16 to 19 funding: maths and English condition of funding

Message from Kent Skills and Employability Service

This guidance was published on 10th February 2015 by the EFA and therefore can be assumed to be the latest update. It can be found here:


The service is currently running a series of workshops on the development of post 16 maths and English in collaboration with Kent FE colleges and Kent’s training providers. These are part of a series which will include focus on apprenticeships and traineeships. The next meeting is to be held at SUSCON, Dartford and will be focussing on those students who have already achieved D grades. Delegates will work together to develop strategies to support learning in these areas. Further workshops are planned to include students with below a D. Please contact Rajmund Brent on 07717507160 or rajmund.brent@kent.gov.uk for more information.

As things stand at the moment there are still good progression pathways available to students who do not have the required level 2 GCSE Maths and English. We would urge you to look at the section entitled Apprenticeships where it quite clearly states the regulations about these subjects and access and completion of apprenticeships. These regulations may change of course but it would be great to see young people engage with these positive routes.

Please be aware too about the status of IGCSE – we have heard of examples where possession of this qualification acts as a blocker to apprenticeship progression.

Introduction

Funding guidance

The requirements for meeting the condition of funding for maths and English in 2014 to 2015 academic year are incorporated to the funding regulations for 2014 to 2015 academic year (annex D). This note provides further information to institutions to support them in meeting the condition of funding, including information relevant to the flexibility announced in November 2014, otherwise the original obligations are not changed by this note. In November 2014 Nick Boles, the Minister for Skills and Equalities, announced a flexibility relating to students on small part time programmes under 150 planned hours in an academic year. These students are not required to study maths and English qualifications, but institutions should include some maths and English content in courses taken by such students to facilitate their learning.

Purpose

Achieving grade C GCSE in both maths and English helps students to progress to further study, training and skilled employment. The maths and English condition of funding ensures...
all 16 to 19 year olds have the best chance of achieving this standard, and are given every opportunity and the necessary support to do so. The full ministerial statement on improving post-16 numeracy and literacy can be found on GOV.UK.

Definition of the maths and English condition of funding

From 2014 to 2015 academic year all students; starting a new study programme of 150 hours or more, aged 16 to 18, or aged 19 to 25 if they have a Learning Difficulty Assessment or Education and Healthcare Plan, who do not hold a GCSE grade A*-C or equivalent qualification in maths and/or in English, are required to be studying these subjects as part of their study programme in each academic year.

Any student who does not study one of the approved qualifications in this note, in each academic year, will be removed from the lagged student numbers in future years. The approved qualifications are either GCSE or a Level 1/Level 2 certificates (approved IGCSE) counting towards the English Baccalaureate (EBacc) measure, or an approved stepping stone qualification.

The funding will be removed from future allocations at the national funding rate per student, for the relevant year. This will be the full time national funding rate or the relevant part-time funding rate for that student. Initially this will be deducted in academic year 2016 to 2017 at the funding rates for 2016 to 2017. Other elements of the funding such as disadvantage will not be affected.

To meet this condition of funding a student must be enrolled on an approved qualification

To meet the condition of funding the student must be enrolled on an approved qualification, that is, a GCSE, or a Level 1/Level 2 certificate counting towards the English Baccalaureate, or an approved stepping stone qualification.

The student must be timetabled to attend lessons or appropriate blended learning and be progressing in the subject. The student also has to meet the qualifying period for funding for each maths and English qualification (6 weeks for a qualification with a planned length of 24 weeks or more, and 2 weeks for a qualification with a planned length of less than 24 weeks). The condition of funding relates to enrolments rather than exam entries and this provides flexibility for institutions to determine when best for a student to be entered for and sit an exam.

Changes to the condition of funding for academic year 2015 to 2016

For academic year 2015 to 2016 the same condition applies as applied in 2014 to 2015. In addition full time students (those on a study programme of at least 540 planned hours if age 16 to 17 or at least 450 hours if age 18) starting their study programme who have a grade D GCSE or equivalent qualification in maths and/or English must be enrolled on a GCSE or approved IGCSE qualification, rather than an approved stepping stone qualification.
A student who has grade D in both maths and English will need to be enrolled on GCSE or approved IGCSE in both subjects in each academic year and is required to continue to study until they achieve at least a grade C or are no longer EFA funded.

To meet this requirement individual institutions should use the flexibilities available to tailor a study programme, so that each student is enabled to improve in maths and/or English to the best of their ability. For example: an institution in discussion with a student with prior attainment of a grade D in GCSE or equivalent qualifications in maths and/or English, will need to decide:

- the appropriate GCSE course duration. For example, a student could take an intensive course ahead of a November retake or a longer one or two year course;
- when and how often to enter a student for a GCSE exam;
- whether a student would benefit from studying a stepping stone qualification before enrolling on a GCSE course. For example a student could take a functional skills qualification at the start of the academic year and enrol on a GCSE course later in the same academic year. However the student must be enrolled on the GCSE qualification for at least six weeks before the end of the first academic year.

Students commencing their study programme in autumn 2015 and planning to follow a two year GCSE course must enrol on a new GCSE qualification because the current GCSEs will not be available when students are examined in June 2017. The last examination for the existing GCSE will be in June 2016 with retakes in November 2016.

All full time students starting their study programme, who attained a grade D in maths and/or English GCSE or equivalent qualification, who are not enrolled on GCSE courses or approved IGCSE in these subjects will be removed from lagged student numbers in future years. The institution will lose the basic national funding rate per student for the relevant year. The initial reduction will be in 2017 to 2018 academic year at 2017 to 2018 funding rates.

Students with prior attainment of grade D, including those with learning difficulties or disabilities, should be capable of improving their grade with the right teaching and support. Institutions have flexibility over the length of time to prepare students for GCSE, can provide extra support and give the student time to reach their potential.

**Students covered by the condition of funding**

Any student who has not achieved either GCSE A*-C or equivalent qualifications by age 16 will need to continue to study maths and/or English in each academic year.

The condition of funding applies to all students studying for 150 hours or more in the academic year, who start a new study programme in any institution from 1st August 2014. Students aged 19 to 25 who have a Learning Difficulty Assessment or Education Health and Care Plan are covered by the condition of funding and are treated as a 16 to 17 year old.

**Qualifications equivalent to GCSE grade A*-C in maths and English for the purposes of prior attainment**
The following qualifications in maths, English language and literature are treated as equivalent to GCSE A*-C. Students who have studied in England or other UK nations holding the following qualifications by age 16 will not be required to study maths and/or English to meet the condition of funding:

- Ofqual approved GCSEs grade A*-C offered and funded in England;
- Ofqual approved GCSE offered in England (equivalent grade to be confirmed);
- Level 1/Level 2 certificates, commonly known as regulated IGCSEs grade A*-C;
- Unregulated IGCSEs grade A*-C;
- GCSEs grade A*-C obtained in Wales;
- GCSEs grade A*-C obtained in Northern Ireland;
- Scottish Intermediate 2 certificates grade A-C;
- Scottish Standard Grades (credit Level) grade 1 to 2;
- Scottish National 5 certificates grade A-C;
- A and AS levels at any grade.

**GCSE English qualifications for the purposes of prior attainment**

Students who have already achieved at least a C grade in any one of the English qualifications listed below by age 16 will meet the condition of funding:

- GCSE English;
- GCSE English Language;
- GCSE English Language and Literature;
- GCSE English Literature.

English Literature GCSE grade C or above does meet the condition of funding for the purpose of recognising prior attainment only. However students with no prior attainment equivalent to GCSE A*-C cannot take English literature or joint English language and literature qualifications to meet the condition of funding.

English as a second language qualifications (ESOL) are not considered as equivalent to GCSEs for the purpose of recognising prior attainment. This is because they do not cover the content of an English language GCSE.

**IGCSEs**

Level 1/Level 2 certificates, commonly known as regulated IGCSEs and unregulated IGCSEs in maths and English count as equivalent to GCSEs for the purposes of recognising prior attainment in the 16 to 19 maths and English condition of funding.

Students who hold regulated or unregulated IGCSEs in maths and English at grade A*-C will not have to continue their study of these subjects when they enter post-16 education, both now and in the future following role out of new GCSEs from September 2015.
Home educated students

Students who have been home educated and who want to attend an FE institution will need to comply with the condition of funding. This will apply to those who enrol on a study programme of 150 hours or more at an institution from 1 August 2014 onward.

Students who speak limited English studying maths qualifications

A student who speaks limited English will still need to have maths in their study programme, at a suitable level. This could be phased into the study programme as their ability in English develops. For example, a student could study an ESOL qualification in the first term and enrol on a maths qualification later in the year, provided they enrol on the maths qualification in time to meet the funding qualifying period.

Students part way through their study programme

The condition of funding will apply to students who have started or do start a new study programme from 1 August 2014 only.

We will apply the following rules to determine whether a student is treated as new or continuing:

- a student studying a core aim that is different from the core aim studied in the previous academic year will be counted as having started a new study programme;
- a student who changes institution part way through their study programme will be counted as having started a new study programme;
- a student who studies AS levels in the first year of their study programme, and enrolled on A2 the following year will be counted as continuing their study programme;
- a student on a two year vocational programme including a core learning aim that remains unchanged for the duration will be counted as continuing their study programme.

From 2015 to 2016 academic year the above rules will be applied to determine whether full time students with a grade D should be studying a GCSE. Those students starting a new study programme who have a grade D GCSE or equivalent qualification in maths and/or English must be enrolled on a GCSE or approved IGCSE qualification, rather than an approved stepping stone qualification. Students who are not commencing a new study programme can study either a GCSE or a stepping stone qualification.

For academic year 2016 to 2017 onwards, the condition of funding will apply to all students studying for 150 hours or more, as every 16 to 19 student by this point will have commenced their study programme after the condition of funding was introduced.

Students on short study programmes

To ensure those that want to study short courses are not discouraged from doing so, in November 2014 Nick Boles, the Minister for Skills and Equalities, announced a flexibility relating to students on small part time programmes under 150 planned hours in an academic
year. These students are not required to study maths and English qualifications, but institutions should include some maths and English content in courses taken by such students to facilitate their learning.

For all study programmes of 150 planned hours or more, students without prior attainment of a GCSE grade A*-C or an equivalent qualification will need to continue to study approved maths and/or English qualifications, in each academic year, at an appropriate level.

**Students achieving a GCSE A*-C or equivalent qualification outside of their study programme**

If a post-16 student achieves a GCSE A*-C or qualification deemed as equivalent by other means, e.g. entering for, and studying a qualification outside of their study programme, then they will have met the condition of funding for the remainder of their study programme.

**Students retaking maths and English qualifications**

A retake is defined as where a student retakes a qualification, including learning and attending lessons other than revision lessons. Students are funded to retake maths and/or English until they achieve a grade GCSE A*-C. The last retake for the existing GCSE will be in November 2016 after which the only GCSE qualification available will be the new GCSE.

**Students withdrawing from their study programme-qualifying periods**

Where a student has enrolled on a maths and/or English qualification that meets the condition of funding but does not complete it, provided they have studied the qualification for a minimum of 2 weeks (for a qualification with a planned length of less than 24 weeks) or 6 weeks (for a qualification of more than 24 weeks), they will not be removed from the lagged student numbers. This will however affect the institution’s success rates and performance tables. If maths and/or English was the core aim and the student drops out entirely then funding is reduced through the retention factor in the usual way.

**Students on a traineeship**

Students on traineeships are subject to the condition of funding and are treated as part time students for this purpose. This means they are not required to study a GCSE even if they have a GCSE grade D.

**Apprenticeships**

Apprenticeships are not subject to the maths and English condition of funding. However, similar requirements are in place to ensure all apprentices have good literacy and numeracy skills. Advanced apprentices must have already achieved either GCSE grade C or above, or level 2 functional skills qualification or study these as part of their apprenticeship. Intermediate apprentices have to pass a level 1 English and/or maths qualification(s) or if they already have it, study towards level 2, though they do not have to achieve this to complete the apprenticeship.

**Supported internships**
Students on supported internships will have a wide range of abilities and are not automatically exempt from the condition of funding. Where an exemption is necessary, students on supported internships should still be studying maths and English at an appropriate level, even if they are not able to work towards a stepping stone qualification.

**Qualifications approved for teaching to 16 to 19 year olds that meet the condition of funding**

From 2014 to 2015 students who did not achieve GCSE grade A*-C or equivalent qualification in maths and/or in English at age 16 must be enrolled on one of the following approved qualifications in either English, maths or both, in each academic year, the qualification must also be valid for EFA funding to meet the condition of funding.

- Ofqual approved maths and English language GCSEs offered in England for teaching to 2015 to 2016 only (current GCSEs);
- Ofqual approved maths and English language GCSEs offered in England for teaching from 2015 to 2016 (new GCSEs);
- maths and English language Level 1/Level 2 certificates, commonly known as regulated IGCSEs counting towards the EBacc measure grade A*-C to November 2016 only;
- Functional Skills at the appropriate level, (e.g E1, E2, E3, L1, L2) for the student and free-standing maths qualifications (at level 2 only) accredited by Ofqual, as a stepping stone to GCSE study;
- English for speakers of other languages (ESOL) qualifications accredited by Ofqual, as a stepping stone to GCSE study;
- the full Prince’s Trust TEAM Programme;
- Ofqual approved maths and English language A and AS levels.

Please note the following:

- English literature and English literature/language qualifications are not approved for teaching to 16 to 19 year olds for the purpose of meeting the condition of funding;
- level 1/level 2 certificates in English as a second language and use of mathematics are to be used as a stepping stone to GCSE study only.

**IGCSEs**

IGCSEs that the government has decided are appropriate for inclusion in the EBacc measure may be taught to post-16 students to meet the condition of funding as an alternative to GCSE for 2014 to 2015 and 2015 to 2016 academic years only.

In the 2016 to 2017 academic year, following November re-sits, IGCSEs will be removed from the approved list of qualifications that meet the condition of funding ahead of first award of the new GCSEs in maths and English. There can be no new enrollments on IGCSEs after November 2016 and IGCSEs will be removed from the approved list of qualifications for teaching.

Unregulated IGCSEs are not funded by the EFA and therefore are not included in the approved list of qualifications.
A list of Level 1/Level 2 certificates that count towards the EBacc can be found on GOV.UK.

A and AS levels

A and AS levels in maths and English can be taught as an alternative to GCSE where an institution thinks it appropriate. Only A and AS qualifications in the following subjects will meet the condition of funding:

- A or AS level English;
- A or AS level English language;
- A or AS level maths.

Nominating qualifications for inclusion in the approved list of stepping stone qualifications

Provider associations are invited to nominate additional qualifications for inclusion on the DfE approved list of stepping stone qualifications on behalf of their members. DfE will retain the right to approve only those that are judged to be robust and challenging, in consultation with Ofqual. If you have any suggestions please contact your provider association.

Checking what can be studied

All qualifications on the approved list of qualifications that can be taught to 16 to 19 year olds to meet the condition of funding for 2014 to 2015 are approved on Section 96. The list is maintained on the Learning Aim Reference Service (LARS), instructions for accessing this list can be found on GOV.UK.

Institutions must check the status of qualifications using LARS before enrolling students on them to ensure the qualification is valid at the point of enrolment.

If a change renders a maths or English qualification no longer approved or equivalent, and students are already studying that qualification, there will be no impact on the condition of funding for the institution, as the qualification is being studied in good faith.

Provided the student enrolled on a qualification which was approved for funding and met the condition of funding at that time, and the institution could not be aware it would be withdrawn, the condition of funding is met.
Summary of requirements

A summary of what qualifications students, on new study programmes can and must be studying in both 2014 to 2015 and 2015 to 2016 academic years, is given in the table below.

<table>
<thead>
<tr>
<th>The student</th>
<th>2014 to 2015 Academic Year</th>
<th>2015 to 2016 Academic Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>No GCSE grade A*-C studying 150 hours or more</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
<tr>
<td>No GCSE grade A*-C studying less than 150 hours</td>
<td>Condition of funding does not apply</td>
<td>Condition of funding does not apply</td>
</tr>
<tr>
<td>Full time student (540 hours or more 16 to 17, or 450 hours or more 18+) with GCSE grade D</td>
<td>Either GCSE or stepping stone</td>
<td>GCSE ONLY</td>
</tr>
<tr>
<td>Student age 16 to 17 with GCSE grade D studying between 150 hours and 539 hours</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
<tr>
<td>GCSE grade E or below studying between 150 hours and 539 hours</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
<tr>
<td>Overseas qualification GCSE grade A*-C equivalent</td>
<td>Exemption applies</td>
<td>Exemption applies</td>
</tr>
<tr>
<td>Full time with Overseas qualification equivalent to GCSE D equivalent from 2015 to 2016</td>
<td>GCSE or stepping stone</td>
<td>GCSE ONLY</td>
</tr>
<tr>
<td>Part time with Overseas qualification equivalent to GCSE D</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
<tr>
<td>Full time student with overseas qualification equivalent to grade E or below</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
<tr>
<td>Student with statement of SEN/LDA/EHCP AND institution assessment that confirms they are not able to study either GCSE or stepping stone qualifications</td>
<td>Exemption applies</td>
<td>Exemption applies</td>
</tr>
<tr>
<td>Student with statement of SEN/LDA/EHCP with NO assessment</td>
<td>Either GCSE or stepping stone</td>
<td>Either GCSE or stepping stone</td>
</tr>
</tbody>
</table>

Exemptions to the condition of funding

There are two exemptions to the condition of funding:

- Students with learning difficulties and/or disabilities, who are assessed as not able to study either GCSE or stepping stone qualifications;
- Students with overseas qualifications that are established as equivalent to GCSE grade C.

Students with learning difficulties and/or disabilities exemption

There is a small number of students who are not able to take a GCSE or a stepping stone qualification, for example those with multiple and complex needs. These students can be
exempt from studying qualifications but appropriate literacy and numeracy should still be included in their study programme.

There are no blanket exemptions, all exemptions must be considered on a case by case basis. There is no blanket exemption for whole institutions.

An institution may decide that a student with learning difficulties cannot study maths or English at GCSE or stepping stone level. In this case, in addition to the student’s statement of Special Educational Need, a Learning Difficulty Assessment or an Education Health and Care Plan, the institution must hold an evidenced assessment that the student is not able to study these subjects. This assessment needs to be authorised by an appropriate professional in the institution, such as the head of SEN or Student Support. The assessment should be structured and documented.

We do not expect to give further detailed advice on the format or on who should conduct the assessment. This is for institutions to decide. Exemptions will be monitored from the data institutions submit rather than on an individual basis.

Institutions should keep evidence that justifies their decision that a student is exempt. This information must be available to auditors appointed to test the use of EFA funding and Ofsted inspectors.

There are a range of qualifications accredited by Ofqual available for students at all levels; stepping stone qualifications including Functional skills at the appropriate level (e.g. E1,E2,E3,L1,L2) depending on the students’ needs; free standing maths qualifications and ESOL qualifications. Institutions can enroll a student on a course for up to 3 years, or longer if the student is in learning to age 25. This range of qualifications gives institutions scope to offer the student opportunities to progress to the appropriate level in maths and English.

**Students with overseas qualifications exemption**

Students who have studied in a country that does not provide GCSEs are potentially exempt from the condition of funding where the overseas qualifications they hold are established as equivalent to GCSE grade C.

Institutions are required to establish that the qualification is in fact equivalent to GCSE A*-C. This is determined by using the UK’s national agency responsible for providing information and opinion on academic, vocational and professional qualifications from across the world, the National Academic Recognition Information Centre (UK NARIC).

As well as confirmation from UK NARIC that an overseas qualification is equivalent to GCSE grade C, institutions also need to ensure that the student possesses the necessary competence in maths or English to benefit from their study programme. Should any teaching be required to ensure the student can function on their study programme, then this should be planned into the study programme and is fundable as planned hours.
Recording and monitoring of exemptions

To avoid funding being withdrawn unnecessarily, institutions need to inform the EFA of students who do not meet the condition of funding due to them being exempt. Institutions should maintain a record which states which exemption applies i.e. learning difficulty and/or disability or holder of an overseas qualification.

There is no need to inform the EFA that a student is out of scope for the maths and English condition of funding because they are studying for less than 150 hours in the academic year.

For institutions using the Individual Learner Record (ILR)

For 2014 to 2015 academic year institutions should notify the EFA of students who are exempt from the condition of funding through the ILR by entering code NLM 19 or NLM 20 in the Learner funding and monitoring fields. These codes will be different in 2015 to 2016; any changes will be notified in the ILR guidance.

For schools and academies completing the census

Schools and academies will use the school census from autumn 2015, to indicate students who are exempt from the condition of funding, for funding years 2014 to 2015 and 2015 to 2016.

Tuition fees

Institutions cannot charge tuition fees for retakes or sitting an exam in maths and English or any other subject. They can charge for repeat exam fees or seek voluntary contributions, but any such contributions cannot be used by institutions to excuse students from meeting the condition of funding. The details on this for 2014 to 2015 academic year are in the funding regulations paragraph 16c and/or16d.

Impact on reconciliation for Commercial and Charitable Providers (CCPs)

We are currently reviewing how the condition of funding should be treated for CCPs funding allocation reconciliation and will notify providers of any impact in spring 2015.

Performance measures and monitoring

From 2016, a new 16 to 19 maths and English progress measure will be introduced showing the progress of those who did not achieve a Grade C at Key Stage 4.

Each student’s progress will be compared against students with the same prior attainment in maths or English. Stepping stone qualifications eligible for funding will be included in the measure. The highest maths and English grade a student has achieved will be the baseline for the calculation. A one grade cap will be applied to negative scores.
Institutions should note that the last opportunity to sit the existing GCSE examination is November 2016.

Technical Guidance on new headline measures for the 2016 performance tables can be found on GOV.UK.

**Data reports**

In spring 2015 we will provide institutions with a third and final student level data report. This will show any student who would not have met the condition of funding in academic year 2013 to 2014 if the condition of funding had applied then. These reports will illustrate to institutions how many students did not meet the condition of funding and are intended to help institutions with their planning.

**Audit and Inspection**

Institutions will be subject to risk-based compliance audit to ensure the data submitted for maths and English participation and prior attainment and evidence for exemptions is sound. On inspection, Ofsted will establish that students are on the most suitable study programme and that any exemptions from studying maths and English are appropriate.

Auditors appointed to test the use of EFA funding will be checking when institutions claim a student is exempt, to ensure the exemption reason is valid. Institutions must ensure that when they consider that either of the two exemptions apply to an individual student, then adequate evidence is kept to justify that decision. The EFA will analyse data to monitor exemptions.

**Extra data collection 2014 - schools and academies only**

A one-off collection of the number of exempt students will be made in January 2015. This early data will be compiled to identify students who do not meet the condition of funding. It will be fed back to institutions as soon as possible after collection to inform you of the number of students identified as not meeting the conditions of funding. It will provide an opportunity for you to include maths and/or English on a student’s study programme before the end of the academic year and so protect future funding.

**Flow chart**

We have published a [Flowchart: 16 to 19 English and maths condition of funding academic year 2014 to 2015 and 2015 to 2016](PDF, 291KB, 1 page) to help navigate through the various scenarios you may encounter.

**Queries on the condition of funding**

Queries from institutions other than academies should be directed to your EFA territorial team on the following links.

- YPNorthern.EFA@education.gsi.gov.uk
- YPCentralSW.EFA@education.gsi.gov.uk
- YPSouthern.EFA@education.gsi.gov.uk
Queries from academies

These should go via academy enquiries on the following link.

- [academy.questions@education.gsi.gov.uk](mailto:academy.questions@education.gsi.gov.uk)

Other useful information

AoC newsletter

For further information and advice on a range of subjects including maths and English and case studies.

The Education Training Foundation’s website

This is now available. It provides further information and advise on a range of issues.