



Education & Skills
Funding Agency

Advanced Learner Loans funding rules

Draft version

2018 to 2019 funding year (1 August 2018 to 31 July 2019)

March 2018

Of interest to providers and employers delivering provision funded by learners through advanced learner loans

Contents

Introduction and purpose of the document.....	4
How this document can help you	4
Understanding the terminology	4
Contacting us.....	5
Advanced Learner Loans	5
Learner eligibility.....	5
Provider eligibility.....	6
Merger of organisations.....	7
Delivery location	7
Loan amounts and financial contributions.....	7
Qualifications designated for loans	8
Number of loans allowed	8
Recognition of prior learning.....	9
Progression	9
Learning and funding information letter.....	10
Learner application.....	11
Initial liability point	11
In learning	12
If a learner's circumstances change.....	12
Learner transfers.....	13
Retrospective applications and changes	13
Completion and achievement	13
Advanced learner loans bursary fund.....	13
Learner support: hardship.....	14
Learner support: childcare for learners aged 20+	14
Learner support: residential support	15
Learning support.....	15
Exceptional learning support claims above £19,000.....	15
Area costs	16
Loans bursary funding rates	16
Contract funded providers	16
Grant funded providers	16
All providers	16

Provision of evidence: advanced learner loans and loans bursary fund	16
Learner file.....	17
Confirmation and signatures	18
Self-declarations by learners	18
Recording data on the ILR	18
Annex 1: Area cost uplifts by region	19
Annex 2: Advanced Learner Loans for Offenders	21
Learner eligibility.....	21
Learning and funding information letter and loan application process	21
If a learner’s circumstances change: offenders	21
If an existing learner is sent to prison	21
Changes in circumstances that affect eligibility for a loan.....	22
Transfers between prisons	22
The period leading up to an offender being released, and the release itself.....	23
Advanced Learner Loans bursary fund: learning support	24
Glossary	25
Summary of changes	30

Introduction and purpose of the document

1. This document sets out the Advanced Learner Loans (loans) funding rules for the 2018 to 2019 funding year (1 August 2018 to 31 July 2019). The performance management rules for 2018 to 2019 will be available in version two. These rules apply to all providers of education and training who hold a loans facility conditions and bursary fund agreement (agreement) with the Secretary of State for Education acting through the Education and Skills Funding Agency (ESFA). This agreement allows providers to receive loans payments from the Student Loans Company (SLC) on behalf of learners and loans bursary payments from the ESFA.
2. These rules do not apply to adult education budget (AEB) funding, apprenticeships or to education and training services funded by the European Social Fund – you can access these separate funding rules on GOV.UK.
3. These rules reflect the provisions of the [Further Education Loans Regulations 2012](#). The regulations take precedence over the funding rules.
4. This document forms part of the terms and conditions of funding and you must read it in conjunction with your agreement. You must operate within the terms and conditions of the agreement these rules and the ILR Specification. If you do not, you are in breach of the agreement with us.
5. The ESFA reserve the right to make changes to these rules.

How this document can help you

6. This document contains the rules relevant to provision funded through loans and the loans bursary and may include the context of the rule in a box.
7. We have included a glossary to explain technical terms.

Understanding the terminology

8. The term ‘we’ refers to the ESFA.
9. When we refer to ‘you’ or ‘providers’, this includes colleges, higher education institutions, training organisations, local authorities and employers who receive funding through a loans facility or loans bursary fund agreement, to deliver education and training. We will use the generic term ‘you’ or ‘provider’ unless the requirements only apply to a specific provider type.
10. The term ‘agreement’ means the loans facility conditions and bursary fund agreement.
11. We use the terms ‘individual’ and ‘learner’ to cover all those who fund their education or training with a loan, and where appropriate who receive support through the loans bursary fund.
12. We use the term ‘provision’ and ‘qualifications’ to refer to all qualifications designated for loans, which will either be a qualification from the Ofqual regulated qualifications framework (RQF) or an Access to Higher Education Diploma recognised and regulated by the Quality Assurance Agency (QAA).

Contacting us

13. You can contact us through our service desk at sde.servicedesk@education.gov.uk or telephone 0370 2640001.

Advanced Learner Loans

Advanced Learner Loans provide a source of fees and support to help people aged 19 and over undertake general and technical qualifications at levels 3, 4, 5 and 6.

By taking out a loan a learner is taking direct responsibility and financial liability for their learning. In return you are obliged, as part of your agreement with the learner, to deliver high-quality learning and support to enable the learner to successfully achieve their desired outcome.

It is important that learners receive all the key information about what the loan is for, and are signposted to sources of further information to help them decide if they wish to apply for a loan. It is also imperative that they have information in the [Learning and Funding Information Letter](#) about the qualification, your fee and actual loan amount for their qualification.

Learner eligibility

14. Loans are not means-tested and are available to eligible learners who are:
 - 14.1 aged 19 or older on the first day of starting their designated loans qualification
 - 14.2 studying in England, with a provider in receipt of a loan facility from us (see paragraphs 20 to 22)
 - 14.3 studying one or more designated loans qualifications at levels 3, 4, 5, or 6 (see paragraphs 35 and 36)
15. On receipt of a learner's loan application, the SLC is responsible for assessing whether a learner is eligible. With effect from 1 August 2018, learner eligibility has been extended to include individuals who have been granted stateless leave to remain by the UK home office because they are stateless and have no right to residence in their country of former habitual residence or another country. Students and eligible family members who hold this status will be eligible to apply for an Advanced Learner Loan.
16. Loans are also available for members of the UK armed forces serving outside of England on the first day of the designated course but in another country within the UK (and family members living with them) who are aged 19 and over and are studying designated qualifications by distance learning, with a provider in receipt of a loans facility.
17. You can find more [information on learner eligibility](#) on GOV.UK. [and in Part 2 of Schedule 1 of the Further Education Loans Regulations 2012](#) which detail the categories of eligibility which a learner must fall into in order to qualify for an Advanced Learner Loan. In the event of uncertainty over a particular category of eligibility, the regulations take precedence over these rules.

18. There are additional eligibility criteria for offenders – see Annex 2, paragraphs 1.1 to 1.5.
19. 19 to 23 year olds undertaking level 3 qualifications:
 - 19.1 You must check a learner’s legal entitlement to full funding and record that you have done this in the learner file (see paragraphs 102 to 112). If they have not exercised their legal entitlement to full funding for a first full level 3, you must make them aware of this entitlement. If a learner chooses to apply for a loan rather than exercising their legal entitlement you must make them aware that this may mean that they give up their right to exercise their legal entitlement in future.
 - 19.2 If you have an AEB funding agreement you must not offer a loans funded place to a learner who is able to access their legal entitlement for a first full level 3 qualification. Should this situation occur, you must withdraw the learner through the SLC’s learner provider portal and reduce their fee liability to zero. The SLC will recover the overpayment from you from future loans payments. If you have insufficient future loan payments, SLC will ask you to repay any overpayment directly.
 - 19.3 If you only hold an advanced learner loans facility and are unable to offer a fully-funded first full level 3, and a learner wishes to exercise their entitlement, you must signpost the learner to the [National Careers Service](#) to obtain information about alternative providers.
 - 19.4 Where a learner 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 can apply for a loan or pay for their own learning. Please contact qualifications.ESFA@education.gov.uk if you need advice on a previous qualification’s designation.

Provider eligibility

20. You can only make offers of loan funded learning and receive loan payments from the SLC on behalf of learners if we have given you a loans facility and agreement, and a learner has applied for a loan which has been approved by the SLC.
21. To retain your eligibility for a loans facility you must successfully complete the [Register of training organisations](#) (RoTO) refresh and update your information when we ask you to. If you fail or do not update when we ask you to, you must apply at the next opening. During this period, you will not be:
 - 21.1 listed on the RoTO
 - 21.2 invited to tender, or
 - 21.3 able to increase the value of your loans facility
22. If your organisation does not apply at the next opening of the RoTO, or you fail the application process, we will review your eligibility for a loans facility.
23. You must not pay, or engage a broker, or any third party, to recruit learners who are considering funding their provision with a loan, on your behalf.
24. You must directly deliver provision to learners who are funding their provision with a loan.

25. You must not subcontract loans provision. The definition of sub-contractor is given in the glossary.

Merger of organisations

26. If your organisation plans to merge with another provider holding a loans facility you must:
- 26.1 inform your ESFA Intervention Team contact as early as possible to discuss the loan facility
 - 26.2 inform SLC as early as possible. SLC will then advise you how this will impact your loan payments

Delivery location

27. You must not deliver any loans funded provision outside England.

Loan amounts and financial contributions

28. You must advise all learners of your fees and charging policy in advance of their decision to apply for a loan.
29. We do not expect that you need to charge more than the maximum loan amount as shown on the [Hub](#). For information about how the maximum amount of the loan is set, please refer to [Advanced learner loans: maximum loan amounts for designated qualifications 2018 to 2019](#).
30. A learner can only apply for a loan to cover the tuition fee element of their provision, including all costs and charges for items without which they cannot complete their qualification.
31. You can:
- 31.1 pass on professional bodies, membership fees, to the learner and charge these as a requirement of enrolling if this is needed to achieve the qualification
 - 31.2 ask a learner to pay directly for extra activities not essential to the learning, such as trips and visits.
32. You cannot:
- 32.1 make it a condition that a learner takes up the optional extra provision to complete or achieve their qualification
 - 32.2 charge a learner if they need a Disclosure Barring Service to participate in learning. If the learning is associated with the learner's employment, their employer is responsible for carrying out and paying for this check.
33. A learner will only be eligible to apply for a loan that is either equal to, or less than:
- 33.1 the maximum loan amount in the learning aims section of the Hub for the qualification(s) they are undertaking
 - 33.2 your fee, as shown in the learning and funding information letter issued by you to potential learners before they apply for a loan, and provided to the SLC as part of the learner's loan application (see paragraph 55 for further details)
34. The minimum loan value a learner can apply for is £300.

Qualifications designated for loans

35. The Secretary of State for Education, acting through the ESFA, is responsible for designating the qualifications eligible to be funded through a loan. The criteria is set out in the [advanced learner loans prospectus 2018 to 2019](#) and includes the following:
 - 35.1 A-levels and AS-levels
 - 35.2 Quality Assurance Agency (QAA) Access to Higher Education Diplomas
 - 35.3 general and technical qualifications at levels 3, 4, 5 and 6
36. The full list of designated qualifications is in the learning aims section of the [Hub](#) and the [Advanced Learner Loans Qualifications Catalogue](#).
37. You must check on the Hub or in the Advanced Learner Loans Qualifications Catalogue that the qualification is valid for new starts on the date that the learner is due to start. You are also responsible for checking with the Awarding Body that the qualification is available.
38. You must have direct centre approval and, where appropriate, direct qualification approval, from the appropriate awarding organisation for the regulated qualifications you are offering. These qualifications must be designated for loans and you must deliver them in line with the qualification specification and guidance set out by the awarding organisation.
39. Loans cannot be used to fund only components of qualifications or to achieve a qualification on a unit by unit basis.
40. 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 about the Learning Records Service on [GOV.UK](#).
41. Where a learner takes out a loan for an Access to HE Diploma, completes it and progresses to, and completes a Student Finance England fundable HE course designated under the [Education \(Student Support\) Regulations 2011](#) at Level 4, 5 or 6, the outstanding balance of the loan for the Access to HE diploma will be written off.

Number of loans allowed

42. Learners can access up to four loans in a lifetime, which they can take out either one after the other or at the same time.
43. Learners will need to apply for a loan for each designated qualification.
44. Within this allowance of up to four loans a learner is able to apply for:
 - 44.1 no more than one loan to complete an Access to HE Diploma
 - 44.2 up to eight loans to undertake up to a maximum of four full A-levels; this will be treated as one single loan entitlement (see paragraphs 45 to 47)
 - 44.3 no more than four loans to undertake general and technical qualifications at levels 3, 4, 5 and 6

45. A learner can study a full A-level by either enrolling on an A-level or enrolling on an AS-level qualification and then progressing to an A-level qualification.
46. Where a learner intends to study towards, and sit:
 - 46.1 only an A-level exam, they can apply for up to four loans for four individual A-levels. They can make these applications at the same time or one after the other
 - 46.2 an AS-level exam, not followed by an A-level exam, they can apply for up to four loans for four AS-levels
 - 46.3 an AS-level exam, followed by an A-level exam they can apply for up to four loans for four AS-levels and up to four loans for the corresponding A-levels. In this scenario the total fee for the AS-level and A-level must not exceed the maximum loan amount for the A-level. Providers must reduce the fee charged to the learner for the A-level(s) to take account of the prior study of AS-levels
47. If a learner enrolls on a combination of A-level and AS-levels, they will be able to apply for loans to undertake up to four full A-levels, subject to the overall limits for each learning aim type, outlined above.
48. You can access further information, including illustrative examples on recording A and AS-levels in our [ILR provider support manual 2018 to 2019](#).

Recognition of prior learning

49. A learner could have prior learning that has been previously accredited by an awarding organisation or could be formally recognised and count towards a qualification. If this is the case, you must:
 - 49.1 reduce the fee charged to the learner for the qualification by the percentage of learning and assessment that the learner does not need
 - 49.2 check if the individual's learning and/or achievement was not within the last five years, if it does you must assess whether the learning is still valid and relevant.
 - 49.3 ensure prior attainment is in the personal learning record (PLR) and query any contradictory information with the learner
 - 49.4 follow the policies and procedures set by the awarding organisation for the delivery and assessment of the qualification
 - 49.5 not require a learner to take out a loan if their prior learning meets the full requirements of the awarding organisation to achieve the qualification or where a learner only resits a qualification assessment or examination, and no extra learning takes place

Progression

50. Where a learner undertakes a subsidiary diploma and progresses to an extended diploma at the same level, the progression can be considered as a single loan and the loan amount amended through the change of circumstance (change of learning aim) process (see paragraphs 67 to 70).
 - 50.1 The change must be reported while the learner is still in learning on the subsidiary diploma.
 - 50.2 You must issue another learning and funding information letter (see paragraph 67).

- 50.3 The learner must make a new loan request to cover the fee for the extended diploma.
51. Where a learner has already undertaken a subsidiary diploma funded with a loan and wishes to undertake an extended diploma at the same level and in the same subject at a later date, they can apply for another loan within their overall entitlement to four loans. In this scenario providers must reduce the fee charged to the learner for the extended diploma to take account of the prior study of the subsidiary diploma.
52. There are five key stages in the learner journey that must be followed:

Stage 1 – Issuing the Learning and Funding Information Letter

Stage 2 – The Learner Application

Stage 3 – The Initial Liability Point

Stage 4 – In Learning

Stage 5 – Completion and Achievement

Stage 1

Learning and funding information letter

53. Before offering a loans funded place to a learner you must:
- 53.1 assess the learner's needs and aptitude for a designated loans qualification; and
 - 53.2 use the learning provider portal to check there is sufficient funding within your loan facility to cover the learner's loan payments due for the qualification within the funding year
54. You must issue a learning and funding information letter to all potential learners to whom you have offered a learning place and who may seek a loan for their fees. The letter must provide the learner with the information they need:
- 54.1 to decide whether to apply for a loan
 - 54.2 to complete their loan application, if they wish to do so
55. You must use the [standard template](#) for the letter and include:
- 55.1 standard text as set out in the template letter
 - 55.2 the UK provider reference number (UKPRN)
 - 55.3 learning aim reference number
 - 55.4 title of the designated loans qualification
 - 55.5 the learner start date and planned end date
 - 55.6 the address, including postcode, to confirm where the loans provision will take place
 - 55.7 the fee charged to the learner

- 55.8 the maximum loan amount available for the qualification as published on the learning aims section of the [Hub](#)
56. You must not complete a loan application form on behalf of a learner, or influence a learner's decision to apply for a loan.
57. You must retain a copy of the completed learning and funding information letter for each learner in the learner file (see paragraph 108), and, if applicable, a copy of an updated learning and funding information letter when there is a change to a learner's qualification or fees.
58. There is a separate learning and funding information letter and loan application process for offenders - see Annex 2, paragraphs 2 to 4.

Stage 2

Learner application

The SLC will assess a learner's loan application against the eligibility criteria and if approved, and the learner attends the learning, they will make scheduled loan payments to you on behalf of learners.

The SLC will give you access to their [learning provider portal](#) (an interactive web-based service that will act as the main channel of communication between you and the SLC). You will be able to see the status of a learner's loan application using the portal.

59. You must provide the SLC with the information they need to administer loans in line with [SLC's service standards](#).
60. When a learner's loan application has been approved and they have started their learning (see paragraph 61) you must confirm the learner's attendance to the SLC through the learning provider portal.
61. The start date is when activity directly related to the qualification has begun. This would not include enrolment, induction, prior assessment, diagnostic testing or similar activity.

Stage 3

Initial liability point

62. You can only confirm a learner has started their learning after two weeks of attendance. Learners become liable for their loan two weeks after their start date; this is referred to as the 'initial liability point' and will either be:
- 62.1 two weeks from the qualification start date, as shown on the loan application form
or
- 62.2 two weeks after the learner started their learning if they started at a later date than the one given on the loan application form (in this case you must inform the SLC about the change to the start date through the learning provider portal before you confirm the learner's attendance - please refer to the [SLC's learning provider portal](#))

[user guide](#)). You must accurately record the learner's unique learner number (ULN) in the learning provider portal before you can confirm their attendance.

63. You must ensure you register the learner with the Awarding Organisation Body within the timescales set by the awarding organisation.
64. If a learner leaves their qualification before the initial liability point, or if a learner has never attended, you must confirm this to the SLC using the learning provider portal.
65. If you cancel a learner's loan, you must only reinstate it with the learner's written permission.

Stage 4

In learning

66. When a learner has passed the initial liability point, you must confirm their attendance to the SLC, using the learning provider portal, on a quarterly basis on 1 November, 1 February, 1 May and 1 August.

If a learner's circumstances change

67. If a learner's details or circumstances change, you must tell the SLC as soon as you are aware as this will reduce the risk of a learner becoming legally responsible for a loan for a qualification they are no longer studying. You must ensure that learners are aware that they have a responsibility to keep the SLC informed of any changes to their circumstances.
68. The following reasons may result in a learner's details or circumstances changing from the information they supplied in their initial application.
 - 68.1 A change in personal details.
 - 68.2 A change in provider.
 - 68.3 A change of learning aim.
 - 68.4 A change of loan amount or the fee you charge (see paragraph 70).
 - 68.5 Cancellation of an application.
 - 68.6 Withdrawal from the qualification.
 - 68.7 Taking a break from learning or suspending or resuming learning.
69. Only a learner can make a request to the SLC to change their personal details or to request an increase in their loan amount.
70. If the qualification or fees change, you must provide the learner with another learning and funding information letter in advance of the change being implemented.
71. You can find detailed information and guidance on managing changes of circumstance on the SLC's [learning provider services website](#).
72. Further information about managing changes of circumstances for offenders is given in Annex 2.

Learner transfers

73. If a learner changes provider during their learning, you must inform SLC through the learning provider portal and the learner must be marked as a withdrawal from your organisation. You must also make sure that you update this information on the ILR.
74. Where late notification of withdrawal results in an overpayment, SLC will recover this overpayment from your future loan payments. If you have insufficient future loan payments, SLC will ask you to repay any overpayment.
75. Learners transferring with an intention to continue their qualification and access further loans support will be required to apply for an additional loan.
76. If a learner transfers to your organisation you must ensure that a new learning and information letter is issued to the them.

Retrospective applications and changes

77. A learner can apply for a loan retrospectively after the initial liability point but it must be while they are still undertaking the qualification. If the loan is approved by the SLC and the learner has already paid fees to you, then you must refund the full amount to the learner to avoid double funding.
78. If necessary a change of circumstances form can also be raised retrospectively, you must ensure that this is submitted by the learner while the qualification is being undertaken.

Stage 5

Completion and achievement

79. When a learner has completed and achieved their designated loans qualification you must follow your awarding organisation's procedures for claiming the relevant certificate and ensure this is given or forwarded to the learner. You must evidence in the learner file that you have done this.

Advanced learner loans bursary fund

We provide a loans bursary fund to help vulnerable and disadvantaged loans learners to overcome barriers which may prevent them from taking part in or continuing in learning.

The loans bursary fund provides for the following.

Learner support funding for financial hardship, childcare and residential support.

Learning support activity for 'in-learning' support, such as support for teaching assistants or reasonable adjustments under the Equality Act 2010. Details of support for those learners in custody or released on temporary license can be found in Annex 2.

Area costs, if applicable, which reflect the higher cost of delivering provision in some parts of the country.

80. In using your loans bursary funding you must:
 - 80.1 use your loans bursary fund only for learners who have a loan approved by the SLC, and who have a need which has been assessed by you.
 - 80.2 prioritise vulnerable groups and disadvantaged learners
 - 80.3 ensure you keep sufficient funding to provide the learning support we refer to in paragraphs 88 to 89
 - 80.4 consider the most appropriate learner support fund to draw from where a learner is receiving AEB funding from us as well as through a loan
 - 80.5 use your loans bursary fund only for learners who have a loan approved by the SLC, and who have a need which has been assessed by you
 - 80.6 make it clear to learners if they are in support of any state benefits it is their responsibility to inform the Department for Work and Pensions about any learner support they receive from you, as the learner support payment may affect their eligibility for some state benefits
81. If you are funded through a grant for your AEB provision, you can claim up to 5% of your loans bursary expenditure for learner support on administration costs.
82. You must not:
 - 82.1 use your loans bursary funding to cover costs and charges for items without which a learner could not complete their course, these must be charged in the course fee
 - 82.2 transfer funding between your loans bursary and your adult education budget
 - 82.3 use loans bursary funding for learner support for learners in custody or released on temporary licence
 - 82.4 use your funding for childcare when the learner is eligible for the Care to Learn scheme

Learner support: hardship

83. You can support learners based on their financial needs and local circumstances. Types of support include:
 - 83.1 course-related costs, including course trips, books and equipment (where these costs are not included in the tuition fee), support with domestic emergencies and emergency accommodation
 - 83.2 transport costs
 - 83.3 professional membership fees and any fees or charges due to external bodies
 - 83.4 support provided by others, or by providing items or services or cash direct to the learner, this can be in the form of a grant or repayable loan provided by you

Learner support: childcare for learners aged 20+

84. You can only use loans bursary funding to pay for childcare with a childminder, provider or childminder agency who is registered with Ofsted.
85. You must not use loans bursary funding to:

- 85.1 fund informal childcare, such as that provided by a relative
- 85.2 set up childcare places or to make a financial contribution to the costs of a crèche
- 85.3 fund childcare for learners aged under 20 years of age on the first day of learning; instead you must direct them to the Education and Skills Funding Agency's 'care to learn' programme
- 85.4 top up childcare payments for learners aged under 20 years receiving funding from 'care to learn'

Learner support: residential support

- 86. You can use the loans bursary to provide residential funding to support learners who receive specialist provision which involves a residential element or to support learners who cannot access provision locally. The fund can help learners in private accommodation or in accommodation you own or manage.
- 87. You must:
 - 87.1 set out the criteria and procedures for considering and agreeing applications for residential support from your loans bursary funds
 - 87.2 give priority to learners who need accommodation and only pay for travel costs in exceptional circumstances

Learning support

- 88. Learning support must not be used to deal with everyday difficulties that are not directly associated with a learner's learning on their programme.
- 89. You must:
 - 89.1 carry out a thorough assessment to identify the support the learner needs
 - 89.2 agree and record the outcome of your assessment in the learner file
 - 89.3 record all outcomes on the learner file and keep all evidence of the assessment of the needs, planned and actual delivery
- 90. You may claim learning support if learning continues past the planned end date and the learner still needs support.

Exceptional learning support claims above £19,000

Learners who need significant levels of support to start or continue learning which they are funding with a loan can get access to Exceptional Learning Support (ELS) if their learning support costs more than £19,000.

Learners aged 19 to 24 requiring significant levels of support would normally be expected to have an education, health and care plan (EHC plan) provided by their local authority and therefore would access funding from their local authority.

- 91. You can find details of how to claim ELS in the exceptional learning support costs form.
- 92. To claim ELS for a learner aged 19 to 24 who does not have an EHC plan, you must confirm why the learner does not have an EHC plan.

Area costs

93. If a learner funded through a loan attracts area cost uplift funding, this will be calculated automatically based on information recorded by you in the ILR about where the learning takes place (as reported in the 'Delivery location postcode' field).
94. The total area cost uplift is equally spread across the planned length of the learning aim recorded on the ILR.
95. We detail area cost uplifts by region in Annex 1.

Loans bursary funding rates

Contract funded providers

96. If you are funded for your AEB provision through a contract or only hold a loans facility conditions and loans bursary fund agreement with the ESFA you can claim loans bursary funding at three different monthly rates:
 - 96.1 rate 1 (£50) – low-cost learner support, not including childcare and residential
 - 96.2 rate 2 (£150) – learning support recognising the learner could have learner support needs as well
 - 96.3 rate 3 (£250) – residential or childcare support recognising the learner could have other learning support or learner support needs as well
97. You can only claim one rate for each learner each month, but you can claim a different rate each month to reflect the needs of the learner being supported.

Grant funded providers

98. If you are grant funded for your AEB provision and hold a loans facility conditions and bursary fund agreement, you must only claim rate 2 (£150) for learners needing learning support. You must claim the actual cash value for learner support (hardship, childcare and residential).

All providers

99. If you plan to deliver loan funded designated qualification in less than one month and the learner is receiving learning support, you must claim the full value of the learning support through the earnings adjustment statement (EAS).
100. We expect the total you claim using the fixed rates, to cover the costs of supporting that learner. If the cost of providing support to a learner goes above the total earned from the fixed monthly rate, you can claim the excess through the EAS. You must have evidence to support the excess claim.

Provision of evidence: advanced learner loans and loans bursary fund

101. You must hold evidence to assure us that you have delivered education and training which learners have chosen to fund through loans, in line with our loan facility conditions and bursary fund agreement and these funding rules. Most evidence will occur naturally from your normal business process.

Learner file

102. You must have a learner file for each learner who chooses to fund their education and training with a loan.
103. The learner file must contain evidence to support the loans payments you receive on behalf of a learner from the SLC, or loans bursary funds you have received from us, and must be available to us if we need it.
104. You and the learner must confirm the information in the learner file is correct and, therefore, the information you have reported to the SLC through the learning provider portal and to us in the ILR is correct.
105. You must ensure that the actual end date recorded on the ILR reflects the last date there is evidence in the learner file.
106. If the time spent in learning is short, the level of evidence in the learner file would reflect this.
107. Where you hold information centrally, you only need to refer to the source.
108. You must keep a copy of the learning and funding information letter issued by you to the learner, and a copy of any updated learning and funding information letters, if applicable, in the learner file.
109. The learner file must confirm the following.
 - 109.1 All information reported to us in the ILR and the EAS, and to the SLC through the learning provider portal, and if it applies, the supporting evidence of the data you report.
 - 109.2 A description of how you will deliver the learning and skills and how the learner will achieve.
 - 109.3 The fee you are charging, including details of any learner or employer contribution, and information on prior learning that affects the learning or the fee.
110. Support needs identified including how you will meet these needs and the evidence of that.
111. All records and evidence of achievement of the designated loans qualification. This must be available within three months of you reporting it in the ILR.
112. You must hold evidence:
 - 112.1 that the learner exists
 - 112.2 to confirm to the address, including the postcode, where provision is being delivered
 - 112.3 that the learning activity which the learner is funding with a loan is taking place or has taken place
 - 112.4 that the achievement of the qualification achieved following the designated loan qualification is certified (that is, a certificate has been issued by an awarding organisation or held in the personal learning record (PLR), and
 - 112.5 of why other funding has been claimed, such as learning support and learner support through the loans bursary fund

Confirmation and signatures

113. The learner must confirm the information is correct when it is collected. You must have evidence of this, which can include electronic formats.
114. We accept electronic evidence, including digital signatures, but you must have wider internal systems and processes in place to assure us that learners exist and are undertaking the designated qualification their loans are funding.
115. You must keep effective and reliable evidence. You are responsible for making the evidence you hold easily available to us when we need it.

Self-declarations by learners

116. All learner self-declarations must confirm the learner's details and describe what the learner is confirming.
117. If a learner self-declares prior attainment, you must check this in the PLR and challenge any contradictory information with the learner. The PLR will not necessarily override the learner's self-declaration.

Recording data on the ILR

118. You must accurately complete all ILR fields for loans-funded learners and make ILR returns as required in the ILR specification. Where your data does not support the funding you have received from the SLC or claimed from the loans bursary, we will take action to get this corrected and could recover funds or require you to make repayments to the SLC.
119. You must make sure that data recorded on the ILR matches the information that you have reported to the SLC on the learning provider portal.

Annex 1: Area cost uplifts by region

London A 1.20	London B 1.12
Camden	Barking and Dagenham
City of London	Bexley
Greenwich	Havering
Islington	Redbridge
Kensington and Chelsea	Barnet
Lambeth	Enfield
Southwark	Waltham Forest
Westminster	Bromley
Wandsworth	Croydon
Hackney	Kingston upon Thames
Tower Hamlets	Merton
Lewisham	Richmond upon Thames
Newham	Sutton
Haringey	Brent
Hammersmith and Fulham	Ealing
	Harrow
	Hounslow
	Hillingdon

Bedfordshire and Hertfordshire Non-fringe 1.03		
Central Bedfordshire	North Hertfordshire	Stevenage
Bedford	Luton	Luton

Berkshire, Surrey and West Sussex Fringe 1.12		
Bracknell Forest	Runnymede	Reigate and Banstead
Crawley	Slough	Tandridge
Elmbridge	Spelthorne	Waverley
Epsom and Ewell	Surrey Heath	Windsor and Maidenhead
Guildford	Woking	Mole Valley

Berkshire Non-fringe 1.12		
Reading	Wokingham	West Berkshire

Buckinghamshire Non-fringe 1.07		
Aylesbury Vale	Milton Keynes	Wycombe

Hampshire and Isle of Wight 1.02		
Basingstoke and Deane	Hart	Rushmoor
East Hampshire	Havant	Southampton
Eastleigh	Isle of Wight	Test Valley
Fareham	New Forest	Winchester
Gosport	Portsmouth	

Cambridgeshire 1.02		
Cambridge	Huntingdonshire	South Cambridgeshire
East Cambridgeshire	Peterborough	Fenland

Hertfordshire and Buckinghamshire Fringe 1.10		
Broxbourne	South Buckinghamshire	Watford
Chiltern	St Albans	Welwyn Hatfield
Dacorum	Three Rivers	East Hertfordshire
Hertsmere		

Kent and Essex Fringe 1.06		
Basildon	Harlow	Thurrock
Brentwood	Sevenoaks	Dartford
Epping Forest		

Oxfordshire 1.07		
Cherwell	Vale of White Horse	West Oxfordshire
Oxford	South Oxfordshire	

West Sussex Non-fringe 1.01		
Adur	Arun	Worthing
Chichester	Horsham	Mid-Sussex

Annex 2 – Advanced Learner Loans for Offenders

Learner eligibility

1. In addition to the learner eligibility criteria set out in paragraphs 14.1 to 14.3 offenders must also:
 - 1.1 have the right to stay in the UK after completing their sentence
 - 1.2 not be subject to a deportation order
 - 1.3 be serving a sentence of imprisonment in England
 - 1.4 have the approval of their prison governor Director or other appropriate authority to study the designated loans qualification the loan will fund
 - 1.5 be within 6 years of their release date

Learning and funding information letter and loan application process

2. There is a separate [learning and funding information letter for offenders](#).
3. Offenders must make loan applications on the [standard paper-based loan application form](#) which you can download from GOV.UK. The application must be accompanied by an SLC prisoner application proforma (available from the head of learning, skills and employment within the prison) or a letter from the prison governor or director (or their representative).
4. The proforma or governor's letter must confirm information such as the offender's release date and permission for the offender to study. If the offender does not have the required evidence of their identity (such as a passport or birth certificate), the proforma or the governor's letter must also confirm the offender's identity.

If a learner's circumstances change: offenders

5. Undertaking learning in custody is likely to lead to more frequent changes in circumstances. You must inform SLC when an offender's circumstances change (for example, if they are released from prison, transfer to another prison or change or withdraw from the qualification their loan is funding).

If an existing learner is sent to prison

6. If an individual undertaking a designated loans qualification is sent to prison, they may be able to continue their studies while they are in custody. The individual will have to meet the eligibility criteria for offenders as set out in paragraph 1.1 to 1.5, including the prison governor's confirmation that the qualification is appropriate.

Changes in circumstances that affect eligibility for a loan

7. When the prison governor or other appropriate authority decides an offender's eligibility for a loan has changed (for example, if a further conviction makes the qualification inappropriate), or the offender's release date is extended beyond the maximum time period:
 - 7.1 the offender must be withdrawn from their qualification
 - 7.2 the prison governor or their representative must inform you and
 - 7.3 you must tell the SLC through the learning provider portal
8. The offender will still be liable for repaying loan payments made before the withdrawal.

Transfers between prisons

Guidance to prison governors advises them to avoid transferring offenders in loan-funded learning where possible. The section below describes what happens when this is not possible.

9. There are times when an offender will be transferred between prisons in England. If the same provider operates in both prisons, the transfer will be treated as a 'Change to personal details' change of circumstance. The offender must inform the SLC about the change.
10. If the prisons have different provider:
 - 10.1 the transfer will be treated as a withdrawal from the qualification, using the process for those with compelling personal reasons
 - 10.2 you must inform the SLC about the withdrawal, through the learning provider portal
 - 10.3 the offender must make a new loan application if the provider in the prison the offender is transferred to can offer a comparable qualification
11. The prison governor or other appropriate authority at the receiving prison must give permission for the offender to study the qualification (see paragraph 3).
12. The provider in the prison the offender is transferred to must take account of the offender's prior attainment when setting the fee for the rest of the qualification.
13. The two providers must work together to provide continuity of delivery of the offender's qualification.
14. If there is no comparable qualification offered by the provider in the receiving prison, the offender must withdraw from the qualification their loan is funding and remains liable for loan payments made in respect of attendance on the

qualification at the original prison. The offender may subsequently (for example on release) be able to apply for a further loan (under compelling personal circumstances) to complete the original qualification.

15. If an offender with a loan transfers from an English prison to a prison in Wales, they must leave their loan-funded qualification, using the process for those with compelling personal reasons.
16. Before the transfer, the prison governor or their representative must inform you, and you must inform the SLC through the learning provider portal. If there is a comparable qualification available in the prison in Wales, the offender may be able to complete the remainder of the qualification (education remains publicly funded in Wales).
17. The offender will still be liable for repaying loan payments made to the provider in England up to the point they leave their qualification.
18. If an offender who has already started a designated loans qualification at a prison in Wales transfers to an English prison, they may need to apply for a loan if they want to continue the qualification. The provider should take account of the prior learning when setting the fees for delivery of the remainder of the qualification.

The period leading up to an offender being released, and the release itself

19. An offender may be released on temporary licence to commence a designated loans qualification with a provider with a loans facility from us. The intention is likely to be that this learning will continue post-release.
 - 19.1 The offender must still meet the additional eligibility criteria set out in paragraph 1.1 to 1.5.
 - 19.2 The loan application must be made in the same way as those from offenders in custody and accompanied by an SLC prisoner application proforma, or a letter from the prison governor (or their representative) to confirm the information, such as the offender's release date and their permission for the offender to study – see paragraph 4.
20. Where an offender who started a loan-funded qualification in custody is released on temporary licence they may be able to continue their studies with a provider with a loans facility from us. If this involves a change of provider:
 - 20.1 the offender must withdraw from their loan-funded qualification in custody, using the process for those with compelling personal reasons and apply for another loan for their study with the new provider
 - 20.2 the prison governor or their representative must inform the provider about the withdrawal
 - 20.3 the provider must then inform the SLC through the learning provider portal
 - 20.4 the new provider must take account of the learning the offender completed

in custody when setting the fee for the delivery of the remainder of the qualification

21. An offender who started a loan-funded qualification towards the end of their sentence, may be able to continue their studies with an eligible provider who has a loans facility from us on release. If this involves changing provider:
 - 21.1 the offender must withdraw from the qualification, using the process for those with compelling personal reasons, and apply for another loan with their new provider
 - 21.2 the prison governor or their representative must tell the provider about the withdrawal and the provider must tell the SLC about the withdrawal using the learning provider portal and
 - 21.3 the new provider must take account of the learning the offender completed in custody when setting the fee for the delivery of the remainder of the qualification

Advanced Learner Loans bursary fund: learning support

22. The loans bursary fund provides learning support activity for “in-learning” support such as support for teaching assistants or reasonable adjustments under the Equality Act 2010. This includes learning support for learners in custody or released on temporary licence.

Glossary

20+ Childcare	Within the Loans Bursary Fund, a category of support to assist learners aged over the age of 20 who are at risk of not starting learning or leaving learning due to issues in obtaining childcare.
Area Cost Uplift	Area cost uplift is paid to eligible providers from the Loans Bursary Fund and reflects the higher cost of delivering provision in some parts of the country
Break in Learning	When a learner is not continuing with their learning but has told you beforehand that they intend to resume their learning aim in the future.
Care to Learn	A Department for Education scheme to assist young parents under the age of 20 with their childcare costs that may form a barrier to them continuing in education.
Components of regulated qualifications	A subset of a qualification which could be a unit.
Direct costs of learning	Any costs for items without which it would be impossible for the learner to complete their qualification. This can include the costs of registration, examination or any other activities or materials without which the learner cannot achieve their programme of study.
Distance Learning	Learning delivered away from the learner's main place of employment or place of learning.
Earnings adjustment statement (EAS)	The form providers need to fill in to claim loans bursary funding that cannot be claimed through the Individualised Learner Record.
Education health 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 the provision is delivered.
Exceptional Learning Support	Learning support when the needs of the learner are over £19,000 in a single year.

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, or • a General Certificate of Education at the advanced subsidiary (AS) level in four subjects, or • a Quality Assurance Agency Access to Higher Education (HE) Diploma at Level 3, or • a tech level; or applied general qualification at Level 3 which meets the requirements for 2018 and 2019 16 to 19 performance tables
Grant-funded providers	<p>Providers with a financial memorandum or conditions of funding (grant).</p>
Guided Learning	<p>As defined by Ofqual: The activity of the learner in being taught or instructed by - otherwise participating in education or training under the immediate guidance or supervision or - a lecturer, supervisor, tutor or other appropriate provider of education or training.</p> <p>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. You can find more information in the Ofqual General Conditions of Recognition June 2016.</p>
Hardship	<p>Within the Loans Bursary Fund Learner Support, a category of support to assist vulnerable and disadvantaged learners to remove barriers to education and training.</p>
The Hub	<p>The Hub provides online services including the return of your individualised learner record (ILR) and completed Earnings Adjustment Statement (EAS). You can also search all learning aims, components of qualifications, apprenticeship frameworks and standards along with their validity and funding details.</p>
Individualised learner record (ILR)	<p>The primary data collection we request from learning providers for further education and work-based learning in England. The data is used widely, most notably by the government, to monitor policy implementation and the performance of the sector. It is also used by organisations that allocate funding for further education.</p>

Information advice and guidance (IAG)	Services available to learners to enable them to consider further learning opportunities, progression and career choices.
Initial Liability Point	When a learner undertakes a qualification funded with an Advanced Learner Loan, the point at which a provider can confirm that the learner has started learning, and the point at which the learner becomes liable for their loan.
Learner file	<p>A collection of documents and information brought together to form a single point of reference relating to the learning that is taking.</p> <p>This provides the evidence to prove that the learner, for whom loans payments have been made by the SLC, exists and is undertaking the learning aim that the loan is funding.</p>
Learning aim reference number	The unique eight-digit code used to identify a specific learning aim.
Learning Provider Portal	A service managed by the Student Loans Company (SLC) for providers to obtain and input information for loans- funded learners.
Loans Bursary Fund	A fund to provide learner and learning support-type assistance to learners who are funding their learning through an Advanced Learner Loan. It also provides area- cost uplifts to eligible providers.
Loans Facility	The ESFA issues loans facilities agreements to eligible providers. This facility agreement enables providers to offer loan-funded provision to individuals, and to receive payments from the Student Loans Company (SLC) on behalf of individuals.
Performance-management	Performance- management points are used to review individual provider performance. At the performance-management points we can increase and/or decrease your loans facility and/or loans bursary fund values in line with your performance and the rules set out in this document.
Personal Learning Record (PLR)	A database which allows individual learners access to their past and current achievement records. These can be shared with schools, colleges, further education training providers, universities or employers.
Learning planned end date	The date entered onto the Individualised Learner Record (ILR) when the learner is expected to complete their learning.

Recognition of prior learning (RPL)	<p>An assessment method that considers whether a learner can demonstrate that they can:</p> <ul style="list-style-type: none"> • meet the outcomes for a qualification or a component of a qualification through knowledge, understanding or • skills they already have and so do not need to undertake a course of learning for that component or qualification
Register of training organisations	<p>A register that provides assurance on organisations that deliver non-apprenticeship education and training services funded by the ESFA, or through Advanced Learner Loans, or subcontractors with more than £100,000 in our non-apprenticeship supply chain. Organisations apply to enter the register by completing our market-entry pre-qualification process which includes due diligence questions and testing of capacity and capability.</p>
Residential support	<p>Within the Loans Bursary Fund, a category of Learner Support to help learners receiving specialist provision which involves a residential element, or to support learners who cannot receive provision locally.</p>
Stateless person	<p>Individuals and eligible family member of persons who have been granted leave to remain as a stateless person by the UK Home office because they are stateless, and have no right to residence in their country of former habitual residence or any other country</p>
Self- certification	<p>A process where the learner is able to confirm something through their own signature.</p>
Start of learning	<p>The date on which learning begins. We do not consider enrolment, induction, diagnostic assessment or prior assessment to be part of learning.</p>
Subcontractor	<p>A separate legal entity that has an agreement with you to deliver any element of the education and training we fund (other than ALL-funded provision, subcontracting of which is now prohibited). 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.</p>
UK Provider Reference Number	<p>A number given to all providers by the UK Register of Learning Providers to enable them to be easily identified.</p>

Unique Learner Number	A 10-digit number used to match a learner's achievement to their personal learning record (PLR).
------------------------------	--

Summary of changes

Summary of main changes since Advanced Learner Loans Funding Rules 2017 to 2018, Version 2

We have highlighted the main changes in the table below.

Please note this is not an exhaustive list of all the changes. You must refer to the main documents for the definitive rules which apply to all providers of education and training holding a loans facility conditions and loans bursary fund agreement with the Secretary of State for Education acting through the ESFA.

If you have a specific query on the funding rules, please email the SDE.servicedesk@education.gov.uk, or speak to your provider management manager/adviser.

Section	Paragraph number	Change
Learner eligibility Stateless person	15	Learner eligibility has been extended to include a new residence category and applies to individuals and eligible family members who have been granted leave to remain as a stateless person by the UK home office because they are stateless, and have no right to residence in their country of former habitual residence or any other country.
Delivery Location	27	We have amended the rule on delivery location so it aligns with what is stated in the Regulations. All learning must take place in England, permission for learning to take place outside of England will not be granted.
Recognition of prior learning	49.2	We have added that where an individual's learning and/or achievement occurs more than 5 years ago you must check whether the learning is still valid and relevant and you must ensure prior attainment is recorded in the personal learning record.
Learner Transfers	73 to 76	We have added in a section on the processes that need to be followed if a learner transfers to your organisation.

© Crown copyright 2018

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information, you will need to obtain permission from the copyright holders concerned.

This document is also available from our website gov.uk/esfa.