



Department  
for Education



Education & Skills  
Funding Agency

# **Review of post-16 qualifications at level 3 and below in England**

**Process for awarding organisations to  
request retaining funding approval for a  
qualification with low or no enrolments**

**13 February 2020**

**Of interest to awarding organisations**

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## Summary

1. The withdrawal of funding approval from qualifications with low and no enrolments is part of the [review of post-16 qualifications at level 3 and below](#). We published the first stage of our public consultation on the review on 19 March 2019. In that, we set out our aspiration to develop a streamlined technical qualifications system for students aged 16 and over, built on the key principles of quality, purpose, necessity and progression, with T Levels and A levels as the qualifications of choice for those 16 to 19 year olds taking level 3 classroom-based qualifications.

2. In the consultation document we detailed our intention to secure early progress in this direction by withdrawing funding approval for qualifications with low and no publicly funded enrolments. This will help to ensure that qualifications which the government approves for funding are those for which there is demand and which provide value for students. This is a key part of streamlining and stabilising the range of publicly funded qualifications available ahead of wider reform.

3. This guidance for awarding organisations (AOs) sets out how we will withdraw funding for qualifications with low and no publicly funded enrolments. It describes the criteria, process and timescales to notify us of qualifications you (AOs) believe should continue to be approved for public funding. A process flowchart is included at Annex A.

4. At the same time as publishing this guidance we have published, on gov.uk, 2 initial lists of qualifications which, according to our data, meet our criteria as qualifications with low or no enrolments against which you (AOs) may notify us if you believe a qualification should be retained for funding according to the criteria set out in the guidance. The lists are:

- a) **a list of qualifications in scope of this review with low enrolments**, as defined at paragraph 25. We will refer to this list as the 'list of qualifications with low enrolments' for the remainder of this document. These qualifications will have public funding withdrawn from 1 August 2021 for students aged 16 and over<sup>1</sup> unless:
  - i. they are out of scope of the review of post-16 qualifications at level 3 and below and are therefore out of scope for this exercise (see paragraph 28)
  - ii. they are not in fact a qualification with low enrolments as defined at paragraph 25
  - iii. there is evidence of increased public demand for the qualification (see paragraphs 41 – 45); or
  - iv. the likely impact on students, providers of education and training, a subject or occupational sector, a local authority or a combined mayoral authority, warrants further consideration as part of the wider review (see paragraphs 46 – 57)
- b) **a list of qualifications with no enrolments** as defined at paragraph 27. We will refer to this list as the 'list of qualifications with no enrolments' for the remainder of this document. These qualifications will have public funding withdrawn from 1 August 2021 for students aged 16 and over unless they: are shown not to be in scope; not a qualification with no enrolments; or there is evidence of increased public demand (see paragraphs 41 – 45).

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<sup>1</sup> Any student that has already begun the qualification will be eligible to continue and complete the qualification

5. This guidance document applies to the lists of qualifications with low and no enrolments.
6. We will withdraw approval for public funding by adding a last date, of 31 July 2021, for new publicly funded starts. This excludes funding for qualifications taken by students aged 14 to 16 (at Key Stage 4), traineeships and apprenticeships.
7. **You will need to submit notifications to request continued public funding approval for an individual qualification by 23:59 on 27 March 2020.**

## Expiry or review date

8. This guidance will expire on 31 July 2020.

## Who is this publication for?

9. This guidance is for awarding organisations.

## Background

10. As highlighted above, our consultation on the review of post-16 qualifications at level 3 and below set out our aspiration to develop a streamlined technical qualifications system, built on the key principles of quality, purpose, necessity and progression, with T Levels and A levels as the qualifications of choice for those 16 to 19 year olds taking level 3 classroom-based qualifications.
11. We also indicated in the consultation that the majority of changes to the qualifications funding approvals process should not take place before September 2023, in line with the planned availability of all 25 T Levels, but that where early progress towards a simplified system could be achieved, we should pursue it.
12. We have confirmed that from September 2020 we will introduce a moratorium on approving new qualifications for funding in order to stabilise the publicly funded offer in advance of further reform. We published [technical guidance on the moratorium](#) in October 2019. This is in addition to the moratorium on adding qualifications to the performance tables.
13. As part of securing this early progress, we also set out our intention to withdraw funding approval from qualifications with low and no enrolments by August 2021. We have separated the process to withdraw funding approval from qualifications with low and no enrolments from the second stage consultation, which is due to be published later this year. We are doing this to ensure that the qualifications available for public funding are those for which there is demand, and to create a more streamlined landscape in advance of further reform. Doing this now also gives schools, colleges and providers of education and training enough notice about the qualifications that will have funding approval withdrawn.
14. Going forward we will conduct annual reviews of qualifications approved for public funding. As part of the annual review we will remove public funding for qualifications that have had low or no enrolments in the previous 3 years, subject to the criteria in paragraph 36.
15. The ESFA funded qualifications that are **in scope** for this first cycle of withdrawing funding approval are qualifications included in:

- a) 16 to 19 study programmes at level 3 and below
  - b) advanced learner loans at level 3 only
  - c) ESFA funded adult education budget (AEB) at level 3 and below, including the legal entitlements and local flexibility
  - d) European Social Fund (ESF) at level 3 and below
16. The following funded offers are **out of scope** for this exercise:
- a) qualifications taken by students aged 14 to 16 (Key Stage 4)
  - b) qualifications taken by students in Traineeships
  - c) mandated on-programme qualifications in apprenticeships
17. Details of the specific qualifications that are in and out of scope are at paragraph 28.
18. Mayoral Combined Authorities (MCAs) and the Greater London Authority will decide whether defunding of qualifications with low and no publicly funded enrolments will also apply in each devolved area.

## Purpose

19. This guidance sets out:
- the process and timescales through which you can notify us if you believe a qualification with low or no enrolments should remain approved for public funding; and
  - the appeals process if you wish to challenge the outcome of your notification
20. On 13 February 2020 alongside this guidance we have published 2 lists of qualifications from which we intend to withdraw funding approval for new starts from 1 August 2021, subject to the notification and appeals process set out in this guidance. The 2 lists are:
- i) a list of 2,658 qualifications with low publicly funded enrolments; and
  - ii) a list of 2,665 qualifications with no publicly funded enrolments.
21. **If you believe a qualification on either of these lists should remain approved for funding for 2021 to 2022, you must notify us.** We will consider notifications to retain a qualification with low or no publicly funded enrolments where the qualification meets the criteria set out in paragraph 36.
22. Where we agree to retain a qualification with low or no publicly funded enrolments, the qualification will be in scope for our next annual review, as well as in scope for the wider qualifications review. The process for the next annual review will start in late 2020, with the notification process commencing in early 2021.

## How were the low enrolment qualifications identified?

23. We define a **qualification** to be one that is listed on [Ofqual's Register of Regulated Qualifications](#) with a unique Qualification Number. We define enrolments as the total number of enrolments across all the qualifications, which includes 16 to 19 study programmes, adult education budget (including community learning), advanced learner loans and European Social Fund. We have excluded traineeships and apprenticeships.
24. To identify qualifications with no or low enrolments we have taken a snapshot of the:

- 2019/20 publicly approved qualifications offer at May 2019 and have included those qualifications which at 1 February 2020 were still available for delivery; and
- Ofqual Register of Regulated Qualifications as at 14 May 2019

25. We define a qualification with low publicly funded enrolments as any qualification that is in scope of the review and meets **all** the following criteria:

- a) at 1 August 2019 had been operational for 3 years or more (so had an operational start date on or before 31 July 2016);
- b) at 1 August 2019 had been approved for funding for 3 years or more (so had an earliest funding approval start date across all the offers of 31 July 2016 or before);
- c) had between zero and 99 publicly funded enrolment across the 3 funding years, 2015 to 2016, 2016 to 2017 and 2017 to 2018 (but not zero in all 3 years); and
- d) had no more than 99 publicly funded enrolments across all offers in any of the 3 funding years 2015 to 2016, 2016 to 2017 and 2017 to 2018

26. Qualifications that are out of scope of the review are detailed in paragraph 28.

## How were the no enrolment qualifications identified?

27. We define a qualification with no publicly funded enrolments as any qualification which meets **all** the following:

- a) 1 August 2019 had been operational for 3 years or more (so had an operational start date on or before 31 July 2016)
- b) at 1 August 2019 had been approved for funding for 3 years or more (so had an earliest funding approval start date across all the offers of 31 July 2016 or before); and
- c) had no publicly funded enrolments across all the offers in each of the 3 funding years 2015 to 2016, 2016 to 2017 and 2017 to 2018

## Qualifications that are out of scope

28. The following qualifications have already been confirmed as being out of scope of the review of post-16 qualifications at level 3 and below and are therefore out of scope of this 2020 low and no enrolment exercise:

- GCSEs, AS levels and A levels
- T Levels, which will be introduced from September 2020
- reformed English and maths Functional Skills qualifications
- new Essential Digital Skills Qualifications and reformed Digital Functional Skills qualifications. All other level 1 and entry level digital skills qualifications are out of scope of this exercise because they are going through a separate review as part of the implementation of the digital entitlement

29. The following qualifications are out of scope of both the review and this 2020 low and no enrolment exercise as they have had, or will have had, funding approval automatically withdrawn due to redeveloped new qualifications being available and approved for funding:

- pre-existing Key Stage 5 Performance Table qualifications
- qualifications at entry and level 1 in Sector Subject Area ICT for users, which will be replaced by new Essential Digital Skills Qualifications (which will be part of the new digital entitlement due to be introduced from August 2020); and

- Functional Skills Qualifications in ICT which we plan to remove and replace by new Digital Functional Skills Qualifications which will be part of the new digital entitlement from August 2021

30. The following qualifications are out of scope of this 2020 low and no enrolment exercise as they have undergone or currently undergoing reform:

- Level 3 Early Years Educator Qualifications and Level 2 Early Years Practitioner Qualifications that meet reformed DfE criteria; and
- qualifications in Performance Tables for 2021 onwards

31. Access to Higher Education Diplomas are not included in this 2020 low and no enrolment exercise, and the Department is in discussion with the Quality Assurance Agency for Higher Education around these.

## Requests to retain approval for funding for a qualification

32. We are now asking you to review the published lists of low and no enrolment qualifications which will not be approved for funding in 2021 to 2022. You can notify us if you believe funding approval should not be withdrawn for a **low enrolment qualification**, if it meets one of the 3 criteria outlined in **paragraph 36**, or a **no enrolment qualification** if it meets one of the first 2 criteria in **paragraph 36**.

33. To notify us, you will need to complete the notification form and provide appropriate supporting evidence. Such evidence may be from users of the qualifications including education and training providers, employers and representative bodies as appropriate.

34. **Please note that we will only accept notifications from you as the awarding organisation** that offers the qualification. We will not accept notifications from education and training providers. Where appropriate **you should consolidate feedback and evidence from users of your qualification and/or other appropriate organisations who support your qualification**. You should provide us with a single request for each qualification.

35. To support you through this process we will make available upon request rounded publicly funded enrolments figures for qualifications which you may have on the initial low enrolment list. In order to request this information you will need to email us at [lowno.enrolments@education.gov.uk](mailto:lowno.enrolments@education.gov.uk) and confirm the name, email address and job title of the individual requesting the information. We will then confirm the process for securely sharing the information with you.

## Criteria for requests to retain approval for funding

36. We will consider notifications to retain funding approval for a qualification with low or no publicly funded enrolments against the following criteria:

**For both low and no enrolments:**

- a) that we have made a technical error and
  - i. applied the [3-year operational and funding approval rules](#) incorrectly, or
  - ii. the number of enrolments for any one of the 3 years is inaccurate; and/or
- b) that there is evidence of increased public demand for the qualification.

**For low enrolments only:**

Criteria a) and/or b) above; and/or

- c) that removing funding for new starts for the qualification will have significant adverse impact on:
- i. a specific group of students including, but not exclusively, those who are covered by the protected characteristics of the Equality Act 2010;
  - ii. a provider or specific group of providers of education and training;
  - iii. a subject or occupational sector, for example by there being a need and lack of alternative; and/or
  - iv. a geographical area, a local authority or a combined mayoral authority.

37. In notifying us against these criteria, you must also be clear that there is no other appropriate provision (at that level in that sector) that can be accessed.

### **Technical Error (both low and no enrolments)**

38. If you wish to notify us on the basis that we have applied the [3 year operational and funding approval rules](#) incorrectly, we will require clear evidence from you that identifies when the qualification was first operationally available and when it was first approved for funding. If you believe that the number of publicly funded enrolments for any of the 3 years is inaccurate you will need to provide us with evidence that supports this.

39. The funding approval date will be the earliest date the qualification was approved for funding across all the funded offers (16 to 19, legal entitlements and/or local flexibility offer in the AEB, advanced learner loans, ESF).

40. If the qualification has not been operationally available for 3 years and not been approved for funding for 3 years, we will remove it from the low and no enrolment lists and it will therefore be out of scope for this year's review and will remain approved for funding for 2021/22.

### **Increased Demand (both low and no enrolments)**

41. If you wish to notify us on the basis that publicly funded demand for the qualification has increased, we will need evidence of the scale of the increase.

42. Evidence submitted against this criterion should show that publicly funded enrolments for the qualification have increased to 100 or over in either 2018 to 2019 or the first half of 2019 to 2020, and that demand will be sustained in the future.

43. As part of the evidence you must include:

- details of each education and training provider where the increase has taken place – this must include the full name of the provider and their UKPRN
- the time period over which the increase has taken place or can be shown to be sustained in the future; and
- the ESFA funded offer where the increase has taken place

44. The evidence is only acceptable if:

- the providers identified have a funding agreement with the ESFA; or
- the student demand is from students who are eligible for funding through 16 to 19 study programmes, AEB, ESF and/or have taken out an advanced learner loan; or
- it has been endorsed by a mayoral authority with devolved AEB

45. In setting this out please ensure you **do not include any individual student data or**

**information** that could result in identification of individual students.

### **Adverse Impact (low enrolments only)**

46. If you wish to notify us on the basis that there is a significant adverse impact, you must confirm against which sub-category of this criterion you are notifying us (students, providers, sector or occupational area or geographical/mayoral authority request).

#### **Students**

47. For students you must set out clearly:

- the specific groups of students that will be affected adversely; and
- how the students will be affected

48. In setting this out please ensure you **do not include any individual student data or information** that could result in identification of individual students.

49. When providing us with evidence about the specific groups of students that will be affected adversely, you must explain clearly which groups of students this is, for example:

- students with protected characteristics such as SEND students
- adults where the qualification is, for instance, part of a job referral scheme and removal of the qualification would result in lost employment opportunities; and/or
- location of the students, where withdrawing funding approval would significantly restrict access to education and training opportunities

#### **Providers**

50. If you wish to notify us on the basis that removal of funding approval will have a significant adverse impact on one or more education and training provider, you must set out clearly:

- the provider and/or groups of providers that will be adversely affected; and
- how they will be affected

In setting this out we will only consider education and training providers who have a current funding agreement with the ESFA.

51. The adverse impact could be around potential destabilisation of a small specialist provider or group of specialist providers where the qualifications and withdrawal of funding approval could result in the provider(s) no longer being able to operate in a viable manner.

#### **Subject/occupational sector**

52. If you wish to notify us on the basis that removal of funding approval will have an adverse impact on a subject or occupational sector you must set out clearly:

- which subjects and/or occupational sectors will be adversely affected; and
- how the subject and/or occupational sector will be affected.

53. You must set out clearly:

- **the purpose the qualification has** in that subject and/or occupational area

- what **support it has** (for instance, from employers and/or employer representative groups or professional bodies)
- **what outcomes it leads to**; and
- **why an alternative, available qualification cannot service the need of students in place of the qualification in scope** to have its funding approval withdrawn

54. **Where you submit supporting evidence from employers or professional bodies, these must be operating in and/or representative of the subject and/or occupational area the qualification services.** Examples could include:

- a qualification servicing the needs of a small, specialist area where demand is never likely to be high, but it is important that the qualification remains so that training opportunities are there for individuals who wish to access employment in the area
- a qualification in an occupational area reliant on seasonal employment, where demand will be more ad-hoc than consistent
- a qualification in an emerging occupational area, where the demand is not yet clear

### **Geographical area/local authority or combined mayoral authority**

55. If you wish to notify us on the basis that removal of funding will have an adverse impact in a geographical area/local authority or combined mayoral authority you must set out clearly:

- which geographical area/local authority/mayoral combined authority will be adversely affected; and
- how they will be affected

56. You must set out clearly what the **purpose is of the qualification** in that geographical area/local authority/combined mayoral authority, what **support it has** (for instance is it a key part of a skills strategy or a commissioning strategy), what **outcomes it leads to** and **why an alternative, available qualification cannot service the need of students in place of the qualification in scope** to have its funding approval withdrawn.

57. **Where you submit evidence from a local authority or a mayoral combined authority, it must be specific to the qualification and to the area.** For instance, this could be a qualification serving a specific need in a geographical area and you would need to supply evidence, through local strategies and commissioning plans that it is needed and that removal of funding approval would mean that particular provision would be no longer available in that area.

### **Acceptable Evidence**

58. When submitting a notification request to us to retain approval for funding for a low enrolment qualification, you must provide appropriate evidence. Your evidence should include a clear statement identifying why the qualification should be retained and against which criteria, following the format set out above. **As indicated above, your evidence may include supporting statements from employers, providers and other representative bodies, local authorities or combined mayoral authorities.** This evidence should explain clearly the reasons why the qualification should continue to be publicly funded. Where you submit supporting statements from employers, providers and other representative bodies, the name and address of the organisation must be included, along with the position and contact details of the individual supplying the supporting statement.

59. You may use templates for such evidence but, where templates are used, we do

expect each piece of evidence to be specific to that qualification and the criteria against which you are notifying us. **Please also be aware that evidence needs to be specifically about why funding approval for the qualification should be retained**, rather than historical letters of support, for instance, which may have been produced to support the qualification when it was first being developed.

60. Depending on which criteria you are notifying us against, you may also wish to include evidence from local or regional skills strategies (particularly if notifying us against the criterion focussed on adverse impact on a local authority or combined mayoral authority) or national strategies (linked to a particular occupational area for instance). If you include such evidence, please ensure that you include working links to the relevant strategies and summarise clearly why the strategy you are referencing supports an argument for continued public funding of your qualification.

61. To notify us of a low or no enrolment qualification that you believe should continue to be approved for funding, **you must complete a notification form for each qualification, and a summary of notification form. Please email the completed forms, together with the evidence, to [lowno.enrolments@education.gov.uk](mailto:lowno.enrolments@education.gov.uk) by the deadline of 23:59 on 27 March 2020.**

62. **We will not accept late submission of forms, evidence or other supporting information, other than in exceptional circumstances.** Any late submission will not be considered and will mean we are unable to confirm the retention of that qualification as part of the publicly funded qualifications offer in 2021 to 2022.

63. **Please use one notification form for each qualification** and be clear to indicate whether the notification relates to a low or no enrolment qualification. **The summary of the notification form must also be completed with the details of the qualifications submitted**, so that we can ensure we have received all the relevant documentation from you for each of the qualifications about which you are notifying us.

64. You will receive an email confirming receipt of your email from us. Please note that emails may be rejected due to size restrictions (25 Mb maximum). If you do not receive a receipt, please email [lowno.enrolments@education.gov.uk](mailto:lowno.enrolments@education.gov.uk).

65. Once we receive your notification we will check to see if it is eligible for consideration. We will inform you if we require any further clarification relating to the request. We can only consider notifications that meet all the following points:

- the qualification is on the list of low or no enrolment qualifications
- it is based on the criteria set out in paragraph 36; and
- the evidence relates to approval for public funding/loans for students aged 16 or older

66. Notification documentation without supporting evidence submitted under the criteria listed in paragraph 36 will not be considered.

67. It is the responsibility of the awarding organisation to ensure that the number of qualifications in the notification form matches the number on the summary form and that all files and supporting evidence are attached.

## Assessing notifications

68. We will consider the evidence you submit alongside the equalities evidence submitted in response to the 'Review of post-16 qualifications at level 3 and below in England'

consultation and any risk impact assessments we may need to undertake to consider both student profile and provider profile.

69. Where appropriate, we will also seek further external advice on the qualification. This may be from an appropriate employer-led body or other representative body.

70. We will decide on each eligible notification submitted based on an assessment of the evidence against the criteria in paragraph 36.

71. We will inform awarding organisations of the outcomes of the notification submissions in May 2020. There will be the facility for you to appeal against the decision, however, we will only accept appeals where you have new evidence we have not previously considered. Details of the appeal process and steps to take will be explained fully in the outcome of the notification.

72. Following the appeal process, the outcomes and the list of qualifications will be published by 31 July 2020. In advance of this we will write to each awarding organisation that has submitted a notification informing them of the outcome of the process in relation to its own qualifications.

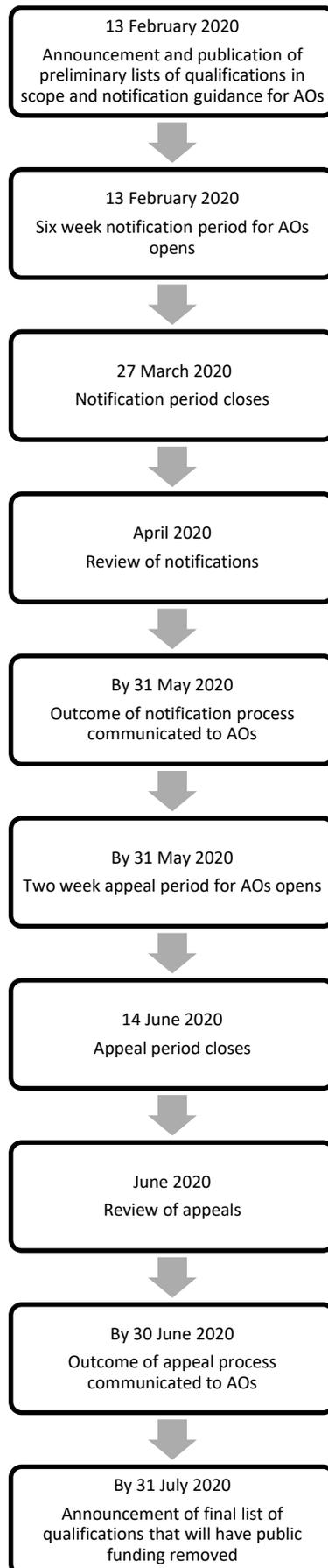
## Timetable for the process of retaining approval for funding for low and no enrolment qualifications

Event	Date
Department for Education published guidance document and lists of its low and no enrolment qualifications	13/02/2020
Deadline for awarding organisations to submit notifications and summary of notifications	27/03/2020
Review of evidence and decision made by the Department for Education	By 31/05/2020
Anticipated outcome announcements to individual awarding organisations	By 30/06/2020
Anticipated publication of list of qualifications from which public funding will be withdrawn in the academic year 2021 to 2022	By 31/07/2020

## Contact us

If you have any queries about the removal of public funding from qualifications, or about the notification process, please send them to [lowno.enrolments@education.gov.uk](mailto:lowno.enrolments@education.gov.uk).

## Annex A – Process flowchart





Department  
for Education



Education & Skills  
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