

NTCA Adult Education Budget (AEB)

Schedule 3

NTCA Funding Rules

For the 2023-24 funding year
(1 August 2023 to 31 July 2024)

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

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Introduction and purpose of the document

- 1 This document sets out the North of Tyne Combined Authority (NTCA) Adult Education Budget (AEB) funding rules for the 2023 to 2024 funding year (1 August 2023 to 31 July 2024). The rules only apply to providers of education and training who receive devolved AEB funding from NTCA which can only be spent on residents with a NTCA postcode.
- 2 Changes since the publication of NTCA's Funding and Performance Management Rules 2022-23 version 4 (July 2022) can be found in Annex 6.
- 3 NTCA recognise the exceptional, unforeseen circumstances providers have faced during the AY 2021-22 and 2022-23 due to the pandemic. We acknowledge the work and commitment from our provider base, in responding to the impact of COVID-19 and successfully ensuring NTCA residents have been able to access AEB funded provision as much as possible. We have made specific changes to these funding rules to support providers to continue to respond to the impact of the crisis and may publish further updates later in the funding year. For further information on COVID-19 response, please read the guidance on [Maintaining further education provision](#).
- 4 The principal purpose of NTCA's AEB is to engage adults and provide them with the skills needed for entering and sustaining work, an apprenticeship/traineeship, or other further learning. It provides funding for flexible provision to meet the needs of our residents and businesses and allows us to respond quickly to changes in the labour market and support residents who may need additional support to access learning or employment.
- 5 NTCA's AEB also encompasses a range of statutory entitlements for learners, including the right to fully funded provision for basic English and maths and digital qualifications and, depending on the resident's age and employment status, an entitlement to a first Level 2 and/or Level 3 qualification.
- 6 These rules do not apply to apprenticeships, traineeships, offender learning, advanced learner loans or to education and training services funded by the Education and Skills funding Agency (ESFA).
- 7 Providers must respond to priorities set out in the [NTCA Strategic Skills Plan](#) – Opportunity for All and/or priority areas set out in the Local Skills Improvement Plan for NTCA area.
- 8 **Please note these Funding Rules form part of your contract with NTCA. This applies whether you are in receipt of a Grant Funding Agreement or a Contract for Services.** You must therefore read these rules carefully and ensure that your organisation is familiar with their content. These rules should be read in conjunction with NTCA's Payment & Performance Management Framework and the delivery plan agreed within your Grant Funding Agreement or Contract for Services. You must operate within the terms and conditions set out in these rules. If you do not, you could be in breach of your contract with NTCA, and appropriate action may be taken.
- 9 All information, including any hyperlinks, are correct when NTCA published this document.
- 10 NTCA reserve the right to make changes to these rules. This may be, for example, to ensure the devolved AEB continues to align to the needs of our residents and

businesses (as currently set out in the [NTCA Strategic Skills Plan](#) – Opportunity for All) and continues to comply with any requirements set by government. We will notify you of any such changes.

Understanding the terminology

- 11 Key definitions and a full glossary of terms are included in Annex One.
- 12 The term 'NTCA' refers to the North of Tyne Combined Authority. When NTCA 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 NTCA residents. The term 'providers' is a generic term which applies regardless of whether your organisation has a Grant Funding Agreement or a Contract for Services.
- 13 In AY 2023-24 NTCA AEB provision is made up contractually of (i) Grant Funding Agreements and (ii) Contract for Services (these are with procured providers).
- 14 The term 'funding agreement' in these rules can be a Grant Funding Agreement or a Contract for Services.
- 15 NTCA will use the generic term 'you' or 'provider' unless the requirements only apply to a specific provider type or funding agreement.
- 16 We use the terms 'resident' and 'learner' to cover those whose provision is funded by NTCA i.e., those with a postcode in NTCA area.
- 17 We use the term 'provision' or 'learning' or 'learning aims' to refer to NTCA funded AEB, whether it is a regulated qualification, or other learning that is not a regulated qualification.
- 18 If we refer to qualifications, either these will be from the Regulated Qualifications Framework (RQF) or an Access to Higher Education Diploma recognised and regulated by the Quality Assurance Agency (QAA).
- 19 If we refer to 'learning aims', we mean a single episode of learning which could be a regulated qualification, a component of a regulated qualification or non-regulated learning.
- 20 If we refer to 'programmes', we mean a coherent package of learning which may include regulated qualifications, components of regulated qualifications or non-regulated learning with clearly stated aims supporting agreed outcomes.
- 21 We may refer to this document as 'Funding Rules' (FR), 'these rules' or 'the funding rules'.

Contacting us

- 22 Your appointed Relationship and Contract Manager will be your first point of contact. However, you can also contact us at Aeb@northoftyne-ca.gov.uk.

Section 1 – General Funding Requirements

Principles of funding

- 23 You must hold evidence to assure us that you are using NTCA AEB funding appropriately. Most evidence will occur naturally from your normal business processes.
- 24 It is a condition of funding that providers have the capacity and capability for accurate data and evidence collection, management and reporting, and must be able to comply with both NTCA and the Education and Skills Funding Agency (ESFA) submission of data, including, but not limited to, the Individualised Learner Record (ILR) and/or Earnings Adjustment Statement (EAS) and any associated evidence, with prompt changes to learner data e.g. withdrawals from learning.
- 25 NTCA funding must only be used to fund NTCA residents. Funding cannot be transferred between different budgets, including, where applicable, any funding you receive from the ESFA, other Mayoral Combined Authorities or the Greater London Authority.
- 26 You must complete the resident's Unique Learner Number (ULN) field accurately to access NTCA funding. You must ensure as part of your initial assessment, you check the postcode relates to where the resident will be living for the duration of their training. This should be updated by the resident as part of their initial assessment. See [Postcode checker data set](#).
- 27 NTCA will continually review and monitor whether the education and training you provide is delivering positive and agreed outcomes as detailed and agreed by NTCA within your AY 2023-24 delivery Plan. NTCA will also monitor your performance to ensure that the funding you receive from NTCA is delivering high quality provision for adults within NTCA area and represents good value for money.
- 28 If we consider that funding is significantly more than the cost of providing education and training, we may reduce your funding after consulting with you. The final decision will rest with NTCA.
- 29 Regular performance monitoring meetings will take place throughout the funding agreement period (please refer to NTCA's Payment & Performance Management Rules). The focus of the main discussion will be your progression towards meeting your delivery plan and allocation set out in your monthly payment profile. NTCA will also discuss your overall business performance and your ideas for ensuring financial stability and resilience moving forward.
- 30 If NTCA considers the delivery is not resulting in positive outcomes for adults in NTCA area and/or the quality of provision is not to the required standard, NTCA may (following a discussion with you) reduce your grant allocation or contract value. The final decision here will rest with NTCA. Equally, if you are finding it difficult to deliver your allocation or have unmet demand, then tell us.

Who NTCA will fund:

- 31 On the first day of learning, a resident must be aged 19 or older on 31 August within the 2023 to 2024 funding year and live in a residence with a NTCA postcode. See [Postcode checker data set](#).
- 32 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.
- 33 You must check the eligibility of the learner and their residency ensuring they reside within the local authority districts of Newcastle, North Tyneside, and Northumberland at the start of each learning aim and only claim funding for eligible learners unless otherwise agreed in writing with NTCA.

Cross border learners

- 34 NTCA recognises that a learner without an eligible NTCA postcode may be unaware of the funding changes due to devolution of the AEB and may wish to undertake learning in NTCA. In these cases, providers must contact NTCA immediately to discuss if the learner can be supported. NTCA expect these cases to be minimal but will keep this under review and seek feedback from you during the year.
- 35 Providers should not actively engage learners in areas where they do not have a devolved AEB funding award or allocation.

Learners in the armed forces

- 36 British armed forces personnel, Ministry of Defence personnel or civil and crown servant's resident in England, who meet the criteria in paragraph 31, where learning takes place in England are eligible for NTCA funded AEB.
- 37 British armed forces, Ministry of Defence personnel or civil crown servants on postings outside of the UK, including their family members, are treated as ordinarily resident in the UK, who meet the criteria in paragraph 31, and are eligible for NTCA funded AEB funding.
- 38 Members of other nations' armed forces stationed in England, and their family members, aged 19 and over, are eligible for NTCA funded AEB, set out in paragraph 31, 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.

Learners temporarily outside of England

- 39 Individual residents of NTCA area who work outside of England as part of their job are eligible for NTCA funded AEB, as long as some of the learning takes place in England. You cannot claim for the additional expense of delivering learning outside of England.

Residency eligibility

- 40 Individuals will be eligible for ESFA funded AEB if they meet the criteria in the ‘who NTCA will fund’ section, the learning is taking place in England within a NTCA postcode (paragraph 31), and they fulfil the residency requirements set out in one or more of the categories below.
- 41 Unless otherwise stated, individuals must be ordinarily resident in the UK on the first day of learning to meet the residency requirements.

UK nationals and other persons with right of abode

- 42 UK nationals or other person with right of abode (see Annex 4) who have been ordinarily resident in the UK, or the British Overseas Territories or the Crown Dependencies (Channel Islands and Isle of Man) for at least the previous 3 years on the first day of learning
- 43 All family members of UK nationals must meet the required residency eligibility criteria in their own right, unless they meet the criteria in the section entitled “UK nationals in the EEA and Switzerland”, or the criteria in the section entitled “Family members of an eligible person of Northern Ireland”.
- 44 The British Overseas Territories are listed in Annex 4

UK nationals in the European Economic Area (EEA) and Switzerland

- 45 UK nationals and their family members* who:
- resided in the EEA or Switzerland by 31 December 2020 (or resident in the UK, having moved there from the EEA or Switzerland after 31 December 2017), and
 - resided in the EEA, Switzerland, Gibraltar or the UK for at least the previous 3 years on the first day of learning and
 - remained ordinarily resident in the UK, Gibraltar, the EEA or Switzerland between 31 December 2020 and the start of the course
 - the UK national to whom they are a family member has been ordinarily resident in the UK, EEA, Switzerland or EU Overseas Territories for at least 3 years on the first day of the first academic year of the course
 - the course starts before January 2028
- 46 The EEA includes all the countries and territories listed in Annex 4

*A “family member” for these purposes is either: the husband, wife, civil partner of the UK national (principal) or the child, grandchild, spouse’s child or spouse’s grandchild of the UK national (principal) who is either under 21, or dependant on the principal and/or his/her spouse

EEA and Switzerland nationals in the UK with EU Settlement Scheme

- 47 EEA and Switzerland nationals who have obtained either pre-settled or settled status under EUSS, and have lived continuously in the EEA, Switzerland, Gibraltar, or the UK for at least the previous 3 years on the first day of learning.

Although the deadline for most people to apply to EUSS was 30 June 2021, there may

be individuals who have reasonable grounds for making a late application to EUSS and there may also be some individuals who have made an EUSS application on time but are still waiting on a final decision on their status from the Home Office, including those that have lodged an appeal. Once a valid application has been made to EUSS (evidenced by receipt of a certificate of application), the applicant will have temporary protection, pending the outcome of that application.

The EEA includes all the countries and territories listed in Annex 4

EEA and Switzerland frontier workers

- 48 An EEA or Switzerland frontier worker is someone who is employed or self-employed in the UK who resides in the EEA or Switzerland and returns to that residence in the EEA or Switzerland at least once a week.
- 49 Frontier works, and their family members, have an eligible residency status if they have been ordinarily resident in the UK, EEA and/or Switzerland for at least the previous 3 years on the first day of learning.
- 50 A “family member” of an EEA frontier worker for these purposes is either:
- the husband, wife, civil partner of the EEA frontier worker (“principal”) or
 - the child, grandchild, spouse/civil partner’s child or spouse/civil partner’s grandchild of the principal who is either
 - under 21, or
 - dependant on the principal and/or the principal’s spouse/civil partner, or
 - dependent parents or grandparents of the principal and/or the principal’s spouse/civil partner
- 51 A “family member” of a Swiss frontier worker for these purposes is either:
- the husband, wife, civil partner of the Swiss frontier worker (“principal”) or
 - the child or spouse/civil partner’s child of the principal

Unlike other categories, a frontier worker or their eligible family member does not have to be resident in the UK on the first day of learning in order to have an eligible residency status.

Irish citizens in UK or Ireland

- 52 Irish citizens in the UK or Ireland who have been ordinarily resident in the UK and Islands, and/or Ireland for at least the previous 3 years on the first day of learning.
- 53 Irish citizens in EEA and Switzerland
- 54 Irish citizens who:
- resided in the EEA or Switzerland by 31 December 2020 (or resident in the UK, having moved to the UK from EEA or Switzerland after 31 December 2017), and
 - resided in the EEA, Switzerland, Gibraltar or the UK for at least the previous 3 years

- on the first day of learning and
- remained ordinarily resident in the UK, Gibraltar, the EEA or Switzerland between 31 December 2020 and the start of the course and
- the course starting before January 2028
- The EEA includes all the countries and territories listed in Annex 4

Other non-UK nationals

- 55 Non-UK nationals who have been ordinarily resident in the UK and Islands for at least the previous 3 years on the first day of learning and:
- have permission granted by the UK government to live in the UK and such permission is not for educational purposes only, or
 - have obtained pre-settled or settled status under EUSS

Family members of EU nationals

- 56 A ‘family member’ is the husband, wife, civil partner, child, grandchild, dependent parent or grandparent of an EU national (principal). A family member is eligible for funding if:
- where required to do so, they have obtained pre-settled or settled status under EUSS, and
 - the EU national (principal) has obtained pre-settled or settled status under EUSS and has been ordinarily resident in the UK, EEA and/or Switzerland for at least the previous 3 years on the first day of learning
- 57 Family members of an EEA or Swiss national can apply to EUSS after 30 June 2021 if they are joining them in the UK on or after 1 April 2021. They have 3 months to apply to EUSS from the date they arrive in the UK. They will have temporary protection and therefore be eligible for funding during those 3 months and pending the outcome of any EUSS application made during that period (and of any appeal). More information on **applying to join a family member in the UK** can be found on GOV.UK.
- 58 A “family member” for these purposes is either:
- the husband, wife, civil partner of the EU national (principal) or
 - the child, grandchild, spouse/civil partner’s child or spouse/civil partner’s grandchild of the EU principal who is either:
 - under 21, or
 - dependant on the principal and/or his/her spouse/civil partner, or
 - the dependant parent or grandparent of the principal or of the principal’s spouse/civil partner

Family members of an eligible person of Northern Ireland

- 59 Family members of an eligible person of Northern Ireland (Annex 4) (principal) are eligible for funding if:

- they have been living in the UK by 31 December 2020 and
- they have obtained pre-settled or settled status under EUSS, and
- the eligible person of Northern Ireland (principal) has been ordinarily resident in the UK by 31 December 2020, for at least the previous 3 years on the first day of learning

A “family member” for these purposes is either:

- the husband, wife, civil partner of person of Northern Ireland (principal) or
- the child, grandchild, spouse’s child or spouse’s grandchild of principal who is either
 - under 21, or
 - dependant on the principal and/or his/her spouse, or
- the dependant parent or grandparent of the principal or of the principal’s spouse

Joining family members under the EU Settlement Scheme

- 60 Family members of an EEA or Swiss national can apply to EUSS (Annex 4) after 30 June 2021, if they are joining them in the UK on or after 1 April 2021. They have 3 months to apply to EUSS from the date they arrive in the UK. They will have temporary protection and therefore, be eligible for funding during those 3 months and pending the outcome of any EUSS application made during that period (and of any appeal).

Late applications to the EU Settlement Scheme

- 61 The closing date for EUSS was 30 June 2021 (except for joining family members of EEA or Swiss nations). After this date, EEA and Swiss nationals applying for courses starting in the 2021 to 2022 academic year and beyond are generally eligible for funding only if they have been granted pre-settled or settled status under EUSS.
- 62 However, there may be individuals who have reasonable grounds for making a late application to EUSS and, there may also be some individuals who have made an EUSS application time but are still waiting on a final decision on their status from the Home Office, including those that have lodged an appeal. Once valid application has been made to EUSS (evidenced by receipt of a certificate of application), the applicant will have temporary protection, pending the outcome of that application.
- 63 These individuals may be eligible for funding if they:
- have been ordinarily resident in the relevant area for at least the previous 3 years on the first day of learning, and
 - have a certificate of application, and
 - are family members of EEA/Swiss nationals (if applicable)

Individuals with certain types of immigration status and their family members

- 64 Any individual with any of the statuses or leave under the schemes listed below is eligible to receive funding and are exempt from the 3-year residency requirement rule:
- refugee status

- discretionary leave to enter or remain
- exceptional leave to enter or remain
- indefinite leave to enter or remain
- humanitarian protection
- leave outside the rules
- Ukraine Family Scheme [Apply to stay in the UK under the Ukraine Extension Scheme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/apply-to-stay-in-the-uk-under-the-ukraine-extension-scheme)
- Ukraine Sponsorship Scheme (Homes for Ukraine)
- the husband, wife, civil partner, or child of any of the above in paragraphs 50.1 to 50.8
- individuals with leave to enter or remain in the UK under the Ukraine Extension Scheme
- section 67 of the Immigration Act 2016 leave¹
- Calais leave to remain²
- Persons granted leave under one of the Afghan schemes:
 - individuals with leave to enter or remain in the UK under the Afghan Citizens Resettlement Scheme (ACRS)
 - Individuals with leave to enter or remain in the UK under the Afghan Relocations and Assistance Policy (ARAP)
 - British Nationals evacuated from Afghanistan under Operation Pitting
 - British Nationals evacuated from Afghanistan by UK Government before 6 January 2022

65 In relation to the above categories, you must have seen the learner's immigration permission. This would include the biometric residence permit (BRP) and in some cases an accompanying letter from the Home Office.

Learners who have applied for an extension or variation of their immigration permission

66 Any learner or family member who has applied for an extension or variation of their

¹ A child of a person who has received leave under section 67 of the Immigration Act 2016 will come within paragraph 50.10 where they have been granted "leave in line" by virtue of being a dependent child of such a person.

² A child of a person who has received Calais leave to remain will come within paragraph 50.11 where they have been granted "leave in line" by virtue of being a dependent child of such a person.

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.

67 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.

68 You may wish to find information, advice and support on eligibility from the [UK Council for International Student Affairs](#)

69 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

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

- the Turkish worker is currently 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
- 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

71 Asylum seekers are eligible to receive funding if they:

- have lived in the UK for 6 months or longer while their claim is being considered by the Home Office, and no decision on their claim has been made, or
- are receiving local authority support under [section 23C](#) or [section 23CA of the Children Act 1989](#) or the Care Act 2014

72 An individual who has been refused asylum will be eligible if:

- they have appealed against a decision made by the UK government against granting refugee status and no decision has been made within 6 months of lodging the appeal, or
- they are granted support for themselves under [section 4 of the Immigration and Asylum Act 1999](#), or
- are receiving local authority support for themselves under [section 23C](#) or [section 23CA of the Children Act 1989](#)

Persons granted stateless leave

- 73 A person granted stateless leave is a person who:
- 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
 - has been ordinarily resident in the UK and Islands throughout the period since the person was granted such leave

74 A stateless person must:

- be ordinarily resident in the UK on the first day of the first funding year of the course.

75 Certain family members are also eligible under this category if:

- The spouse or civil partner of a person granted stateless leave is eligible if they were the spouse or civil partner of the person on the leave application date and have been ordinarily resident in the UK and Islands throughout the period since they were given leave to enter or remain in the UK. "Leave application date" means the date on which a person is granted stateless leave made an application to remain in the UK as a stateless person under the immigration rules
- the child of a stateless person, or of the stateless person's spouse or civil partner, is eligible if they were the child of the stateless person or the child of the stateless person's spouse or civil partner on the leave application date, were under 18 on the leave application date and have been ordinarily resident in the UK since they were given leave to enter or remain.

76 "Leave application date" means the date on which a person is 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](#))

Long residence

77 A person who, on the first day of learning, has lived in the UK half their life or a period of 20 years or more, has an eligible residency status.

78 Learners may be able to prove this status via a confirmed entry date from Immigration Control, verified by the Home Office. Alternatively, they may provide evidence that they have been living in the UK for the period in question. This should ideally be from an official and independent source. Examples could include a signed letter on headed paper from someone in a leadership position at the school they attended, a letter from their GP, wage slips or a P45/P60. Providers funding learners under this category should obtain enough evidence to assure themselves beyond reasonable doubt that the learner was living in the UK for the necessary period.

Individuals who are not eligible for funding

79 You must not claim funding for individuals who do not meet the eligibility criteria set out in paragraphs 39 – 57. Examples of individuals who do not meet the eligibility criteria include the following. Please note this list is not exhaustive:

- those who are here without authority or lawful status

- those who are resident in the UK on a student visa unless they are eligible through meeting any other of the categories described above
- those who are in the UK on holiday, with or without a visa
- 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 three years on the first day of learning
- those whose biometric residence permit or residence permit imposes a study prohibition or restriction on the individual

What NTCA will fund

- 80 NTCA will only fund the provision included in your agreed AEB delivery plan and payment profile. You must make sure that learning is eligible for funding before the resident starts. [Find a learning aim](#) contains details of eligible regulated qualifications, qualification components and non-regulated learning aims.
- 81 Any delivery you undertake over and above that which is included in your NTCA delivery plan and payment profile will not be funded, unless agreed in writing beforehand with NTCA. Please refer to NTCA's Payment and Performance Management Framework for further detail.
- 82 NTCA may make concessions in the funding rules responding to a specific economic event impacting on residents, e.g., significant restructuring of a large employer leading to residents at risk of redundancy. This will be agreed on a case-by-case basis.
- 83 Further details of what NTCA funds including legal entitlements, is included in Section 3 of this document.

What NTCA will not fund

- 84 NTCA will not fund learners in residences that do not have an eligible NTCA postcode. They will be funded via the relevant devolved Mayoral Combined Authority, Greater London Authority or ESFA. It is a provider's responsibility to ensure the funding is secured from the relevant funding body in AY 2023-24 for their learners.
- 85 We will not fund:
- qualifications, units, or learning aims that are not listed on [Find a learning aim](#) or legal entitlement lists, unless agreed as part of your NTCA delivery plan
 - provision to learners in custody - [the Ministry of Justice](#) funds prison education in England. Please note you can use your NTCA funded AEB to fund individuals released on temporary licence
 - any part of any learner's learning aim or programme that duplicates provision they have received from any other source
 - training through NTCA funded AEB, where a learner is undertaking or planning to undertake an apprenticeship and where that training will:

- vocational and other learning aims covered by the apprenticeship standard or framework, including English and maths
- offer career-related training that conflicts with the apprenticeship aims
- be taking place during the apprentices working hours. Where an apprentice has more than one job, working hours refers to the hours of the job the apprenticeship is linked to
- a learner to repeat the same regulated qualification where they have previously achieved it, unless it is for any GCSE where the learner has not achieved grade C, or 4, or higher
- a learner to sit or resit a learning aim assessment or examination where no extra learning takes place.

Fees and charging

- 86 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 statutory entitlement to full funding for their learning. Direct costs include any essential activities or materials without which the learner could not complete and achieve their learning.
- 87 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

- 88 A learner must be in learning for a minimum number of days between their learning start date and learning planned end date before you can earn funding, including learning support. You can access this information in the ESFA <https://www.gov.uk/government/publications/adult-education-budget-aeb-funding-rates-and-formula-2022-to-2023>
- 89 This does not apply where the learner achieves the learning aim.

Recognition of prior learning (RPL)

- 90 A learner could have prior learning or attainment that has been previously accredited by an awarding organisation or could be formally recognised and count towards achievement of a qualification. If this is the case, you must:
- reduce the funding amount claimed for the qualification aim by the percentage of learning the learner does not need
 - follow the policies and procedures set by the awarding organisation in regard to recognition of prior learning, including any restrictions concerning where RPL or prior attainment may not be applied; and
 - ensure you have a robust internal RPL policy and appropriate resources to deliver RPL

- 91 We would not expect RPL or prior attainment to be used against the whole qualification, this is exemption rather than RPL.
- 92 You must not use prior learning to reduce funding for English and maths qualifications up to and including level 2 or essential digital skills qualifications up to and including level 1
- 93 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. More information is available in the [submit-learner-data.service.gov.uk/23-24/ilr](https://data.service.gov.uk/23-24/ilr)

Breaks in learning

- 94 You and the learner can agree to suspend learning while the learner takes a break from learning. This allows the learner to continue later with the same eligibility that applied when they first started their learning.
- 95 We will not fund a learner during a break in learning.
- 96 You must record the date a learner starts a break in learning and the date they restart their learning in the ILR. Further guidance on recording breaks can be found in the [ilr provider support manual](#)
- 97 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.
- 98 You must not use a break in learning for short-term absences, such as holidays or short-term illness.

Response to coronavirus (COVID-19)

- 99 In line with paragraphs 75 to 79, you and the learner can agree to suspend learning to enable the learner to take a break in learning where:
- 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
 - you are unable to deliver learning because of the impact of COVID-19 on your business and there is no reasonable way to achieve appropriate delivery by distance learning and/or online learning
- 100 To record breaks in learning for COVID-19 reasons, you must:
- include these learners in your ILR submissions record the reason, and retain and submit evidence as set out in paragraphs 88 to 92
 - ensure affected learners are not recorded as permanently withdrawn from their learning, by entering the 'completion status' field of the ILR as '6', denoting that the learner has temporarily withdrawn from learning due to an agreed break in learning as a direct impact of COVID-19

- not change the current planned end date of the learning aim record; and
- agree a new planned end date, when the learner returns, that must be assessed and recorded against the revised learning aim record

Evidence

- 101 You must hold evidence to assure us that you are using NTCA funded AEB monies appropriately. Most evidence will occur naturally from your normal business processes.
- 102 You must make sure enrolments for ESFA funded AEB, and/or the traineeship programme, support your decision to claim funding and support the individual's case for consideration as ordinarily resident in England, or any exceptions set out in the 'Residency eligibility' section.
- 103 In line with UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, you must record in the evidence pack what appropriate documentation you have seen, rather than take photocopies to prove eligibility.

Evidence Pack

- 104 The evidence pack file must contain evidence to support the funding claimed and must be available to us if we need it.
- 105 Evidence in the evidence pack must assure us that the learner exists.
- 106 The learner must confirm information they provide is correct when it is collected.
- 107 If the time spent in learning is short, the level of evidence in the evidence pack would reflect this. Where you hold information centrally, you only need to refer to the source.
- 108 If applicable, the evidence pack must confirm the following:
- all information reported to us in the ILR and the Earnings Adjustment Statement (EAS), and if it applies, the supporting evidence for the data you report
 - your assessment and evidence of eligibility for funding and a record of what evidence the learner has provided
 - copies of all assessments and diagnostics undertaken to determine a learner's requirements
 - information on prior learning that affects the learning or the funding of any of the learning aims or programme
 - for 'personalised learning programmes', for example, non-regulated learning aims, full details of all the aspects of the learning to be carried out, including supporting evidence of the number of planned hours reported
 - a description of how you will deliver the learning and skills and how the learner will achieve

- the supporting evidence about why you have claimed funding and the level of funding for a learner, including details of any learner or employer contribution
 - support needs identified, including evidence of how you will meet these needs
 - that learning is taking, or has taken place and records are available
 - a learner's self-declaration as to what state benefit they claim
 - a learner's self-declaration on their status relating to gaining a job
 - all records and evidence of achievement of qualifications and learning aims. This must be available within three months of you reporting it in the ILR.
- 109 Where the learner is unemployed, this must include a record of what you have agreed with them, including the relevance of the learning to their employment prospects and the labour market needs.
- 110 If a subcontractor delivers any provision to the learner, it must clearly identify who it is. This must match the information reported to us in the ILR.

Confirmation and signatures

- 111 The learner or employer must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.
- 112 We accept electronic evidence, including electronic/digital signatures. Where evidence is electronic, you must have wider systems and processes in place to assure you that learners exist and are eligible for funding.
- 113 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.
- 114 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.
- 115 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.
- 116 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 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.
- 117 You must keep effective and reliable evidence. You are responsible for making the evidence you hold easily available to us when we need it.

Starting, participating, and achieving

- 118 You can only claim NTCA funded AEB when directly related learning starts. This would not include enrolment, induction, prior assessment, diagnostic testing, or similar learning.
- 119 For your direct delivery, and any subcontracted delivery, you and where relevant, your subcontractor(s) must have direct centre approval and where appropriate, direct qualification approval from the respective awarding organisation for the regulated qualifications you are offering.
- 120 Delivery of the qualification (including learner registration with the awarding organisation) for direct delivery and any subcontracted delivery must be in line with the qualification specification and guidance set out by the relevant awarding organisation.
- 121 You must have evidence that the learning took place, and the learner was not certificated for prior knowledge.
- 122 Where the learning is certificated, you must follow the relevant awarding organisation's procedure for claiming the relevant certificate(s) and ensure the learner receives them. You must evidence this has happened in the evidence pack.

Leaving learning

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

Individualised learner record (ILR)

- 124 You must accurately complete all ILR fields as required in the <https://guidance.submit-learner-data.service.gov.uk/23-24/ilr> even if they are not required for funding purposes.
- 125 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.
- 126 Where your data does not support the funding you have claimed, we will take action to correct this and we will recover funds that have been overstated.

Self-declarations by learners

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

Match funding

You must not use the payments that we make as match funding for any European Social Fund (ESF) projects with any co-financing organisation or Managing Authority direct bids.

Section 2 – NTCA funded adult education budget (AEB)

Provision and individuals, we fund

Legal Entitlements

- 129 In line with national funding policies, NTCA will align devolved AEB with the current funding eligibilities and rates and continue to deliver the statutory entitlements in line with national funding arrangements and requirements.

NTCA funded AEB includes support for 4 legal entitlements to full funding for eligible adult learners.

Note: 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 – Please see 115 below.

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
- essential digital skills qualifications, up to and including level 1, for individuals aged 19 and over, who have digital skills assessed at below level 1

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

- 131 Eligible learners exercising their legal entitlement must be enrolled on qualifications from the qualifications that have been approved for funding through the relevant entitlement. For the funding year 2023 to 2024, providers can find the approved qualifications in the [DfE list of qualifications approved for funding](#) for the following entitlement offers:

- level 2 and level 3 and/or
- English and maths and/or

- essential digital skills qualifications

Local Flexibility

NTCA 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 is either fully or co-funded, depending on the learner’s age, prior attainment and circumstances. Please refer to the ‘AEB Eligibility for Funding Contributions’ tables in this document for learner eligibility.

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

Local flexibility and legal entitlements

- 133 Learners aged 19-23 progressing towards their first full level 2, must undertake learning at entry and/or level 1 only from [local flexibility](#)
- 134 Learners aged 19 to 23 who progress to their first full Level 2 must only enrol on an approved qualification from the [DfE list of qualifications approved for funding](#)
- 135 Learners aged 19 to 23 and aged 24 and over, who have already achieved at Level 2 or above, can undertake learning up to and including Level 2 qualifications from the local flexibility offer or qualifications in the Level 2 legal entitlement [Qualifications website](#) or [Find a learning aim](#)
- 136 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 [Qualifications website](#) or [Find a learning aim](#)

Table 1 Funding Contributions 19-23 year-olds

The level of contribution for NTCA funded AEB is as follows:

Provision	19-23 Funding Contributions	Notes
English and maths, up to and including Level 2	Fully funded	Must be delivered as part of the legal entitlement qualifications
Essential Digital Skills Qualifications up to and including level 1	Fully funded	Must be delivered as part of the Digital legal entitlement qualifications
First full Level 2 (excluding English & maths and Digital)	Fully funded	First full level 2 must be delivered as part of the legal entitlement qualifications Level 2 provision from the local flexibility offer will not be funded for 19 to 23 year olds who do not have a first full Level 2 refer to the 'local flexibility and legal entitlements' section
Learning aims to progress to a full level 2 – up to and including level 1	Fully funded	Must undertake learning at entry and/or level 1 only from local flexibility
Level 3 legal entitlement (learner's first full L3)	Fully funded	First full level 3 must be delivered as part of the legal entitlement qualifications
Level 3 Free courses for jobs offer*	Fully funded	Learners without a full level 3 or above can access a qualification on the level 3 adult offer qualification list Learners who already hold a level 3 or higher and meet the definition of unemployed or who are in receipt of low wage
Level 3 Advanced Learner Loan	Loan funded	A learner has already achieved a full level 3 learner-loans-funding-rules-2022-to-2023
English for Speakers of Other Languages (ESOL) learning up to and including Level 2	Fully funded	For those learners aged 19-23 eligible through unemployed definition or on a low wage
	Co-funded	For those learners aged 19-23 who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage
Learning aims up to and including Level 2, where the learner has already achieved a first full Level 2, or above (Must undertake qualifications from the local flexibility offer or qualifications for the level 2 legal entitlement)	Fully funded	For those learners aged 19-23 eligible through unemployed definition or on a low wage
	Co-funded	For those learners aged 19-23 who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage
Learning aims up to and including Level 2, where the learner has not already achieved a first full Level 2, or above (Must undertake qualifications from the local flexibility offer or qualifications for the level 2 legal entitlement)	Fully funded	For those learners aged 19-23 eligible through unemployed definition or on a low wage
	Co-funded	For those learners aged 19-23 who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage

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Table 2 Funding Contributions 24-year-old and above

The level of contribution for NTCA funded AEB is as follows:

Provision	24+ Funding Contributions	Notes
English and maths, up to and including Level 2	Fully funded	Must be delivered as part of the legal entitlement qualifications list
Essential Digital Skills Qualifications up to and including level 1	Fully funded	Must be delivered as part of the Digital legal entitlement qualifications list
First Full Level 2 (excluding English & maths and Digital)	Fully funded	For those learners aged 24+ eligible through unemployed definition or low wage eligibility
	Co-funded	For those learners aged 24+ who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage
Learning aims to progress to level 2 (Local flexibility and legal entitlements)	Fully funded	For those learners aged 24+ eligible through unemployed definition or low wage eligibility
	Co-funded	For those learners aged 24+ who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage
Level 3	Loan funded	All 24+ learner who are not eligible for the level 3 adult offer must refer to the advanced learner loans funding rules Advanced learner loans funding rules 2023 to 2024
Level 3 Free Courses for Jobs Offer	Fully funded	Learners without a full level 3 or above accessing a qualification on the level 3 adult offer qualification list. Learners who already hold a level 3 or higher and meet the definition of unemployed or in receipt of a low wage. Where 24+ Learners are not eligible for the level 3 Free Courses for Jobs offer, providers must refer to the advanced Learner Loan rules
English for Speakers of Other Languages (ESOL) learning up to and including Level 2	Fully funded	For those learners aged 24+ eligible through unemployed definition or on a low wage
	Co-funded	For those learners aged 24+ who do not meet the definition of unemployed or do not meet the eligibility criteria for low wage
Learning aims up to and including Level 2, where the learner has already achieved a first	Fully funded	For those learners aged 24+ eligible through unemployed definition or on a low wage

full Level 2, or above (Must undertake qualifications from the local flexibility offer or qualifications for the level 2 legal entitlement)	Co-funded	For those learners aged 24+ who do not meet the definition of unemployed or do not meet the eligibility criteria for low wag
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Level 3 Free Courses for Jobs offer

Please note this section only applies to providers with a Level 3 Free Courses for Jobs funding allocation.

- 137 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 and from 1 April 2022, adults who meet the definition of ‘low wage’ or ‘unemployed’. This offer is also known as the Level 3 Free Courses for Jobs (FCfJ) offer.
- 138 It 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, eligible adults aged 24+ can now access fully-funded level 3 provision from the list of level 3 FCFJ qualifications available via the DfE list of qualifications approved for funding. NTCA officers, in consultation with providers, will monitor qualifications on the approved list to ensure that they meet the needs of NTCA’s key sectors for delivery as set out in NTCA’s Strategic Skills plan. NTCA are able to submit qualifications for approval to the DfE in line with their qualification approval process.
- 139 The offer includes additional level 3 qualifications for 19- to 23-year-olds that are **not** included in the legal entitlements.
- 140 Support funding – where you identify that a learner has a learning difficulty and/or disability your NTCA allocation enables you to claim learning support and/or learner support funding to meet the additional needs of learners
- 141 There is 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.
- 142 Only the qualifications included in the FCfJ will attract an uplift to enable providers to ‘scale up’ level 3 delivery within their organisations. The uplift will apply across devolved and non-devolved areas so that funding rates remain consistent for all learners.
- When qualifications are added to the list of qualifications included in this offer, they will become eligible for funding from that publication date and will not be backdated to the start of the offer (1 April 2021) or the funding year.
- 143 NTCA will fund this offer like we fund other AEB delivery, with the following exceptions:
- Learners eligible for this offer can be fully funded; ILR validation rules have been changed to allow this for learners who are not eligible for full funding.
 - We will increase the funding rate by £600 for eligible aims in [category code 45](#) National Skills Fund Level 3 Free Courses for Jobs rate 1.
 - We will increase the funding rate by £150 for eligible aims in [category code 46](#) National Skills Fund Level 3 Free Courses for Jobs rate 2.

- 144 Learners aged 19 to 23 taking their first level 3 course, and utilising the Level 3 FCFJ , will be funded through your NTCA AEB funding allocation.
- 145 Learners aged 24+ taking their first full level 3 course, and utilising the Level 3 Free Courses for Jobs, will be funded through your Level 3 Free Courses for Jobs Grant Funding agreement allocation.
- 146 You must use the **Learning Delivery Monitoring (LDM) code 378** (Level 3 Free Courses for Jobs) and FFI code 1 in the ILR to indicate your learning aims that are eligible within this offer. And LDM code 382 who meet low wage eligibility criteria.

L3 Free Courses for Jobs - Learner eligibility

- 147 We will fully fund individuals as part of this offer where they:
- are aged 19 on 31 August within the 2023 to 2024 funding year and reside in a residence with a [NTCA postcode](#).
 - have not achieved a full level 3 qualification or above, which meet the requirements set out in paragraph 129
 - enrol on the Level 3 Free Courses for Jobs qualifications approved for funding. [List of Qualifications included in the L3 Free Courses for Jobs](#).
- 148 We will also fully fund individuals as part of the offer where they:
- meet the unemployment or learners in receipt of low wage criteria and if they already have an existing full level 3 qualification or higher, or have achieved any other qualification included in the level 3 adult offer qualifications list (DfE list of qualifications approved for funding), that qualification must have been achieved before 1 April 2021, or
 - if they have achieved a short qualification as set out below, and that was achieved after 1 April 2021, the individual is eligible for one further qualification through the offer
 - Enrol on the FCfJ qualifications approved for funding with effect from 1 April 2022.
- 149 Once a learner has achieved their qualification(s) in line with the paragraphs above, they will have exhausted their eligibility for the offer.
- 150 We will fund eligible learners to take one short qualification, followed by one further qualification in the FCfJ offer, without exhausting their eligibility. Short qualifications are identified by category code 49 which can be found in the FCfJ offer – short qualification within find a learning aim
- 151 A 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.
- 152 You must not claim for NTCA FCfJ funding where learners are already being funded through an Advanced Learner Loan (ALL), or a Skills Bootcamp (where applicable), for qualifications that are in the level 3 adult offer. The criteria for ALL can be found in the [Advanced learner loans funding rules 2023 to 2024](#)

Note: *Once a learner has been funded by FCfJ in line with the funding rules, they will have exhausted their eligibility for the FCFJ offer.*

Level 3 attainment

- 153 Level 3 is the level of attainment which is demonstrated by:
- General Certificate of Education at the advanced level in 2 subjects
 - General Certificate of Education at the AS level in four subjects
 - QAA Access to Higher Education (HE) Diploma at level 3
 - Technical, or applied general qualification at level 3, which meets the requirements for the 16 to 19 performance tables

FCfJ Sub-contracting

- 154 Subcontracting and collaborative partnerships have an important role to play in the delivery of the FCfJ. They allow smaller providers to access funding and to benefit from economies of scale, whilst enabling learners to access provision in locations and via delivery models which best suit their needs.
- 155 NTCA will require providers to outline plans for subcontracting arrangements with a clear rationale demonstrating how it would add value. Providers should also refer to Section 4 of these Funding Rules in relation to monitoring of subcontractors.

Section 3 - Definitions

Definitions used by NTCA for the AEB

Definition of Full level 2

- 156 Level 2 is the level of attainment which is demonstrated by:
- a General Certificate of Secondary Education in five subjects, each at Grade C or above, or Grade 4 or above or
 - a Technical Certificate at Level 2 which meets the requirements for 16 to 19 performance tables
- 157 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.

Definition of Full level 3

- 158 Level 3 is the level of attainment which is demonstrated by a:
- General Certificate of Education at the Advanced level in two subjects
 - General Certificate of Education at the AS level in four subjects

- QAA Access to Higher Education (HE) Diploma at Level 3
 - Technical level or applied general qualification at Level 3, which meets the requirements for the 16 to 19 performance tables
- 159 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 Learner Loan (provided the qualification is designated for funding, and subject to learner eligibility conditions), or pay for their own learning.
- 160 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.

Employed

- 161 For funding purposes, we define a learner 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.
- 162 Providers should ensure that learning for those employed learners 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 – *Universal credit thresholds will be updated to align any revisions made by the Department for Work and Pensions (DWP)*

- 163 For funding purposes, we define a learner as unemployed if the learner:
- receives Jobseeker's Allowance (JSA), including those receiving National Insurance credits only
 - receives Employment and Support Allowance (ESA)
 - receives Universal Credit, and their take home pay as recorded on their Universal Credit statement (disregarding Universal Credit payments and other benefits) is less than **£617** a month (learner is sole adult in their benefit claim) or **£988** a month (learner has a joint benefit claim with their partner)
 - are released on temporary licence, studying outside a prison environment, and not funded by the Ministry of Justice
- 164 Providers may also use their discretion to fully-fund other learners if either of the following apply. The learner:
- receives other state benefits (not listed in paragraph 139) and their take home pay (disregarding Universal Credit and other benefits) is less than **£617** a month (learner is sole adult in their benefit claim) or **£988** a month (learner has a joint benefit claim with their partner) and

- wants to be employed, or progress into more sustainable employment, and their take home pay (disregarding Universal Credit and other benefits) is less than **£617** a month (learner is sole adult in their benefit claim) or **£988** a month (learner has a joint benefit claim with their partner), and you are satisfied identified learning is directly relevant to their employment prospects and the local labour market needs.

Residents in receipt of low wage

- 165 You may fully fund residents who are employed or self-employed and in receipt of a low wage and would normally be co-funded. You must be satisfied the resident meets both of the following criteria:
- is eligible for co-funding and
 - earns less than the real living wage (£21,255 annual gross salary)³ from 22 September 2022. You may also fully fund learners who meet the low wage criteria for qualifications included in the level 3 free courses for jobs offer
- 166 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.
- 167 You must use DAM codes 023 and 010 and the FFI code 1 to claim full funding for learners who are eligible for the low wage set out in paragraphs 165 and 166.

Section 4 – Eligible qualifications and programmes

NTCA Eligible qualifications and programmes

- 168 Where you deliver regulated qualifications and/or their components, you must ensure they are eligible for AEB funding as indicated on [Find a learning aim](#)
- 169 We will fund qualifications that are linked to occupational regulation/licence to practise. You can find more information at the [Qualifications website](#).
- 170 Before delivering a component, you must check with the awarding organisation. They provide a resident registration facility, and the resident can achieve it alone or as part of accumulating achievement towards a qualification.
- 171 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.

³ £21,255.00 annual gross salary is based on the Real Living wage low-pay threshold of £10.90 (hourly rate in September 2022) and on the assumption of a 37.5-hour contract with paid statutory holiday entitlement. This figure will be kept under review in the event that the threshold changes.

- 172 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](#)

Non-regulated learning

- 173 Where you deliver non-regulated learning, you must ensure it is eligible for funding. Such learning could include:
- independent living skills or engagement learning, supporting adults to operate confidently and effectively in life and work
 - locally commissioned and/or locally developed basic knowledge and skills needed to access technical qualifications
 - employability and labour market re-entry
 - locally commissioned and/or locally devised technical education short courses (also known as taster sessions)
 - community learning courses
 - basic digital skills courses, including where learners are unable to undertake digital skills qualifications specified in the digital entitlement
- 174 The eligibility principles NTCA applies to non-regulated learning are as follows:
- it must not be provision linked to UK visa requirements
 - it must not be provision linked to occupational regulation unless there is an agreed concession in place
 - it must not be restricted to being delivered to employees of only one employer unless there is an agreed concession in place authorised by NTCA
 - it must not be learning, for example, 'induction to college', that should be part of a learner's experience
 - it must not be a non-regulated version of a regulated qualification
 - 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.
- 175 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.
- 176 It is the intention of NTCA to use the RARPA model to monitor, review and measure the quality and outcomes from non-regulated provision in AY 2023-24. Non-regulated learning should have clear achievement aims for the residents and identified progression outcomes prior to commencement of learning.

Learning in the workplace

177 We will fund learning in the workplace where a learner has a legal entitlement to full funding for:

- English and/or maths up to and including level 2;
- a first full level 2 qualification; or
- a first full level 3 qualification.
- essential digital skills qualification, up to and including level 1.
- level 3 FCfJ Offer

178 NTCA will not fund any qualification or learning aim delivered at an employee's workplace, and is either relevant to their job or their employer's business unless:

- it is a legal entitlement qualification, and/or
- it is included in the Level 3 FCFJ offer

179 NTCA may fund qualifications or learning aims delivered at an employee's workplace in response to a negative economic impact for a specific sector. These qualifications must be agreed as part of the providers delivery plan and payment profile

English and maths for those aged 19 or older

180 NTCA 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:

- GCSE English language or maths;
- Functional Skills English or maths from Entry to level 2;
- stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education (DfE) and ESFA.

181 If a resident wants to 'retake' their GCSE English or maths qualification because they did not achieve a grade 4 or higher (C or higher), NTCA will not fund the resident to only resit the exam.

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

183 You must not fund an apprentice for English or maths from NTCA AEB allocation.

184 NTCA 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.

185 You must:

- 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 curriculum
- 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
- enrol the resident on a level above that at which they were assessed and be able to provide evidence of this;
- deliver ongoing assessment to support learning;
- record the evidence of all assessment outcomes in the evidence pack.

186 The assessments must place a resident's current skill levels within the level descriptors used for the [Regulated Qualifications Framework \(RQF\)](#).

Digital entitlement for those aged 19 or older

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

188 We will fully-fund non-regulated learning for learners, including those assessed at pre-entry level with significant learning difficulties and/or disabilities as part of a personalised learning programme, where assessment has identified the learner cannot undertake provision identified in paragraph 173. 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 (see rules for [non-regulated learning](#)).

189 You must:

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

190 The assessments must place a learner's current skills levels within the level descriptors used for the [Regulated Qualifications Framework \(RQF\)](#).

Individuals aged 19 to 23 (excluding English, maths and ESOL)

- 191 We will fully-fund 19 to 23 year-olds, including individuals who are employed, on the day they start qualifications defined within the legal entitlement that are a resident's:
- first full level 2; and/or
 - first full level 3 as part of the legal entitlement and/or access to additional qualifications from the level 3 FCFJ
- 192 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.

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

- 193 NTCA will fully-fund individuals aged 24 or older on the day they start provision up to and including a level 2, if they are unemployed, as defined in these Funding Rules.
- 194 NTCA will co-fund all other residents aged 24 years and older for provision up to and including a Level 2. Where residents are employed the low wage flexibility may apply as set out in the Funding Contributions Table 2.
- 195 NTCA will fund qualifications from the level 3 FCfJ offer, or above, if learners do not have a full level 3 qualification and they meet the eligibility criteria set out in the level 3 FCFJ offer

English for Speakers of Other Languages (ESOL)

- 196 NTCA will fully-fund individuals aged 19 and over on the day they start their ESOL learning aim where they are unemployed, as set out in Funding Contributions Table 2.
- 197 NTCA 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. Please refer to the Funding Contributions Table 2.
- 198 NTCA will fund ESOL learning up to and including level 2.
- 199 Providers offering ESOL qualifications may need to deliver additional learning to individual residents that incurs additional cost above the qualification rate.

Learners with Learning Difficulties and/or Disabilities (LLDD)

- 200 We will fund learners with learning difficulties and/or disabilities as set out in the [Apprenticeships, Skills, and Children and Learning Act 2009](#).
- 201 We have the responsibility for securing the provision of reasonable facilities for education and training suitable to the requirements of persons who are 19 and over. This includes learners with an identified learning difficulty and/or disability who have previously had an education, health and care (EHC) plan and have reached the age of 25.

202 The [young people's funding methodology](#) will apply to learners aged 19 to 24, who have an EHC plan and require provision and support costs.

Learners with an Education, Health and Care (EHC) plan

203 To access provision and support costs **you must inform us before the start of the AY 2023-24 funding year** where a learner:

- has reached the age of 25 and has not completed their programme of learning as set out in their EHC plan by the end of the previous funding year; or
- will reach the age of 25 in the funding year, where their EHC plan is not extended by their local authority to allow them to complete their programme of learning.

204 The learner must:

- have an EHC plan that confirms their needs could only be met by the training organisation they are, or were, attending.
- continue to make progress on the programme of learning as set out in their EHC plan.

205 If a learner has an EHC plan, you must report this in the 'Learner funding and monitoring' fields in the ILR.

206 We will not fund learners whose EHC plan is extended by the local authority beyond their 25th birthday. The local authority must continue to provide top-up funding and contract directly with the institution.

Prince's Trust Team Programme

207 The Prince's Trust Team Programme is a 12-week course designed to improve confidence, motivation and skills for eligible 16 to 25 year-olds. Each 'team' recruits a mix of 16 to 25 year-olds of different abilities and backgrounds, including employees sponsored by their employer. Providers in partnership with the Prince's Trust run and manage it on a local basis.

208 In order to deliver the Team programme, you must get approval from the Prince's Trust. For eligible learners aged 19 to 25, NTCA fund the Team programme through NTCA AEB funding methodology.

209 Please also refer to the Prince's Trust section in the [ESFA Funded AEB Funding Rates and Formula 2023-24](#)

Sector-based Work Academy Programme (SWAP)

Please note: SWAP provision **forms part of AEB funding allocations** and is not additional to providers AEB funding allocations in AY 2023-24.

210 The [sector-based work academy programme](#) 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.

211 SWAPs can last up to 6 weeks and have 3 main components:

- pre-employment training that is relevant to the needs of the business and sector;
 - a work experience placement, of benefit to both the individual and business; and
 - a guaranteed job interview linked to the employer vacancy.
- 212 Participants remain on benefits throughout their placement. Only the pre-employment training element in can be funded through AEB, and normally lasts 2-3 weeks.
- 213 Jobcentre Plus fund the other components and will pay any travel and childcare costs whilst claimants are on the work experience placement.
- 214 Sector-based Work Academy Programmes can operate in all sectors (not just those in growth) – as long as vacancies in sectors relating to the pre-employment training are available in that locality.
- 215 Participants must be aged 19+, placements are particularly useful for young people but are open to all jobseekers aged 18 upwards.

SWAP pre-employment training (fully funded for unemployed learners)

- 216 You must plan to deliver both the pre-employment training and a work experience placement aligned to a guaranteed job interview with a named employer with a written agreement in place with Jobcentre Plus in order to claim a Sector-based Work Academy Programme outcome.
- 217 If pre-employment training leads to a qualification, you must offer the qualification from an Ofqual-regulated awarding organisation.
- 218 Pre-employment training must focus on activities that will help progression to an apprenticeship and/or sustainable employment. Addressing the employability needs of the Learner could include writing CVs, preparing for interviews, searching for jobs and developing interpersonal and communication skills.
- 219 You can offer activities, including appropriate technical qualifications and skills required by the local labour market, that will help the Learner move into work or remove a barrier to them entering work.
- 220 To claim full funding for claimants referred to Sector-based Work Academy Programme pre-employment training, you must use LDM code 375 and complete the Benefit Status Indicator (BSI) to identify the claimant is in receipt of Jobseeker's Allowance (BSI 1), Universal Credit (BSI 4), or Employment and Support Allowance (all categories) (BSI 5).

SWAP Work Placement

- 221 A work experience placement in a business will enable participants to develop their skills and have the opportunity to work in a realistic environment.
- 222 The main principle to supporting participants during the placement should be to treat them as regular employees as far as possible whilst they remain on benefits, but also recognising that they may initially need additional coaching and supervision from the employer, their Jobcentre Plus Work Coach and the training Provider.

223 In preparing learners for the work experience placement, providers will be expected to cover the following areas:

- explain what learners need to do on their work experience placement;
- provide an overview of the business, including its values and culture, for induction purposes;
- explain standard workplace practices such as security procedures, dress code, sick leave and absences and break times; and
- Confirm times and days agreed for the learner to undertake the work experience placement.

SWAP guaranteed job interview

224 A guaranteed job interview is a fundamental expectation of the programme to be agreed with the employer at the outset of the programme. This will provide participants with valuable interview experience.

225 There must always be a clear route to a job vacancy. There does not have to be a job vacancy for every participant on the programme, but there must be a realistic chance of participants getting a job. The participant is offered a guaranteed job interview but not a guarantee of a job.

Job outcome payments (All qualifications and programmes)

226 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:

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

Section 5 – Devolved AEB Funding Flexibilities

NTCA Funding Flexibilities

- 227 Devolution of AEB provides an opportunity to make commissioning decisions on an area focused and forward-looking basis. It enables NTCA to offer funding flexibilities to meet the needs of residents and businesses and allow a quick response to changes in the labour market whilst supporting residents who may need additional support to access learning or employment.
- 228 NTCA will support the following funding flexibilities in AY 2023 - 2024
- Fully fund English and maths qualifications for unemployed residents who are assessed as functioning at Level 1 or below, regardless, or prior attainment in these subjects.
 - Fully fund a non-accredited digital learning aim providers can utilise to deliver 'essential digital skills' for residents.
 - Fully fund accredited English ESOL qualifications for eligible asylum seekers.
 - Fully fund a non-accredited learning aim for activity at the beginning of a learner's programme to support with wellbeing e.g., confidence building, motivation and resilience, to help retain learners on their programme.
- 229 More detail on the funding rules and how to record these flexibilities in the ILR is available in Annex 6.

NTCA Work Placement Funding

- 230 In addition to the flexibilities outlined above, NTCA will fully fund individuals for a work placement who meet the criteria in the [Who NTCA will fund](#): section where they:
- are aged **19 to 24** within AY 2023 to 2024; and
 - enrol on one or more learning aims from the AEB core offer, for example English and maths or digital entitlements or a vocational qualification listed on [Find a learning aim](#)
- 231 A learner's work placement must take place with an employer and allow the learner to develop new workplace knowledge, skills and behaviours. In total, the work placement element must be at least 70 hours and a maximum of 240 hours, and it must not be virtual or be simulated learning in an artificial environment.
- 232 A learner can have separate work placements in different organisations. These must last at least 2 weeks with each employer, and at least 70 hours in total with each placement supporting progression linked to their learning plan.
- 233 For learners on Jobseeker's Allowance or Universal Credit, work placements can be between 70 to 240 hours.
- 234 A learner who is undertaking work experience as part of a SWAP **must not be funded through the 19 to 24 work placements.**

235 For eligible learners aged 19 to 24 the work placement will be funded through the ESFA’s AEB funding methodology as set out in the table below, with further information available in the [AEB funding rates and formula document](#).

Length of work placement (hours)	Funding Rate
1 - 8 hours	£50
9 – 16 hours	£100
17 – 24 hours	£150
25 – 32 hours	£150
33 – 40 hours	£150
41 – 80 hours	£450
81 – 120 hours	£724
121 – 160 hours	£724
161 – 200 hours	£1265
201 – 240 hours	£1265

236 Providers must use learning aims that are marked with category code 66 – Adult Education Budget – Work Placement.

237 The employer must offer at the end of each work placement (which you must evidence) either a formal interview for a job or apprenticeship vacancy, plus feedback, or an exit interview, written feedback and evidence of the learner’s time and activities during the work placement.

Funding for developing innovative provision

238 As part of the commitment to reforming FE funding and accountability, outlined in The Skills for Jobs White Paper, the ESFA has introduced a new flexibility which enables eligible providers to earn up to 3% of their AEB allocation on the development of innovative provision. The purpose of this flexibility is to encourage local innovation and to support eligible providers to be able to develop new provision, in partnership with local employers and others.

239 **NTCA is adopting a similar approach to devolved AEB in our region. This flexibility is only available to providers with a Grant Funding Agreement. Please note this flexibility must be afforded through your Grant Allocation – it is not additional funding.**

240 To be eligible to utilise up to 3% of your NTCA Grant Funding allocation for the development of innovative provision you must:

- Be in receipt of a Grant Funding Agreement over £500,000 for NTCA’s devolved AEB
- Have delivered NTCA formula funded AEB provision in AY 2021 to 2022, excluding Free Courses for Jobs and Community Learning
- Have a Community Learning allocation of less than 20% of your adult skills funding

241 **Please note:** If you are eligible, you must set out a detailed proposal and submit this for approval to NTCA prior to committing any of your allocation to developing innovative provision.

242 We expect that provision developed using this flexibility reflects the priorities outlined in the [NTCA Strategic Skills Plan](#) – Opportunity for All, and/or priorities identified in the

Local Skills Improvement Plan (LSIP) for the North of Tyne region.

- 243 You have the flexibility to use all, or some, of the 3% of your AEB allocation and you must use this flexibility to fund the development costs of establishing **new provision**. This can include:
- research and developments costs – to support work with large employers and/or local SME/micro businesses to scope and develop non-accredited provision bespoke to that employer
 - project management costs – to support the costs of overseeing the project development and setting up of new non-accredited provision. It could also cover the staff costs of developing and preparing new qualifications for submission to DfE/awarding bodies approval processes
 - training for the trainer – developing training for teaching staff to be able to deliver provision in new and emerging sectors such as the low carbon economy
- 244 You must be able to demonstrate that the above activity has been delivered and ensure you clearly document and retain records as evidence of the complete breakdown of costs that have been incurred and paid on the total 3%.
- 245 This evidence may well form part of the documentation comprised of your normal financial systems and processes which clearly demonstrates the different costs specifically spent from this funding such as direct costs (such as invoices, expenses), personnel costs (such as payroll, time records) and any indirect costs (how these have been calculated).
- 246 Your spend may also have been subject to an audit from your own statutory or internal auditors, in which case assurance of spend may be accepted where this can be evidenced from audit reports/audit committee minutes. We will recover funding that is not duly spent, recorded, and evidenced as above, or duly assured by your auditors and evidenced from relevant audit reports, or evidenced from formal audit committee minutes, as stated above.
- 247 If your proposal is approved you will be required to submit a funding claim to NTCA and relevant guidance will be published later in the year.
- 248 You must not use this flexibility to claim:
- funding for learners, including those where new provision is being piloted
 - for any capital costs, building/estates refurbishments, maintenance and restoration

Section 6 – Support Funding

Learning Support

NTCA extension of learning support across all providers

- 249 NTCA have made use of the flexibilities afforded by devolution of AEB in relation to supporting providers with the impact of the COVID-19 and cost of living crisis. During AY 2023-24 we are extending the use of learning support allocations across all providers. Previously only providers with grant funding agreements had an allocation for learning support, which was based on 'historical' delivery through the ESFA.
- 250 We are extending learning support allocations to procured Contract for Service providers, enabling them to utilise up to 5% of their existing allocations for learning support. We will also enable providers with grant funding allocations to increase 'historical' learning support expenditure in direct response to the pandemic.
- 251 COVID-19 and the cost of living crisis has highlighted inequalities across our region with our most disadvantaged residents being impacted more severely in terms of health, access to jobs, services or education and training. Learning support allocations are designed to specifically address this disadvantage and remove barriers to learning.

Learning Support Evidence Requirements

- 252 Learning support must not be used to deal with everyday difficulties that are not directly associated with a resident's learning on their programme.
- 253 You must:
- carry out a thorough assessment to identify the support the resident needs;
 - agree and record the outcome of your assessment in the resident file;
 - record all outcomes on the resident file and keep all evidence of the assessment of the needs, planned and actual delivery;
 - report in the ILR that a NTCA 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.
- 254 You can claim learning support at a fixed monthly rate if you report it in the ILR. You must use NTCA Earnings Adjustment Statement (EAS) if your costs exceed this monthly rate and you must keep evidence of these costs.
- 255 You can claim learning support funding if learning continues past the planned end date and the learner needs continued support.

Exceptional learning support claims above £19,000 and significant Excess learning support claims

- 256 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).

- 257 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.
- 258 To claim ELS for a learner aged 19 to 24 you must confirm why the individual does not have an EHC plan. This should be a letter or email from the learner's local authority stating the reasons(s) why the individual does not need an EHC plan.
- 259 When you claim ELS (Exceptional or Excess) you must explain why you have claimed the amount you have, which would be linked to the learner's assessment and planned learning support claim. You must only claim amounts for your costs of providing the support to the learner and not include any indirect costs or overheads.

Learner support (Grant Funding Agreements)

- 260 Learner support is available to providers with AEB Grant Funding Agreements to provide financial support for learners with a specific financial hardship preventing them from taking part / continuing in learning. Before you award support to a learner, you must identify their needs within the following 'categories'.
- Hardship funding – general financial support for vulnerable and financially disadvantaged learners to support participation.
 - 20+ childcare funding – for learners aged 20 or older on the first day of learning who are at risk of not starting or continuing learning because of childcare costs.
 - ICT devices and connectivity – to support disadvantaged learners who cannot undertake online delivery
- 261 You must not claim more than **5%** of your total Learner Support final claim as administration expenditure.
- 262 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.
- 263 You must:
- have criteria for how you will administer and distribute your funds; these must reflect the principles of equality and diversity and be available to learners and to us on request;
 - assess and record the learner's needs, demonstrating the need for support;
 - report the appropriate Learner Support Reason codes in the 'Learner Funding and Monitoring' fields in the ILR; This does not apply to non formula community learning
 - claim on a regular basis using the EAS (either monthly or quarterly);
 - take into account the availability of other support for learners, for example from Jobcentre Plus;

- make it clear to learners it is their responsibility to tell the Department for Work and Pensions (DWP) about any learner support they are receiving from you, as learner support payments may affect their eligibility to state benefits.

264 You must not use learner support funds for any of the following:

- essential equipment or facilities if the learner is eligible to full funding. However, these learners can get support funding for childcare, transport and residential costs;
- a learner in custody;
- a learner carrying out a higher education course or learning aims fully funded from other sources;
- to pay weekly attendance allowances or achievement and attendance bonuses.

Hardship

265 You can use hardship funds for the following:

- course-related costs, including course trips, books and equipment (where costs are not included in the funding rate),
- support with domestic emergencies and emergency accommodation;
- transport costs (but not make a block contribution to post-16 transport partnerships or routinely funded transport costs covered in the local authority's legal duty for learners of sixth-form age).
- examination fees;
- accreditation fees, professional membership fees and any fees or charges due to external bodies (please see paragraph 226.1)
- your registration fees.

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

267 If an asylum seeker is eligible for provision, you may provide learner support in the form of course-related books, equipment, or a travel pass.

Learners aged 20 and above

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

269 You must not use childcare funding to:

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

- fund childcare for learners aged under 20 on the first day of learning; instead, you must direct them to the 'Care to Learn' programme.
- 270 You must not use childcare for those aged 20 years or older to top up childcare payments for those receiving 'Care to Learn' payments.

Section 7 - Community Learning

- 271 This section only applies to providers with a non-formula funded community learning allocation.
- 272 The purpose of Community Learning is to develop the skills, confidence, motivation and resilience of adults of different ages and backgrounds in order to:
- progress towards formal learning or employment and/or
 - improve their health and well-being, including mental health and/or
 - develop stronger communities

The Community Learning objectives set out in Annex 5, ask you to widen participation and transform people's destinies by supporting progression relevant to personal circumstances. We would expect you to encourage and support all learners to progress onto new or more stretching provision to help them into more formal learning or employment. We would not expect to see multiple enrolments on similar level courses, or a repeat of similar learning aims where this does not benefit the learner's development.

- 273 Community Learning Courses are delivered and reported on the ILR under the 7 delivery strands.
- Engaging and/or building confidence.
 - Preparation for further learning.
 - Preparation for employment
 - Improving essential skills (English, including English for Speakers of Other Languages, maths and digital provision).
 - Equipping parents/carers to support children's learning
 - Health and well-being
 - Developing stronger communities

274 Please note, non-formula Community Learning funding follows funding model 10.

Non-formula Community Learning funding

- 275 Where applicable, AEB Grant allocations could include an amount of non-formula community learning funding. NTCA state this value in your NTCA Delivery Plan and Payment Profile.
- 276 Non-formula community learning funding is paid on a monthly payment 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 learning support, see Section 6. You must record these costs in the resident's learning plan.
- 277 Non-formula community learning funding will be reconciled against the community learning allocation line at the end of the funding year.
- 278 If NTCA fund you through a Grant 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.
- 279 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:
- follow NTCA funded AEB formula-funded methodology and submit ILR data under funding model 35
 - enrol residents following NTCA funded AEB eligibility requirements,
 - you must not use your non-formula community learning local fee remission policy
- 280 You must not use non-formula community learning funding for learning that is eligible for funding through an advanced resident loan.

Local fee remission policy

- 281 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.
- 282 Your local fee remission policies must be available on your website and/or in the venues you deliver community learning to eligible residents.

Partnership working

- 283 Partnership working underpins the community learning objectives and is critical to developing and delivering an effective community learning offer in a given locality.
- 284 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, schools and voluntary and community sector (VCS) organisations.
- 285 NTCA expect you to work with other providers in your local area who may be in receipt of non-formula community funding. NTCA 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.

- 286 NTCA will work with providers to ensure the appropriate balance of investment occurs between economic skills development and social value.

Section 8 – Subcontracting

Subcontracting overview

- 287 Your governing body or board of directors (or equivalent) and your accounting officer (senior responsible person) must be satisfied that all your delivery subcontracting meets your strategic aims and enhances the quality of your learner offer. You must set out the reasons for subcontracting in your published supply chain fees and charges policy to reflect your strategic aims. You must be able to evidence this through means such as minutes of meetings and written sign-off.
- 288 Your subcontractor(s) do not need to register with NTCA, however, we expect full due diligence checks to be undertaken by you and all subcontracted provision to be declared to NTCA for agreement, prior to the commencement of any delivery by the Subcontractor.
- 289 Subcontracts of all values will be declared and published once agreed by NTCA. If your organisation does not apply a rigorous subcontracting due diligence process, we will review your funding arrangements and may limit your ability to subcontract provision.
- 290 You must not subcontract to meet short-term funding objectives.
- 291 You must only use delivery subcontractors:
- if you have the knowledge, skills and experience within your organisation to successfully procure, contract with and manage those subcontractors and can evidence this with the CVs of relevant staff;
 - who your governing body/board of directors (or equivalent) and your accounting officer (senior responsible person) determine as being of high quality and low risk and provide written confirmation evidence;
 - if you have robust procedures to ensure subcontracting does not lead to the inadvertent funding of extremist organisations;
 - you are responsible for all the actions of your delivery subcontractors connected to, or arising out of, the delivery of the services which you subcontract.
- 292 All subcontracted Providers must have a valid UKPRN number.

Selection and procurement

- 293 You must get our written approval before awarding a subcontract to a delivery

subcontractor and keep evidence of this. We may place restrictions on your future use of AEB delivery subcontractors if approval is not sought and agreed prior to delivery taking place.

- 294 When appointing delivery subcontractors, you must avoid conflicts of interest and you must write to us about any circumstances (for example, where you and your proposed subcontractor have common directors or ownership) which might lead to an actual or perceived conflict of interest.
- 295 You must carry out your own due diligence checks when appointing delivery Subcontractors and have both the process and the results available for inspection by us.
- 296 You must ensure any delivery subcontractor you appoint continues to meet the requirements of your due diligence procedures and that you provide them with all the necessary support.
- 297 You must make sure that learners supported through subcontracting arrangements know about you and your delivery subcontractor's roles and responsibilities in providing the learning.
- 298 Terms that you must include in contracts with delivery subcontractors. You must make sure your delivery subcontractors:
- meet the requirements set out in these funding rules
 - provide you with ILR data so your data returns to us accurately reflect your subcontractor's delivery information
 - give us, and any other person nominated by us, access to their premises and all documents relating to NTCA AEB funded provision
 - always have suitably qualified staff available to provide the education and training we fund through the AEB
 - co-operate with you to make sure there is continuity of learning if the subcontract ends for any reason
 - tell you if evidence of any irregular financial or delivery activity arise.

Monitoring

- 299 You must manage and monitor all of your delivery subcontractors to ensure that high-quality delivery is taking place that meets our funding rules.
- 300 You must carry out a regular and substantial programme of quality-assurance checks on the education and training provided by delivery subcontractors, including visits at short notice and face-to-face interviews with staff and learners. The programme must:
- include whether the learners exist and are eligible
 - involve direct observation of initial guidance, assessment, and delivery of learning programmes.

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

- 302 You must also tell us the actual level of funding paid and retained for each of your delivery subcontractors in AY 2023-2024. You must supply this information as part of your delivery plan and payment profile. We may publish the information on NTCA website at our discretion.

Second-level subcontracting

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

Subcontracting and consortia

- 304 As part of agreeing your NTCA Delivery Plan and in advance of your Contract/Grant start date, you will have provided information on the use of subcontractors through a subcontractor declaration.

- 305 We understand that business changes and that there may be cases where you want to take on new delivery partners in year and we would expect to see a clear rationale for this decision. We would want to understand particularly how this provision would enhance the offer to residents and see alignment to NTCA priorities.

- 306 Any proposals to use new subcontractors need to be approved by NTCA through a business case prior to any new starts with the subcontractor.

Annex 1: Glossary

Name	Description
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 adult funding methodology on the GOV.UK
Advanced resident loan	Advanced resident 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.
Academic Year (AY)	The academic year is from the 1 st August to 31 st July
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
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.
Contract for Services	Any call-off contract/s for services awarded to a provider who, following a procurement process, has been appointed to NTCA's adult education framework for services
Delivery Plan (NTCA)	All providers intending to deliver AEB to NTCA residents are required to submit a Delivery Plan to NTCA. This plan allows NTCA to appraise the provider in terms of suitability to deliver to NTCA residents.

Name	Description
Digital Entitlement	The study of Essential Digital Skills 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 NTCA 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.
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 Annex 4 for more information.
English for Speakers of Other Languages (ESOL)	The study of English by speakers of other languages.
European Social Fund (ESF)	The ESF is a structural fund from the European Union. It improves the skills of the workforce and helps people who have difficulties finding work. NTCA is a co-financing organisation for the ESF.
Evidence pack	A collection of documents and information brought together to form a single point of reference relating to learning that is taking place. This must provide evidence to prove the learner exists, is eligible for funding, the planned learning to be provided, and that learning has been delivered.
Exceptional Learning Support (ELS)	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.
Find a learning aim	Find a learning aim provides online services where can search all learning aims, components of qualifications, apprenticeship frameworks and standards along with their validity and funding details.

Name	Description
Full Level 2	<p>The following qualifications are designated full at level 2:</p> <ul style="list-style-type: none"> • a General Certificate of Secondary Education in five subjects, each at grade C or above, or grade 4 or above • a Technical Certificate at level 2 which meets the requirements for 16 to 19 performance tables
Full Level 3	<p>The following qualifications are designated full at level 3:</p> <ul style="list-style-type: none"> • a General Certificate of Education at the advanced level in two subjects • a General Certificate of Education at the AS level in four subjects • a QAA Access to Higher Education (HE) Diploma at level 3 • a Tech level; or applied general qualification at level 3 which meets the requirements for 16 to 19 performance tables
Full or co-funding indicator	Indicates whether a learning aim is fully funded or co-funded in Adult Skills or Other Adult Funding.
Functional skills	Applied practical skills in English, maths and ICT that provide the 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 NTCA and providers who receive funding for education and skills training. This can be a Grant Funding Agreement or a Contract for Services.
Funding year	NTCA adult funding system operates on a funding year basis, which starts on 1 August and finishes on 31 July.
Grant Funding Agreement	The funding agreement in place between NTCA and an organisation who are in receipt of funding from NTCA to deliver AEB provision (Note - this is different from a Contract for Services)

Name	Description
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.
Find a learning aim	Find a learning aim provides online services where can 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 2022/2023, NTCA will continue to utilise the ESFA ILR to record all outputs for NTCA residents. All providers delivering NTCA AEB must complete all relevant ILR details and send this to the ESFA. The ESFA will then validate the provider’s data and forward NTCA the ILR for NTCA residents.
Job outcome payments	Payments made for residents who are unemployed at the start of learning who cease learning to take up a job
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.
Learning or learning aims	Refers to all adult learning that NTCA 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 planned end date	The date entered onto the individualised resident record (ILR) when the resident is expected to complete their learning.

Name	Description
Local flexibility	Regulated qualifications, and/or their components, and non-regulated learning that NTCA 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 Find a learning aim
Non-regulated learning	<p>Learning which is not subject to awarding organisation external accreditation in the form of a regulated qualification. It may be designed, delivered and certificated by a provider or another organisation. This could include:</p> <ul style="list-style-type: none"> • independent living skills and engagement learning • employability and work skills • labour market re-entry • technical education tasters • community learning
NTCA	North of Tyne Combined Authority
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.
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 NTCA 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 updated RARPA Guidance . 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 The Learning and Work Institute .

Name	Description
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.
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.
Relationship and Contract Manager	Every provider approved to deliver AEB to NTCA residents is assigned a Relationship and Contract Manager 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 NTCA.
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	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. NTCA 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 statutory entitlement to education and training allows residents to be fully funded who are aged: <ul style="list-style-type: none"> • 19 and over, who have not achieved a Grade A*-C, grade 4, or higher, and study for a qualification in English or maths up to and including level 2, and/or • 19 to 23, if they study for a first qualification at level 2 and/or level 3

Name	Description
Subcontractor	A separate legal entity that has an agreement with you to deliver any element of the education and training NTCA fund. A separate legal entity includes companies in your group, other associated companies and sole traders. It also includes individuals who are self-employed or supplied by an employment agency, unless those individuals are working under your direction and control, in the same way as your own employees. The term subcontractor will also apply to any partnership work you have where your staff and/or provision is managed by another partner/institution. NTCA will consider this a type of subcontracting arrangement, and as such, will require all relevant detail on your NTCA Delivery Plan for approval and review at relevant Performance Meetings. This arrangement must also be identified in the ILR using the Partner UKPRN Field
Submit Learner Data	Submit Learner Data is the online portal for providers to submit ILR data to the ESFA.
UK Provider Reference Number	A unique identifying number given to all providers by the UK register of learning providers.
Unique resident number	A 10-digit number used to match a resident's achievement to their personal learning record (PLR).
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 young people's funding methodology on the GOV.UK Website.

Annex 2 - Data submissions

- 1 As a provider you must have the capacity and capability for accurate data and evidence collection, management and reporting, and must be able to comply with both NTCA and the ESFA submission of data, including, but not limited to, the Individualised Learner Record (ILR) and/or Earnings Adjustment Statement (EAS) and any associated evidence, with prompt changes to learner data e.g., withdrawals from learning.
- 2 Providers must ensure that all documentation relating to the enrolment of NTCA residents, and the record of learning activity is completed accurately. ILR data submitted for NTCA residents will continue to be sent to the ESFA through [Submit Learner Data](#).
- 3 ILR files will be validated at the point of transmission against both definitions and validation rules. If any data fails the validation checks, then the learner record and all associated records for that learner will be rejected. Rejected records are not loaded into the national ILR database and so do not generate funding; these records are reported on the rule violation report. This will ensure that the data received by NTCA is accurate and complete as the basis for payment.
- 4 As part of our assurance work, NTCA will be monitoring the data you submit to the ESFA from the ILR and the EAS. NTCA will carry out regular desktop reviews of how the national funding system and NTCA funding rules are operating, allowing us to identify possible errors in the devolved AEB funding claimed for NTCA residents by providers, which might require further investigation.
- 5 In addition, NTCA will expect providers to regularly review their software systems and processes to check for data accuracy. For AY 2023-24 you will continue to be able to access the ESFA systems, these are: the [Funding Information System \(FIS\)](#); [Find a learning aim](#) Individual Learner Record Reports; and the [Provider Data Self-Assessment Toolkit \(PDSAT\)](#).

Individual Learner Record (ILR)

- 6 You should also refer to the ESFA ILR specification and provider manual for AY 2023-2024, and any other relevant documents referred to in those documents.
- 7 As a provider delivering provision to NTCA residents, you will be required to complete the ILR in the AY 2023-24. The ESFA will continue to hold ILR data in a single national data set.
- 8 Providers must upload its ILR data via the ESFA and cannot submit the data directly to NTCA.
- 9 Providers should refer to the to the [Submit learner data service](#) to assist them with uploading the data correctly and in the format required by the ESFA. The ESFA will validate this data in line with their validation rules prior to it being forwarded to NTCA. If the details for the learner do not pass the ESFA validation, it will not be received by NTCA and will not generate funding. Further guidance can also be found in the [ESFA Provider Support Manual 2023-24](#).
- 10 Fields which will be included in the ILR for AY 2023-24 to deal with devolved provision will include:
 - 10.1 Source of Funding code (SOF) - to enable providers to identify the funding agreement/ Contract supporting NTCA residents. (SOF- NTCA 117)
 - 10.2 A set of Devolved Area Monitoring (DAM) Codes – these are new learning aim monitoring fields. Each aim can be flagged with up to four DAM codes but in most

instances one DAM code will be required.

- 10.3 Learner start date postcode - This is an important field and should record the postcode of the resident whilst undertaking their programme of learning, establishing that the learner has a NTCA postcode.
- 11 Data recorded on the ILR return will continue to be used to calculate funding earned by providers and will enable NTCA, as part of its performance management arrangements, to compare actual volumes and earnings against your agreed delivery plan as part of your Contract for Services/Grant Funding Agreement.
- 12 The data gathered through the ILR will enable the ESFA to generate Occupancy and Funding Summary Reports for both providers and NTCA. These will confirm that the learning aim is valid, run the funding calculation and confirm the actual funding earned. It will also be used to monitor progress against payment profiles.
- 13 ILR data must be sent to the ESFA by uploading a file in XML (extensible mark-up language) format to ESFA's secure online portal, [Submit Learner Data](#), in line with the dates in the ILR returns calendar.
- 14 If you do not have an MI system capable of generating an XML file, then you should use the ESFA ILR Learner Entry Tool which will enable you to create an ILR file for upload to [Submit Learner Data](#) ESFA and NTCA recommend uploading the data as compressed files. The file must contain all Learner records, Learning Delivery records and Learner Destination and Progression records for all NTCA funded residents for the year to date.
- 15 As a provider, you must submit a single file containing all your learner, learning and destination records for all AEB funding for the year to date. Each file overwrites all previously submitted records by you. This means that you cannot split the data into separate files and transmit each file separately. You cannot send records for learners funded from different funding models in separate files, as these will overwrite one another.
- 16 Destination and Progression data cannot be sent in a separate file to Learner and Learning Delivery data: doing so would cause the Learner and Learning Delivery records to be deleted from the ILR database. Once you submit a file to [Submit Learner Data](#) it cannot be deleted. If the file contains incorrect data this can only be corrected by submitting another ILR file.

ILR timeliness requirements

- 17 ILR Data is required monthly from all providers:
 - 17.1 New starts must be reported within 2 reporting months of their start date
 - 17.2 Withdrawals must be reported within 2 reporting months of their withdrawal date
 - 17.3 Achievements must be reported within 3 reporting months of the point of achievement

Annex 3 – Eligibility for funding

This Annex sets out the countries falling within the below categories as referenced in Residency Section

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.

The table below 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.

Denmark	The following is part of Denmark: Greenland Faroe Islands
Finland	The following is part of Finland and the EU: Aland islands
France	The following is part of France and the EU: the French Overseas Department (DOMS) (Guadeloupe, Martinique, French Guiana (Guyana), Reunion and Saint-Pierre et Miquelon) The following is part of France: New Caledonia and its dependencies French Polynesia Saint Barthélemy
Germany	The following is part of Germany and the EU: Tax-free port of Heligoland
Netherlands	The following is part of the Netherlands: Antilles (Bonaire, Curacao, Saba, St Eustatius and St Maarten) Aruba
Portugal	The following is part of Portugal and the EU: Madeira The Azores
Spain	The following is part of Spain and the EU: the Balearic Islands, the Canary Islands, Ceuta Melilla

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

Annex 4 – Further Links to information regarding Residency

1. Persons with the right of abode have the right to live and work in the UK without any immigration restrictions. Further details can be found here: [Prove you have right of abode in the UK.](#) ↵
2. This refers to the 7-year offer for UK nationals in EEA and Switzerland. More info on the 7-year offer can be found here: [UK nationals in the EEA and Switzerland: access to higher education and 19+ further education.](#) ↵
3. Further information, can be found here: [Apply for an EU Settlement Scheme family permit to join family in the UK: Apply if you're joining a person of Northern Ireland.](#) ↵
4. This includes Afghans eligible under the Afghan Relocation and Assistance policy (formally known as Locally Engaged Staff under the intimidation policy). ↵
5. A child of a person who has received leave under section 67 of the Immigration Act 2016 will come under this bullet point where they have been granted “leave in line” by virtue of being a dependent child of such a person. ↵
6. A child of a person who has received Calais leave to remain will come under this bullet point where they have been granted “leave in line” by virtue of being a dependent child of such a person. ↵

Annex 5: Community learning objectives

This section only applies to Grant Funded providers with a non-formula community learning allocation

The purpose of community learning is to develop the skills, confidence, motivation and resilience of adults of different ages and backgrounds in order to:

- progress towards formal learning or employment and/or
- improve their health and well-being, including mental health and/or
- develop stronger communities

The community learning objectives, set out in this Annex ask you to widen participation and transform people's destinies by supporting progression relevant to personal circumstances. We would expect you to encourage and support all learners to progress onto new or more stretching provision to help them into more formal learning or employment. We would not expect to see multiple enrolments on similar level courses, or a repeat of similar learning aims where this does not benefit the learner's development.

Community Learning objectives include:

- focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills
- widen participation and transform people's destinies by supporting progression relevant to personal circumstances, including:
 - improved confidence and willingness to engage in learning
 - acquisition of skills preparing people for training, employment or self-employment
 - improved digital, financial literacy and/or communication skills
 - parents/carers better equipped to support and encourage their children's learning
 - improved/maintained health and/or social well-being
- develop stronger communities, with more self-sufficient, connected and pro-active citizens, leading to:
 - increased volunteering, civic engagement and social integration
 - reduced costs on welfare, health and anti-social behaviour
 - increased online learning and self-organised learning
 - the lives of our most troubled families being turned around
- commission, deliver and support learning in ways that contribute directly to these objectives, including:
 - bringing together people from backgrounds, cultures and income groups, including people who can/cannot afford to pay
 - using effective local partnerships to bring together key providers and relevant local agencies and services
 - devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer
 - involving volunteers and voluntary and community sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and

- encouraging employers to support informal learning in the workplace
- supporting the wide use of online information and learning resources
 - minimising overheads, bureaucracy and administration

Annex 6 – NTCA Funding flexibilities - Funding Rules and ILR Coding

Please note these funding flexibilities can only be used to support NTCA residents and should be read alongside NTCA Payment and Performance Management Rules (PPMR)

1. Fully funded English and maths qualifications for unemployed residents who are assessed as functioning at Level 1 or below, regardless of prior attainment.	
Funding Model:	Adult Skills – Funding Model 35
Usage:	<p>Providers and employers report a significant barrier to learning and employment opportunities can be a lack of basic skills in English and maths. Under the current NTCA funding rules, residents with an existing qualification in English and maths are not entitled to provision to ‘brush up’ their skills or gain updated qualifications.</p> <p>This flexibility has been introduced to enable NTCA providers to fully fund <u>unemployed</u> residents for approved⁴ English and maths qualifications if they are assessed as functioning at Level 1 or below regardless of prior attainment in English and maths.</p> <p>Providers must:</p> <ul style="list-style-type: none"> • 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 curriculum. • 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. • enrol the resident on a level above that at which they were assessed and be able to provide evidence of this. • deliver ongoing assessment to support learning. • record the evidence of all assessment outcomes in the evidence pack. <p>This flexibility, introduced for new starts from 19th January 2022 will be extended to 31st July 2024.</p>
DAM code:	<p>Please note: If a learner is eligible for this flexibility you will need to select the fully funded indicator on the ILR and use DAM code 023 for the learning aim to be fully funded. DAM code 040 must be used to enable NTCA to monitor use of this learning aim in the ILR.</p>

⁴ Approved Qualifications:

- GCSE English language or maths
- Functional Skills English or maths from Entry to level 2
- Stepping-stone qualifications (including components, where applicable) in English or maths approved by the Department for Education (DfE) and ESFA.

2. Extended digital offer to fully fund a non-accredited digital learning aim to enable providers to deliver ‘essential digital skills’ for residents.	
Learning Aim Title: Essential Digital Skills	
Learning Aim Code: Z0009614	
Funding Rate: £300	Funding Hours: Minimum 12 GLH
Programme Weighting: A-Base (Unweighted)	
Funding Model:	Adult Skills – Funding Model 35
Usage:	<p>This learning aim can be utilised to provide practical digital skills related to on-line banking, paying bills, shopping, or keeping in touch with friends/family online etc. These skills have proved essential during the COVID-19 crisis and will continue to be required into recovery. We wish to extend the digital offer through devolved AEB in NTCA and fully fund a non-accredited digital learning aim that providers can utilise to deliver ‘essential digital skills’ for residents.</p> <p>NTCA will fully-fund individuals, including individuals who are employed, aged 19 or older, assessed at below level 1, on the day they start for this learning aim.</p> <p>Providers must:</p> <ul style="list-style-type: none"> • carry out an initial assessment using current assessment tools based on the national standards for essential digital skills • enrol the learner on a programme of learning a level above that at which they were assessed and be able to provide evidence of this • deliver ongoing assessment to support learning • record the evidence of all assessment outcomes in the evidence pack. <p>Providers may use the Recognising and Recording Progress and Achievement (RARPA) model to monitor, review and measure the quality and outcomes from this non-regulated provision.</p> <p>This flexibility, introduced for new starts from 19th January 2022 will be extended to 31st July 2024.</p>
DAM code:	<p>DAM code 040 must be used to enable NTCA to monitor use of this learning aim in the ILR.</p> <p>If a learner is eligible for this flexibility and full funding, you will need to select the fully funded indicator on the ILR and use DAM code 023 for the learning aim to be fully funded.</p>

3. Fully funded accredited ESOL qualifications for eligible asylum seekers	
Funding Model	Adult Skills – Funding Model 35
Usage:	<p>This flexibility only applies to Providers who are already delivering Formula Funded ESOL provision.</p> <p>Providers delivering ESOL will not receive additional funding and must work within their existing ESOL allocations for AY 2023-24.</p> <p>NTCA will agree ESOL delivery for AY 2023-24, but expect that funding being drawn down for ESOL to be the same level as for AY 2022-23.</p> <p>This flexibility does not apply to the Community Learning funded provision</p> <p>Qualifications must be approved for funding on the Learning Aims database.</p> <p>This flexibility, introduced for new starts from 1st August 2021 will be extended to 31st July 2024.</p>
DAM code:	<p>If a learner is eligible for this flexibility, you will need to select the fully funded indicator on the ILR and use DAM code 023 for the learning aim to be fully funded.</p> <p>DAM code 040 must be used to enable NTCA to monitor use of this flexibility in the ILR.</p>

4. Fully funded non accredited learning aim	
Learning Aim Title: NTCA Engagement Support	
Learning Aim Code: Z0009700	
Funding Rate: £100 Funding Hours: 2 to 12 hours	
Funding band hours: 2 to 12 hours	
Programme Weighting: A-Base (Unweighted)	
Funding Model:	Adult Skills - 35
Usage:	<p>This learning aim will be valid from 1st August 2023 to 31st July 2024.</p> <p>Providers must only use this learning aim for new starts from 1st August 2023.</p> <p>The learning aim must only be used for one episode of learning.</p> <p>This learning aim can be used for activity at the beginning of a learner's programme to support with wellbeing e.g., confidence building, motivation and resilience, to help retain learners on their programme.</p> <p>Providers may use the Recognising and Recording Progress and Achievement (RARPA) model to monitor, review and measure the quality and outcomes from this non-regulated provision. All activity should have clear achievement aims for the resident and identified progression outcomes prior to commencement of learning.</p> <p>Providers must record the destination outcome of the learner in the ILR when they have completed the activity.</p>
DAM code:	<p>If a learner is eligible for this flexibility, you will need to select the fully funded indicator on the ILR and use DAM code 023 for the learning aim to be fully funded.</p> <p>DAM code 040 must be used to enable NTCA to monitor use of this learning aim in the ILR.</p>

Annex 7 – Summary of Main Changes

We have highlighted the main changes made in this document compared to the final version we published for AY 2022-23 in the table below.

Please note this is not an exhaustive list of all changes. You must refer to the main document for the definitive rules, which apply to all providers who receive devolved AEB funding from NTCA.

If you have a specific query on the funding rules, please speak to your NTCA AEB Contract and Relationship Manager.

Section	Paragraph	Change
Title of Document	NTCA Funding Rules	Performance Management will be issued as a separate document
Section 1 Residency eligibility	Residency Section paragraphs 40-79	The Residency eligibility section has been updated to reflect the ESFA changes
Section 5 NTCA Devolved AEB Funding Flexibilities	Paragraphs 227 to 248	Updated Section on NTCA Funding Flexibilities to include NTCA Work placement Funding and Funding for Innovative Provision
Section 7 Community Learning		Updated guidance with new collection arrangements via ILR for Community Learning
Annex 4 – Further Links to information regarding residency		Updated page with current links and guidance
Annex 6 – NTCA Funding Flexibilities Funding Rules and ILR Coding		Updated to included extended dates for funding flexibilities