

**WEST MIDLANDS COMBINED AUTHORITY**  
**Adult Education Budget**  
**FUNDING**  
**RULES 2021/2022**  
**(For the funding year 1 August 2021 to 31 July**  
**2022)**  
**Version 3**

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

<b>Issue date;</b>	November 2021
<b>Amendments made from previous academic year;</b>	Refer to Annex x of this document.
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WMCA AEB Funding Rules Version 1.2: Key Changes for 2021/22

Residency eligibility	Page 7	Updated to reflect current policy.
Who we fund	Page 13	The position regarding continuing learners has been updated.
Recognition of Prior learning	Page 13	Paragraphs updated to reflect the current position on prior learning.
Level 3 adult offer	Page 18	Update on level 3 adult offer
Contribution table	Page 19	Update on level 3 Adult offer and Level 4 offers
Level 4	Page 22	Funding and eligibly for level 4 offer
Annex A – Eligibility of funding	Page 31	Annex A – Eligibility of funding
Glossary	Page 47	Definitions added for: - European Economic Area (EEA) added. - Find a learning aim Definition for 'The Hub' has been deleted as this has been replaced with 'Find a learning aim'
Low wage	Page 20	Update to Low wage threshold from £18,135 to £19,350 due to increase in National living wage to £9.90

## Introduction and purpose of the document

1. This document sets out the West Midlands Combined Authority (WMCA) adult education budget (AEB) funding rules for the 2021 to 2022 funding year (1 August 2021 to 31 July 2022). The rules apply to all providers of education and training who receive devolved AEB funding from the WMCA.
2. A key part of the AEB aims to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or other learning. It enables more flexible, tailored programmes of learning to be made available, which may or may not require a qualification, to help eligible adult residents engage in learning, build confidence and/or enhance their wellbeing.
3. The WMCA AEB will play a key role in supporting the recovery of the region following the pandemic and will continue to deliver the Regional Skills Plan ([RSP](#)), contributing to inclusive growth through the improvement of the qualification levels and skills of residents. Our focus is to use AEB to support those who are unemployed, and those residents in low-paid and/or low-skilled jobs who wish to retrain to source employment in higher-paid or more sustainable work.
4. 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 and Skills Funding Agency (ESFA) will continue to fund apprenticeships, traineeships and advanced resident loans for WMCA residents – you can access these separate funding rules on the GOV.UK website.
5. 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 WMCA.
6. All information, including any hyperlinks, was correct when the WMCA published this document. During the 2021/22 funding year, this document will be kept under review to reflect how we may need to respond to the changing economic context. The WMCA reserves the right to make changes to these rules and will publish any updated versions on the WMCA website.

## Understanding the terminology

7. The term 'WMCA' refers to the West Midland Combined Authority. When WMCA refers to 'you' or 'providers', this includes Colleges, Sixth Form Colleges, independent training providers (ITPs), voluntary community sector providers and Local Authorities who receive funding from us to deliver adult education and training to WMCA residents. WMCA will use the generic term 'you' or 'provider' unless the requirements only apply to a specific provider type. The term funding agreement can be a Grant agreement or a contract. Key definitions used in the adult education budget (AEB) and a full glossary of terms are included in Annex M.

## Contacting us

8. You can contact us through our query mailbox at [aeb.enquiries@wmca.org.uk](mailto:aeb.enquiries@wmca.org.uk) You can also contact your assigned Skills Delivery Officer.

## WMCA Overview

### Devolution of the Adult Education Budget

9. From 1<sup>st</sup> August 2019, the West Midlands Combined Authority (WMCA) became responsible for certain adult education functions of the Secretary of State under the Apprenticeships, Skills, Children and Learning Act 2009. This transfer of functions was achieved by way of orders made under the Local Democracy, Economic Development and Construction Act 2009 and the West Midlands Combined Authority (Adult Education Functions) Order 2018 (SI 2018/1144)
10. Ministers have agreed under a Memorandum of Understanding and a Data Sharing Agreement certain functions and activities will be undertaken by the Education and Skills Funding Agency (ESFA) on behalf of the WMCA for the 2021/22 funding year.
11. The WMCA is publishing these funding rules, which will apply to providers in receipt of devolved WMCA adult education budget (AEB) funding from 1 August 2021, for AEB delivery to residents in the West Midlands. This excludes the 19-24 traineeship programme and apprenticeships.
12. To deliver our ambitions for the AEB, we are seeking to create an 'Adult Offer' that moves us towards the following for our residents:
  - 12.1. Every adult should have the opportunity to achieve a basic level of English and maths
  - 12.2. Every adult should have the opportunity to gain basic digital literacy skills
  - 12.3. Every adult not working and wanting to work should have the opportunity to undertake short, job-related training or longer occupational qualification training
  - 12.4. Adults furthest from the job market should be able to access the first steps and community-based learning that builds confidence and prepares them for further learning
  - 12.5. Adults on low wages or in unstable employment should be able to access a re-training offer that helps them gain entry into a new occupation or gain higher-level skills
  - 12.6. Every adult should be able to access training that leads to higher-level qualifications
13. In 2019/20, we introduced a range of flexibilities to support residents into work, upskill those in work earning below the real living wage and address skills gaps at higher levels. We will continue with these flexibilities and also extend our support for unemployed and low wage individuals for level 3 entitlement qualifications.
14. In addition, we also introduced sector gateway and construction gateway programmes, specific to occupational job roles to move residents into work quickly, especially those who have recently been impacted by the pandemic COVID-19.
15. We introduced job outcome payments to support the progression of individuals into work from Sector Based work Academies and Sector Gateways.
16. There are some areas where we need to have a sharper focus to ensure that we are supporting residents to not only move into work but also progress in work. Through delivery plans it is important to us that providers deliver their delivery plan commitments this year; even pre-COVID we had seen a significant deviation from the expected outcomes. We need to see improvement in completion, accuracy and timeliness of the data collected in relation to destinations.
17. We will seek greater transparency in relation to the supply chain delivery agreement and those services provided by third parties in the delivery of AEB programmes.
18. We're happy to share the risk to see changes delivered through AEB. To enable us to do this it's important that we work proactively, collaboratively, be open and transparent. Providers may have specific flexibilities over and above these agreed as part of their delivery plan and we want to hear from providers their ideas around further flexibilities.
19. The additional flexibilities available in 2021/22 funding year are:
  - 19.1. Extension of full funding for 24+ unemployed to undertake a level 3 entitlement-based qualification
  - 19.2. Testing the partial or full funding of economically valuable Level 4+ qualifications and units
  - 19.3. Extension of low wage trial to include level 3 entitlement qualifications



## Principles of funding

20. These funding rules apply to all residents in the WMCA area starting new learning aims on or after 1 August 2021. The WMCA will also have responsibility for continuing residents who commenced learning in 2020/2021. You must ensure you meet the cost of continuing learners within your WMCA AEB allocation.
21. You must hold evidence to assure us that you are using WMCA AEB funding appropriately. Most evidence will occur naturally from your normal business process, but if required by the WMCA, additional evidence should be retained. It is a condition of funding that all outcomes for WMCA residents, either directly delivered by you or your supply chain delivery members, are recorded on the ILR.
22. The WMCA Adult Education Budget must only be utilised to fund WMCA residents. Funding cannot be transferred between different budgets, including, where applicable, your ESFA Adult Education Budget, Apprenticeships and advanced resident loans.
23. The WMCA will continually review and monitor whether the education and training you provide is delivering positive and agreed outcomes as detailed and agreed by WMCA within your 2021/22 Delivery Plan. If grant providers are reaching their tolerances of their delivery plan, including legal entitlement, please ensure the WMCA is notified. Contract for Services Providers can only deliver what has been agreed within the Delivery Plan. The WMCA will also monitor your performance to ensure that funding you received from the WMCA is delivering high-quality provision for adults within the WMCA area and represents good value for money. Risk-based performance management arrangements will operate between you and the WMCA. These regular performance monitoring meetings will take place throughout the funding agreement period. The focus of the main discussion will be your progression towards meeting your Delivery Plan, but we will also discuss your plans more generally and your ideas for the future.
24. If the WMCA considers the delivery is not resulting in positive outcomes for adults in the WMCA area and/or the quality of provision is not to the required standard, the WMCA may (following a discussion with you) reduce your grant allocation or contract value. Equally, if you are finding it difficult to deliver your allocation or you have unmet demand, then we want you to tell us. Additional information is contained in the AEB Provider Payment & Performance Management Framework.

WMCA AEB devolved funding can only be spent on WMCA residents with a WMCA postcode and meets the conditions of funding set out in paras set out [eligibility sections](#)

## WMCA Devolved Adult Education Budget

### Eligibility for WMCA residency funding

25. Providers must make sure an individual is eligible before claiming funding for them. It is your responsibility to check the eligibility of the resident at the start of each adult learning aim, and only claim funding for eligible residents. To be funded by the WMCA, residents must meet the following criteria:
26. On the first day of learning, a resident must be: Aged 19 or older on 31 August within the 2021 to 2022 funding year and reside in a residence with a WMCA postcode and meets the conditions of funding set out [eligibility sections](#)
27. The WMCA recognises that a resident (from outside) the WMCA who is unaware of the funding changes due to devolution of the AEB may wish to undertake learning in the WMCA. Most grant providers will have an AEB allocation from the ESFA for non-devolved areas. Where a grant provider does not have an ESFA allocation then
28. we will discuss directly with the provider if this can be supported. We expect these cases to be minimal but will keep this under review and seek feedback from you during the year.
29. Residents residing in residences that do not have an eligible WMCA postcode will not be funded by the WMCA. They will be funded via the relevant Mayoral Combined Authority (MCA), Greater London Authority (GLA) or ESFA. It is the provider's responsibility to ensure that the relevant funding is secured from the relevant funding body in 2020/21 for their residents. The ESFA post code checker can be found [here](#).

30. The age of the resident on 31 August in the funding year determines whether the resident is funded through the WMCA's AEB methodology. Residents aged 18 or below, or residents aged 19-24 with an Education Health Care Plan, will continue to be funded by the ESFA's young people's funding methodology.
31. All individuals aged 19 or over on 31 August 2021 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.
32. Where the WMCA refers to a resident's age being 19, this relates to the resident being aged 19 on the 31 August within the funding year they start a learning aim. For all other purposes, the age of the resident is taken at the start of each learning aim.
33. Residents 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. You must reassess the resident's eligibility for funding for any further learning they start.
34. If an individual starts a learning aim or programme and is not eligible for funding, WMCA will not fund their learning while they remain ineligible.
35. You must not fund a resident who is unable to complete a learning aim in the time they have available. Any adult resident aged 19 or over must be able to achieve the learning aim or learning programme within the time they have available.
36. Where we refer to the Employment Status of the learner, this relates to the learner's status on the day they begin their programme of learning.
37. You must not fund a learner who is unable to complete a learning aim in the time they have available. Any learner, of any age, must be able to achieve the learning aim or programme within the time they have available.
38. Providers must make sure an individual is eligible before claiming funding for them.

### **Residency eligibility**

39. Residents of the WMCA area will be eligible for funding if they fulfil the residency as listed below.
  - 39.1. WMCA resident on start date of learning
  - 39.2. A UK national or other person with rights of abode,
  - 39.3. UK nationals in the EEA
  - 39.4. EEA nationals in the UK
  - 39.5. Other non-UK nationals
40. Residents temporarily outside of England - If someone ordinarily resident in the WMCA area works outside of England as part of their job, they are eligible for funding if some of the learning takes place in England. You cannot claim for the additional expense of delivering learning outside of England or the WMCA.

### **UK nationals and other persons with right of abode**

41. Individuals who meet the criteria in paragraphs 26-39 and they:
  - 41.1. are UK nationals or other person with a right of abode in the UK and
  - 41.2. have been ordinarily resident in the UK or British Overseas Territories or Crown Dependencies (Channel Islands and Isle of Man) for at least the previous 3 years on the first day of learning
  - 41.3. The British Overseas Territories are listed in [Annex A](#)

### **UK nationals in the EEA**

42. Individuals who meet the criteria in paragraphs 26-39, and they:
  - 42.1. are UK nationals and
  - 42.2. are living in the EEA on or before 31 December 2020 and
  - 42.3. have lived in the EEA only or the EEA and UK only for at least the previous 3 years on the first day of learning and
  - 42.4. have lived continuously in the EEA only and/or the EEA and the UK only between 31 December 2020 and the start of the course
  - 42.5. the course starts before January 2028
  - 42.6. the EEA includes all the countries and territories listed in [Annex A](#).

### **EEA nationals in the UK**

43. Individuals who meet the criteria in paragraph 35, and
  - 43.1. with respect to EEA nationals other than Irish nationals, have obtained either pre-settled or settled status under the EU Settlement Scheme and
  - 43.2. have lived continuously in the EEA, Gibraltar or UK for at least the previous 3 years on the first day of learning
  - 43.3. the EEA includes all the countries and territories listed in [Annex A](#).

### **Other non-UK nationals**

44. Individuals who meet the criteria in paragraph 25, and they fulfil the requirements of one or more of the below
  - 44.1. A non-UK national who:
    - 44.1.1. has permission granted by the UK government to live in the UK and such permission is not for educational purposes only, and has been ordinarily resident in the UK for at least the previous 3 years on the first day of learning
  - 44.2. A non-UK national who is also a non-EEA national and:
    - 44.2.1. has obtained pre-settled or settled status under the EU Settlement Scheme and has been ordinarily resident in the UK for at least the previous 3 years on the first day of learning
  - 44.3. An Irish national and:
    - 44.3.1. who is not also a UK national and has been ordinarily resident in the UK or Ireland for at least the previous 3 years on the first day of learning.

### **Family members of UK and EEA nationals**

45. A 'family member' is the husband, wife, civil partner, child, grandchild, dependent parent or grandparent of a UK or EEA national. A family member is eligible for funding if they:
  - 45.1. where required to do so, have obtained pre-settled or settled status under the EU Settlement Scheme and
  - 45.2. have been ordinarily resident in the UK or EEA for at least the previous 3 years on the first day of learning

### **Individuals with certain types of immigration status and their family members**

46. Any individual resident in WMCA with any of the statuses listed below is eligible to receive funding and are exempt from the three-year residency requirement rule.
47. You must have seen the learner's immigration permission which would include the biometric residence permit (BRP) and in some cases an accompanying letter from the Home Office in these circumstances:
  - 47.1. Refugee Status
  - 47.2. Discretionary Leave to Enter or Remain
  - 47.3. Exceptional Leave to Enter or Remain
  - 47.4. Indefinite Leave to Enter or Remain
  - 47.5. Humanitarian protection
  - 47.6. Leave Outside the Rules
  - 47.7. Afghan Locally Engaged Staff under the intimidation policy
  - 47.8. The husband, wife, civil partner and child of any of the above in subparagraphs
  - 47.9. section 67 of the Immigration Act 2016 leave
  - 47.10. Calais leave to remain

### **Extension or variation of current immigration permission**

48. Any learner or family member who has applied for an extension or variation of their current immigration permission in the UK is still treated as if they have that leave. This only applies if the application was made before their current permission expired. Their leave continues until the Home Office decide on their immigration application. Their leave will continue where they have appealed or sought an administrative review of their case within the time allowed to them for doing so.

49. Therefore, a learner or family member is considered to still have the immigration permission that they held when they made their application for an extension, administrative review or appeal, and their eligibility would be based upon this status.
50. You may wish to find information, advice and support on eligibility from the [UK Council for International Student Affairs](#).
51. The learner's immigration permission in the UK may have a 'no recourse to public funds' condition. Public funds do not include education or education funding. Therefore, this does not affect a learner's eligibility, which must be decided under the normal eligibility conditions.

#### **Children of Turkish workers (WMCA resident)**

52. A child of a Turkish worker is eligible if both the following apply:
  - 52.1. the Turkish worker is ordinarily resident in the UK on or before 31 December 2020 and has Turkish European Community Association Agreement (ECAA) rights or extended ECAA leave and
  - 52.2. the child has been ordinarily resident in the UK, EEA and/or Turkey for at least the previous 3 years on the first day of learning and is resident in the UK on or before 31 December 2020

#### **Asylum seekers (WMCA resident)**

53. Asylum seekers are eligible to receive funding if:
  - 53.1. they have lived in the UK for six months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made; or,
  - 53.2. are receiving local authority support under section 23C or section 23CA of the Children Act 1989 or the Care Act 2014
  - 53.3. An individual who has been refused asylum will be eligible if:
    - 53.4. 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,
    - 53.5. they are granted support for themselves under section 4 of the Immigration and Asylum Act 1999; or,
    - 53.6. they receiving local authority support for themselves under section 23C or section 23CA of the Children Act 1989.

#### **Persons granted stateless leave (WMCA residents)**

54. A person granted stateless leave is a person who:
  - 54.1. 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,
  - 54.2. has been ordinarily resident in the UK and Islands throughout the period since the person was granted such leave.
55. A stateless person must:
  - 55.1. be ordinarily resident in the UK on the first day of the first academic year of the course; and,
  - 55.2. 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.
56. Certain family members are also eligible under this category:
  - 56.1. the spouse or civil partner of a person granted stateless leave (and who was the spouse or civil partner of that person on the leave application date), who is ordinarily resident in the UK on the first day of the first academic year of the course, and who has been ordinarily resident in the UK and Islands throughout the three-year period preceding the first day of the first academic year of the course; or,
  - 56.2. 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.
57. "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

58. You must not claim funding for individuals who do not meet the eligibility criteria set out in paragraphs 35 - 53. Examples of individuals who do not meet the eligibility criteria include the following. Please note this list is not exhaustive:
- 58.1. those who are here without authority or lawful status
  - 58.2. those who are resident in the UK on a student visa unless they are eligible through meeting any other of the categories described above
  - 58.3. those who are in the UK on holiday, with or without a visa
  - 58.4. those who are a family member of a person granted a student visa, who have been given immigration permission to stay in the UK and have not been ordinarily resident in the UK for the previous 3 years on the first day of learning
  - 58.5. those whose biometric residence permit or residence permit imposes a study prohibition or restriction on the individual

### Residents in the armed forces

59. The WMCA will fund armed forces personnel, Ministry of Defence (MoD) personnel or civil and crown servants where they are residents within the WMCA area. The WMCA 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 WMCA area.
60. Members of other nations' armed forces stationed in WMCA, 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. The WMCA will not fund family members that remain outside of the WMCA area.
61. Members of other nations' armed forces stationed in WMCA area, and their family members, aged 19 and over, are eligible for funded AEB if the armed forces individual has been ordinarily resident in England for the previous 3 years on the first day of learning. We will not fund family members that remain outside of England.

### Fees and charging

62. You must not make compulsory charges relating to the direct costs of delivering a learning aim to learners we fully fund, including those with a legal entitlement to full funding for their learning. Direct costs include any essential activities or materials without which the learner could not complete and achieve their learning.
63. If a fully funded learner needs a Disclosure and Barring Service (DBS) check to participate in learning, you cannot charge them for this. If the learning is associated with the learner's employment, their employer is responsible for carrying out and paying for this check

### Qualifying days for funding

64. A resident 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.
65. This does not apply where the resident achieves the learning aim.
66. We continue to have alignment with the ESFA rule but remain open to reviewing this.

Planned length of learning aim	Minimum qualifying days
168 or more days	42 days
14 – 167 days	14 days
Fewer than 14 days	1 day

### Recognition of prior learning

67. The WMCA expectation is that providers will not require residents to repeat learning related to programmes unless there is a specific link to developing key sector vocational skills. Evidence should be retained if repeat learning is undertaken.

68. A resident 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:
  - 68.1. reduce the funding amount claimed for the learning aim by the percentage of learning and assessment the resident does not need
  - 68.2. follow the policies and procedures set by the awarding organisation for delivery and assessment of the qualification
  - 68.3. not claim funding if the prior learning meets the full requirements of the awarding organisation to achieve the learning aim
  - 68.4. ensure you have a robust internal RPL policy and appropriate resources to deliver RPL
69. The WMCA does 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.
70. You must not use prior learning to reduce funding for English and maths qualifications up to and including level 2.
71. If a resident 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](https://www.gov.uk).

### **Starting, participating and achieving**

72. You can only claim WMCA-funded AEB when directly related to learning starts. You can only claim additional activity e.g. enrolment, induction, prior assessment, diagnostic testing or similar learning, if this was agreed as part of your Delivery Plan under Lot 3 activity for testing and innovation.
73. For your direct delivery, and any subcontracted delivery, you (and where relevant, your supply chain delivery member(s)) must have a valid UKPRN, direct centre approval and where appropriate, direct qualification approval from the respective awarding organisation for the regulated qualifications you are offering. Delivery of the qualification (including resident 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.
74. You must have evidence that the learning took place and the resident was not certificated for prior knowledge.
75. Where the learning is certificated, you must follow the relevant awarding organisation's procedure for claiming the relevant certificate(s) and ensure the resident receives them. You must evidence this has happened in the resident file.

### **Breaks in learning**

76. You can suspend learning while the resident takes an agreed and organised break from learning, where it is known that the intention of the resident is to return. This allows the resident 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.
77. You must record the date a learner starts a break in learning and the date they restart their learning in the ILR
78. You must have evidence that the learner agrees to return and continue with the same learning aim; otherwise, you must report the learner as withdrawn. When the learner returns to learning, you must re-plan and extend the remaining delivery as required.
79. Breaks in learning must not be used to 'suspend' learning where contact is lost, or the attendance or academic performance of the resident is poor.
80. You must not use a break in learning for short-term absences, such as holidays or short-term illness.
81. The WMCA will not fund a resident during a break in learning.

### **Response to Coronavirus (Covid-19)**

82. In line with the above paragraphs 79 – 81 , you and the learner can agree to suspend learning to enable the learner to take a break in learning where
  - 82.1. the learner is self-isolating, or caring for others affected by coronavirus (COVID-19) and is unable to continue by distance learning and/or an online offer or

- 82.2. you are unable to deliver learning because of the impact of coronavirus (COVID-19) on your business and there is no reasonable way to achieve appropriate delivery by distance learning and/ or online learning
- 83. To record breaks in learning for coronavirus (COVID-19) reasons, you must:
  - 83.1. Include these learners in your ILR submissions
  - 83.2. Record the reason, retain evidence

#### **Self-declarations by residents**

- 84. All self-declarations must confirm the resident's details and describe what the resident is confirming for requirements set out in this document.
- 85. If a resident self-declares prior attainment, you must check this in the [personal learning record \(PLR\)](#) and query any contradictory information with the resident. The PLR will not necessarily override the resident's self-declaration.
- 86. For 2021/22, WMCA-funded residents must also complete a self-declaration form to confirm that they are employed if they are undertaking WMCA flexibilities for those in employment.

#### **Confirmation and signatures**

- 87. The resident or employer must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.
- 88. The WMCA accepts electronic evidence, including digital signatures, but you must have wider systems and processes in place to assure you that residents exist and are eligible for funding. You must keep effective and reliable evidence.
- 89. Both electronic and digital signatures are acceptable, we do not specify which should be used, only that a secure process to obtain and store signatures is followed:
  - 89.1. an electronic signature is defined as any electronic symbol or process that is associated with any record or document where there is an intention to sign the document by any party involved. An electronic signature can be anything from a check box to a signature and/or
  - 89.2. a digital signature is where a document with an electronic signature is secured by a process making it non-refutable. It's a digital fingerprint which captures the act of signing by applying security to a document. Usually, documents which have a digital signature embedded are extremely secure and cannot be accessed or amended easily
  - 89.3. Where an electronic or digital signature is being held, from any party for any reason, you must ensure it is non-refutable. This includes the definitions of both wet and dry signatures. Systems and processes must be in place to assure to us the original signature has not been altered. Where any document needs to be renewed, and a new signature taken, it must be clear from when the new document takes effect, and both must be held.
  - 89.4. You are responsible for making the evidence you hold easily available when the WMCA needs it.

#### **Leaving learning**

- 90. You must report the learning actual end date in the ILR, for a resident who leaves learning as the last day, that you can evidence, they took part in learning.

#### **Individualised learner record (ILR)**

- 91. You must accurately complete all ILR fields as required in the ILR specification, even if they are not required for funding purposes.
- 92. The ILR must accurately reflect the learning and support (where applicable) you have identified, planned and delivered to eligible individuals. You must not report inaccurate information that would result in an overstatement of the funding claimed.
- 93. Where your data does not support the funding claimed, we will take action to correct this and we could recover funds you overstated.

## Match funding

94. Funding awarded through either contract for services or grant is classified as being 'clean' in terms of being matched with EU structural funds (e.g. ESF).
95. Organisations commissioned to deliver AEB must not endeavour to independently match AEB funding to any other funding stream without the express consent of the WMCA.
96. The WMCA reserves the right to match this funding at source.
97. Providers must seek WMCA approval before using our funds to make bids for, or claims from, European funding on their own behalf or on our behalf.
98. Funding requests should be submitted at least 2/3 weeks prior to providers making a bid for ESFA funds

## What the WMCA funds

99. The WMCA will only fund the provision included in your funding agreement and Delivery Plan. You must make sure that learning is eligible for funding before the resident starts. The ESFA Hub contains details of eligible regulated qualifications, qualification components and non-regulated learning aims.
100. Any delivery you undertake over and above that which is included in your Delivery Plan will not be funded, unless agreed in writing beforehand with the WMCA. This includes specific levels, sectors and local authorities.
101. Any delivery you undertake over and above that which is included in your Delivery Plan will not be funded, unless agreed in writing beforehand with the WMCA. This includes specific levels, sectors and local authorities. The WMCA will review performance against delivery plans at key points in the year and will look to reconcile any over-spend. A provider may also be asked to stop delivery of certain sectors based on changes in priorities and over-delivery.
102. The WMCA may make concessions in the funding rules responding to a specific economic event impacting on residents e.g. pandemic, climate event or significant restructuring of large employer leading to residents at risk of redundancy. This will be agreed on a case by case basis.
103. The WMCA will provide partial or full funding Level 3 qualifications and units where they support progression in work or career changes through re-training. This will be agreed as part of your delivery plan with agreed levels of contribution in line with RSP priorities.
104. To support the unemployed into work, we have broadened the delivery of Sector Based Work Academy Programmes (SWAP) that comprise specific skills-based learning and work experience with a recruiting employer. We have also introduced sector gateways to enable residents to move into work quickly through short occupational training where there isn't a specific recruiting employer but there is demand in the job market and the provider will support residents to gain employment. The WMCA will agree the price as part of delivery plans under those lots specific to supporting the unemployed or through flexibilities within grant agreements.
105. For procured activity under Lot 3, we will work with those successful providers in determining the delivery plan which will set out what we will fund. The WMCA will continually evaluate the impact of Lot 3 to establish an evidence base as to how we might progressively change the way we fund skills delivery over the coming years.
106. For fully-funded residents who are unemployed, the WMCA will pay 50% of the achievement payment if they start a job before achieving the learning aim. If the resident then achieves the learning aim, the WMCA will pay the remaining achievement payment. The following conditions apply that the resident must provide you with evidence through a declaration, that they have a job for 16 hours or more a week for four consecutive weeks. [Universal Credit work allowances](#) may still apply for those residents eligible who become employed and will reduce in time based on the earnings taper rate.
107. We will also pay a sustainable job outcome payment dependent on the residents age at start of the programme based on sustained employment of 13 consecutive weeks at the same employer for SWAP and sector gateway programmes. The following conditions apply that the resident must provide you with evidence through a declaration, that they have a job for 16 hours or more a week for 13 consecutive weeks. [Universal Credit work allowances](#) may still apply for those residents eligible who become employed and will reduce in time based on the earnings taper rate. Further information can be found in Annex 11.
108. The WMCA will continue to fund the Prince's Trust Team Programme where this has been agreed with WMCA.
109. Lists of eligible qualifications for 19-year olds and the Level 3 National Skills Fund offer are available on [gov.uk/guidance/national-skills-fund](http://gov.uk/guidance/national-skills-fund). When new qualifications are added to the list's learners will be eligible for funding for new starts from the date of publication. Funding cannot be backdated. Where learners have already



enrolled on these qualifications funded by other means (e.g. the Advanced Learner Loan) providers cannot claim AEB funding through the adult Level 3 offer.

### What the WMCA will not fund

110. Provision that is not part of a provider's delivery plan or has been given prior written approval via our internal change process.
111. The WMCA will not fund residents in residences that do not have an eligible WMCA postcode. They will be funded via the relevant Mayoral Combined Authority (MCA), Greater London Authority (GLA) or ESFA.
112. It is a provider's responsibility to ensure the relevant funding is secured from the relevant funding body in 2021/22 for their residents.
113. You must not claim funding where a resident only sits or resits a learning aim assessment or examination and no extra learning takes place. You must not claim funding for any provision you deliver to a resident whose learning is taking place outside England.
114. You must not claim funding for any part of any resident's learning aim or programme that duplicates provision they have received from any other source.
115. You must not enrol individuals on learning aims or learning programmes eligible for AEB funding at the same time as any new apprenticeship they start, funded from an employer's digital account or Government-employer co-investment.
116. The WMCA will not fund a resident to repeat the same regulated qualification where they have previously achieved it unless it is for any GCSE where the resident has not achieved grade C, or grade 4, or higher.
117. You must not use your WMCA AEB allocation to deliver provision to residents in custody. The Ministry of Justice funds prison education in England. Please note you can use your WMCA AEB to fund individuals released on temporary licence.
118. You must provide accurate unique resident number (ULN) information to awarding organisations and ensure all information you use to register residents for qualifications is correct. You can find more information about the Personal Learner Record Service on the GOV.UK website.
119. WMCA AEB devolved funding can only be spent on residents with a WMCA postcode.
120. The WMCA flexibilities available through the devolved AEB enables it to fully, co-funded or pay differently for certain activities which it believes will deliver better impact or outcome for residents. These flexibilities will have been agreed as part of your Delivery Plan. In addition, where appropriate for the resident, you can deliver local flexibility provision alongside a legal entitlement qualification.
121. You must check the eligibility of the learner at the start of each learning aim and only claim funding for eligible learners

### Legal Entitlements

The WMCA AEB supports 4 legal entitlements to full funding for eligible adult learners.

Note: The legal entitlements for level 2 and level 3 follow the definition of fullness in the below. A learner can only be fully funded for one vocational qualification from the entitlement qualifications list when exercising their legal entitlement. Appropriate information, advice and guidance should be given to a learner and the learner should be made aware of their entitlement rights and progression routes on completing an entitlement qualification.

These entitlements are set out in the [Apprenticeships, Skills and Children 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 4 (C), or higher, and/or
- first full qualification at level 2 for individuals aged 19 to 23, and/or
- first full qualification at level 3 for individuals aged 19 to 23
- Information technology ('digital') skills, up to and including level 1, for individuals aged 19 and over, who have digital skills assessed at below level 1

122. If an individual meets the legal entitlement eligibility criteria, you must not charge them any course fees.
123. Eligible learners exercising their legal entitlement must be enrolled on approved qualifications for funding through the relevant entitlement. For the funding year 2021 to 2022, providers can find the approved qualifications in the [ESFA list of qualifications approved for funding](#), for the following entitlement offers:
- 123.1. level 2 and level 3 and/or
  - 123.2. English and maths and/or
  - 123.3. essential digital skills qualifications

**Level 3 adult offer and the level 3 legal entitlement**

124. Eligible 19 to 23-year-old learners can access all qualifications from the level 3 adult offer. If a learner aged 19 to 23 completes a qualification that is
- 124.1. included on both the legal entitlement list and the level 3 adult offer list, they will have exercised their level 3 legal entitlement. For more information on the eligibility criteria refer to paragraphs 144.

**Local Flexibility**

WMCA also supports delivery of flexible tailored provision for adults, including qualifications and components of these and/or non-regulated learning, up to level 2 – we call this ‘local flexibility’.

Local flexibility provision either is fully or co-funded, depending on the resident’s age, prior attainment and circumstances. Please refer to the ‘[level of government contribution](#)’ table and paragraphs 39 to 61 for resident eligibility. Where appropriate for the resident, you can deliver local flexibility provision alongside a legal entitlement qualification.

125. Residents aged 19-23 progressing towards their first full level 2, must undertake learning at entry and/or level 1 only from local flexibility

**Local flexibility and legal entitlements**

126. Residents aged 19 to 23 who progress to their first full level 2, must only enrol on a qualification we have approved for funding from the [Qualifications website](#).
127. Residents aged 19 to 23 and aged 24 and over, who have already achievement at level 2, or above can undertake learning up to and including level 2 qualification from the local flexibility offer or qualifications in the level 2 legal entitlement list on the [Qualifications website](#) or [Find a learning aim](#).
128. Residents aged 24 and over, who have not achieved a level 2 qualification can undertake learning up to and including level 2 qualifications from local flexibility offer or qualifications in the level 2 legal entitlement list available on the [Qualifications website](#) or [Find a learning aim](#).

**WMCA contribution table**

The table below shows the level of WMCA contribution from devolved AEB funding:

Provision	19-23 years of age			24+ years of age		
	Unemployed	Low wage	Employed	Unemployed	Low wage	Employed
English and maths, up to and including level 2 – where resident has not achieved GCSE grade c/level 4 or above (National policy legal entitlement)	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*
Essential Digital Skills Qualifications up to and including level 1	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*

First Full Level 2 (excluding English and maths) (National policy legal entitlement)	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Co-funded
Learning to progress to level 2	Fully funded^ (up to and including level 1)	Fully funded^ (up to and including level 1)	Fully funded^ (up to and including level 1)	Fully funded (up to and including level 1)	Fully funded (up to and including level 1)	Co-funded (up to and including level 1)
Learning aims up to and including level 2, (Inc. level 1, and full level 2) where the resident has already achieved a first full level 2 or above	Fully funded	Fully funded	Co-funded	Fully funded	Fully funded	Co-funded
First full Level 3 (National policy legal entitlement)	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Fully funded*	Loan funded**
Level 3 Adult offer (learners without a full level 3 accessing a qualification on the Level 3 Adult Offer qualifications list)	Fully funded~	Fully funded~	Fully funded~	Fully funded~	Fully funded~	Fully funded~
Level 3 (previously achieved a full level 3 or above)	Loan funded**	Loan funded**	Loan funded**	Loan funded**	Loan funded**	Loan funded**
Additional Level 3+ covered under WMCA Flexibility	Fully funded#	Fully funded#	Fully funded#	Fully funded#	Fully funded#	Loan funded**
Level 4+	Loan funded**	Loan funded**	Loan funded**	Loan funded**	Loan funded**	Loan funded**
English for Speakers of Other Languages (ESOL) learning up to and including level 2	Fully funded	Fully funded	Co-funded	Fully funded	Fully funded	Co-funded

\*Must be delivered as one of the English and maths, Digital Entitlement and/or first full level 2 or first full level 3 qualifications required as part of the legal entitlements.

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

\*\* Availability of loans at level 3+ does not replace the legal entitlement to full funding for residents aged 19 to 23 undertaking their first full level 3. Level 3 flexibility may apply if agreed within an agreed flexibility and delivery plan

~ Learners without a full level 3 or above can access a qualification on the level 3 adult offer qualification list

# WMCA approved flex list – The level 3+ are full funded, where they support WMCA priorities related to the movement of residents into work or upskilling those in low pay jobs

- Those who do not meet the first full Level 3 (National policy legal entitlement) where they are unemployed/low wage i.e. 2nd level 3 and/or the qualification is not listed on either the legal entitlement or NSF list

- Those taking their first full level 4/5 – where they are unemployed/low wage

- For non-low wage employed – providers will still need need prior approval through a business case

Low wage flexibility refers to paragraph 137.

## Key Definitions

### Employed and Unemployed Residents:

The WMCA has chosen to adopt the Department for Work & Pensions labour force survey definition of employment/unemployment. This is:

- Everybody aged 16 years or over is either employed, unemployed or economically inactive. The employment estimates include all people in work including those working part-time. People not working are classed as unemployed if they have been looking for work within the last four weeks and are able to start work within the next two weeks. A common misconception is that the unemployment statistics are a count of people on benefits; this is not the case, as they include unemployed people not claiming benefits.
- Jobless people who have not been looking for work within the last four weeks or who are unable to start work within the next two weeks are classed as economically inactive. Examples of economically inactive people include people not looking for work because they are students, looking after the family or home, because of illness or disability, or because they have retired.

## Employed

129. For 2021/22, the WMCA will continue to use the criterion to confirm whether a resident is employed. The WMCA defines residents as employed if they are in receipt of waged income as either a permanent, temporary (including part-time, zero-hour and agency contracts) or self-employed worker. Providers should ensure that learning for those employed is directly relevant to providing new skills to enable them to progress into new or broader job roles leading to a better-paid job.

## Unemployed & Economically Inactive

130. For funding purposes, the WMCA defines a resident as 'unemployed' if they're not currently employed and are able to start work or available for work. Providers should ensure that for those unemployed, the learning is directly relevant to their employment prospects and labour market needs and is recorded in the ILP.

131. The WMCA will also define economically inactive residents who are not currently employed and seeking to secure work through re-training as 'unemployed'. For this cohort of resident's providers should ensure that the learning is directly relevant to the resident's future career aspirations in work and is recorded in the ILP. The training must also support their employment prospects and labour market needs.

132. To support assurance, activity providers should secure self-declarations from residents that can be evidenced to identify employment status set out in paragraphs 132 – 140.

133. Residents in receipt of low wage.

134. You may fully fund residents who are 'Employed' and would normally be co-funded. You must be satisfied the resident meets both of the following:

134.1. is eligible for co-funding; and

134.2. Earn less than £19,350 (£9.90 per hour) based on the real living wage

135. You must have seen evidence of the resident's gross annual wages in these circumstances. This could be a wage slip within three months of the resident's learning start date, bank statement showing the paid amount 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.

## Sector-based Work Academy Programme (SWAP)

The Sector-based Work Academy Programme (SWAP) is designed to help.

Jobcentre Plus claimants build confidence to improve their job prospects and enhance their CV, whilst helping employers in sectors with current local vacancies to fill them. SWAP can last up to 6 weeks and has 3 main components:

- pre-employment training
- work experience placement
- a guaranteed job interviews

The scheme runs in England (and Scotland). Participants remain on benefits throughout their placement.

136. To claim full funding for claimants referred to SWAP pre-employment training you must complete the Benefit Status Indicator (BSI) to identify the claimant is in receipt of Jobseeker's Allowance (BSI 1), Universal Credit (BSI 4), or Employment and Support Allowance (all categories) (BSI 5) and use the coding provided in the WMCA ILR guidance

## Job outcome payments

137. For eligible 19-year old learners, we will pay the full 20% achievement element if they leave their training early to start a job. This is subject to meeting requirements in paragraphs 208

## National Skills Fund - level 3 adult offer

As part of the Lifetime Skills Guarantee, a targeted level 3 adult offer has been developed to support adults without an existing full level 3 qualification.

The offer includes:

- level 3 qualifications which will support the development of new skills for adult learners and improve the prospects of eligible adults in the labour market. In particular, adults aged 24+ will now be able to access fully funded level 3 provision from the qualification website
- support funding in line with paragraphs 143 to 143.5
- The ability for eligible learners to take one short qualification (identified by category code 49) without exhausting their eligibility. We expect this flexibility to be used where a learner could benefit from a more substantial qualification once they have completed a short qualification

An uplift is payable at 2 different rates and follows the earnings methodology set out in the [Adult Education Budget: funding rates and formula 2020 to 2021](#). This uplift should be used to support delivery of the level 3 adult offer.

Only level 3 qualifications on the [Qualifications in the National Skills Fund](#) – level 3 adult offer will attract an uplift. There may be additions to the list, to ensure it meets the needs of the economy – we encourage providers to check availability regularly.

When qualifications are added to the funding eligibility list, they will become eligible for funding from that publication date, and not be backdated to the start of the level 3 adult offer (1 April 2021).

Please note this policy is subject to potential further amendments and clarifications.

138. We will fully fund individuals as part of this offer where they:

- 138.1. Are a WMCA resident
- 138.2. where WMCA have formally agreed the allocation and qualifications
- 138.3. resident is aged 19 or above on 31 August within the 2021 to 2022 funding year
- 138.4. have not achieved a full level 3 qualification, or above, which meet the requirements set out in paragraph
- 138.5. the resident has not achieved a full level 3 qualification, or above, which meet the requirements set out in paragraph 143 to 136
- 138.6. enrol on the level 3 adult offer qualifications approved for funding with effect from 1 April 2021

139. We will fund eligible learners to take one short qualification, followed by one further qualification in the level 3 adult offer without exhausting their eligibility. Short qualifications are identified by category code 49 which can be found in “National Skills Funding Level 3 Offer – short qualification” within [Find a learning aim](#).

140. learner will not be eligible for this additional “short” qualification offer if they have already achieved one of the short qualifications prior to 1 April 2021.

141. You must not claim for ESFA AEB funding where learners are already being funded through an Advanced Learner Loan (ALL) for qualifications that are in the level 3 adult offer. The criteria for ALL can be found in the [Advanced learner loans funding rules 2021 to 2022](#).

142. You must:

- 142.1. use LDM code 378 and FFI code 1 to claim for funding for learners who meet the requirements set out in paragraph 142

143. use category code 49 to identify a short course qualification in [Find a learning aim \(fasst.org.uk\)](#)

## Full level 2

The inclusion of these qualifications in the level 2 entitlement list is under review.

144. Level 2 is the level of attainment which is demonstrated by:

- 144.1. a General Certificate of Secondary Education in five subjects, each at grade C or above, or grade 4 or above, or

- 144.2. Technical Certificate at level 2 which meets the requirements for the 2018, 2019,2020, 2021 and 2022 16 to 19 performance tables
- 145.If a resident 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 unless paragraphs 133 & 138 apply. Please contact [aeb.enquires@wmca.org.uk](mailto:aeb.enquires@wmca.org.uk) if you need advice on a previous qualification's designation.
- 146.If the National Academic Recognition Information Centre has confirmed the authenticity of a qualification gained overseas and confirmed it is comparable/compatible with a regulated qualification in England, currently part of the level 2 and level 3 legal entitlement, the individual will be deemed to have achieved their first level 2 and/or level 3 qualification

### Full level 3

The inclusion of these qualifications in the level 3 entitlement list is under review.

- 147.Level 3 is the level of attainment which is demonstrated by a:
- 147.1. General Certificate of Education at the advanced level in two subjects
  - 147.2. General Certificate of Education at the AS level in four subjects
  - 147.3. QAA Access to Higher Education (HE) Diploma at level 3
  - 147.4. Tech level or applied general qualification at level 3, which meets the requirements for the 2018, 2019 and 2020 16 to 19 performance tables.
- 148.If a resident aged 19 to 23 has achieved a level 3 qualification that was at the time they started, or still is, classed as a full level 3, and wants to enrol on any subsequent level 3 qualification of any size, they may apply for an Advanced Resident Loan (provided the qualification is designated for funding, and subject to resident eligibility conditions), or pay for their own learning. Please contact [aeb.enquiries@wmca.org.uk](mailto:aeb.enquiries@wmca.org.uk) if you need advice on a previous qualification's designation
- 149.The WMCA will fund partial or fully funded Level 3 qualifications and units where they support progression in work or career changes. This will be agreed as part of your delivery plan with agreed levels of contribution.
- 150.For new linear AS and A levels, where a resident 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.

### Full level 4+

- 151.West midland Combined Authority is introducing a local flexibility in 2021/22 academic year to support local skills needs at Level 4+.
- 152.Providers wishing to offer level 4+ qualifications must have these agreed as part of their approved Delivery Plan with the Combined Authority prior to any delivery commencing.
- 153.These can be a full or modular level 4+ qualification either available from Learning AIM or a locally agreed qualification

### Eligible qualifications

- 154.Where you deliver regulated qualifications and/or their components, you must ensure they are eligible for WMCA AEB funding you must ensure they are [approved for funded](#) AEB and available on [Find a learning aim](#).
- 155.Where you deliver approved qualifications and/or their components you must ensure that learners are registered for the qualifications and/or component in line with the awarding policies and procedures. You must not pre-register students a significant period in advance of the learner starting the qualification
- 156.Certain qualifications that meet statutory employer requirements or a licence to practise are eligible for unemployed residents that meet the criteria in para 133. You can find more information about these qualifications at the [Qualifications website](#)
- 157.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

158. Where you deliver non-regulated learning, you must ensure it is eligible for funding. Such learning could include:
- 158.1. independent living skills or engagement learning, supporting adults to operate confidently and effectively in life and work
  - 158.2. locally commissioned and/or locally developed basic knowledge and skills needed to access technical qualifications
  - 158.3. employability and labour market re-entry
  - 158.4. locally commissioned and/or locally devised technical education short courses (also known as taster sessions)
  - 158.5. community learning courses
159. The eligibility principles the WMCA applies to non-regulated learning are as follows:
- 159.1. It must not be provision linked to UK visa requirements
  - 159.2. It must not be provision linked to statutory employer requirements (including a licence to practise) unless there is an agreed concession in place
  - 159.3. It must not be vendor-specific provision, linked to a particular employer or commercial system unless this has been agreed as a flexibility
  - 159.4. It must not be learning, for example, 'induction to college', that should be part of a resident's experience
  - 159.5. It must not be a non-regulated version of a regulated qualification
  - 159.6. It must not be above notional level 2 (that is, at notional levels 3 or 4). At notional level 2, it must focus on technical provision
160. 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.
161. It is the intention of the WMCA to use the RARPA model to monitor, review and measure the quality and outcomes from non-regulated provision in 2021/22. Non-regulated learning should have clear achievement aims for the residents and identified progression outcomes prior to commencement of learning.
162. Learning in the workplace
163. The WMCA will fund learning in the workplace where a resident has a statutory entitlement to full funding for:
- 163.1. English and/or maths up to and including level 2 (paragraph 113), and/or
  - 163.2. Essential digital skills qualification, up to and including level 1
  - 163.3. a first full level 2 (paragraph 120), or
  - 163.4. first full level 3 qualification (paragraph 120)
164. The WMCA will consider funding provision in the workplace where:
- 164.1. It is work experience linked to a Sector Based Work Academy as part of your delivery plan.
  - 164.2. The WMCA has agreed a concession related to significant economic shock impacting on groups of residents e.g. large-scale redundancy

## English and maths for those aged 19 or older

165. WMCA 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:
- 165.1. GCSE English language or maths.
  - 165.2. Functional Skills English or maths from Entry to level 2.
  - 165.3. Stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education and ESFA.
166. If a resident wants to 'retake' their GCSE English and maths qualification because they did not achieve a Grade 4 or higher (C or higher), WMCA will not fund the resident to only resit the exam.
167. You must not enrol individuals on qualifications which are not necessary for progressing towards a GCSE or Functional Skill level 2.
168. You must not fund an apprentice for English or maths from the WMCA AEB.
169. The WMCA will fully-fund non-regulated English and maths learning for residents, 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 resident cannot undertake provision identified in paragraph 161.

170. You must:

- 170.1. 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
- 170.2. carry out an appropriate diagnostic assessment to inform and structure a resident's resident file to use as a basis for a programme of study
- 170.3. enrol the resident on a level above that at which they were assessed and be able to provide evidence of this
- 170.4. deliver ongoing assessment to support learning
- 170.5. record the evidence of all assessment outcomes in the resident file

171. The assessments must place a resident's current skill levels within the level descriptors used for the RQF.

### **Digital entitlement for those aged 19 or older**

171. The WMCA has set out its approach to the digital entitlement in its [Annex F](#).

172. We will fully fund individuals, including individuals who are employed, aged 19 or older, assessed at below level 1, as part of their legal entitlement on the day they start the following qualification: Essential Digital Skills qualification (EDSQ up to and including level 1)

173. We will fully fund non-regulated digital skills learning for learners assessed at pre-entry level, with significant learning difficulties and/or disabilities as part of a personalised learning programme, where assessment has identified the learner cannot undertake accredited provision. This provision must be aligned with the national standards for essential digital skills and must not be a non-regulated version of a regulated qualification. In these circumstances you must:

- 173.1. carry out an initial assessment using current assessment tools based on the national standards for essential digital skills
- 173.2. 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
- 173.3. enrol the learner on a level above that at which they were assessed and be able to provide evidence of this
- 173.4. deliver ongoing assessment to support learning
- 173.5. record the evidence of all assessment outcomes in the evidence pack

174. 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)**

175. The WMCA will fully fund 19 to 23-year olds (refer to paragraph 30), including individuals who are employed, on the day they start the following learning:

176. Qualifications defined within the legal entitlement that are a resident's:

- 176.1. first full level 2, and/or
- 176.2. first full level 3 as part of the legal entitlement and/or access to additional qualifications from the level 3 adult offer

177. local flexibility provision:

- 177.1. up to and including level 1 to support progression
- 177.2. to a first full level 2, and/or
- 177.3. level 2 for those who already have a full level 2, or above, if they are unemployed

178. We will co-fund provision up to, and including, a level 2 for learners who have already achieved a full level 2, or above, who are employed. The low wage flexibility may apply

### **Local flexibility provision:**

WMCA funded AEB also supports delivery of flexible tailored provision for adults, including qualifications and components of these and/or non-regulated learning, up to level 2 – we call this 'local flexibility'.



Local flexibility provision either is fully or co-funded, depending on the learner's age, prior attainment and circumstances. Please refer to the ['level of WMCA contribution'](#) table and paragraphs 26 to 61 for learner eligibility.

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

179. Learners aged 19 to 23 progressing towards their first full level 2, must undertake learning at entry and/or level 1 only from local flexibility.

### **Local flexibility and legal entitlements**

180. Learners aged 19 to 23 who progress to their first full level 2, must only enrol on a qualification we have approved for funding from the [Qualifications website](#).

181. 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 for the level 2 legal entitlement available on the [Qualifications website](#) or [Find a learning aim](#).

182. Learners aged 24 and over who have not achieved a level 2 qualification can undertake learning up to and including level 2 qualifications from the local flexibility offer or qualifications in the level 2 legal entitlement list available on the [Qualifications website](#) or [Find a learning aim](#).

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 employed. The low wage flexibility may apply, refer to paragraph 137.

184. The WMCA is reviewing qualifications that are not listed on the entitlement list at level 2 and those qualifications that do not demonstrate clear progression to Level 3 or into work.

185. These qualifications are likely not be funded or to be subject to a rate reduction at course level in future years. We will work with representative provider groups ACLA, CWM and WMPN over the course of this academic year to discuss implementation.

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

186. The WMCA will fully fund individuals aged 24 or older on the day they start the following

186.1. provision up to, and including, a level 2, if they are unemployed

186.2. 1 qualifications from the level 3 adult offer, or above, if learners do not have a full level 3 qualification and they meet the eligibility criteria set out in paragraphs 128 to 132

187. The WMCA 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,

### **English for Speakers of Other Languages (ESOL)**

188. The WMCA will fully fund individuals aged 19 and over on the day they start their ESOL learning aim where they are unemployed, set out in 132.

189. The WMCA will co-fund all other individuals aged 19 and over on the day they start their ESOL learning aim. Where residents are employed, the low wage flexibility may apply, refer to paragraph 137.

190. Providers offering ESOL qualifications may need to deliver additional learning to individual residents that incurs additional cost above the qualification rate. You can access information on this in the [WMCA Adult Education Budget Funding Rates and Formula 2020 to 2021](#).

191. For additional information please refer to [Annex E](#)

### **Support funding**

192. The AEB's over-arching aim is to support as many eligible adult residents as possible to access learning. Some residents will need additional support to start or stay in learning. Where you identify that a resident has a learning difficulty or disability, or a financial barrier, your WMCA AEB allocation enables you to claim learning support and/or resident support funding to meet the additional needs of residents.

## Learning Support

The AEB's over-arching aim is to support as many eligible adult learners as possible to access learning. Some learners will need additional support to start or stay in learning.

Where you identify that a learner has a learning difficulty or disability, or a financial barrier, your AEB allocation enables you to claim learning support and/or learner support funding to meet the additional needs of learners

193. Learning support is available to meet the cost of putting in place a reasonable adjustment, as set out in the [Equality Act 2010](#), for residents who have an identified learning difficulty or disability, to achieve their learning goal.
194. Learning support must not be used to deal with everyday difficulties that are not directly associated with a resident's learning on their programme.
195. You must:
  - 195.1. carry out a thorough assessment to identify the support the resident needs
  - 195.2. agree and record the outcome of your assessment in the resident file
  - 195.3. record all outcomes on the resident file and keep all evidence of the assessment of the needs, planned and actual delivery
  - 195.4. report in the ESFA ILR that a WMCA resident 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
196. You can claim learning support at a fixed monthly rate if you report it in the ILR.
197. You must use the WMCA 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 ILR coding guidance.
198. You can claim learning support if learning continues past the planned end date and the resident needs continued support.

## Exceptional learning support claims above £19,000

If a learner needs significant levels of support to start or continue learning and has support costs of more than £19,000 in a funding year, you can claim exceptional learning support (ELS).

Learners aged 19 to 24 who require significant levels of support should have an EHC plan provided by their local authority and, therefore, would access funding from their local authority.

199. You must submit ELS claims at the beginning of the resident's programme, or when you identify the resident requires support costs more than £19,000 in a funding year, by completing and sending the [ELS claims document](#).
200. Claims should be submitted in a timely manner and will need to submit a business case.
201. To claim exceptional learning support for a resident 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 resident's local authority stating the reason(s) why the individual does not need an EHC plan.
202. When you claim exceptional learning support you must explain why you have claimed the amount you have, which would be linked to the learner's assessment and planned learning support claim. You must only claim amounts for your costs of providing the support to the learner and not include any indirect costs or overheads.
203. ELS will be funded from within your AEB allocation.

## Learner Support (included in AEB allocation)

204. Learner support is available to provide financial support for residents with a specific financial hardship preventing them from taking part / continuing in learning. Before you award support to a resident, in addition to identify their needs within the following categories:
  - 204.1. Hardship funding – general financial support for vulnerable and financially disadvantaged residents to support participation learning

- 204.2. 20+ childcare funding – for residents aged 20 or older on the first day of learning who are at risk of not starting or continuing learning because of childcare costs
- 204.3. Residential Access funding – to support WMCA funded AEB residents (set out in paragraph 204 - 206) where they need to live away from home
- 204.4. COVID-19 response – support disadvantaged learners who cannot undertake online delivery in the event of local or national measures in response to COVID-19
- 205. 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.
- 206. If you do not have a Learner Support allocation, you must follow these rules and claim learner support using the earnings adjustment statement (EAS).
- 207. You must:
  - 207.1. have criteria for how you will administer and distribute your funds; these must reflect the principles of equality and diversity and be available to residents and to us on request
  - 207.2. assess and record the resident’s needs, demonstrating the need for support
  - 207.3. report the appropriate Resident Support Reason codes in the ‘Resident Funding and Monitoring’ fields in the ILR
  - 207.4. complete a mid-year funding forecast and a final claim
  - 207.5. complete monthly EAS claims and a final claim
  - 207.6. consider the availability of other support for residents, for example from Jobcentre Plus
  - 207.7. make it clear to residents it is their responsibility to tell the Department for Work and Pensions about any resident support they are receiving from you, as resident support payments may affect their eligibility for state benefits
- 208. You must not use resident support funds for any of the following:
  - 208.1. Essential equipment or facilities if the resident is eligible to full funding. However, these residents can get support funding for childcare, transport and residential costs
  - 208.2. A resident in custody or released on temporary licence
  - 208.3. A resident carrying out a higher education course or learning aims fully funded from other sources
  - 208.4. To pay weekly attendance allowances or achievement and attendance bonuses

### **Hardship**

- 209. You can use hardship funds for any of the following:
  - 209.1. Course-related costs, including course trips, books and equipment (where costs are not included in the funding rate),
  - 209.2. Support with domestic emergencies and emergency accommodation provided by others, or by providing items or services or cash direct to the learner, this can be the form of a grant or repayable loan provided by you
  - 209.3. Transport costs (but not make a block contribution to post-16 transport partnerships or routinely fund transport costs covered in the Local Authority’s legal duty for residents of sixth-form age)
  - 209.4. Examination fees
  - 209.5. Accreditation fees, professional membership fees and any fees or charges due to external bodies
  - 209.6. Your exam registration fees
  - 209.7. Support provided by others, or by providing items, services or cash direct to the resident. This can be a grant or a repayable loan
- 210. In exceptional circumstances, you can use hardship funds with course fees for residents who need financial support to start or stay in learning
- 211. If an asylum seeker is eligible for provision, you may provide resident support in the form of course-related books, equipment or a travel pass. You must not give a resident who is an asylum seeker support in the form of cash

### **20+ childcare**

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

213. You must not use childcare funding to:
- 213.1. fund informal childcare, such as that provided by a relative
  - 213.2. set up childcare places or to make a financial contribution to the costs of a crèche
  - 213.3. fund childcare for residents aged under 20 on the first day of learning; instead you must direct them to the ESFA's '[Care to Learn](#)' programme
214. 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**

215. You can use residential access funding to support ESFA funded AEB learners who meet eligibility criteria in paragraph 27, where they need to live away from home, for example to access specialist provision which involves a residential element, or to support learners who cannot access provision locally.
216. You must:
- 216.1. set out the criteria and procedures for considering and agreeing applications for support from your residential access funds
  - 216.2. only pay for travel costs for learners who are awarded residential access funding in exceptional circumstances
  - 216.3. only claim residential access funding for the period the learner is resident, this could be in accommodation you own or manage or other accommodation which you have agreed to fund in line with your criteria
  - 216.4. ensure costs claimed represent value for money for the local area
  - 216.5. Where you have your own residential facilities, you must publish your rates

### **Response to coronavirus (COVID-19)**

217. You can support disadvantaged learners who are undertaking classroom or blended learning to continue to participate via online learning where the learner is:
- 217.1. self-isolating, or caring for others affected by coronavirus (COVID-19) or is otherwise affected by local/national measures if they:
  - 217.2. do not have internet access at home, and/or
  - 217.3. do not have a suitable device, i.e. laptop or tablet, to complete the necessary online course work
218. You must secure value for money when purchasing IT devices and/or internet access including:
- 218.1. deploying any unused devices before you purchase new ones
  - 218.2. exploring options to access low cost second hand or recycled devices
  - 218.3. avoiding entering long term contract arrangements
  - 218.4. holding a record of actual costs for any IT devices and/or internet access bought for this purpose and make this available to us, if asked
219. IT devices you purchase must only be loaned out to learners and returned at the end of their learning aim to allow them to be re-used by other learners. Learners must sign a declaration, confirming:
- 219.1. they will return the device when their online learning aim(s) complete, or if they leave before completing their learning
  - 219.2. they will return the device in the same condition in which they received it
220. You must maintain an up-to-date record of the loan and return of devices to learners.
221. You must record the following evidence in the learner's evidence pack:
- 221.1. the outcome of the assessment undertaken to identify the learners individual need
  - 221.2. the learner declaration referred to in paragraph 218

### **Job outcome payments**

222. 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:
- 222.1. 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

- 222.2. Where the learner was claiming benefits relating to unemployment, they must also declare that they have stopped claiming these

## Community Learning

223. This section only applies to providers with a non-formula Community Learning allocation included in schedule 2 of their contract. We expect community learning to be delivered in line with what we have set out in Annex C and our investment plans specific to work of community learning providers.
224. The purpose of Community Learning is to develop the skills, confidence, motivation and resilience of adults of different ages and backgrounds in order to:
- 224.1. progress towards formal learning or employment and/or
  - 224.2. improve their health and well-being, including mental health and/or
  - 224.3. develop stronger communities
225. Community Learning Courses are delivered and reported on the ILR. Additional information on what activity can be funded and how it should be claimed is included in Annex C.

## Prince's Trust

226. In order to deliver the team programme, you must get approval from the Prince's Trust and the WMCA.
227. For eligible WMCA residents aged 19 to 25, the WMCA will fund the team programme through the WMCA's adult funding methodology. Please also refer to the Prince's Trust section in the [Adult Education Budget Funding Rates and Formula 2020 to 2021 document](#).
228. For eligible residents aged 16 to 19, the team programme is funded through the ESFA's young people's funding methodology.

## Supply Chain/Subcontract

The Register of Training Organisations (ROTO) main purpose was to act as a market entry point for organisations interested in receiving ESFA funding. Since the last time ROTO was open in 2016, it is no longer fit for the purpose of procuring AEB or ESF provision. As such, ROTO is being formally decommissioned on 31 July 2021.

229. The WMCA, requires all its providers to have a clear rationale as to why they use a supply chain in the delivery of the AEB – this includes recruitment, delivery of teaching, learning or assessment and job find services. We will require providers to set out rationale at course level as part of the supply chain declaration.
230. The detailed supply chain arrangements which underpin your funding agreement will need to be agreed as part of your delivery plan. If you do not have an agreement in place at the beginning of the funding year, you cannot enter into a supply relationship without the express written agreement of the WMCA.
231. You must not use your supply chain to meet short-term funding objectives.
232. If, during the funding year, you wish to make in-year changes to your agreed supply chain delivery member or arrangement, you must provide a business case with a clear rationale
- 232.1. This must be approved and agreed with WMCA prior to any additional supply chain delivery procurement activity taking place.
233. The WMCA will be reviewing, through the use of the ILR and its performance management reviews, the contributions of supply chain to your Delivery Plan.
234. The WMCA considered whether to set a funding cap on management fees for supply chains that undertake direct delivery on behalf of providers. We have concluded not to at this time, as we feel to prescribe in this way could inadvertently set a market rate. The WMCA will expect you to retain evidence to support the levels of management fees you charge for training delivery.
235. The WMCA will implement additional controls related to sub-contracting and associated third party services provided in the delivery of AEB. More details can be found in Annex B but the key changes are as follows:
- 235.1. Definition of the sub-contracting to be broadened to supply-chain
  - 235.2. Supply chain intent to be set out through declaration
  - 235.3. Declaration of course delivery at sub-contractor level
  - 235.4. Ofsted inspection outcomes

- 236. WMCA will also be restricting the volume and value of WMCA funds held by a sub-contractor through multiple prime contract agreements – Where a supply chain partner delivers for more than one directly contracted provider, the WMCA reserves the right to consolidate the allocation under one direct provider.
- 237. Where a provider has a supply chain partner that exceeds £1m, the WMCA will risk assess this arrangement and may decide to cap the arrangement at £1m.
- 238. Throughout 21/22, the WMCA will be reviewing its supply chain delivery with the view at in further years it will move towards capping supply chain to 25% of delivery. This will be reviewed as part of the PMR process in 21/22 to understand the impact.

## Data Submission

- 239. In addition to the information in this section, a separate document has been provided which sets out how you should submit data and how the WMCA will undertake its financial due diligence, make payments, performance manage, audit and gain assurance from its providers.
- 240. This document, the Payment and Performance Framework document, should be read alongside your Contract or Grant Agreement and these detailed WMCA funding rules, as they all form part of your contractual relationship with the WMCA.
- 241. You should also refer to the ESFA ILR specification and provider manual for 2021/22, and any other relevant documents referred to in those documents.

## Resident file

- 242. The Resident file will continue to be submitted to the ESFA through the Hub. The resident file must contain evidence to support the funding you wish to claim from the WMCA.
- 243. You must accurately complete all ESFA ILR fields as required in the 2021 to 2022 ILR Specification, published by the ESFA, even if they are not required for funding purposes.
- 244. The ESFA ILR must accurately reflect the learning and support (where applicable) you have identified, planned and delivered to eligible WMCA residents. You must not report inaccurate information that would result in an inflated claim for funding.
- 245. Where your data does not support the funding you have claimed, WMCA will act to get this corrected and could recover funds you have claimed.
- 246. As a condition of funding, all destinations and/or progression details are a mandatory requirement for WMCA residents, this includes Community Learning. Providers must limit 'unknown' destination reporting. Destination and progression must be detailed in the defined fields within the ESFA ILR. All resident post codes must be accurately recorded at the start of an aim.
- 247. Self-declarations by residents: All self-declarations must confirm the resident's details and describe what the resident is confirming for requirements set out in this document.
- 248. If a resident self-declares prior attainment, you must check this in the personal learning record (PLR) and query any contradictory information with the resident. The PLR will not necessarily override the resident's self-declaration.
- 249. Evidence in the resident file must assure the WMCA that the resident exists.
- 250. The resident must confirm information they provide is correct when it is collected.
- 251. If the time spent in learning is short, the level of evidence in the resident file would reflect this.
- 252. Where you hold information centrally, you only need to refer to the source.
- 253. In line with [General Data Protection Regulations](#) (GDPR), you must record what appropriate documentation you have seen, rather than take photocopies to prove eligibility.
- 254. If applicable, the resident file must confirm the following:
  - 254.1. All information reported to the ESFA for WMCA residents in the ILR and the WMCA Earnings Adjustment Statement (EAS), and if it applies, the supporting evidence for the data you report for each resident
  - 254.2. Your assessment and evidence of eligibility for funding and a record of what evidence the resident has provided
  - 254.3. All initial basic skills and diagnostic assessments undertaken to determine a learner's requirements
  - 254.4. Information on prior learning that affects the learning or WMCA funding of any of the learning aims or programme

- 254.5. 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
- 254.6. A description of how you will deliver the learning and skills and how the resident will achieve their outcomes related to further progression e.g. employment, apprenticeship and/or further learning
- 254.7. The supporting evidence about why you have claimed funding and the level of funding for a resident, including details of any resident or employer contribution
- 254.8. Support needs identified, including how you will meet these needs and the evidence of that
  - 254.8.1. Details of any learner or employer contribution
  - 254.8.2. That learning is taking, or has taken, place and attendance/participation records are available
  - 254.8.3. A resident's self-declarations as to what state benefits they claim
  - 254.8.4. A resident's self-declarations on their status relating to gaining a job
  - 254.8.5. 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 WMCA residents
- 255. You must keep evidence that the resident is eligible for funding. Where the resident 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.
- 256. Where your supply chain delivers any provision to the resident, it must clearly identify who it is. This must match the information reported to us in the ESFA ILR for WMCA residents

## **Annex A: eligibility for funding**

This Annex sets out the countries falling within the below categories as referenced in paragraph 35 to 53

### **British Overseas Territories**

- Anguilla
- Bermuda
- British Antarctic Territory
- British Indian Ocean Territory
- British Virgin Islands • Cayman Islands
- Falkland Islands
- Gibraltar
- Montserrat
- Pitcairn, Henderson Island, Ducie and Oeno Islands
- South Georgia and the South Sandwich Isles
- St Helena and its dependencies (Ascension and Tristan da Cunha)
- Turks and Caicos Islands

### **EEA**

The EEA comprises of the following countries:

All Member States of the European Union You can access a list of member states on the EU website.

- With respect to EEA nationality, note that any Cypriot national living on any part of the island qualifies for EU residency and is considered an EU national.
- Iceland
- Lichtenstein
- Norway
- Switzerland
  - 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.

Table 1 lists territories that are categorised as being within the EU and or territories that are categorised as being part of the listed countries such that they satisfy our residency requirements for the purposes of the AEB funding rules.

**Table 1**

Denmark	The following is part of Denmark: <ul style="list-style-type: none"> <li>• Greenland</li> <li>• Faroe Islands</li> </ul>
Finland	The following is part of Finland and the EU: <ul style="list-style-type: none"> <li>• Aland islands</li> </ul>
France	The following is part of France and the EU: <ul style="list-style-type: none"> <li>• the French Overseas Department (DOMS) (Guadeloupe, Martinique, French Guiana (Guyana), Reunion and Saint-Pierre et Miquelon)</li> </ul> The following is part of France: <ul style="list-style-type: none"> <li>• New Caledonia and its dependencies Fren</li> </ul>
Germany	The following is part of Germany and the EU: <ul style="list-style-type: none"> <li>• Tax-free port of Heligoland</li> </ul>
Netherlands	The following is part of the Netherlands: <ul style="list-style-type: none"> <li>• Antilles (Bonaire, Curacao, Saba, St Eustatius and St Maarten)</li> <li>• Aruba</li> </ul>
Portugal	The following is part of Portugal and the EU: <ul style="list-style-type: none"> <li>• Madeira</li> <li>• The Azores</li> </ul>
Spain	The following is part of Spain and the EU: <ul style="list-style-type: none"> <li>• the Balearic Islands,</li> <li>• the Canary Islands,</li> <li>• Ceuta</li> <li>• Melilla</li> </ul>

To note: Andorra, Macau, Monaco, San Marino and the Vatican are not part of the EU or the EEA.

## Annex B: Supply Chain Definition

The WMCA considers the term ‘supply chain delivery member’ to encompass all third party arrangements you have with other organisations where they are managing and delivering a proportion of your WMCA delivery plan - this encompasses ‘learner find’ services, job placement services as well as the delivery of all or elements of the teaching, learning or assessment..

The WMCA defines a supply chain delivery member as a separate legal entity that has an agreement with you to deliver any provision or services that the WMCA funds for WMCA residents. For clarity, if you are using the funds that are paid to you by WMCA to pay for services relating to any aspect of the learner experience with you then this is part of your supply chain.



The term 'supply chain delivery member' 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.

WMCA will consider all the above as a supply chain delivery arrangement, and as such will require all relevant detail on your 2021/22 Delivery Plan for appraisal by the WMCA, details will also be captured through the supply chain declaration. These arrangements must also be identified when completing the ILR using the Partner UKPRN Field.

This type of partnership working and its contribution to your Delivery Plan will be reviewed at the relevant Performance Review Meetings.

As part of the supply chain declaration providers will also set out any separate legal entity that provides support related to the delivery of the AEB covering brokerage support including learner and employer find agents and teaching or specialist input such as coaching.

Future changes to supply chain rules paused due to current pandemic.

At present a single supply chain delivery member can work with a multiple number of direct providers, and the aggregate value of the provision that they are delivering under these supply chain arrangements can be significant. The WMCA believes that it should monitor and control the level of financial exposure to WMCA in such circumstances.

The WMCA view is that single delivery supply chains with multiple directly funded providers does not provide value for money through associated management fee costs. Therefore, the WMCA is proposing to limit the number of single supply chain delivery member agreements through either an aggregate value approach or geographic related to LEP area.

In addition, where the aggregate value of sub-contractor's delivery exceeds £500,000 then the WMCA proposes to make a referral to Ofsted for the supply chain delivery member to be subject to a direct inspection.

### **Your policy for supply chain delivery members**

257. You must take your own legal advice about the impact of Public Contracts Regulations 2015 on your recruitment of supply chain delivery members and have this advice available for inspection by us on request.
258. Your Governing Body or Board of Directors and your accounting officer (senior responsible person) must be satisfied that all supply chain delivery members meet your strategic aims and enhance the quality of your offer to learners. You must set out your intent for using a supply chain in your published supply chain fees and charges policy. You must be able to evidence this, such as minutes of meetings and written sign-off.
259. You must publish your policy for supply chain delivery on your website.
260. You must review your policy for supply chain delivery member annually. This policy must be signed by your governing body or board of directors and your accounting officer.
261. WMCA is particularly concerned about the use of third-party companies to 'find' learners, who often recruit, provide IAG and sign up learners on behalf of an organisation. WMCA will want to discuss with any providers the rationale for use of such services and why they are unable to attract learners to their provision themselves.
262. You must not subcontract for delivery to meet short-term funding objectives.
263. You must only use supply chain arrangements if you have the knowledge, skills and experience within your organisation to:
  - 263.1. Competently procure and contract
  - 263.2. contract with and manage those supply chain delivery members and
  - 263.3. can evidence this with the CVs of relevant staff
264. You are responsible for the actions of your supply chain delivery members connected to, or arising out of, the delivery of the services, which you subcontract.

### **Minimum content requirements for your policy for supply chain delivery member**

265. As a minimum, you must include the following in your policy for supply chain delivery:
- 265.1. your contribution to improving your and your supply chain delivery member's quality of teaching and learning
  - 265.2. how you will identify the support required and associated costs for different supply chain delivery members
  - 265.3. how and when you communicate and discuss your policy for supply chain delivery member with potential supply chain delivery members, or current ones for new learner starts
  - 265.4. for each supply chain delivery member, how you will determine a detailed list of your specific costs for managing them, specific costs for quality monitoring activities and specific costs for any other support activities offered by you to the supply chain delivery member
  - 265.5. for each supply chain delivery member, how you will determine each cost is reasonable and proportionate to delivery of their teaching or learning and how each cost contributes to delivering high quality learning
  - 265.6. how you will ensure you describe to each supply chain delivery member, before each supply chain delivery agreement relationship is agreed:
  - 265.7. your reason for supply chain delivery agreement
  - 265.8. the services you will provide when supply chain delivery agreement to them and the associated costs when doing so, including a list of specific costs for managing the supply chain delivery member, specific costs for quality monitoring activities and specific costs for any other support activities offered by you to the supply chain delivery member
  - 265.9. payment terms between you and your supply chain delivery members; the timing of payments in relation to delivery and timescale for paying invoices and claims for funding received
  - 265.10. timing for review of your policy for supply chain delivery member
  - 265.11. where you publish your policy for supply chain delivery member

### **Selection and procurement of your supply chain delivery members**

266. If you have not previously subcontracted provision we fund, you must get our written approval before awarding a contract to a supply chain delivery member and keep evidence of this.
267. If you intend to secure the services of providers to become part of your supply chain delivery members through a procurement exercise or a broker, then you must notify the WMCA in advance.
268. Prior to any contract award and starts, your supply chain declaration must be updated and approved by the WMCA. No starts will be accepted for any supply chain member who has not been approved through the supply chain declaration process.
269. Failure to act in line with paragraph 263 and 270 may result in reduction of maximum contract value in line with the proposed funding value to the new supply chain member.
270. When appointing supply chain delivery members, you must avoid conflicts of interest and you must:
- 270.1. write to us about any circumstances (for example, where you and your proposed supply chain delivery member have common directors or ownership) which might lead to an actual or perceived conflict of interest and
  - 270.2. not award the contract without our written permission and
  - 270.3. keep as evidence both your request and our reply
271. You must carry out your own thorough due diligence checks when appointing supply chain delivery members and have both the detailed process and the results available for inspection by us.
272. You must not appoint a supply chain member to deliver training on your behalf where the most recent Ofsted full inspection outcome was inadequate or most recent Ofsted monitoring visit outcome is insufficient progress made. For supply chain members who fall into this category in year, no further starts will be accepted until either the re-inspection cycle is complete, or a monitoring visit concluded showing reasonable or significant progress
273. You must not enter new supply chain delivery agreement arrangements or increase the value of your existing arrangements if any of the following circumstances apply. These conditions will continue until we are satisfied that the concerns have been addressed and the circumstances below no longer apply if:
274. Ofsted has rated your leadership and management as inadequate

275. you do not meet our [minimum standards](#)
- 275.1. the outcome of your annual financial health assessment we carry out is inadequate, unless we have provided written permission in advance.

### **Entering into a supply chain delivery agreement**

276. You must only award contracts for delivering ESFA funded AEB provision to legal entities. If the legal entity is a registered company, it must be recorded as 'active' on the [Companies House](#) database.
277. You must not award, or renew a subcontract to any organisation if:
- 277.1. it has an above-average risk warning from a credit agency
- 277.2. it has passed a resolution (or the court has made an order) to wind up or liquidate the company, or administrators have been appointed
- 277.3. its statutory accounts are overdue
278. You must make sure that learners supported through supply chain delivery agreement arrangements know about you and your supply chain delivery member's roles and responsibilities in providing the learning.
279. You must have a legally binding contract with each supply chain delivery member that includes all the terms set out in paragraph 287
280. You must have a contingency plan in place for learners in the event that:
- 280.1. you need to withdraw from a subcontract arrangement
- 280.2. a supply chain delivery member withdraws from the arrangement
- 280.3. a supply chain delivery member goes into liquidation or administration
281. You must make sure that the terms of your supply chain delivery agreement allow you to:
- 281.1. monitor the supply chain delivery member's activity
- 281.2. have control over your supply chain delivery members
- 281.3. monitor the quality of education and training provided by supply chain delivery members
282. You must obtain an annual report from an external auditor if the ESFA funded AEB contracts with your supply chain delivery members will exceed £100,000 in anyone funding year.
- 282.1. the report must provide assurance on the arrangements to manage and control your supply chain delivery members and
- 282.2. comply with any guidance issued by us
283. You must also supply us with a certificate signed by the external auditor and an authorised signatory to confirm you have received a report that provides satisfactory assurance. You must forward this report to your WMCA Skills Delivery officer.

### **Terms that you must include in your contracts with supply chain delivery members**

284. You must make sure your supply chain delivery members:
- 284.1. meet the requirements set out in these funding rules
- 284.2. provide you with ILR data so your data returns to us accurately reflect your supply chain delivery member's delivery information
- 284.3. give us, and any other person nominated by us, access to their premises and all documents relating to WMCA funded AEB provision
- 284.4. give you sufficient evidence to allow you to:
- 284.5. assess their performance against [Ofsted's Education Inspection Framework](#)
- 284.6. incorporate the evidence they provide into your self-assessment report
- 284.7. guide the judgements and grades within your self-assessment report
- 284.8. always have suitably qualified staff available to provide the education and training we fund through WMCA funded AEB
- 284.9. co-operate with you to make sure there is continuity of learning if the subcontract ends for any reason
285. Supply chain delivery members must also tell you if evidence of any irregular financial or delivery activity arises; irregular activity could include, but is not limited to:
- 285.1. non-delivery of training when funds have been paid
- 285.2. sanctions imposed on the supply chain delivery member by an awarding organisation
- 285.3. an inadequate Ofsted grade

- 285.4. complaints or allegations by learners, people working for the supply chain delivery member or other relevant parties
- 285.5. allegations of fraud
- 286. You should also ensure that supply chain members are:
  - 286.1. 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
  - 286.2. do not use our funding to make bids for, or claims from, any European funding on their own behalf or on our behalf
  - 286.3. do not use payments made as match funding for ESF co-financing projects
- 287. You must include in your contract with each supply chain delivery member:
  - 287.1. reference to your supply chain delivery policy and where it can be found on your website
  - 287.2. your reason for supply chain delivery agreement with them
  - 287.3. a list of all services you will provide to them and the associated costs for doing so. This must include:
    - 287.4. a list of individually itemised, specific costs for managing the supply chain delivery member
    - 287.5. specific costs for quality monitoring activities and specific costs for any other support activities offered by you to the supply chain delivery member
  - 287.6. a description of how:
    - 287.7. each specific cost is reasonable and proportionate to delivery of the subcontracted teaching or learning and
    - 287.8. each cost contributes to delivering high quality learning

#### **Monitoring of your supply chain delivery members and subcontracted provision**

- 288. You must manage and monitor all your supply chain delivery members to ensure that high-quality delivery is taking place that meets these funding rules.
- 289. You must carry out a regular and substantial programme of quality-assurance checks on the education and training provided by supply chain delivery members, including visits at short notice and face-to-face interviews with staff and learners. The programme must:
  - 290. include whether the learners exist and are eligible
  - 291. involve direct observation of initial guidance, assessment, and delivery of learning programmes
- 292. The findings of your assurance checks must be consistent with your expectations and the supply chain delivery member's records.

#### **Second-level supply chain delivery member**

- 293. You must not agree the use of any supply chain delivery member where this would require you to deliver WMCA funded AEB provision to a second level. All your supply chain delivery members must be contracted directly by you and you may have more than one supply chain delivery member. The restriction on the level of supply chain delivery agreement is in place to ensure:
  - 293.1. that lead providers retain clear and transparent accountability for the quality of training provision
  - 293.2. that proper and appropriate controls are in place to manage the resident experience; and
  - 293.3. that value for money is achieved by mitigating funding being utilised for multiple tiers of supply chain delivery member management

#### **Reporting your supply chain arrangements**

- 294. You must provide a fully completed supply chain declaration by the dates we will give you. This will be at least twice during the 2020 to 2021 funding year. If you do not make the declaration on time, we will suspend your payments. If you do not use supply chain delivery members, you must still provide a nil return to confirm this.
- 295. Within your declaration you will be asked to provide detail on your intent related to using supply chain members to undertake delivery, the value of the agreement, where the delivery will take place and the course portfolio to be provided.
- 296. For other supply chain services outside of delivery we expect you to confirm the service that will be provided and the cost of that service. We expect that these services would cover brokerage support including learner and employer find agents and teaching or specialist input such as coaching. We have taken this step following

concerns related to the use of WMCA funds, and the need for greater transparency to reduce the risk of funds not been used as intended.

297. You must also update your supply chain declaration if, and when any of your supply chain delivery agreement arrangements change during the year. This must be approved before any award of contract.
298. You must report to us the actual level of funding paid and retained for each of your supply chain delivery members in 2020 to 2021. You must email this information to your WMCA Skills Delivery officer using a template which we will supply to you. We will let you know the date by when you must do this.
299. You must include the following on the template for WMCA funded AEB delivery:
  300. name of each supply chain delivery member
  301. the UK Provider Reference Number (UKPRN) of each supply chain delivery member
  302. contract start and end date for each supply chain delivery member
  303. funding we have paid to you for WMCA funded AEB delivery by each supply chain delivery member in that funding year
  304. funding you have paid to each supply chain delivery member for WMCA funded AEB delivery in that funding year
  305. details of the funding you have retained in relation to each supply chain delivery member's WMCA funded AEB delivery for that funding year
  306. if appropriate, funding each supply chain delivery member has paid to you for services or support you have provided in connection with the supply chain delivery

### **Annex C - Community Learning**

307. Community Learning (CL) contributes significantly to community wellbeing and social capital. It is a crucial element of the WMCA inclusive growth agenda regarding inclusion, equality and social mobility. CL provides a link between economically and socially isolated residents and the "engaged" community, in doing so it fulfils a vital role in providing a steppingstone for those people into further learning and therefore even greater engagement with the labour market and wider society.
308. Our intent for CL is to ensure that an offer exists within each local authority area to support education for employment and education for well-being for our residents.
309. We recognise that Community Learning (CL) covers a wide range of learning designed to widen participation across all communities to support progression relevant to personal circumstances, e.g. health and well-being, better citizens, further learning, volunteering and employment, all funded via the Adult Education Budget (AEB).
310. Its key that CL provides support to those disconnected from communities and furthest away from the labour market.
311. Therefore, our approach is to invest in provision that will develop personal and social skills to support health and well-being and provide progression to further learning and work. In doing so we expect our CL providers to have established progression routes to other providers to support further learning at higher levels.
312. CL will continue to be funded under grant to those local authorities and colleges recognised by the WMCA as community learning providers.
313. For those colleges who undertake CL delivery on behalf of the local authority following CL transfer; we expect arrangements to continue through the community planning approach agreed jointly with ACLA.
314. For those colleges who have small community learning allocations, our intention is to consolidate the non-formula funded element within core AEB allocations. In a small number of circumstances, the WMCA will consider exceptions where it's clear that the delivery is community based and is focused on personal learning development.
315. WMCA expect community learning providers to provide a high-quality offer of ESOL to support personal and social development.
316. WMCA Expects community learning providers to have offers of both regulated ESOL across the levels and non-regulated in ESOL to support resident's progression to further learning and work.
317. Additionally, we expect community learning providers to establish on-line learning related to ESOL.

### **The Offer**

318. We expect to see a curriculum offer that engages the full demographic of residents. In 2018/19 it was found that 73% of participant in CL were female, and only 6% of participants were under the age of 25 despite the stubbornly high youth unemployment rate across the region. As part of the community planning approach CL providers should consider their curriculum intent and its relevance related demographic challenges including age, ethnicity and gender.
319. It is key that CL offers the building blocks for individuals to improve their own personal health and well-being, before progressing into more formal learning to secure future work. Therefore, CL providers should be clear on the curriculum it establishes for Education for Wellbeing and Education for Work.
320. In taking forward recent recommendations from the joint WMCA and Adult Community Learning Alliance (ACLA), we will establish a community learning planning approach aggregated to a local authority area level to avoid duplication. We will also implement an outcomes framework agreed with ACLA as part of the community learning planning approach.
321. In the community learning plan community learning providers will set out their community strategy for the year which will include the following:
- 321.1. Key local community objectives
  - 321.2. Demographic of target residents
  - 321.3. Delivery locations
  - 321.4. Curriculum intent
  - 321.5. Impact and Outcomes
  - 321.6. Changes to delivery
  - 321.7. Collaboration
  - 321.8. Cost of funding the plan
322. As part of our joint work with ACLA we have also established an outcomes framework to enable our community learning providers to track and report impact of community learning delivery. The elements that will be captured in the outcome's framework include:
- 322.1. Improved health and well being
  - 322.2. Increased integration
  - 322.3. Prepared towards employment
  - 322.4. Improved citizenship
  - 322.5. Improved confidence and resilience
  - 322.6. Developed key life skills
323. The WMCA also expects that community learning provision will focus on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills, and across the WMCA priority groups including young people.
324. Community learning providers should collect fee income from people who can afford to pay, and use where possible to extend provision to those who cannot
325. Provision should also widen participation and transform people's destinies by supporting progression relevant to personal circumstances, e.g.
- 325.1. improved confidence and willingness to engage in learning
  - 325.2. acquisition of skills preparing people for training, employment or self-employment
  - 325.3. improved digital, financial literacy and/or communication skills
  - 325.4. parents/carers better equipped to support and encourage their children's learning
  - 325.5. improved/maintained health and/or social well-being
326. We also want to see a continued focus on developing stronger communities, with more self-sufficient, connected and proactive citizens, leading to:
- 326.1. increased volunteering, civic engagement and social integration
  - 326.2. reduced costs on welfare, health and anti-social behaviour
  - 326.3. increased online learning and self-organised learning
  - 326.4. the lives of our most troubled families being turned around
327. Through collaborative networks, we expect community learning to be able to commission, deliver and support learning in ways that contribute directly to these objectives, including:
- 327.1. bringing together people from different backgrounds, cultures and income groups, including people who can/cannot afford to pay

- 327.2. using effective local partnerships to bring together key providers and relevant local agencies and services
- 327.3. devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer
- 327.4. involving volunteers and Voluntary and Community Sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and encouraging employers to support informal learning in the workplace
- 327.5. supporting the wide use of online information and learning resources
- 327.6. minimising overheads, bureaucracy and administration

### **Data and Funding**

- 328. Community Learning Courses are delivered and reported on the ILR under the following four delivery strands:
- 329. 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)
- 330. '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
- 331. Wider Family Learning - learning to help different generations of family members to learn together how to support their children's learning
- 332. 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
- 333. Please note, non-formula Community Learning funding follows funding model 10. Provider must ensure that they collect data through the ILR for paragraphs 173 to 176.

### **Non-formula community learning funding**

- 334. Where applicable, your WMCA-funded AEB allocation will include an amount of non-formula community learning funding. We state this value in appendix 1 of your contract. You must deliver non-formula funded community learning provision in line with the community learning objectives set out from paragraph 192, up to this maximum amount.
- 335. Non-formula community learning funding is paid on a monthly profile. You must 'attribute costs' for eligible residents, 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 resident and learning support, paragraphs 157 to 171. You must record these costs in the resident's learning plan.
- 336. If we fund you through a grant or financial memorandum, 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.
- 337. If you use all, or some of your non-formula community learning funding to deliver formula funded non-regulated provision that may be similar to community learning, you must:
  - 337.1. Provide a rationale to the WMCA on why this is the case
  - 337.2. follow the WMCA funded AEB formula-funded methodology and submit ILR data under funding model 35
  - 337.3. enrol residents following WMCA funded AEB eligibility requirements, you must not use your non-formula community learning local fee remission policy.
- 338. If we fund your organisation through a contract for services, you do not have this flexibility, and we will reclaim unspent non-formula community learning funding at year-end.
- 339. You can support residents aged under 19 if they meet both of the following. They are:
  - 339.1. a parent, carer or guardian attending a wider family learning or family, English, maths or language course
  - 339.2. funded through non-formula community learning using funding model 10 in the funding model field (refer to ILR guidance for more information)
- 340. You must not use non-formula community learning funding for learning that is eligible for funding through an advanced resident loan.

### **Pound Plus and local fee remission policy**

341. 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.
342. 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.
343. 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.
344. 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 residents.

### **Partnership working**

345. Partnership working underpins the community learning objectives and is critical to developing and delivering an effective community learning offer in a given locality.
346. You must engage and work closely with a wide range of relevant partners and stakeholders in your local area to help shape your community learning offer to engage specific groups. These could include specialist partners, such as health, Jobcentre Plus and schools, and voluntary and community sector (VCS) organisations.
347. We expect you to work with other providers in your local area, who may be in receipt of non-formula community funding to support progression. We expect you to develop a strategic, efficient community learning offer to reduce duplication of courses in a locality, and signpost residents to other partners as and when appropriate.

### **Annex D - English & Maths**

348. Having an adequate level of literacy and numeracy is associated with a reduced likelihood of economic disadvantage, unemployment, and poor health. These skills also enable individuals to deal with day-to-day life, to play an active role in their communities, and to engage effectively in the workplace. Low numeracy and literacy in the population also has broader implications for the community and society.
349. The WMCA investment in the English and Maths is significant with over £20m allocated in 2020/21. We anticipate in making a similar investment this year to ensure provision of high-quality English and maths is available where it's needed.
350. It's important to us that the English and maths entitlement benefits the individual into moving into employment or supporting in work progression. To ensure value for money we also want to ensure that individuals who enrol onto English and Maths are committed and adequately supported to achieve.
351. We have also identified a practice of non-regulated English and maths delivery at scale. Non-regulated delivery should only be delivered in the instances where it has been identified that residents are assessed at pre-entry level, aged 19 years and over with significant learning difficulties or disabilities and is part of a personalised learning programme.
352. Courses
353. All English and maths are funded as part of the statutory entitlement. Therefore, all courses funded as part of the entitlement can be found [here](#)

### **Annex E - English for Speakers of Other Languages (ESOL)**

354. To be an inclusive economy we need as many skilled workers as possible in jobs. To achieve this the WMCA's approach is to remove as many barriers as possible for individuals to secure work such as been able to communicate in English.
355. WMCA ESOL investment for 2021/22 funding year will be similar level as 20/21. (£13m)
356. WMCA have set clear expectations from Grant Providers that 25% of ESOL delivered should be vocational ESOL. (3.3m)
357. For ESOL provision for health and well-being our intent is to work with our community learning providers to provide a high-quality offer of ESOL, we expect to see this in place both at pre-entry and entry level to support



personal and social development. Through community learning our approach is for ESOL provision to be visible through the community settings where community learning takes place.

358. For ESOL for work, our approach is to see a greater alignment of ESOL with the development of occupational skills development. Too often the delivery of ESOL is characterised by the rigid delivery of ESOL qualifications as opposed to an embedded approach within wider occupational skills. Therefore, our intent is to see ESOL becoming more bespoke in developing language skills more appropriate to employment sectors and embedded within occupational skills development.
359. ESOL provision will continue to be available for free to eligible residents over the age of 19 who are unemployed or employed but earn below the real living wage.
360. To shape ESOL provision in the region, a sector led review was undertaken. The review titled Unlocking Potential – Making Sense of ESOL in the Region can be found [here](#).
361. The report included a number of findings, and makes recommendations for the 2020/21 academic year that the WMCA intend to implement including:
  - 361.1. Developing ‘ESOL for employment’ courses to provide bespoke language skills more appropriate to the jobs market
  - 361.2. Embedding ESOL into vocational training provision across the region
  - 361.3. Developing online learning modules to make ESOL training more accessible
362. To enable individuals to progress and move into work it’s important that delivery of ESOL is contextualised to job opportunities as opposed to broad range of ESOL specific qualifications. Through the use of ESOL qualifications delivered at scale we can see that it drives the delivery model and not necessarily responds to the specific need of the individual, this then can lead to inefficiencies in the £11m that the WMCA invest in ESOL.

#### **The Offer**

363. Our intent is to fund a high-quality adult offer that enables residents to develop ESOL communication skills to support both their own personal health and well-being, secure work or support in-work progression.
364. As set above, we want to see ESOL become embedded within the delivery of occupational training. To support people into work providers can establish a non-regulated offer in ESOL contextualised in line with the language expected within the sector e.g. care, retail and construction.
365. We also want to see the development of online delivery to make ESOL training more accessible to residents. For all ESOL training either accredited or non-regulated It’s important to us that individuals are clear on what they can progress to following successful completion of their learning.

#### **Role of providers**

366. Community learning plays a significant role in engaging those residents isolated in communities who need to develop their English communication skills to support both their own personal health and well-being and secure work through ESOL.
367. We expect community learning providers to have offers of both regulated across the levels and non-regulated in ESOL to support resident’s progression to further learning and work. In addition, we expect community learning providers to establish on-line learning related to ESOL this could be through collaborative working.
368. Colleges and ITP’s offer accredited ESOL across the levels based on need and where residents are at in current levels of English communication skills. Our expectation is that colleges and ITPs will also develop contextualised ESOL embedded within wider occupational skills development to support residents into work.
369. We also expect colleges and ITPs to establish on-line learning related to ESOL, this could be through collaborative working.
370. Supporting our inclusive growth agenda, we expect to see an improvement in progression to further learning and work through the development of essential English communication skills for our communities.

#### **Annex F - Digital Entitlement**

371. Digital skills are as important to employability and participation in society as English and Maths, yet an estimated one in five adults lack basic digital skills.

- 372. To address this, the Department of Education from 2020, alongside the existing legal entitlements to English and Maths, will introduce an entitlement to fully funded digital qualifications at level 1.
- 373. Adults with no or low digital skills will have the opportunity to undertake improved digital qualifications based on new national standards setting out the digital skills people need to get on in life and work.
- 374. As with all entitlements set by the Secretary of State, Combined Authorities with devolved AEB adopt the entitlement as part of their MOU with DfE.
- 375. Essential digital skills qualifications will enable adults to develop the digital skills they need for life, work or further study, as set out in the essential digital skill's national standards. To support a range of purposes, these qualifications must cover all five of the skill areas from the national standards, and may cover some, or all, of the skills statements in each skill area.
- 376. Digital FSQs will provide reliable evidence of a residents' achievements against demanding content that is relevant to the workplace and real life and provide assessment of residents' underpinning knowledge as well as their ability to apply this in different contexts. Digital FSQs will provide a foundation for progression into employment or further education and develop skills for everyday life. The subject content for digital FSQs will reflect the full essential digital skills national standards.

### **The Offer**

- 377. For residents at risk of digital exclusion we expect to see a flexible offer easily accessible in local community venues alongside provision offered as part of community learning for health and well-being and employment.
- 378. For residents who need to upskill digital for work it should be contextualised where possible to the relevant employment sector of work for relevance. We expect that digital skills are embedded within wider occupational skills where needed.

### **Role of providers**

- 379. We expect the community learning offer in each of the 7 localities to deliver an offer that meets the essential digital skills framework for residents. This should support both employed and non-employed residents who are at risk of being digitally excluded. We expect this offer to be at Entry and level 1, primarily accredited, with a range of delivery mechanisms including through family learning.
- 380. We expect colleges and ITP's to focus primarily on the essential digital skills for work at level 1, 2 and above. SWAP including digital content should be including essential digital skills for work at Level 2 as a minimum.

### **Courses**

- 381. The [Digital entitlement list](#) sets out the courses that the WMCA will fund as part of the digital entitlement with associated funding.

### **Annex G – Specification: Entry Level**

- 382. There is key role for entry level provision alongside community learning in connecting individuals who for a variety of reasons are disconnected from the mainstream economy. However, through qualification and curriculum development we have seen a drift in adult offers moving away from the purpose of entry level provision related to personal and social development. As a result, we are seeing too much generic employability provision which isn't moving people on and learners undertaking multiple episodes of the same learning at too many different providers.
- 383. Therefore, our intent is to re-align this provision back to first principles of entry level provision (excluding English, Maths and ESOL) and the providers who deliver it. Provision at entry level should provide a bridge from community learning and those furthest away from the job market to enable progression to vocational learning to secure employment.

384. There is also a need to define a clearer role for our providers to reduce blurring of lines between the role of community learning focusing on health and well-being and personal and social development, and that of broader skills element of the AEB focused on vocational learning to secure work and/or upskill.

#### **The Offer**

385. Our focus for entry level provision is for it sit alongside community-based provision to enable learners to access this provision easily. It should focus on life-skills development providing individuals with personal confidence and motivation to move into further learning to secure employment. Short and sharp vocational tasters may also be offered at entry level to support individuals in making progression decisions to further learning to secure work.

386. At this point, entry level provision should not be characterised by employability which should only be introduced at higher levels once the individual can be considered ready to work – at which point we would expect to see employability embedded within pre-employment training e.g. Sector Based Work Academies and construction gateway.

#### **Role of providers**

387. We see community learning providers playing the primary role in delivering entry level provision excluding English, maths and ESOL alongside community learning provision. Progression routes within providers and onto colleges and training providers to support further learning to employment should be established.

388. Through this approach we expect to see better value for money in terms of progression to further learning, a reduction in ‘churn’ generated through employability programmes and clearer access points for individuals at community level.

#### **Annex H - Specification: Construction Gateway**

389. Construction is identified as a high growth sector with significant demand for skills to respond to key development across the WMCA, these include Commonwealth Games, HS2, Regional rail infrastructure both Metro and Rail, and the various residential projects that are being undertaken.

390. To leverage these opportunities and ensure our residents can benefit, its essential that we have provision in place to support training into these opportunities:

391. The sector data highlights for the region;

392. Skills shortages across four key areas – professional services in construction, plant operatives, traditional/wet trades and emerging trades (steel erection, concrete formwork, dry lining and modern methods of construction

393. Construction sector requiring an additional 50,000 staff to satisfy the planned developments

394. A shortage of women in the construction sector across all roles but especially those roles within the four key shortage areas

395. A shortage of disadvantaged groups as part of the workforce of the future including ex-offenders, care leavers, BAME and residents with disabilities

396. In 2018, the WMCA introduced a pilot programme called the Construction Gateway funded by DfE to enable non-traditional training delivery to take place leading to CSCS accreditation. The focus of the provision is to support progression into entry level job roles in the construction trades, with further

397. progression to higher skills training reflecting the needs of the sectors future workforce. Through the construction gateway 50% of residents who started secured employment

#### **The Offer**

398. The WMCA through its AEB will fund the Construction Gateway to meet the needs of its unemployed residents in securing employment in a range of construction-based occupations including:

- 398.1. Plant operative roles
- 398.2. Logistics roles
- 398.3. Health and safety roles
- 398.4. Dry Lining
- 398.5. Civil Engineering
- 398.6. Rail Sector

399. The mandatory requirements for construction gateway provision is as follows:

- 399.1. Provision must be in line with CSCS, CPCS or equivalent industry carding scheme requirements to ensure on completion of the programme the resident holds CSCS and an appropriate industry accredited card e.g. CPCS.
- 399.2. A guaranteed job interview on completion of the programme
- 399.3. Content of the delivery should be influenced by employers to enable the progression into employment
- 399.4. For each resident they should be linked to real job vacancy that they have will have the opportunity to matched against through an interview.
- 399.5. Bidders must have a clear plan to engage with employers, DWP (JC+), Prospects (National Careers service), Local Authorities and Third Sector organisations and local residents
- 399.6. To support retention and progression, bidders must have a clear approach for initial, advice and guidance, career tracking and destination monitoring at pre, during and post programme delivery.
- 399.7. A minimum of 50% of completers progressing to employment

#### **Role of Providers**

400. We expect colleges and providers who have expertise in delivering trade related construction provision to deliver the construction gateway within AEB. Those colleges and ITP's who have entry level and level 1 construction as part of their delivery plan must have in place a construction gateway offer to transition unemployed individuals into work.

- 400.1. Through this approach we want to reduce the amount of low-level construction-based provision where progression rates in work are extremely low. Our approach is to ensure that provision in place is meaningful for residents to secure employment in the construction industry and provide training for in-work progression

#### **Courses**

401. The focus on the construction gateway is develop residents' occupational skills to secure employment in the construction sector. Through working with employers, the provider should determine the inputs required to be delivered to support the successful matching to the vacancy and interview for the resident. Providers should consider prior learning, knowledge and construction card held to determine point of entry for phase 1 and phase through initial assessment, the WMCA will only pay for 'new learning'

402. Link to the construction gateway course can be found [here](#)

#### **Annex I- Specification: Sector Based Work Academies (SWAP) and Sector Gateway (SG)**

403. Unemployment in the WM was high compared to national average prior to the pandemic but now the numbers have increased significantly.

404. Despite an investment of £70m of AEB funding to support unemployed residents' and specific funded for SWAP positive destinations into employment were significantly below contracted volumes. Our focus therefore is to ensure that the provision we fund enables individuals to move on and secure employment.

405. We have found significant volumes of employability delivered through separate episodes of learning and not embedded as part of occupationally focused training. Too often we are seeing level 1 provision focused on employability-based training where the course value varies from £257 to £2,300, often this course delivery is generic and is the only episode undertaken by the resident. As a consequence, reported progression rates are exceptionally poor into either further learning and/or work.
406. The second West Midlands Devolution Deal committed the WMCA to working with DWP to create an Employment Support Framework, predicated on evidence of what works, which maps national, regional and local support against the 7 key stages of employment support:



### The Offer

395. We want to establish occupational skills development to move individuals into jobs quickly through SWAP/SG. Once in work we want to see that support continue through an in-work progression offer either through entitlement listed qualifications at level 2/3 or apprenticeships. This is to enable individuals to progress to better paid work whilst achieving valuable qualifications to underpin progression.
396. In many cases we expect SBWAP/SG to be a non-regulated offer to provide flexibility to the provider in delivering what's required as opposed to a set of qualifications that provide a rigid framework to delivery.
397. The following sets out our definitions for SWAP and SG and the mandatory elements we expect to see in these offers:
398. Sector Based Work Academies (SWAP) are a JCP+ branded programme and can last up to 6 weeks in length. In SWAP we expect that employers are consulted in its design and guaranteed job interview is available to the resident at the end of the programme. Mandatory elements are as follows:
399. Work collaboratively with JCP+ to support identified residents into work
- Occupational specific training related to the job opportunity both regulated and non-regulated. Employability only supported by 30 GLH non-regulated offer.
  - Relevant work experience related to the job (supported by a flexibility by the WMCA)
  - Job interview at the end of the programme
  - Last no more than 6 weeks
406. Sector Gateway (SG) is short and sharp training bespoke to roles across a range of industries. These programmes are designed to focus on the key skills required to secure the job role and should be aligned to job vacancies. We have already designed a range of SG programmes and these can be found later in this document with the associated GLH and funding rate. Mandatory elements:
407. Collaboration with JCP+ and/or National Careers Service
408. Occupationally specific non-regulated training
409. Job interview at the end of the programme
410. Work experience is an optional element of a SG programme to support individuals into work.
- 410.1. *For work experience or licences to be funded by the WMCA, this must be agreed with the WMCA as part of the SBWA/SG being offered. A business case will need to be created that*

*provides the WMCA with information on what the programmes entail, and where work experience or licences will be included.*

- 411. We will also apply a flexibility related to work experience where we will pay for a placement activity or licence to practice in both SWAP and SG. This is in with the flexibility we first introduced in 2019/20. In addition, we accept that employability training does have a part to play in work readiness.
- 412. We will enable providers to develop a non-regulated employability offer through one episode of learning aligned to an occupationally specific SWAP or SG, this will be capped to a maximum of £150.
- 413. We also want to support movement into work and will incentivise providers to secure employment payable on the 13th week of employment. To reflect our priorities to support young people into work aged 19-23 we will pay a job outcome payment of £400, and for other unemployed we will pay £250. These incentives are only applicable to those residents participating on SWAP/SG programmes.
  - 413.1. Information on how to record this can be access in the WMCA ILR rules
- 414. For SWAP/SG performance we will set a benchmark based on sustainable employment at the 13-weeks:
  - 414.1. SWAP: 65% of all starts
  - 414.2. SG: 50% of all starts

### **Courses**

- 415. Providers can develop SWAP programmes in line with what is set out earlier but must be occupationally specific.
- 416. Where a SG programme is in place our expectation is that this is delivered to move individuals into work quickly.
- 417. SG programmes developed so far can be accessed [here](#)

### **Annex J - Specification: Level 1**

- 418. Level 1 provision plays an important role for those individuals who need to develop skills and knowledge required to find work, this can be defined as either personal learning to support motivation, essential skills for work readiness and vocationally specific occupationally related training.
- 419. Too often we are seeing level 1 provision focused on employability-based training where the course value varies from £257 to £2,300, often this course delivery is generic and is the only episode of learning undertaken by the resident. As a consequence, reported progression rates are exceptionally poor into either further learning and/or work.
- 420. Whilst we understand the role of employability training to secure employment, we don't accept that individuals require proof of employability through a generic qualification at level 1. There are a range of resources available free from the National Careers Services which is duplicated through courses funded through AEB under the umbrella of employability.
- 421. Therefore, our focus is to ensure that what we fund at level 1 outside of the English, maths, ESOL and Digital Skills is occupationally specific.

### **The Offer**

- 422. Our intent is to fund an adult offer that enable residents to develop skills and knowledge to move on into further learning or work. Level 1 provision should provide that bridge to develop further learning at level 2 or secure employment through occupationally related training either through sector-based work academy provision or pre-employment training.
- 423. We expect to see most level 1 provision aligned to sector-based work academy provision of pre-employment training to support individuals into work. In supporting individuals in making these choices we also anticipate seeing occupationally specific vocational training.

424. We accept that employability training does have a part to play in work readiness. We will enable providers to develop a non-regulated employability offer through one episode of learning aligned to an occupationally specific sector-based work academy or pre-employment training programme, this will be capped to a maximum of £150.
425. Providers should also ensure that services offered to residents by either the Department for Work & Pensions e.g. work coaches and National Careers Services are not duplicated through delivery.
426. We do not expect to see employed workers undertaking occupational vocational training at level 1.

#### **Role of providers**

427. We see community learning providers playing an exclusive role in putting in place provision to support personal development. We also see community learning providing vocational tasters to support individuals into work.
428. Where community learning providers have formula funded delivery, we also expect to see occupationally related training either through sector-based work academy provision or pre-employment training to support residents into work.
429. To support individuals into work, we also expect to see our colleges and ITP's developing occupationally related training either through sector-based work academy provision or pre-employment training.

#### **Courses**

430. The courses that we will invest in for level 1 provision can be found here. Courses highlighted in orange are construction based which we expect to transfer into construction gateway provision.

#### **Annex K - Specification: Level 2**

431. The WMCA values provision at level 2 in providing individuals the opportunity to develop core occupational skills, in addition it provides the opportunity for progression to level 3 technical qualifications which are key to support productivity and the growth of the economy. We will focus on ensuring that provision funded at level 2 enables progression to further learning and provides the opportunity to move to better paid jobs.
432. This specification excludes English, Maths, ESOL and Digital skills which fall under a separate specification.]
433. We want to establish an adult offer at level 2 to develop core occupational skills to enable residents to progress to higher skills. Therefore, progression to level 3 should be considered in developing an adult offer for level 2, and it should be clear to residents where they will move onto next following successful completion of this learning whether that is with the same provider or another provider.
434. We have found that a proportion of level 2 provision we do fund is spent on low-level generic courses delivered at scale with very little progression into either further study, into work or increased pay.
435. In addition, we have also seen qualifications developed that in many cases accredit skills that individuals already have through working practice, and not focused on broader core skill development to enable progression. Traditionally, these courses have been aligned to occupations where there are significant volumes of entry level job roles, often in low pay settings and can be delivered quickly at scale.
436. To ensure that we are focussing our funding on the qualifications that give residents the best chance of progression we will continue to fund courses at published rates where these are either listed as entitlement qualifications or appear in our focus sectors at level 2. For all qualifications that fall outside of the entitlement list or focus sectors we will not grow the volume of this provision.

#### **Provider roles in delivery**

437. Community Learning plays a key role in preparing residents for study at Level 2. Progression arrangements should be established in local areas to support progression of level 1 residents to level 2 provision.

438. For those community learning providers who have access to formula funded provision there should be a clear delineation between level 2 occupationally specific learning, and the personal learning development provision delivered at entry level and level 1. Residents should see the difference and be clear on the value of progression to higher levels.

439. Colleges and ITPs delivering Level 2 learning should establish pathways into learning from other providers.

#### **Outcomes**

440. We expect to see an increase in participation at level 2 in course areas that add value through up-skilling and progression. In addition, we anticipate that we will see more progression into level 3. We also expect to see the reduction in low value qualifications that are delivered at scale with little progression or economic return to residents.

#### **Courses**

441. We will fund all courses as part of the entitlement at level 2 for 19-23 year olds listed [here](#).

442. Trade Unions studies provision is deemed as a priority and falls under SSA 15.3.

### **Annex L - Specification: Level 3**

443. It is key that we build the right skills in our workforce to deliver improved productivity and prosperity - enabling all groups to access jobs. While qualifications levels are improving, significant shortfalls remain at level 3 impacting on productivity, competitiveness and inward investment which hold back growth of the regional economy. In addition, low skills also impact on earnings and household income for residents in securing sustainable employment in higher skilled job roles.

444. At present the offer of level 3 courses across all provider types is not sufficient to meet the skills demands of the economy with too few places offered and a lack of availability to access the learning flexibly.

445. In 2019/20 approximately £5m is projected to be spent on level 3 delivery representing 4% of the overall AEB budget, this is 1% up on 2018/19. However, we often see low priority provision offering little in terms of upskilling at the expense of what could be delivered at level 3. It is also apparent that where some providers committed to deliver to level 3 through planned activity, this has not materialised, and funds have been spent at lower levels at scale to meet allocation.

446. Moving forward our approach will be firmer to ensure that we have the capacity to meet the needs of our residents against our priorities and entitlement qualifications. To prevent AEB funding committed to level 3 being spent at other levels the funding line for this provision will be ringfenced within allocations based on the agreed delivery plan at provider level. Failure to meet level 3 plans will impact on future growth levels across all investment lines.

447. For 2020/21 we will continue testing of partial or full funding of some Level 3 qualifications where they support progression in work and/or career changes. During 2019/20, WMCA introduced funding flexibilities to test the impact of partly or fully subsidising level 3 qualifications, in key sectors, to encourage more individuals to access this provision.

#### **The Offer**

448. We are clear that we want to establish an adult offer at level 3 to meet our regional skills plan priorities. We expect to see entitlement qualifications and our priorities reflected in course portfolios at level 3 and will continue to use our funding flexibilities to support residents. These flexibilities include the use of funding subsidies similar to those tested in the Career Learning Pilots – tested by DfE in 18/19 where subsidies of 25%, 50% or 75% were offered.

449. We are also keen to explore providers putting together an adult offer of learning at Level 3 where qualifications don't exist e.g. new emerging sectors to meet the needs of residents. This can be used following an activity matrix based on delivery of GLH (funding band hours).



450. We want an offer that people can access independent of their employer similar to the old 'night school' concept but offered in flexible ways – modes, times and locations. It's also important to us that individuals are clear on what they can move onto and progress to following successful completion of their learning, whether that is with the same provider or another provider at level 4 and above.

#### **Courses**

451. We will fund all courses as part of the entitlement for first level 3 for 19-23 year olds listed [here](#).

452. We will also welcome flexibility requests to support individuals who fall outside of the entitlement for level 3 for courses that fall under our priorities.

452.1. Providers must submit a business case for changes to their delivery plan.

#### **Annex M - Specification: Level 4+**

453. There are 825,500 people qualified to NVQ Level 4 in the WMCA area. This is an increase of 3.4% on the previous year or 27,200 people, comparable to the national growth rate of 2.3%. Longer term, since 2012 the WMCA area has also performed better than the national average with an increase in the number of people with higher level skills by 147,900 (21.8%) compared to 17.2% for the UK.

454. Despite this positive trend, just 32.1% of the population are qualified to NVQ Level 4 compared to 39.2% for the UK - a shortfall of 181,538 people. Qualifications are key to progression, with people qualified to NVQ4+ estimated to earn significantly more than those with lower qualifications.

455. While qualifications levels are improving, these shortfalls remain at level 4+ impact on productivity, competitiveness and inward investment which hold back growth of the regional economy. In addition, low skills also impact on earnings and household income for residents in securing sustainable employment in higher skilled job roles.

456. At present the WMCA has not funded any non-prescribed higher-level course at level 4 but through its recent procurement round has secured a small amount of provision to be delivered in 2020/21. It wants to extend the opportunity for current providers to develop level 4 and above provision funded through AEB. Whilst in 2020/21 we will test activity at this level we do anticipate further growth in 2021/22 and beyond.

#### **The Offer**

457. Provision at level 4+ will be developed exclusively in our priorities as set out in the WMCA Local Industrial Strategy (LIS). We consider either full or unitised delivery against published courses and use subsidies similar to those tested in the Career Learning Pilots – tested by DfE in 18/19 where subsidies of 25%, 50% or 75% were offered.

458. We are also keen to explore providers putting together an adult offer of learning at Level 4 where qualifications don't exist e.g. new emerging sectors to meet the needs of residents. This can be used following an activity matrix based on delivery of GLH (funding band hours).

We want an offer that people can access independent of their employer similar to the old 'night school' concept but offered in flexible ways – modes, times and locations. It's also important to us that individuals are clear on what they can move onto and progress to following successful completion of their learning.

## Annex N Glossary

20+ childcare	A category of resident support to assist residents 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 <a href="#">adult funding methodology</a> 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 resident 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 resident 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	Residents who commenced learning in a previous funding year and remain in learning as of 1 August 2020.
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.
Delivery Plan (WMCA)	All providers intending to deliver AEB to WMCA residents are required to submit a Delivery Plan to WMCA. This plan allows WMCA to appraise the provider in terms of suitability to deliver to WMCA residents. Providers can only delivery provision in line with the delivery plan.
Devolution of adult education functions	The devolution of adult education functions refers to the transfer of certain Secretary of State functions in the Apprenticeships, Skills, Children and Learning Act 2009 to specified Mayoral Combined Authorities by way of orders made under section 105A of the Local Democracy, Economic Development and Construction Act 2009, and the delegation of those functions to the Mayor of London under section 39A of the Greater London Authority Act 1999, in relation to their areas.
Digital Entitlement	The study of EDS qualifications for learners who have digital skills assessed at below level 1. Qualifications that are designated up to and including level 1 are: Essential Digital Skills Qualifications
Direct costs of learning	Any costs for items without which it would be impossible for the resident to complete their learning aim. This can include the costs of registration, examination or any other activities or materials without which the resident cannot achieve their programme of study.
Earnings adjustment statement (EAS)	The form providers need to fill in to claim funding for WMCA residents that cannot be claimed through the Individualised Resident Record.
Education health and care (EHC) plan	An EHC plan replaces statements of special educational needs and learning difficulty assessments for children and young people with special educational needs. The Local Authority has the legal duty to 'secure' the educational provision specified in the EHC plan, that is, to ensure that the provision is delivered.
Employment status (formerly employed)	The main types of employment status are: • worker • employee • self-employed and contractor • director • office holder More information on employment status is available.
English for speakers of other languages (ESOL)	The study of English by speakers of other languages.
European Economic Area (EEA)	The European Economic Area, abbreviated as EEA, consists of the Member States of the European Union (EU) and 3 countries of the European Free Trade Association (EFTA) (Iceland, Liechtenstein and Norway; excluding Switzerland). The Agreement on the EEA entered into force on 1 January 1994. Please refer to Appendix A for more information.
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. The WMCA is 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 resident who requires more than £19,000 in a funding year.
Finding a learning aim	Find a learning aim provides online services to find the latest information on available qualifications, apprenticeship standards, T Levels and units. Standards will show you information on funding, dates and common components. Qualifications and units show you funding streams for courses and the last date learners can start.
Flexibilities	The WMCA as part of its devolved powers can implement a range of funding flexibilities to support its priorities related to the movement of residents into work, upskilling those in low pay jobs and re-training. In agreeing flexibilities, the WMCA will test the proposed impact.
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
Full or co-funding	Indicates whether a learning aim is fully funded or co-funded
Functional skills	Applied practical skills in English, maths and ICT that provide the resident with the essential knowledge, skills and understanding to enable them to operate effectively and independently in life and work.
Funding agreement	The agreement between WMCA and providers who receive funding for education and skills training. This can be a Grant agreement or a contract.
Funding Model (10 and 35)	Identifies the funding methodology we apply to submission of finalised ILR data. For AEB funding, Funding Model 10 (Community Learning) and 35 (Adult Skills) are used, noting model 10 in non-formula funded (i.e. ILR data does not generate a funding rate and is paid on monthly profile) and model 35 is formula funded.
Funding year	The WMCA adult funding system operates on a funding year basis, which starts on 1 August and finishes on 31 July.
General Data Protection Regulation	The General Data Protection Regulation (GDPR) is a, Europe-wide law that replaced the Data Protection Act 1998 in the UK. It is part of the wider package of reform to the data protection landscape that includes the Data Protection Act 2018. The GDPR sets out requirements for how organisations have to handle personal data.
Guided learning	As defined by Ofqual: "The activity of the resident 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 resident support, a category of support to assist vulnerable and disadvantaged residents to remove barriers to education and training.
The ESFA Hub	The ESFA Hub provides online services including the return of your Individualised Resident 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 resident 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 2020/21, WMCA will continue to utilise the ESFA ILR to record all outputs for WMCA residents. All providers delivering WMCA AEB must complete all relevant ILR details and send this to the ESFA. The ESFA will then validate the provider's data and forward WMCA the ILR for WMCA residents.
Job outcome payments	Payments made for residents who are unemployed following SBWA/PET at the start of learning who progress into employment leading to a job outcome payment based on eligibility, payment based on 13 consecutive weeks with the same employer.
Job outcome payments 50% achievement	Payments made for residents who are unemployed at the start of learning who cease learning to take up a job.
Resident 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 resident 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 residents with an identified learning difficulty and/or disability to achieve their learning goal.
(Learner) Resident support	Funding to enable providers to support residents with a specific financial hardship that might prevent them from being able to start or complete their learning.
Learning or learning aims	Refers to all adult learning that the WMCA funds, whether it is a regulated qualification or other learning.
Learning aim reference number	The unique eight-digit code used to identify a specific learning aim.
Learning delivery monitoring (LDM)	A code used as part of the Individualised Learner Record (ILR) when the learner is expected to complete their learning
Learning planned end date	The date entered onto the individualised resident record (ILR) when the resident is expected to complete their learning.
Legal entitlement	The legal entitlement to education and training allows learners to be fully funded who are aged:

	<ul style="list-style-type: none"> <li>• 19 and over, who have not achieved a grade 4 (legacy grade C), or higher, and study for a qualification in English or maths up to and including level 2, and/or</li> <li>• 19 to 23, if they study for a first qualification at level 2 and/or level 3</li> <li>• 19 and over, who have digital skills assessed at below level 1</li> </ul>
Local flexibility	Regulated qualifications, and/or their components, and non-regulated learning that the WMCA 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 <a href="#">The ESFA Hub</a> .
Low wage	Low wage residents are a priority group of the WMCA. It uses the real living wage as the threshold of £19,350 (£9.90 per hour) to determine whether an employed individual is either full funded or co-funded.
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: independent living skills and engagement learning employability and work skills labour market re-entry technical education tasters community learning
Non-formula community learning funding	Where applicable, providers receive a non-formula funded community learning allocation' as part of their AEB which is paid on a monthly profile. Submission of ILR data does not generate a funding value for the learning aim/s a learner participates on. Instead providers attribute costs up to the value of their non-formula community learning allocation. Providers submit community learning data through funding model 10. More information is available in the <a href="#">2019 to 2020 ILR Specification</a> .
Not in employment, education and training (NEET)	A young person aged 16-24 who is no longer in the education system and who is not working or being trained for work.
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 residents 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 (WMCA)	A WMCA 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 (WMCA)	Key points during the funding agreement when WMCA will review earnings against profile and apply a specification as detailed in this policy to ascertain if the provider is underperforming against their WMCA allocation.
Programmes	A coherent package of adult learning which may include regulated qualifications, components of regulated qualifications or non-regulated learning with clearly stated aims supporting agreed outcomes
'Provision' or 'learning' or 'learning aims'	Refers to all adult learning that the WMCA funds, whether it is a regulated qualification or other learning.
Recognising and Recording Progress and Achievement (RARPA)	The Learning and Work Institute have undertaken a consultation on the RARPA Cycle and have published <a href="#">updated RARPA Guidance</a> . This comprises a clear framework designed to support residents 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 <a href="#">The Learning and Work Institute</a> .
Recognition of prior learning (RPL)	An assessment method that considers whether a resident can demonstrate that they can: 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 supply chain delivery members with more than £50,000 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 and Performance Officer (WMCA)	Every provider approved to deliver AEB to WMCA residents is assigned a Provider Relationship and Performance Officer to support the provider to monitor the quality of delivery and performance against allocation and the funding agreement.
'Resident and 'resident'	To cover those whose provision is funded by the WMCA.
Residential	Support provided under resident support to residents receiving specialist provision, which involves a residential element, or to support residents 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 resident can confirm something through his or her own signature.
Start of learning	The date on which learning begins. WMCA 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	The <a href="#">statutory entitlement to education and training</a> allows residents to be fully funded who are aged: 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 residents aged 16 to 19 and cover all levels up to level 3. Funding is for each resident, rather than for each qualification and can only have one core aim at a time.
Supply chain delivery member	A separate legal entity that has an agreement with you to deliver any element of the education and training WMCA 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 supply chain member will also apply to any partnership work you have where your staff and/or provision is managed by another partner/institution. The WMCA will consider this a type of supply chain delivery 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 resident's achievement to their personal learning record (PLR).
WMCA	West Midlands Combined Authority
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 the <a href="#">young people's funding methodology</a> on the GOV.UK website.