do, you must:
 - 199.1 follow the WECA Adult Education Funding formula-funded methodology and submit ILR data under fund model 35
 - 199.2 enrol learners following the Adult Education Funding eligibility requirements set out on and paragraphs 154 to 177; you must not use your community learning local fee remission policy
200. You can support learners aged under 19 if they meet both of the following, they are:
 - 200.1 a parent, carer or guardian attending a wider family learning or family, English, maths or language course
 - 200.2 funded through non-formula community learning using funding model 10 in the funding model field (refer to ILR guidance for more information)
201. 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

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.

202. 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.
203. **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 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.

204. 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. If requested, your Local Fee Remission Policy should be shared with your WECA Relationship Officer.

Partnership working

205. Partnership working underpins the community learning objectives and is critical to developing and delivering an effective community-learning offer in a given locality.
206. You must engage and work closely with a wide range of relevant partners, WECA and stakeholders in your local area to help shape your community learning offer to engage specific groups. These could include specialist partners and voluntary and community sector (VCS) organisations.
207. 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 old. Each 'team' recruits a mix of 16 to 25-year-old of different abilities and backgrounds, including employees sponsored by their employer. Providers in partnership with the Prince's Trust run and manage it on a local basis.

208. In order to deliver the team programme, you must get approval from the Princes Trust.
209. For eligible West of England learners aged 19 to 25, WECA will fund the team programme through the WECA's adult funding methodology. Please also refer to the Princes Trust section in the Adult Education Budget Funding Rates and Formula 2019 to 2020 document.
210. For eligible learners aged 16 to 19, the team programme is funded through the ESFA's young people's funding methodology.

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 WECA Adult Education Funding allocation enables you to claim learning support and/or learner support funding to meet the additional needs of learners.

Learner and Learning Support funding requirements as separate to qualification funding within the Provider Application form.

Learning support

211. 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.
212. Learning support must not be used to deal with everyday difficulties that are not directly associated with a learner's learning on their programme.
213. **You must:**
 - 213.1 carry out a thorough assessment to identify the support the learner needs
 - 213.2 agree and record the outcome of your assessment in the learner file
 - 213.3 record all outcomes on the learner file and keep all evidence of the assessment of the needs, planned and actual delivery
 - 213.4 report in the ESFA ILR that a West of England 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
214. You can claim learning support at a fixed monthly rate if you report it in the ILR. You must use the WECA 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](#).

215. You can claim learning support if learning continues past the planned end date and the learner needs continued support.
216. The reasons(s) why the individual does not need an EHC plan.

Exceptional learning support claims above £19,000

If a learner, aged 25+ 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.

217. You must submit ELS claims at the beginning of the learner's programme, or when you identify the learner requires support costs more than £19,000 in a funding year, by completing and sending the ELS claims document.
218. 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 reasons(s) why the individual does not need an EHC plan.

Learner Support

219. Learner support is available to provide financial support for learners 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':
 - 219.1 Hardship funding – general financial support for vulnerable and financially disadvantaged learners. Please see paragraph 225 for further details
 - 219.2 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. Please see paragraph 228 for further details

220. Residential Access funding – to support learners where they need to live away from home.
221. 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
222. You must:
 - 222.1 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
 - 222.2 Assess and record the learner’s needs, demonstrating the need for support
 - 222.3 Report the appropriate Learner Support Reason codes in the ‘Learner Funding and Monitoring’ fields in the ILR
 - 222.4 Complete monthly EAS claims and a final claim
 - 222.5 Take into account the availability of other support for learners, for example from Jobcentre Plus
 - 222.6 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
223. You must not use learner support funds for any of the following:
 - 223.1 Essential equipment or facilities if the learner is eligible to full funding. However, these learners can get support funding for childcare, transport and residential costs
 - 223.2 A learner in custody or released on temporary licence
 - 223.3 A learner carrying out a higher education course or learning aims fully funded from other sources
 - 223.4 To pay weekly attendance allowances or achievement and attendance bonuses

Hardship

224. You can use hardship funds for any of the following:
- 224.1 Course-related costs, including course trips, books and equipment (where costs are not included in the funding rate), domestic emergencies and emergency accommodation
 - 224.2 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)
 - 224.3 Examination fees
 - 224.4 Accreditation fees, professional membership fees and any fees or charges due to external bodies
 - 224.5 Your exam registration fees
 - 224.6 Support provided by others, or by providing items, services or cash direct to the learner. This can be a grant or a repayable loan
225. In exceptional circumstances, you can use hardship funds with course fees for learners who need financial support to start or stay in learning.
226. 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

227. You can only use childcare funding to pay for childcare with a childminder, provider or childminder agency, registered with Ofsted.
228. You must not use childcare funding to:
- 228.1 fund informal childcare, such as that provided by a relative
 - 228.2 set up childcare places or to make a financial contribution to the costs of a crèche
 - 228.3 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](#)

229. 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

230. You must:
- 230.1 set out the criteria and procedures for considering and agreeing applications for support from your residential access funds; and,
 - 230.2 give priority to learners who need accommodation and only pay for travel costs in exceptional circumstances

Job outcome payments

231. 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:
- 231.1 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
 - 231.2 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

Rules that apply to all Providers

232. This section sets out the principles by which we will manage your performance in the 2019 to 2020 funding year and this document should be read in conjunction with the 2019/20 WECA Performance Management Framework Policy.
233. In 2019/20, the West of England Combined Authority will utilise the current ESFA ILR (Individual Learning Record) to calculate and monitor a provider's spend against their West of England Combined Authority AEB allocation.
234. All providers in receipt of a 2019/20 Funding Agreement with WECA will be allocated funds to implement their delivery plan. Payments will be made in line with the national profile as below.

Table 1: National Monthly Payment Profile

	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12
Monthly profile	14.44%	8.58%	8.67%	7.08%	5.69%	7.44%	5.39%	5.36%	12.69%	10.21%	8.70%	5.75%
Cumulative monthly profile	14.44%	23.02%	31.69%	38.77%	44.46%	51.90%	57.29%	62.65%	75.34%	85.55%	94.25%	100.00%

235. 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 record of accomplishment will include, but will not be restricted to, Ofsted grades, minimum quality standards, financial health, financial management and control, and your previous ESFA delivery against your funding agreements, where this information is available. Additional aspects of your delivery will also be monitored and reviewed and are detailed in the WECA Performance Management Framework 2019/20.
236. As part of our financial assurance work, we will continue to monitor compliance with the funding rules. We will contact you where we identify you have submitted data that does not meet our funding rules and ESFA ILR requirements. We will require you to correct inaccurate ESFA ILR and WECA EAS data or to adjust your final funding claim.
237. All providers are encouraged to return their Adult Education Funding ILR from R01, particularly if adult learning recruitment commences from 1 August 2019

and/or the provider previously provided an Adult Education Funding ILR return to the ESFA from R01. Further detail will be defined in your provider funding agreement. All providers must submit their ILR and EAS funding claims on a monthly basis following the RO4 submission.

238. In-year, we will review the actual spend you submit in your funding claims against the ESFA ILR for West of England residents and the WECA EAS data you provide.
239. In addition to the above, all provider payments will be reconciled at the end of the funding agreement period against the 2019/20 provider allocation. This reconciliation will occur following receipt of the provider's R14 ILR return. WECA reserve the right to recover any underspend below the full WECA Adult Education Funding 2019/20 allocation.
240. Delivery performance will be monitored throughout the funding agreement period to determine provider WECA Adult Education Funding earnings against their WECA Adult Education Funding allocation.
241. At key performance management points, a provider's earnings against profile will be reviewed and analysed.
242. WECA will reserve the right to re-profile, reconcile or cease payments at any point during the funding agreement period if the provider is identified as having a funding under performance outside of the following tolerances:
 - 242.1 R04 – 20% December
 - 242.2 R08 – 10% April
 - 242.3 R12 – 5% July
 - 242.4 R14 – 0% October
243. Any provider with an identified funding under performance at any of the performance management points must work with a designated WECA Relationship Officer and submit a plan to WECA outlining how they intend to address the under delivery.
244. There will be no funding payment for over delivery of the provider's WECA Adult Education Funding Provider Application Form 2019/20 unless previously agreed with WECA prior to an increase above the funding level detailed and agreed by WECA and confirmed by WECA in writing.

245. In extenuating circumstances, where the recovery of unspent West of England Adult Education Funding will result in a negative strategic or economic impact on either the learner, community or provider, WECA may consider a longer-term recovery arrangement with the provider. This decision will be based on robust evidence of improvements in future performance and the continued delivery of high-quality provision for West of England residents.
246. Your funding agreement will span two financial/fiscal years:
 - 246.1 August 2019 to March 2020: periods 1 to 8 of the 2019 to 2020 funding year
 - 246.2 April 2019 to July 2020: periods 9 to 12 of the 2018 to 2019 funding year
247. Your allocation will be split according to the national payment profile into these two funding envelopes.
248. Total provider payments will be capped to the value of your funding allocation.
249. Following end of year financial reconciliation, WECA may agree to realign allocations or release funds over and above the funding cap but this will be based on availability of funds and cannot be guaranteed.
250. Funds cannot be 'vired' between funding agreements with WECA and the ESFA
251. Your funding agreement will state the maximum amount of WECA Adult Education Funding provision you can deliver between 1 August 2019 and 31 July 2020.
252. It will also state the maximum value of non-formula funded community learning we will fund (where applicable to you).
253. Your Adult Education Funding allocation can be used to fund new starts, non-formula funded community learning (where applicable to you) and learner support.

254. You must submit ILRs for West of England residents receiving Adult Education Funding on a monthly basis from R04 and, where appropriate, provide a forecast to WECA for the remainder of the funding year. The funding claims must include adult skills, non-formula funded community learning and learner support funding.

Annex A- 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 33.

Countries or areas where residency establishes eligibility for our funding

A) Member states of the European Union.

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

B) Other territories categorised as being within the European Union.

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

Cyprus	any Cypriot national living on any part of the island qualifies for EU residency and is considered an EU national
Finland	Includes the Aland Islands
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
Germany	includes the former German Democratic Republic and the tax-free port of Heligoland
Portugal	Madeira and the Azores are part of the EU; Macau is not
Spain	the Balearic Islands, the Canary Islands, Ceuta and Melilla are part of the EU
United Kingdom	Gibraltar is part of the territory of the EU

To note: The Channel Islands and Isle of Man are part of the United Kingdom and Islands but not part of the EU.

Andorra, Monaco, San Marino and the Vatican are not part of the EU.

C) EEA and eligible overseas dependent territories.

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 d below.

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.

D) Eligible overseas territories of other British and EU member states.

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 in residence in the EEA.

These are as follows:

- Anguilla
- Bermuda
- British Antarctic Territory
- British Indian Ocean Territory
- British Virgin Islands Cayman Islands
- Falkland Islands
- Henderson Island
- Montserrat
- Pitcairn, Ducie and Oeno Islands
- South Georgia and the South Sandwich Isles
- St Helena and its dependencies
- Turks and Caicos Islands
- Greenland and Faroe Isles
- Antilles (Bonaire, Curacao, Saba, St Eustatius and St Maarten) Aruba
- New Caledonia and its dependencies
- French Polynesia
- Saint Barthélemy
- The Territory of Wallis and Futuna Islands
- Mayotte
- French Southern and Antarctic Territories

Annex B - Community Learning Objectives

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

- devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer
- 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
- supporting the wide use of online information and learning resources minimising overheads, bureaucracy & administration

Glossary of terms

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.
Adult funding methodology	The funding methodology for individuals aged 19 and over, participating in AEB learning. You can access adult funding methodology on the GOV.UK website.
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.
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.
Continuers	Learners who commenced learning in a previous funding year and remain in learning as of 1 August 2019.
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.
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.
Distance learning	Learning delivered away from the learner's main place of employment or place of learning.
Earnings adjustment statement (EAS)	The form providers need to fill in to claim funding for West of England learners 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.
Employed	An individual who has a contract of employment. This does not include self-employed individuals.
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. We are a co-financing organisation for the ESF.

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: 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 2019 to 2020 16 to 19 performance tables.
Full level 3	The following qualifications are designated full at level 3: 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 2019 16 to 19 performance tables.
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.
Funding agreement	The agreement between the Secretary of State for Education acting through WECA and providers who receive funding for education and skills training.
Funding year	The WECA adult funding system operates on a funding year basis, which starts on 1 August and finishes on 31 July.
Guided learning	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 or – 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.”
Hardship	Within learner support, a category of support to assist vulnerable and disadvantaged learners to remove barriers to education and training.
The ESFA Hub	The ESFA Hub provides online services including the return of your Individualised Learner Record and completed EAS. You can also search all learning aims, components of qualifications, apprenticeship frameworks and standards along with their validity and funding details.
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. In 2019/20, WECA will continue to utilise the ESFA ILR to record all outputs for West of England residents. All providers delivering WECA AEB must complete all relevant ILR details and send this to the ESFA. The ESFA will then validate the provider’s data and forward WECA the ILR for West of England residents.
Job outcome payments	Payments made for learners who are unemployed at the start of learning who cease learning to 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, the learning to be provided, and delivery.

Learning support	Funding to enable providers to put in place a reasonable adjustment, set out in the Equality Act 2010, for learners with an identified learning difficulty and/or disability to achieve their learning goal.
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.
Learning aim reference number	The unique eight-digit code used to identify a specific learning aim.
Learning planned end date	The date entered onto the individualised learner record (ILR) when the learner is expected to complete their learning.
Local flexibility	Regulated qualifications, and or their components, and non-regulated learning that the WECA 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 ESFA Hub.
Non-regulated learning	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: <ul style="list-style-type: none"> • independent living skills and engagement learning • employability and work skills • labour market re-entry • technical education tasters • community learning
Ofqual	The Office of Qualifications and Examinations Regulation, which regulates qualifications, examinations and assessments in England.
Personal learning record (PLR)	An ESFA 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.
Performance Management Framework (WECA)	A WECA management framework detailing how providers will be managed and monitored from both a range of perspectives including quality performance (direct and subcontracted delivery) and earnings against profile.
Performance Management Points (WECA)	Key points during the funding agreement when WECA will review earnings against profile and apply a specification as detailed in this policy to ascertain if the provider is underperforming against their WECA allocation.
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 nonregulated 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)	An assessment method that considers whether a learner can demonstrate that they can:

	<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.
ESFA Register of training organisations (the Register)	A register that provides assurance on organisations that deliver non-apprenticeship education and training services funded by the ESFA, or subcontractors with more than £100,000 in our non-apprenticeship supply chain. Organisations apply to enter the register by completing our market-entry pre-qualification process, which includes due diligence questions and testing of capacity and capability.
Relationship Officer (WECA)	Every provider approved to deliver AEB to West of England residents is assigned a Relationship Officer to support the provider to monitor the quality of delivery and performance against allocation and the funding agreement.
Residential	Support provided under learner support to learners receiving specialist provision, which involves a residential element, or to support learners who cannot receive provision locally.
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.
Senior responsible person	For example, Chief Executive, Managing Director, Principal or their equivalent.
Self-declaration	A process where the learner is able to confirm something through his or her own signature.
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.
Statutory entitlement	<p>The statutory entitlement to education and training 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 A*-C, grade 4, 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
Study programme	Study programmes are for learners aged 16 to 19 and cover all levels up to level 3. Funding is for each learner, rather than for each qualification and can only have one core aim at a time.
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. The term subcontractor will also apply to any partnership work you have where your staff and/or provision is managed by another partner/institution. WECA will consider this a type of subcontracting arrangement and as such will require all

	relevant detail on your Delivery Plan for approval and review at relevant Performance Meetings. This arrangement must also be identified in the ILR using the Partner UKPRN Field.
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).
WECA Adult Education Funding Provider Application Form 2019/20	Funding Application Form for providers planning on delivering funded adult skills provision to WECA residents of Bath & North East Somerset, Bristol and South Gloucestershire.
Work placement	A placement with an employer in a workplace setting as part of a traineeship.
Young people's funding methodology	The ESFA's 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 the GOV.UK website .

Summary of main version 2 changes

Section	Paragraph	Change
Principles of funding	18 – this document	To make clear you cannot veer funds from your WECA funded AEB allocation to any other funding stream.
Residency eligibility	33.2-this document	We have used right of abode and settled status as both have a slightly different meaning and both are relevant to the paragraph. This has been agreed by the Home Office.
Residency eligibility	36-this document	Additional text has been added by the Home Office to clarify the rule.
Residency eligibility	37- this document	Additional text has been added by the Home Office to include those that are undertaking administrative review or appeal.
Residency eligibility	39 - this document	To aid clarity, we have moved this paragraph to the general eligibility requirements section.
Residency eligibility	36- this document	We have added 41.7 in line with the ESFA guidance.
Residency eligibility	41- this document	We have added 41.7 and 41.8 in line with the ESFA guidance.
Asylum Seekers	42.2 and 43.3- this document	The removal of “in the care of the local authority” as this is not relevant to 19+ learners, however learners who were “in the care” can still claim support from the LA.
Individuals who are not eligible for funding	52.1- this document	Changes to illegal status – added “those who are here without authority or lawful status” in line with the ESFA guidance.
Recognition of prior learning	64.3 - 2018 to 2019 AEB funding rules	We have removed this paragraph to make these requirements simpler.

What we will not fund	174.6 – this document	To aid clarity, we have moved this paragraph to the what we will not fund section.
Evidence	124 – this document	We have added this paragraph to clarify the evidence requirements regarding individual’s eligibility as ordinarily resident in England.
	125 – this document	We have added this paragraph to clarify evidence requirements and General Data Protection Regulations.
Starting, participating and achieving	137 to 141 – this document	We have added in paragraphs to make clear that you, and any subcontractor(s) you use must hold direct center approval and register learners undertaking a qualification, in line with awarding organisation guidance and policy.
Legal entitlements and local flexibility	151 to 152 – this document and government contribution table on page 31	We have added these paragraphs to make it clear that WECA funded AEB learners aged 19- 23 and 24+ who have already achieved a level 2 can enroll on different learning up to and including level 2 from local flexibility and entitlement list. We have also made it clear that learners aged 24+ who have not achieved a level 2 can enroll on learning up to and including level 2 from local flexibility and legal entitlement list.
Unemployed definition	154 – this document	We have updated these paragraphs in line with the definition agreed with DfE and DWP, to add clarity on earned income allowances for individuals and households. References to the national minimum/living wage have been removed to avoid any anomalies with these and permitted earnings.
Learners in receipt of low-wage	156 to 157– this document	The low-wage flexibility will be extended in the 2019 to 2020 academic year. The threshold has been increased in line with the National Living Wage 25+ hourly rate of £8.21, which comes into force in April 2019. We have also clarified that: <ul style="list-style-type: none"> • self-employed individuals are eligible if they meet the published criteria • Universal Credit statements can be provided as evidence of income • only provision up to and including level 2 (that would normally be co-funded) is eligible
Full level 2 / full level 3	159.3 and 161.5 – this document	We have added these paragraphs to reflect that technical certificates are listed in the full level 2 and level 3 legal entitlement list
Eligible qualifications	167– this document	We have moved this paragraph from level 2 section to eligible qualifications section as this paragraph applies to both Level 2 and Level 3

Eligible qualifications	168 – this document	We have moved this paragraph from previous ‘what we will fund section’ to eligible qualifications as it aligns better.
Community Learning	200 – this document	In line with ESFA guidance we have re-inserted paragraphs that clarify learners under 19, who are a parent, carer or guardian can enrol on family learning programmes.