

AEB and Requirements of the Devolution Deal

Devolution transfers to the SCR MCA adult education functions under section 86 to 88 of Apprenticeships, Skills, Children and Learning Act (ASCLA) 2009, with the exception of functions relating to apprenticeships training, adult detention or any power to make regulations or orders. The following functions under section 86 to 88 will be exercisable by the CA for South Yorkshire from 1st August 2021 instead of by the Secretary of State:

- section 86 (education and training for persons aged 19 or over and others subject to adult detention);
- section 87 (learning aims for persons aged 19 or over: provision of facilities); and
- section 88 (learning aims for persons aged 19 or over: payment of tuition fees).

In addition, each Order also provides for the transfer of the Secretary of State's functions under section 90 of ASCLA 2009 which relate to the encouragement of education and training for persons aged 19 or over, and section 100(1) of ASCLA 2009 which relates to the provision of financial resources. These functions are transferred to the CA in relation to their area and will be exercisable concurrently with the Secretary of State.

The following conditions are set on the exercise of the transferred functions:

- the CA must adopt rules of eligibility for awards by an institution to which it makes grants, loans or other payments under section 100 of ASCLA 2009 in accordance with any direction given by the Secretary of State; and
- in exercising the transferred functions, the CA must have regard to guidance² issued by the Secretary of State (as amended from time to time or replaced by a subsequent document). The CA will give effect to the guidance within the context of local strategic priorities and circumstances.

Entitlement provision

Entitlements are set out in the ASCLA 2009, and enable eligible learners to be fully funded for the following qualifications:

- English and maths, up to and including level 2, for individuals aged 19 and over, who have not previously attained a GCSE grade A* - C or grade 4, or higher; and/or
- first full qualification at level 2 for individuals aged 19 to 23, and/or
- first full qualification at level 3 for individuals aged 19 to 23.

The Secretary of State will continue to be responsible for setting the minimum literacy and numeracy level required to operate in everyday life in accordance with section 88 of ASCLA 2009. The minimum level is currently set at Level 2 of the Regulated Qualifications Framework.

The Secretary of State will continue to be responsible for determining which qualifications are covered by the entitlement. The Department will annually publish the list of qualifications, up to and including the minimum level, which are covered by the entitlement. The Department is responsible for reporting against a consistent set of qualifications. Eligible learners exercising their entitlement must be enrolled on courses leading to qualifications from the specified list of qualifications.

The government has announced that a free entitlement to basic digital skills will commence from the beginning of AY 2020/21. This will operate in a similar way to the English and maths entitlement. The government will consult on new national standards for basic digital skills and the skills level at which to set the entitlement.

The CA will ensure equal access to English and maths provision under the entitlement for people with relevant protected characteristics under the Equality Act 2010. This may include access to provision of English for Speakers of Other Languages (ESOL) courses.