

1. Home (<https://www.gov.uk/>)
 2. ESFA post-16 provider relief scheme (<https://www.gov.uk/government/publications/esfa-post-16-provider-relief-scheme>)
-
1. Education & Skills
Funding Agency (<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>)

Guidance

ESFA post-16 provider relief scheme COVID-19 response: policy document

Updated 30 April 2020

Contents

1. Summary
2. Expiry or review date
3. Who is this publication for?
4. Key points
5. Terminology
6. Scheme eligibility
7. Conditions of the scheme
8. Further information



© Crown copyright 2020

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3) (<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3>) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: 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 publication is available at <https://www.gov.uk/government/publications/esfa-post-16-provider-relief-scheme/esfa-post-16-provider-relief-scheme-covid-19-response-policy-document>

1. Summary

We recognise that training providers are faced with enormous challenges in continuing to deliver education and training during this period of uncertainty as a result of the coronavirus outbreak. In line with Cabinet Office guidance we are introducing payment measures in the form of a provider relief scheme.

The purpose of the scheme is to retain capacity within the apprenticeships and adult education sector to deliver the skills we will need to support economic recovery post-pandemic. As part of that, we also want to support training providers to maintain delivery to and support for existing learners and employers and enable new learners to enrol.

2. Expiry or review date

This document will be updated to reflect any changes that are made to the scheme and will be reviewed during June 2020. If you have this document in a saved, offline or hard copy format, you are advised to check on GOV.UK to ensure that you are using the most up to date version of the publication.

3. Who is this publication for?

This document is primarily aimed at senior leaders of further education colleges, independent training providers, higher education institutions and other organisations who hold contracts for services to deliver adult education budget / or apprenticeship provision for smaller employers that do not pay the levy (non-levy) which has been procured in accordance with the Public Contract Regulations 2015 (<https://www.gov.uk/guidance/public-sector-procurement-policy#public-contracts-regulations-2015>).

4. Key points

The main features of this policy are:

- training providers must make every effort to continue to deliver education and training to their existing apprentices and learners including contact with and support for those learners and employers where delivery cannot continue or commence due to restrictions caused by COVID-19
- in compliance with Procurement Policy Note 02/20 (<http://procurement-policy-note-0220-supplier-relief-due-to-covid-19/>) (PPN2/20) we are putting in place short term measures to support training provider cash flow based on an assessment of need
- we will calculate a funding cap for each training provider requesting support from the scheme. The funding cap will be applied to the amount requested by the training provider
- the cap will be based on a 3-month average using the ILR submission for January, February and March 2020. Existing maximum contract values (MCV) continue to apply and the providers funding cap cannot exceed 25% of the MCV even where the average earnings exceed this
- the Relief Scheme will apply to activity undertaken in April, May and June and paid in the subsequent month. Funding through this Relief Scheme will be paid on top of the regular payment claimed via the ILR. The total of the 2 payments will not exceed the provider's funding cap

- where the training provider is claiming other funds from wider business support measures, this offer cannot be used to cover the same costs. In some circumstances other support measures may be more appropriate, and details of those schemes can be found in coronavirus (COVID-19): financial support for education, early years and children's social care (<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care>) published on 17 April 2020
- in cases where training providers have furloughed staff who now need to work, they will be eligible for support from this scheme but must be taken off furlough. Further details can be found in the Coronavirus Job Retention Scheme guidance (<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme#before-you-claim>) published on 26 March 2020
- to be eligible for support, training providers must deliver quality education and training provision and have submitted their latest financial statements for assessment to the ESFA on time, for an assessment of need judgement to be made
- training providers who apply and are offered support through the scheme will be required to accept a variation to their contract for services in accordance with the change control clauses contained in the contracts and agreed by both parties. The Model Interim Payment Terms attached to PPN 02/20, adapted as required will be used as the basis for the contract variations
- training providers receiving support from this scheme must be prepared to provide all evidence of spend for future reconciliation and provide 'open book' access to accounting records, upon which their application is based

5. Terminology

Where this document refers to 'we' this should be taken to mean the ESFA.

Use of the term 'training provider' in this document should be taken to mean any provider type who delivers education and training that is eligible to benefit from this support package as set out in this policy document.

6. Scheme eligibility

To be eligible to apply for support from the scheme you must hold a direct contract that was procured as a service under Public Contract Regulations 2015. This applies to apprenticeship contracts that commenced in January 2018, for delivery to smaller employers that do not pay the levy (non-levy), and adult education budget contract for services that commenced in November 2017.

In addition, applicants will only be able to seek support from this scheme where they meet the following requirements:

- 2018 to 2019 qualification achievement rates which are above 40%. However, providers with rates below that can submit an exceptional case that they are a critical supplier based on niche provision. We will issue further information on consideration criteria in the application guidance
- submitted their latest financial accounts to the ESFA on time

- not been judged by Ofsted as making insufficient progress as a result of a new provider monitoring visit and no new starts are permitted
- delivered under the contract prior to April 2020
- plan to deliver learning under the contract in May and June 2020
- not furloughed the staff required to deliver the contract. You are eligible if staff are withdrawn from any claim for furlough if such a claim has been made when they return to work
- not received a notice of termination from the ESFA

Training providers who hold a contract for services to deliver apprenticeships to smaller employers (non-levy), must appear on the Register of Apprenticeship Training providers (RoATP) as a main provider.

Only training providers who meet the eligibility criteria will be allowed to apply. If a training receiving support from the scheme no longer meets the criteria, they will cease to be eligible.

7. Conditions of the scheme

Providers will need to meet several conditions in order to claim funding under the scheme, under the terms of both the application and the associated contract for services:

- meet **all** the provider eligibility criteria
- continue to deliver education and training to their existing apprentices and learners including contact with and support for those learners and employers where delivery cannot continue or commence due to restrictions caused by COVID-19
- provide declarations in relation to compliance with delivery requirements, requirements to retain and provide relevant evidence of the activities delivered and costs incurred and agreement to submit a final claim and repay any overpayment or funds that were not needed
- submit a schedule of expected costs in respect of the planned delivery
- continue to submit an ILR return on time each month. Where providers are receiving support through this scheme, they must submit an accurate ILR every month otherwise funds will not be paid
- not apply for or secure funding from the coronavirus Job Retention Scheme for staff funded under this scheme or through regular payments for delivery received from ESFA
- continue to pay subcontractors, end point assessment organisations and awarding organisations in accordance with their existing obligations
- submit a final claim, including a schedule of costs in respect of actual delivery for reconciliation purposes and retain appropriate supporting documentation
- agree to open book accounting and acknowledge that its application and supporting documentation will be subject to compliance checks and may be subject to in-scheme and / or post scheme audit in addition to the audit of the final claim
- an application must be submitted on behalf of the training provider by someone with the authority to request the funds such as the Chief Executive Officer or Finance Director

8. Further information

We will publish further information about the provider relief scheme including the application for funding, supporting application guidance, and associated contractual terms and conditions.

We will consider if there is a continuing need for this support before the end of June 2020 in line with any further Cabinet Office guidance.