



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

# Guide to the post-16 planning and funding framework



## Guidance

Guidance document no: 121/2013

Date of issue: October 2013

# Guide to the post-16 planning and funding framework

|                            |   |
|----------------------------|---|
| <b>Audience</b>            | Maintained secondary schools, further education institutions, local authorities (LAs), ColegauCymru, Estyn, higher education institutions, Higher Education Funding Council for Wales (HEFCW), teachers' and lecturers' unions, professional associations, Welsh Local Government Association (WLGA), Association of Directors of Education in Wales, Quality Assurance Agency Wales, Equality and Human Rights Commission, Welsh for Adults Centres, Welsh Language Commissioner, Faith Communities Fora, adult community learning providers, National Institute of Adult Continuing Education, National Training Federation for Wales, work-based learning providers, Sector Skills Organisations, 14–19 Networks, regional consortia and other interested parties. |
| <b>Overview</b>            | This guidance outlines the arrangements for the post-16 planning and funding framework for LAs, school sixth forms and further education institutions.  |
| <b>Action required</b>     | The audience is required to note the contents of this guidance document which will be operational in 2013 for implementation from 2014/2015.  |
| <b>Further information</b> | Enquiries about this document should be directed to:<br>The Post-16 Planning and Funding Team<br>Further Education and Apprenticeships Division<br>Department for Education and Skills<br>Welsh Government<br>Tŷ'r Afon<br>Bedwas Road<br>Bedwas<br>Caerphilly<br>CF83 8WT<br>e-mail: <a href="mailto:post16planningandfunding@wales.gsi.gov.uk">post16planningandfunding@wales.gsi.gov.uk</a>  |
| <b>Additional copies</b>   | Additional copies can be accessed from:<br><a href="http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/guide-to-the-framework/?skip=1&amp;lang=en">http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/guide-to-the-framework/?skip=1&amp;lang=en</a>  |
| <b>Related documents</b>   | <i>Review of Qualifications for 14 to 19-year-olds in Wales (2012)</i><br><i>Post-16 planning and funding review: final report (2013)</i>   |

# **Contents**

|  |           |
|--|-----------|
| <b>About this guide</b>  | <b>1</b>  |
| <b>Section 1: Introduction</b>   | <b>2</b>  |
| <b>Section 2: Overview of the post-16 planning and funding framework</b> | <b>3</b>  |
| <b>Section 3: Programme eligibility</b>                                  | <b>11</b> |
| <b>Section 4: Funding</b>  | <b>17</b> |
| <b>Section 5: Learner eligibility</b>                                    | <b>22</b> |
| <b>Section 6: Monitoring and reporting</b>                               | <b>27</b> |
| <b>Annex A: Acronyms and glossary</b>                                    | <b>32</b> |
| <b>Annex B: Provisional timeframe for delivery in 2015/16</b>            | <b>41</b> |
| <b>Annex C: Sector subject areas and their second tier categories</b>    | <b>42</b> |

## About this guide

This guide is an operational manual for providers in receipt of post-16 funding from the Department for Education and Skills (DfES) (either directly or through local authorities).

This guide illustrates how the post-16 planning and funding framework will operate from the 2014/15 academic year, and is set out in the following chapters and annexes.

Section 1: Introduction

Section 2: Overview of the post-16 planning and funding framework

Section 3: Programme eligibility

Section 4: Funding

Section 5: Learner eligibility

Section 6: Monitoring and reporting

Annex A: Acronyms and glossary

Annex B: Provisional timeframe for delivery in 2015/16

Annex C: Sector subject areas and their second tier categories

To simplify the guidance, the term 'provider' will be used instead of repeated references to further education institutions (FEIs) and school sixth forms. Similarly the term 'learners' will apply to all learners, students and pupils.

Throughout the guide the following convention is used to denote the different funding years for local authorities (LAs), on the one hand, and FEIs on the other.

- LAs are funded on a financial year basis, which runs from 1 April to the following 31 March. For the year commencing 1 April 2014 this is expressed as: 2014–15.
- FEIs are funded on an academic year basis, which runs from 1 August to the following 31 July. For the year commencing 1 August 2014 this is expressed as: 2014/15.

This document is a guidance document and should not be treated as an authoritative statement of the law. No guide can ever be completely definitive as circumstances, policies, priorities and budgets change. Consequently, this is intended to be a working document with periodic updates and revisions. The latest version will always be available online at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/guide-to-the-framework/?lang=en>

## Section 1: Introduction

In May 2013, the Welsh Government published its final report on the post-16 planning and funding review. This report described how the new framework would operate, and concluded that, in future, more emphasis would be placed on planning and monitoring.

The main aim of the new framework is to relax the direct link between funding and learning activity and to place an emphasis on the quality of the learning offer in terms of the outcome for individual learners. Programmes rather than qualifications are at the core of the new planning and funding framework; with each programme having a defined purpose and outcome, against which it will be monitored.

The framework will:

- maintain three-year indicative funding allocations to provide stability and aid planning
- maintain uplift funding for deprivation, sparsity and Welsh-medium provision. This will be a ring-fenced quantum within the overall grant allocation
- standardise the approach to planning and funding between LAs and FEIs
- monitor the outcomes of the learning offer to enable learners to better understand where that learning could take them.

The new arrangements are being introduced for the 2014/15 delivery year. The framework will inform the allocations process for LAs (2014–15) and FEIs (2014/15) and will be live, from the planning perspective, from autumn 2013.

In this first year the new framework will only be used to fund sixth form provision and provision at FEIs. Over time its scope will be widened to include adult community learning delivered via LAs and further education provision delivered by higher education institutions (HEIs).

Work-based learning, Welsh for Adults provision and higher education programmes have their own funding arrangements and fall outside the scope of this guide.

## Section 2: Overview of the post-16 planning and funding framework

### Key principles

The post-16 planning and funding framework is underpinned by the following funding principles.

- **Simple:** to enable post-16 providers to make assumptions on future funding for planning purposes.
- **Purposeful:** allocated funding reflects the costs of learning to support effective delivery which focuses on outcomes.
- **Inclusive:** funding rates developed to promote inclusion and widen participation.
- **Sustainable:** able to adapt to a changing policy environment.
- **Maximises use of public funding:** encourages the efficient use of resources.

It also encompasses the following planning principles.

- To provide quality educational experiences and outcomes for all learners.
- To ensure equality, accessibility, and diversity.
- To optimise the use of resources to reduce duplication of provision.
- To ensure cost-effectiveness and efficiency.
- To ensure provision is affordable and sustainable in the longer term.
- To promote the delivery and development of Welsh-medium provision.

The new framework aims to establish a unified approach to planning across the post-16 sectors. It is designed to guide decisions on the development of post-16 learning programmes and the allocation of funding, ensuring that communities are served by successful sixth forms and FEIs. The planning process will also be used determine learner provision in line with Ministerial priorities.

### A programme-based approach

At the heart of the new framework is a shift from qualifications to programmes as the basis for planning and funding post-16 learning.

Programme-based learning is not a new concept. Apprenticeship learning has successfully delivered well-designed, developed and approved programmes of learning for years. Programme-based funding, rather than funding qualifications directly, will make links between funding, outcomes and destinations easier to determine and will help learners to make more informed choices about their learning.

A directory of eligible full-time programmes has been created, which provides an outline of each programme, its purpose and expected outcomes and, from 2014/15, programmes will only be eligible for funding if they are listed in this directory. The directory is discussed in more detail in Section 3: Programme eligibility (page 11).

In addition to funding full-time programmes, DfES will continue to fund part-time provision. The approach to funding part-time provision is set out in Section 4: Funding (page 17) to this guide.

## **A simplified approach to funding**

The aim of the new framework is to simplify funding by attaching a single funding value to a programme and embedding, into that, factors for retention and attainment, based on historical patterns of delivery. Programme values will also incorporate Subject Area Weights (SAWs) to reflect the relative costs of delivery in different sector subject areas.

Each full programme will be given a single funding value that will be used to plan and monitor the use of funding. These funding values will be reviewed and updated regularly to reflect changes to delivery models or programme requirements and to encourage efficient models of delivery.

Part-time provision will be funded using a single hourly rate for each sector subject area. In line with the approach adopted for full-time programmes, the hourly rate for each sector subject area will incorporate SAWs as well as factors for retention and achievement.

LAs and FEIs will also be given a block allocation which includes the current uplifts for deprivation, rurality and Welsh-medium provision.

## **Allocations on a three-year basis**

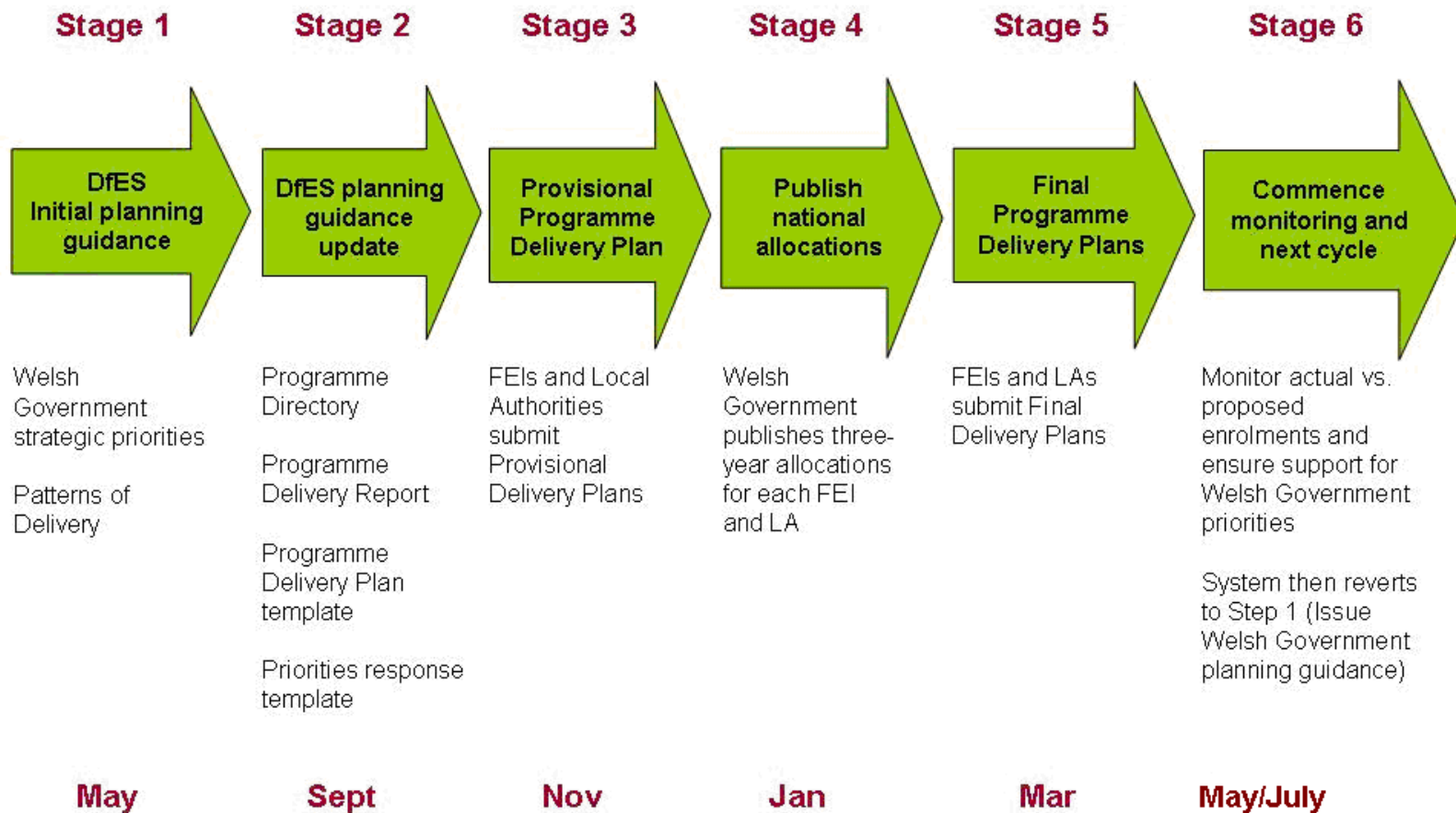
In January 2011, DfES published three-year allocations for LAs and FEIs. The first year quantum was firm, with the latter two being indicative. This approach was welcomed by providers as it provided a solid indication of funding levels which, in turn, facilitated planning over the three year period.

The new framework will maintain this approach, with allocations being issued on a rolling three-year basis (one actual and two indicative).

## **The planning and funding cycle**

Figure 1 shows the key stages of the new framework (known as the 'cycle'). The cycle incorporates all elements of the new framework including planning, reporting, and allocations and monitoring.

**Figure 1: The planning and funding cycle**





## **Timeframe of the planning and funding cycle**

For the delivery year 2014/15 the cycle commenced in May 2013 and will run over three delivery years until March 2016 when the outcomes for 2014/15 are published.

The provisional timeframe for the 2014/15 delivery year is detailed below.

### **2014/15 planning and funding cycle**

|               |  |
|---------------|--|
| May 2013      | DfES published strategic Ministerial priorities for FEIs in 2014/15.   |
| July 2013     | DfES published initial planning guidance for LAs and FEIs and programme delivery reports, giving information on current patterns of delivery, collated at the programme level.   |
| October 2013  | DfES publishes updated planning guidance for LAs and FEIs to include Ministerial priorities for LAs; updated programmes directory and programme delivery analysis.<br><br>Indicative allocations published for 2014–15 (LAs) and 2014/15 (FEIs). |
| November 2013 | LAs and FEIs submit provisional delivery plans for 2014/15, together with a proforma outlining their response to the ministerial priorities for 2014/15.   |
| December 2013 | DfES officials meet with LAs and FEIs to discuss provisional delivery plans.   |
| January 2014  | DfES publishes provisional three year allocations for LAs and FEIs. LAs and FEIs are issued with the Conditions of Funding for 2014/15.  |
| March 2014    | LAs and FEIs submit final delivery plans for 2014/15.  |
| April 2014    | LAs start to receive the first of 12 payments for the 2014–15 financial year.  |
| August 2014   | FEIs start to receive the first of 12 payments for the 2014/15 delivery year.  |
| November 2014 | November monitoring snapshot (October data freeze) to include early count of learners for 2014/15 at the programme level.  |
| March 2015    | March monitoring snapshot (February data freeze) to include mid-year count of learners for 2014/15 at the programme level.   |
| July 2015     | Detailed data return to inform end of year monitoring process.   |

|              |  |
|--------------|--|
| October 2015 | DfES commences monitoring of 2014/15 programme delivery. |
| March 2016   | DfES publishes learner outcome data for 2014/15.         |

The timeframe for 2014/15 is provisional and may be subject to change as the new planning and funding arrangements are introduced. Providers are advised that DfES may publish guidance at any point in this cycle in the event that we need to clarify or amend existing guidance or in response to any issues that may arise.

The provisional timeframe for the 2015/16 delivery year is set out, for information, in Annex B (page 41) to this guide. For the delivery year 2015/16, the cycle is expected to commence in May 2014.

## **The initial planning phase**

This section sets out Stages 1 to 3 of the planning and funding cycle. It sets out the process behind the development of the initial and updated planning guidance and how this information is used to inform the provisional provider plans.

As far as possible, the planning guidance will promote a consistent approach to provider planning. It has, however, been necessary to tailor the guidance to reflect the different planning and delivery circumstances of LAs and FEIs.

The planning cycle is scheduled to start 15 months in advance of each academic year. In a typical year this will begin with the publication of initial planning guidance in May. For the 2014/15 delivery year the timetable has moved slightly; with initial planning guidance being issued in July 2013.

### **Stage 1 – Initial planning guidance**

As part of the cycle, information on patterns of delivery will typically be shared at two points within the 15 month planning cycle – in May and September each year.

The planning cycle commences in May each year. DfES will issue guidance on planning and reporting arrangements for LAs and FEIs that outlines the requirements for both sectors and contains information to support planning. This will include the strategic Ministerial priorities, as well as programme delivery reports, which will contain information on patterns of delivery, collated at the programme level, to illustrate the current state of play across LAs and FEIs.

For vocational provision, this information will be provided at the Sector Subject Area level where provision has been identified. In time, as the cycle becomes embedded, these programme delivery reports will be updated to highlight patterns of historic, current and planned delivery at the programme level.

This information will be shared with LAs and FEIs to inform strategic planning considerations and to invite comment in the context of local demand. The strategic steers contained within the guidance will reflect policy directives and requirements across DfES. They will provide a context

for FEIs, LAs and schools with sixth forms to develop provision, engage with employers and meet community needs.

At the same time DfES will engage with other Welsh Government departments and interested stakeholders to collate and share information on current and future skills requirements.

The initial planning guidance for the 2014/15 delivery year was published in July 2013. A copy of this guidance is available to view at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/local-authorities/?lang=en>

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/further-education-institutions/?lang=en>

## **Stage 2 – Updated planning guidance**

DfES will issue a further planning guidance note in September each year. The updated planning guidance will contain a template for the submission of provisional delivery plans in November each year, together with external analysis from sector bodies on current performance and future skills requirements.

In time programme delivery reports and analyses will be made available as an online resource and will link to relevant Labour Market Information (LMI) and information from 14–19 networks.

To support LAs and FEIs in completing their provisional delivery plans for 2014/15, an updated programmes directory is available. This includes a list of eligible programmes and content which FEIs and LAs can refer to when completing their plans.

A copy of the updated planning guidance for 2014/15 is available at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/local-authorities/?lang=en>

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/further-education-institutions/?lang=en>

The latest version of the programmes directory can be viewed at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/programmes-directory-overview/?lang=en>

## **Stage 3 – Submission of provisional delivery plans**

In November each year, LAs and FEIs will be asked to submit provisional delivery plans for the following delivery year.

LAs and FEIs will be expected to map planned enrolments against eligible programmes and submit proposals for programme delivery at the sector subject area level. Funding values for eligible programmes will be provided to enable LAs and FEIs to model their delivery against indicative allocations (scheduled for publication in October 2013).

FEIs will also be asked to submit proposals for part-time delivery. For 2014/15, these submissions will be based on guided contact hours. The programmes directory has been updated to include a set of programme codes for part-time activity against which guided contact hours can be recorded.

Alongside its provisional delivery plan, each LA and FEI will need to submit a response to the strategic ministerial priorities published with the initial planning guidance.

These planning submissions will form the basis of discussions between DfES and individual FEIs and LAs, which are scheduled to take place in December each year.

Discussions in December 2013 will provide an opportunity for LAs and FEIs to discuss their 2013/14 delivery, their proposals for delivery in 2014/15 and to highlight any strategic developments which might impact on delivery in future years.

In time, as the reporting cycle becomes embedded, these planning discussions will be expanded to include information on actual versus planned delivery and programme outcomes.

For the 2014/15 delivery year DfES has issued the following templates for the submission of provisional plans in November 2013:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/local-authorities/?lang=en>

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/further-education-institutions/?lang=en>

## **The approach to allocations**

The following paragraphs provide a summary of the allocations process.

### **Stage 4 – Allocations**

The allocations for 2014–15 (LAs) and 2014/15 (FEIs) will be published in January 2014. These will include indicative funding allocations for years two and three.

The first step of the allocations process for 2014–15 and 2014/15 is to recalculate the current grant allocations to reflect any changes to demographics and staying-on rates since 2010<sup>1</sup>. This exercise will be undertaken in autumn 2013. Block allocations for uplifts will also be modelled as part of this exercise and will be published in January 2014.

From 2015–16 and 2015/16, the allocations methodology will use three year averages to inform the allocations, which will be updated annually. This approach should avoid large year-on-year fluctuations in funding, which was recognised as a weakness of the National Planning and Funding System (NPFs). It will also avoid the need to reset allocation baselines every three years.

---

<sup>1</sup> The last dataset to inform allocations was the 2009/10 dataset, which informed the allocations for 2010/11.

## **Submission of final plans and reporting**

This section looks at Stages 5 and 6 of the planning and funding cycle and sets out the arrangements for reporting and monitoring against planned delivery.

### **Stage 5 – Submission of final plans**

Once allocations have been published, LAs and FEIs will be asked to update and finalise delivery plans by March, taking into consideration any steers provided by DfES during the course of discussions in the previous November and December.

LAs and FEIs should consider how their plans fit with Welsh Government priorities and, where appropriate, future skills requirements. As the framework matures, performance information will be available to inform providers which programmes provide successful outcomes for learners and which programmes need to be looked at so that shortcomings can be addressed. DfES will publish a template for the submission of final plans for 2014/15 alongside its allocation letters in January 2014.

### **Stage 6 – Monitoring and reporting**

DfES will collect information from post-16 providers at regular intervals during the planning and funding cycle. This information will be used to monitor how FEIs and LAs are performing against their delivery plans and to inform delivery and allocations for future years.

In line with the approach to planning and funding, monitoring and reporting will take place at the programme level. Programmes will be monitored to understand how effective the learning offer is against their defined purpose and outcomes. This process will highlight programmes which are underperforming and, potentially, identify areas where there is a shortage or demand for provision.

Programme content and delivery methods will also be monitored to provide assurance that programme delivery requirements are being met and to ensure that funding values are correct.

Monitoring will take place at three intervals during the delivery year, namely:

- November (this will be informed by a high level data collection in October) – to monitor progress against planned provision
- March (this will be informed by a high level data collection in February) – to monitor mid-year progress against planned provision
- year-end (this will be informed by a detailed data collection in July) – to monitor:
  - performance against final plans
  - delivery against programme requirements
  - programme delivery models and activity levels
  - programme performance against stated outcomes.

Further detail on the approach to monitoring and reporting is set out in Section 6: Monitoring and reporting (page 27).

## **Section 3: Programme eligibility**

This section sets out the programme and course eligibility requirements for the new planning and funding framework.

Eligibility criteria specific to learner age and residency are set out separately in Section 5: Learner eligibility (page 22).

### **Programme eligibility**

Programmes are the main vehicle for planning, allocation, delivery and monitoring under the new funding framework. Each programme will attract a funding value that will be used to plan, monitor and account for the use of funds. Programmes will also be used to engage with skills sectors and external providers on the patterns of provision in Wales and strategies for the development of that provision to meet current and emerging needs.

From 2014/15 only eligible programmes will be funded. A directory of eligible programmes has been created, which provides an outline of each eligible programme, its purpose and expected outcomes. The programmes directory is discussed in more detail under the programmes directory heading below.

### **What is a programme?**

A programme-based approach is based on a package of learning with a purpose and outcome for progression to employment or further or higher education.

Each full-time programme is designed with the same structure in mind, but will have its own specification dependent on type and level of programme. Each programme typically consists of four components, namely: a core, main qualification(s), community learner industry focus (CLIF) and work experience. Figure 2 (page 12) shows the four components which make up each full-time programme.

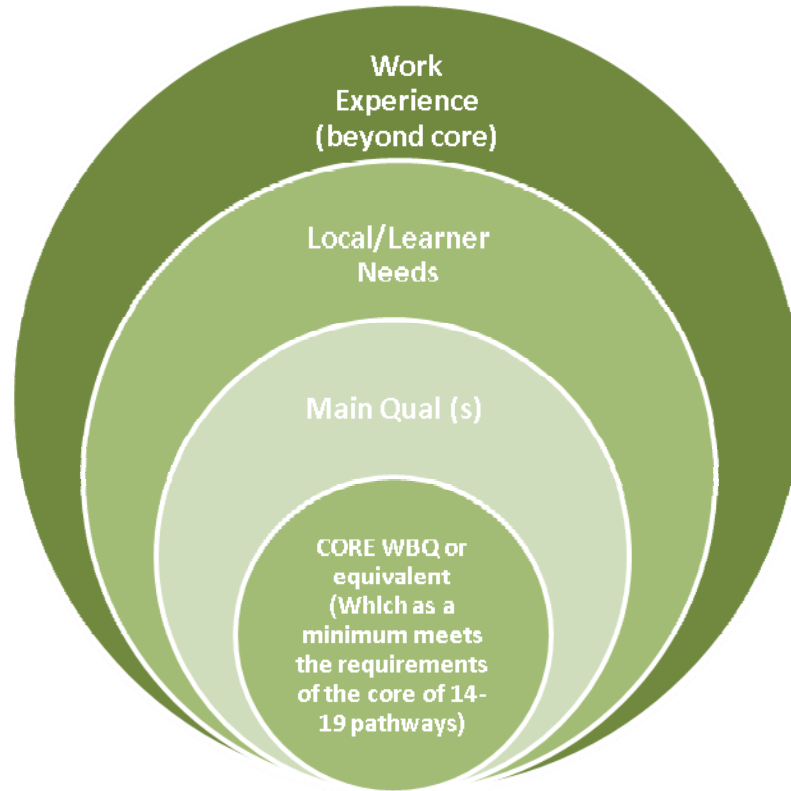
#### **The core**

The core of a programme provides the essential skills development, as well as support and enrichment activities, which will help learners achieve their main qualification and progress into employment or higher education.

The core element is based on the core of the current Welsh Baccalaureate Qualification (WBQ). For those learners who are not following the WBQ, it will include (as a minimum) three Essential Skills Wales (ESW) Qualifications and an element of tutorial time.

ESW qualifications (including wider key skills) are defined for each programme and level and may be at a different level to the main qualification(s).

**Figure 2: Components of a full-time programme**



### **Main qualifications(s)**

Each programme includes a maximum of four main qualifications.

In most vocational programmes, the main qualification would normally be an approved diploma or extended diploma but there is flexibility to combine up to four smaller qualifications. This does not include any qualifications which are part of the core or the CLIF.

The choice to use a combination of smaller qualifications is likely to be made at the lower levels and particularly with younger learners, who are uncertain about their career intentions.

General education programmes may include up to four A2 levels and vocational areas may offer different option combinations.

### **Community, learner, industry focus (CLIF)**

The CLIF component allows providers to tailor the programme content to meet specific needs of the community, learner or specific industry. This could include a GCSE resit or additional support for Welsh Language learning; or it could be an industry specific requirement such as a

mandatory Health and Safety Certificate. Within this component of the programme, the learning need not be accredited.

Providers can tailor the support required for the individual learner in order to meet the desired outcome of attaining the core and main qualification components of the programme.

### **Work-related experience (WRE)**

This component allows for any additional work experience necessary for the programme, over and above the 30 hours set out in the Welsh Baccalaureate core. This time will only be required for some programmes, either to meet the qualification specification for assessed work experience, or the skills requirements to progress.

### **The programmes directory**

The programmes directory lists the full-time programmes which will be eligible for funding in 2014/15 and sets out the requirements for each eligible programme.

The current version of the programmes directory includes a summary of the core, CLIF and WRE elements of each programme, together with statement setting out the purpose and outcome for each programme and examples of the main qualifications for each eligible programme.

The directory also explains the typology and hierarchy of programmes and sets out the programme code for each eligible programme, which will be used for all aspects of planning, funding and reporting.

The list of eligible programmes and their component parts will be subject to change and the directory will be updated regularly to allow for changes to programme details, additions and deletions of programmes.

The programmes directory currently only contains full-time programmes. Over time, it will be expanded to include both full and part-time programmes. In the meantime, the directory contains a list of codes which should be used to record part-time activity in 2014/15.

The latest version of the programmes directory is available to view at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/programmes-directory-overview/?lang=en>

### **The Welsh Baccalaureate**

The *Review of Qualifications 14–19* recommended the universal adoption of the Welsh Baccalaureate. The review also recommended the design of a new and more robust Welsh Baccalaureate core which will be graded.

The revised Welsh Baccalaureate Qualification (WBQ) will be introduced for the 2015/16 academic year. While its introduction will not change the overall approach to planning and funding, this section of the guide and the programmes directory will need to be updated in advance of its introduction in 2015.



## Approved qualifications

The Database of Approved Qualifications for Wales (DAQW) remains the main point of reference for all approved qualifications that are eligible for post-16 funding in Wales. The database can be accessed via the following link: [www.dagw.org.uk/](http://www.dagw.org.uk/)

Main qualifications within learning programmes must be selected from those listed on the DAQW database as eligible for funding and approved for delivery, and must relate to the learning area of the programme. The only exceptions are the various pathways within the Access to HE Diploma which are regulated by QAA.

DfES will be using the European definition of IVETs and CVETs as a result of the review on qualifications. We are currently working with awarding bodies to define all qualifications as IVETs or CVETs. The appropriate level for these qualifications is obtained within the database of approved qualifications which defines the level suitable for a post-16 learner.

The definition of IVET is initial vocational education and training which is general or vocational education and training usually undertaken before entering into working life. This does not lead to occupational competence. A CVET is defined as continuing vocational education and training which is after the initial or after entry into working life to improve or acquire skills and knowledge for a career move. This qualification does lead to occupational competence.

Further guidance on IVETs and CVETs will be made available within the updates for the programme directory.

## Part-time provision

While full-time learners will be expected to engage on eligible learning programmes, DfES will continue to fund part-time, single qualification provision for part-time learners.

The following categories of part-time provision will be eligible for funding in 2014/15.

- i. External qualifications appearing on the DAQW which are approved for delivery in Wales.
- ii. learndirect courses.
- iii. Courses which do not lead to an external qualification, and are not learndirect courses, but are targeted at individuals aged 16 to 24 who have dropped out, or are in danger of dropping out, of education and training.
- iv. Programmes not included in (i) to (iii) above, targeted at individuals aged 19 and over from groups, including ethnic minorities and the socially excluded, whose background has disadvantaged them and who are taking their first steps back into education or training.
- v. Access to HE courses which are regulated through the Quality Assurance Agency for Higher Education (QAA) Recognition Scheme.
- vi. Courses which are designed specifically for learners with learning difficulties and/or disabilities.
- vii. Learning activities, suitable for learners over compulsory school age, which lead to non-certified or non-accredited gain, provided they are related to a learning outcome.

Enrichment activities for 16 to 18-year-olds are not included in (vii) above as these will already be funded via CLIF component of a full-time learning programme.

## Ineligible provision

The following provision is **not eligible** for DfES funding.

- i. Full-time programmes which fall outside the programmes directory.
- ii. Courses not appearing on the DAQW which are related to obtaining membership of professional bodies.
- iii. Qualifications falling out of approval. The course itself must have commenced before approval end date on the DAQW. Where learners are enrolled onto a course leading to a qualification nearing the end of its approval, providers are reminded that they are responsible for checking qualification availability, final registration and certification end dates with the awarding body.
- iv. Prescribed higher education (HE) courses including:
  - a. learning aims for the further training of teachers or youth or community workers
  - b. postgraduate learning aims
  - c. first degree learning aims
  - d. learning aims for the Diploma in HE
  - e. Foundation degrees
  - f. learning aims for the Certificate in Education
  - g. learning aims for the Higher National Diploma or Higher National Certificate
  - h. learning aims for any diploma awarded by an HE institution.
- v. Vendor-certified courses, unless they are approved qualifications or are embedded within and contribute directly towards the learning required to achieve an approved qualification. Examples of vendor certificates include those of information technology companies that are specific to those companies' own products and services.
- vi. Primary and advanced driving skills.
- vii. Training for employed learners over the age of 19, which is commissioned by an employer and is delivered over a period of five days or less, which either:
  - a. employers need to provide to ensure their workforce (where aged 19 and over) complies with statutory requirements
  - b. individuals are required by law to undertake to be able to do their job.
- viii. Workplace Safety Training<sup>2</sup> courses aimed at employed learners.
- ix. Any other learning activities that are funded from other sources, including all full-cost recovery provision.

---

<sup>2</sup> The term Workplace Safety Training is used to encompass training which is primarily aimed at supporting safety in the workplace. Further information on Workplace Safety Training is available at <http://wefo.wales.gov.uk/publications/guidance/general/6652627/?lang=en>

By exception, where provision in (vi) above is covered as part of a wider programme of learning (such as a full-time programme) or is delivered as part of an approved Wales Union Learning Fund (WULF) project, the provision can be supported using Welsh Government funding.

## Section 4: Funding

This section explains the approach to funding programmes and part-time courses from 2014/15. Emboldened text in this section is defined in the glossary at Annex A (page 32).

### Programme funding

Each of the programmes in the programmes directory will be assigned a funding value that will be used to plan, monitor and account for the use of funds.

Funding values will be based on the number of **guided contact hours** for each programme. The funding model will apportion the total guided contact hours for a programme against each of its component parts before applying **Subject Area Weights** (SAWs) to give the total number of **weighted hours** for each programme.

In order to arrive at a £value for a programme an hourly rate is then applied to each weighted hour. Embedded into this hourly rate are factors for **retention** and **attainment**, based on historical patterns of delivery across the post-16 sector.

SAWs are used in the funding model to reflect the relative costs of delivery in different subject areas. Subjects are drawn from approved subject areas and qualifications are mapped to the appropriate SAW through their **Learning Activity Code**. These subject areas and their **second tier categories** are listed at Annex C (page 42) to this guide.

For vocational programmes, any qualification delivered under the main qualification component will attract the same subject area weighting.

General Education programmes are made up of A2, AS and GCSE qualifications. The combination of qualifications is dependent on the choice of the learner and, across Wales, the number of different combinations delivered is considerable. To simplify the funding model a SAW of 1.2 has been applied to all main qualifications in General Education programmes. This weighting is based on the average SAW across all A2, AS GCSE and vocational qualifications delivered in 2010<sup>3</sup>.

In the following example, a learner is following a General Education programme, consisting of three AS levels and the WBQ.

---

<sup>3</sup> Calculated from data submitted in providers' 2010 PLASC and LLWR returns.

## Example 1

The total weighted hours for this programme are as follows.

|                            | <b>Content</b> | <b>Hours</b> | <b>SAW</b> | <b>Total weighted hours</b> |
|----------------------------|----------------|--------------|------------|-----------------------------|
| <b>Core</b>                | 3* ESW         | 90           | 1.00       | 135                         |
|                            | Yr 1 WBQ       | 45           | 1.00       |                             |
| <b>Main qualifications</b> | 3* AS levels   | 405          | 1.15       | 465                         |
| <b>Other hours</b>         |                | 75           | 1.00       | 75                          |
| <b>Total</b>               |                | <b>615</b>   |            | <b>675</b>                  |

The total weighted hours are then multiplied by an hourly rate to give the £value for a programme.

$$675 \text{ hours} \times \text{£}4.50 = \text{£}3,037$$

Please note that the hourly rate of £4.50 is used for illustrative purposes only. The unit rate for 2014/15 has yet to be finalised.

## Example 2

In this example the learner is following a Level 3 programme in Public Services.

The total weighted hours for this programme are as follows.

|                            | <b>Content</b>                | <b>Hours</b> | <b>SAW</b> | <b>Total weighted hours</b> |
|----------------------------|-------------------------------|--------------|------------|-----------------------------|
| <b>Core/WBQ</b>            | 3*ESW                         | 90           | 1.00       | 135                         |
|                            | WBQ                           | 45           | 1.00       |                             |
| <b>Main qualifications</b> | L3 Diploma in Public Services | 405          | 1.00       | 405                         |
| <b>Other hours</b>         |                               | 75           | 1.00       | 75                          |
| <b>Total</b>               |                               | <b>615</b>   |            | <b>615</b>                  |

The total funding for this programme is £2,768 (615 hours x £4.50).

## Programme values

The provisional funding rates for programmes will be published as a separate annex to this guide. Full details of the approach to setting funding values will be included within this annex, together with details of the number of guided contact hours and SAWs underpinning each programme value. The annex is available to download at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/funding-arrangements/?lang=en>

Programme values may be updated as new programmes are developed or as programme requirements and qualifications change. DfES will publish any new programme values, or revisions to existing programme values, on an as needs basis via the link above.

## **Funding moderation**

The aim of the new framework is to simplify funding by setting a single, common funding value for each programme.

DfES acknowledges that individual providers will have different delivery models and that activity levels may vary slightly as a result. In light of this, there are no plans to moderate funding for individual programmes. Neither is it anticipated that every learner who starts a programme of learning will continue to the end and successfully complete it. The previous funding methodology moderated funding on an individual learner basis, which led to complex monitoring of provision against targets. Under the new framework a programme value will be derived to take account of drop-out or early completion. This approach means that a provider will always know what funding a cohort of learners will draw down, regardless of when/if learners drop out or complete their programmes early.

## **Reviewing programme values**

DfES will use data on guided contact hours to monitor activity levels and review funding values for individual programmes. It is intended that this will be done on an annual basis as part of the year-end monitoring arrangements. Further information on the approach to monitoring programme delivery is set out in Section 6: Monitoring and reporting (page 27).

## **Part-time provision**

For 2014/15, part-time provision will be funded using a single hourly rate for each sector subject area. In line with the approach adopted for full-time programmes, the hourly rate for each sector subject area will incorporate SAWs as well as factors for retention and achievement.

The hourly rates for 2014/15 are published alongside the programme values at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/funding-arrangements/?lang=en>

For 2014/15, FEIs and LAs will be asked to submit proposals for part-time delivery based on guided contact hours. The programmes directory has been updated to include a set of programme codes for part-time activity against which guided contact hours can be recorded. The coding framework is as follows.

- a. Sector Subject Area tier 2 areas for vocational learning.
- b. Sector Subject Area tier 1 areas for generic learning.
- c. GCSE learning.

In addition, there are specific learning activity codes for:

- d. GCE 1 AS level

- e. GCE 2 AS level
- f. GCE 3 AS level
- g. GCE 1 A level
- h. GCE 2 A level
- i. GCE 3 A level.

## Part-time programmes

During 2013/14, DfES will identify and set funding values for those qualifications that are most commonly delivered on a part-time basis. In line with the programme-based approach, DfES will use information on guided contact hours and retention and achievement rates to set funding values for part-time provision. The programmes directory will be updated at regular intervals during 2013/14 as funding values and programme codes for part-time programmes become available.

Given the number of part-time learners and the range of qualifications delivered, it would not be possible to develop part-time programmes for all part-time activity. The focus, therefore, is on identifying those qualifications most commonly delivered so that we can arrive at a set of common funding values for these qualifications.

## Enrolment on more than one programme or course

While it would not be unusual for a learner to undertake more than one part-time course in any one year, DfES would not expect a learner to be enrolled concurrently on more than one full-time programme.

The previous funding methodology included an individual learner cap based on the number of guided contact hours. While a learner could undertake more activity than the stated cap, the funding algorithm would automatically exclude any activity over and above the cap.

The new methodology for deriving allocations is not directly linked to the number of programmes or courses delivered and, as such, there are no plans to apply a cap within the new funding methodology. Instead, a report will be run at the end of every year to identify learners undertaking more than 700 guided contact hours in any one year. This information will be used to monitor activity levels and providers are advised that, where learners are routinely undertaking more than 700 hours of learning, DfES may look to reintroduce capping arrangements for future years.

## Uplift funding

The previous funding methodology included funding uplifts to reflect the additional costs of delivery in areas of **educational deprivation**, areas of low learner density (**sparsity**) and for **Welsh-medium and bilingual** delivery. Under the new methodology, LAs and FEIs will be given block allocations for each of these uplifts.

From 2014/15 there will not be a learner development uplift. Activities which were previously funded under this uplift will now be funded via the CLIF component of a full-time learning programme.

During 2013/14 working groups will be established to review the use of uplift funding for educational deprivation and sparsity. The work of these groups will inform decisions on future levels of funding and any monitoring requirements to account for the use of these funds. These groups are expected to report in time for the 2015/16 delivery year.

Work on reviewing the current Welsh-medium and bilingual uplift has already commenced and the working group is expected to report in October 2013.

For 2014–15 (LAs) and 2014/15 (FEIs), the allocations for these uplifts will be based on current delivery levels. In this first year, providers will be expected to maintain delivery at current levels.

Providers will be notified of their allocations in January 2014, along with the arrangements to collect and monitor information on the use of these funds.

## **Funding versus allocations**

The funding methodology is a mechanism for assigning funding values for full-time programmes and part-time provision. The funding methodology is separate from the allocations methodology and funding values will not be aggregated to derive providers' allocations.

Funding values will allow LAs and FEIs to model their delivery against indicative allocations. It is possible that, due to demographic trends and variances in staying on rates, LA and FEIs delivery plans could equate to more or less than their indicative allocation.

LAs and FEIs will be required to account for any variances between their delivery plans and indicative allocations as part of their provisional delivery plan submissions in November each year. DfES does not expect to see major differences between allocated funding and planned delivery.

DfES would expect any major variances to be highlighted well in advance of the delivery year in question. The discussions in December 2013 will provide an opportunity for LAs and FEIs to discuss how they are performing in 2013/14, their proposals for delivery in 2014/15 and to highlight any strategic developments which might impact on delivery in future years.

## **Conditions of funding**

DfES will enter into grant agreements with individual FEIs and with each LA for its maintained school provision. The grant agreement will set out the funds that DfES has agreed to pay for post-16 learning, how the funds will be paid and the terms and conditions for the use of funding in that delivery year; including the monitoring and audit requirements for the use of the funds.

Grant agreements will be issued annually alongside LA and FEIs allocations in January.



## Section 5: Learner eligibility

This section provides guidance to enable providers to determine the extent to which learners are eligible for DfES post-16 funding. This guidance sets out learner eligibility for post-16 funding in terms of 'age' and 'residence'. Emboldened text in this section is defined in the glossary at Annex A (page 32).

For funding purposes, the eligibility of the learner should be established at the start of his or her learning programme. In order for a learner to be eligible for funding for their learning programme, he/she must have the legal right to be resident in the **United Kingdom** (UK). A person who is subject to a Home Office deportation order will ordinarily be ineligible for funding until their situation has been resolved to the satisfaction of the Home Office, as funding should only be utilised for learners who can complete their programmes.

### Age

Sections 31–32 of the Learning and Skills Act 2000 set out the Welsh Government's main duties to secure the provision of proper facilities for education and training for persons aged 16 to 18 and the provision of reasonable facilities for education and training for persons aged 19 and over.

For the purposes of funding the following definitions are used.

**16 to 18-year-old:** a 16 to 18-year-old learner is aged 16, 17 or 18 on 31 August in the calendar year when the learner begins a programme of study. A learner is considered to be age 18 until the end of the academic year in which their nineteenth birthday falls. This definition ensures that the funding of a 16 to 18-year-old learner does not change during an individual's programme if the learner becomes 19 years old during an academic year.

**19 or over:** an adult learner is aged 19 or over on 31 August in the calendar year when the learner begins a programme of study.

### Learners of compulsory school age (under-16s)

The following paragraphs set out the requirements for FEIs wishing to enrol a learner of compulsory school age<sup>4</sup>.

The Education Act 1996 defines compulsory school age as 'any age between 5 and 16'. Section 8(3) of the same Act states that 'a person ceases to be of compulsory school age at the end of the day which is the school leaving date for any calendar year'. The school leaving date is currently set as the last Friday in June in the school year in which a child reaches the age of 16.

LAs are funded through the Revenue Support Grant (RSG) for each learner of compulsory school age in a maintained school, excluded from school or educated 'otherwise'. Therefore, where a FEI wishes to enrol a learner of compulsory school age, then that college should seek funding from the local authority, or school if appropriate.

---

<sup>4</sup> The arrangements will not apply to 14 to 16-year-old learners attending FEIs to undertake a component of their 14–19 Learning Pathway.

The funding available for post-16 planning and funding framework does not allow for expansion in numbers of learners under 16 years of age.

In exceptional circumstances the Welsh Government may fund full-time post-16 provision for a learner of compulsory school age. These exceptional circumstances are:

- i. the learner is not registered or enrolled at a school, other educational establishment or a LA;
- ii. provision and facilities (both teaching and non-teaching) must be compatible with the learner's age, ability and aptitude;
- iii. the programme of study must be suitable for pre-16 as well as post-16 learners;
- iv. the enrolment is with the knowledge and agreement of the learner's parent/carer and the LA; and
- v. in the case of a learner with learning difficulties and/or disabilities commencing FE provision, any Statement of Special Educational Needs which had specified continued secondary education beyond the learner's age at enrolment should have been amended to recommend further education or ceased to be maintained by the LA in accordance with the SEN Code of Practice for Wales.

Where these circumstances are present, FEIs should write to The Planning and Funding Team, Welsh Government, Tŷ'r Afon, Bedwas Road, Caerphilly, CF83 8WT to obtain written approval for funding prior to a commitment being given. It is not envisaged that groups of learners would be eligible for funding since by inference the circumstances are unlikely to be exceptional.

Where a learner over compulsory school age attends a course of study outside school hours, which is not connected with the learners' full-time programme at school (e.g. enrolling on an evening class with an FE college or ACL provider) this may be eligible for post-16 funding.

## **Residence**

This section provides detailed guidance on the residence conditions which apply in determining an individual learner's eligibility for post-16 funding.

The residency conditions which apply for post-16 funding are based on the Education (Fees and Award) (Wales) Regulations 2007 (as amended). The Regulations can be viewed at: [www.legislation.gov.uk/wsi/2007/2310/contents/made](http://www.legislation.gov.uk/wsi/2007/2310/contents/made)

The residence conditions which apply for post-16 funding are the same across the post-16 sector. The rules are also consistent with the eligibility conditions set out in the Schools Admissions Code, issued under Section 84 of the Schools Standards and Framework Act. This code remains in place and should be consulted on in respect of school admissions. A copy of the code can be viewed at: [www.wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en](http://www.wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en)

## **Learners eligible for funding**

To be eligible for post-16 funding a learner must normally be able to satisfy the following three requirements:

- i. on the first day of the first academic year of their course (the **relevant date**) he/she is ordinarily resident in the UK;
- ii. on that date he/she is **settled** in the UK; and
- iii. for three years preceding that date, he/she has been ordinarily resident in the **UK and Islands**, and that no part of the period of residence was wholly or mainly for the purpose of receiving full-time education.

In applying these rules, providers will need to consider the following.

- A learner will be settled in the UK if he/she is ordinarily resident in it and not subject under the immigration laws to any restriction on the period for which he or she may remain.
- A learner who has been living outside the UK because they or their family were temporarily employed abroad may be treated as if their ordinary residence has not been interrupted.
- A learner who has been living in the UK for the sole purpose of receiving full-time education, and who would otherwise have lived elsewhere would not meet the above requirements.

The following persons will be eligible for funding (these groups broadly correspond to the categories listed in the Schedule to the Education (Fees and Award) (Wales) Regulations 2007).

- a. A person who is **settled** in the UK and has been ordinarily resident in the UK and Islands for three years preceding the relevant date.
- b. A national of any **European Union (EU)** country or the **family member of an EU national**, where the learner has been ordinarily resident in the **European Economic Area (EEA)** for three years preceding the relevant date.
- c. An **EEA migrant worker** or the **family member of an EEA migrant worker**, where the learner has been ordinarily resident in the EEA for three years preceding the relevant date.
- d. Anyone who is recognised as a **refugee** by the UK Government who has remained ordinarily resident in the **UK and Islands** since being granted refugee status, or the **family member** of such a person.
- e. People with **humanitarian protection (HP)** or **discretionary leave (DL)** or **exceptional leave to enter or remain (ELE/ELR)** or their **family members**.
- f. Children of **Turkish workers** where the Turkish worker has been lawfully employed and resident in the UK at any time in the past and where the learner has been ordinarily resident in the EEA or Turkey for the full three-year period prior to the relevant date.
- g. Children of **Swiss nationals**, where the learner has been resident in the EEA for the full three-year period prior to the relevant date.
- h. Learners studying in the UK under reciprocal exchange agreements.

DfES will also regard a non-EEA national who is in the UK with **work-related immigration permission** as eligible for funding after completing three years of residence in the UK with any work-related permission, or the **family member** of such a person.

DfES also considers **asylum seekers** and their **dependants** as eligible for post-16 funding, providing they are in receipt of support under either of the following.

- i. The Immigration and Asylum Act 1999.
- ii. The Children Act 1989.
- iii. The National Assistance Act 1948.

Asylum seekers refused asylum but eligible and granted support under Section 4 of the Immigration and Asylum Act 1999 will be eligible for DfES funding.

DfES considers all 16 to 18-year-old asylum seekers as eligible for funding, including any unaccompanied asylum seekers aged 16 to 18 years old who are placed in the care of the local authority.

In addition to the groups listed above, the following groups of learners will be eligible for post-16 funding.

- a. 16 to 18-year-olds entering the UK who are British or EEA Citizens, or 16 to 18-year-olds whose passports have been endorsed to show they have **right of abode** in the UK.
- b. 16 to 18-year-olds who are accompanying or joining parents who have the right to abode or leave to enter or remain in the UK (including those with grant of leave as a **Tier 4 dependant**), or those who are children of diplomats.
- c. 16 to 18-year-olds who are dependents of teachers coming to the UK on a teacher-exchange scheme.
- d. 16 to 18-year-olds who are dependants of serving members of the British Armed Forces.
- e. People with recently settled status; having been granted **indefinite leave to remain, right of abode**, or British Citizenship within the three years immediately prior to the relevant date.
- f. The spouse or civil partner of a person with settled status living within the UK.
- g. The spouse or civil partner of an EEA national living within the UK.

In addition to those learners in the categories listed in paragraphs above, DfES will consider other exceptional circumstances on a case by case basis. If you believe that a learner should be considered for funding because of exceptional circumstances, please contact DfES: [post16planningandfunding@wales.gsi.gov.uk](mailto:post16planningandfunding@wales.gsi.gov.uk)

## **Learners from England**

Learners who come across the border to attend nearby schools or FEIs are eligible for DfES funding, in accordance with the informal reciprocal agreements with the Education Funding Agency and the Skills Funding Agency. Providers should not, however, actively market their provision to learners domiciled in England.

Learners of all nationalities who are dependants of serving members of the British Armed Forces should be considered eligible for funding throughout their period of service on the same basis as other young people legally resident in Wales.

## **Learners not eligible for post-16 funding**

Learners undertaking full-time programmes fully funded by the Higher Education Funding Council for Wales (HEFCW) will usually be ineligible for DfES funding, as the funding provided is intended to cover the whole of their learning programmes. All and any additional educational programmes that are appropriate for individual learners should be claimed through HEFCW or, in the case of learners on franchised higher education programmes, their full time higher education provider.

## **Provider resources**

Responsibility for assessing eligibility in individual cases rests with the individual institution. Any queries relating to residence conditions for learners accessing FE provision should be forwarded to: [post16planningandfunding@wales.gsi.gov.uk](mailto:post16planningandfunding@wales.gsi.gov.uk)

## **Section 6: Monitoring and reporting**

One of the key aims of the new framework is to better understand the return the Welsh Government gets from its investment in the post-16 sector in Wales. To achieve this, DfES is introducing a framework of monitoring and reporting, which will gather information at a programme level to inform and influence delivery in future years.

DfES is developing a model that draws on data already collected by providers. Rather than relying on historical data collections, the new framework aims to make better use of real-time information to influence planning and funding decisions.

Information will be collected from providers at three intervals during the delivery year: in October, in February and at year-end (July). This information will be used to monitor how providers are performing against their final delivery plans and to monitor programme delivery. The information collected in October and February will be high level 'headcount' information while the end of year data will include the detail of all delivery that has been undertaken in the academic year. While the high level information can be taken from designated LLWR freezes and the end of year collection from the routine end of year LLWR freeze, new guidance for submission of local authority data will be published in due course. A link to the submission requirements can be found in the data submission section of this guide.

This information will also be collated to develop programme delivery reports which highlight national and local enrolment trends. These reports will be shared with LAs and FEIs to inform the submission of delivery plans. DfES will also share these reports with sector skills organisations to gather expert advice on future skills requirements and priorities for delivery.

### **Monitoring against delivery plans**

#### **November monitoring snapshot**

In November DfES will monitor information from providers on which programmes are being delivered and to how many learners. This information will be collected by means of an October collection and will take the form of a headcount. A full LLWR or PLASC submission will not be required at this point.

This information submitted in October 2014 will be collated at the sector subject area level and shared with LAs and FEIs to inform the development of provisional delivery plans for the following (2015/16) delivery year. This information will also provide DfES with an indication of how providers are performing against their delivery plans for 2014/15.

Review meetings will take place in December each year to discuss LA and FEIs provisional development plans for the following delivery year. By collecting information in November, DfES will be able to compare actual versus planned delivery and make more informed decisions about plans for the following delivery year.

Example 3 shows how information from the November monitoring snapshot could be used to inform planning discussions.

### **Example 3**

- Provider A's final delivery plan for 2014/15 included 1,000 Level 2 Business Administration programmes.
- The November 2014 monitoring snapshot shows that only 600 programmes are being delivered.
- Provider A then submits a proposal to deliver 1,200 Level 2 Business Administration programmes in its provisional delivery plan for 2015/16.

In this scenario DfES would question why Provider A is looking to expand its delivery in Business Administration. The focus of its discussions with Provider A would be on understanding the rationale for the proposed growth in provision and, in particular, whether there was a shortage or demand for provision in this area.

### **March monitoring snapshot**

Headcount information will also be monitored in March each year. This will be used to monitor mid-year progress against planned provision and will also link to the submission of LAs and FEIs final delivery plans in March each year. This information will be collected by means of a February collection and will also take the form of a headcount.

### **Year-end monitoring**

Year-end monitoring will require the submission of a full PLASC or LLWR dataset by LAs and FEIs each July. DfES will use headcount information to monitor programme delivery as well as data on guided contact hours to monitor the amount of part-time activity. The year end data will reflect all delivery undertaken in the academic year from August to July and will also be used to monitor programme delivery.

### **Monitoring programme delivery**

Programmes will be monitored to understand how effective the learning offer is against defined purpose and outcomes. This process will highlight programmes which are underperforming and, potentially, identify areas where there is a shortage or demand for provision.

Programme content and delivery methods will also be monitored to provide assurance that programme delivery requirements are being met and to ensure that funding values are correct.

DfES will use information from providers' year-end PLASC and LLWR returns to monitor programme delivery. The information will be used to:

- check that programme delivery requirements are being met
- provide assurance that programme funding values are appropriate
- monitor, review and explore the potential for more efficient models of delivery at a programme level
- compare programme outputs and outcomes at a provider and at the sector level.

In Example 4, Provider A and B are delivering the Level 3 Business Administration programme. The average success rate for this programme across the post-16 sector is 85 per cent.

#### **Example 4**

- Provider A delivers the Level 3 Business Administration programme in 650 guided contact hours.
- Provider B delivers the Level 3 Business Administration programme in 550 guided contact hours.
- Provider A has a 90 per cent success rate<sup>5</sup>.
- Provider B has a 70 per cent success rate.

In this scenario, discussions with Provider B would focus on what the provider is doing to improve its success rate for the Level 3 programme. DfES would question the number of guided contact hours needed to successfully deliver the programme and recommend that Provider B speaks with Provider A to share best practice on delivery.

#### **Example 5**

In this example, Provider A and B are delivering their Business Administration programmes in the same way as Example 4 above.

- Provider A delivers the Level 3 Business Administration programme in 650 guided contact hours.
- Provider B delivers the Level 3 Business Administration programme in 550 guided contact hours.
- Provider A has a 90 per cent success rate.
- Provider B has a 90 per cent success rate.

In this scenario, discussions would focus on how Provider B is able to achieve the same success rates while delivering 100 fewer guided contact hours. DfES would monitor guided contact hours for this programme across all providers and, where there is evidence that high success rates are possible with fewer guided contact hours, may look to reduce the funding rate for a programme in line with the reduction in activity.

#### **Example 6**

In this final example:

- Provider A has a 60 per cent success rate
- Provider B has a 60 per cent success rate.

DfES would monitor success rates for the Business Administration programme and, where success rates across the sector fall below the acceptable threshold, would refer this to the relevant curriculum managers network. Curriculum managers would be asked to review programme content and delivery to understand why success rates are below and, where necessary, redefine programme delivery requirements.

---

<sup>5</sup> The success rate is calculated as the number of learning activities attained divided by the number of learning activities terminated.



## **Monitoring adjustments**

It should be noted that these monitoring arrangements are not being implemented with the motive of penalising providers. Rather, they are designed to support providers' planning processes and to allow for a greater understanding of what is being delivered and why.

The year-end monitoring exercises in July will be used to inform programme design and funding values, and also be used to encourage best practice and sharing of curriculum standards. Only in circumstances of continued poor performance is monitoring information likely to have a direct impact on providers' allocations.

Using the information in the framework to monitor delivery in this way will improve accountability, and provide crucial evidence to influence change when required. It will also provide the Welsh Government with the information to understand what it gets in return for public investment in learning.

## **Learning outcomes**

The new framework will place an increased focus on learning outcomes. DfES is no longer satisfied with knowing about attainment and completion alone. We want to better understand the value from that attainment by evaluating the result of this achievement, in terms of progression to a job, to higher education or further learning. This will provide the Welsh Government with the confidence that public funds are invested wisely and produce the right outcomes for Wales.

Outcomes assessment will be embedded as part of the year-end monitoring process in July. This will be used to develop benchmarks across LAs and FEIs and to inform programme design and delivery models. Over time, this information may also be used to inform the allocation of funding.

Data collected via the Lifelong Learning Wales Record (LLWR) is currently used to calculate learning activity success, completion and attainment rates for FE, published in individual college Learner Outcomes Reports (LORs) each year. It is envisaged that we will continue to publish these learning activity measures, and will build on the existing approach to develop more consistent measures across further education and sixth forms. However, destinations will become the key outcome measure for the new learning programmes.

DfES is currently developing a measure for destinations that will be used for FEIs, sixth forms and work-based learning, and enable DfES to publish information transparently in the same way as for LORs. Our goal is to provide learners, parents/carers and the general public with information on outcomes which they can use to inform their decisions on the most appropriate learning programme and provider.

Information on outcome measures will be published in advance of the 2014/15 delivery year. DfES will publish its first set of outcome data in March 2016.

## **Data submission requirements**

DfES is currently reviewing its data submission requirements to fit with the new arrangements for monitoring and reporting.

Specifications for the LLWR and PLASC are currently being finalised for 2014/15 and are scheduled to be published in February 2014. These will be available to view via the monitoring and reporting pages of the website at:

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/monitoring-and-reporting-arrangements/?lang=en>

In the meantime, providers should note the following key dates for the submission of data in 2014/15.

- October 2014: high level information to inform November monitoring process.
- February 2015: high level information to inform March monitoring process.
- July 2015: detailed data return to inform end of year monitoring process.

## **Audit requirements**

The end of year data collection will be subject to the existing audit requirements. Guidance notes will need to be amended to reflect changes in the funding methodology and will be issued in due course via the following link.

<http://wales.gov.uk/topics/educationandskills/learningproviders/p16planningandfunding/planning-and-funding/arrangements/monitoring-and-reporting-arrangements/?lang=en>

## **Programme delivery reports**

DfES will publish programme delivery reports at regular intervals in the planning and funding cycle. These reports will contain information on patterns of delivery, collated at the programme level, to illustrate the current state of play across the post-16 sector.

For 2014/15, DfES is testing the approach and presentation of data with FEIs and sector organisations. The format and content of programme delivery reports will be refined through provider feedback and its success will be measured by the extent to which it is used to influence planning and support dialogue between DfES and LAs and FEIs.

Programme delivery reports for full-time vocational provision in 2012/13 and 2013/14 were issued in July 2013. These are available on request from the Planning and Funding Team ([post16planningandfunding@wales.gsi.gov.uk](mailto:post16planningandfunding@wales.gsi.gov.uk)).

These reports will be updated during 2014/15 to include information on in-year delivery collected during the November (October data freeze) and March (February data freeze) monitoring snapshots. Year-end information captured in July will also be added once this becomes available.

In May each year, at the start of each planning cycle, DfES will share the latest programme delivery reports with sector skills organisations to gather expert advice on current and future skills needs and well as priorities for delivery. This information will be collated by DfES to provide an analysis, which will identify future skills needs and highlight priorities for delivery at the sector subject area level. This information will be made available in September each year to coincide with Stage 2 of the planning and funding cycle.

## **Annex A: Acronyms and glossary**

|         |  |
|---------|--|
| DfES    | Department for Education and Skills        |
| FEIs    | Further education institutions             |
| LAs     | Local authorities                          |
| SAWs    | Subject Area Weights                       |
| LMI     | Labour Market Intelligence                 |
| PLASC   | Pupil Level Annual School Census           |
| LLWR    | Lifelong Learning Wales Record             |
| NPFS    | National Planning and Funding System       |
| WBQ     | Welsh Baccalaureate Qualification          |
| ESW     | Essential Skills Wales                     |
| CLIF    | Community Learning Industry Focus          |
| GCSE    | General Certificate in Secondary Education |
| WRE     | Work-related experience                    |
| DAQW    | Data of Approved Qualifications for Wales  |
| QAA     | Quality Assurance Agency                   |
| LSA     | Learning and Skills Act                    |
| ACL     | Adult community learning                   |
| HE      | Higher education                           |
| WULF    | Wales Union Learning Fund                  |
| SSA     | Sector Subject Area                        |
| GCE     | General Certificate of Education           |
| SEN     | Special educational needs                  |
| CL      | Community learning                         |
| EU      | European Union                             |
| EEA     | European Economic Area                     |
| HP      | Humanitarian Protection                    |
| DL      | Discretionary leave                        |
| ELE/ELR | Exception leave to Enter/or Remain         |
| HEFCW   | Higher Education Funding Council for Wales |
| LORs    | Learner Outcome Reports                    |

## **Guidance glossary of terms**

### **Attainment**

A performance measure. Of all the learning activities that were completed, the number which resulted in the learner achieving the qualification they were aiming for.

### **Completion**

A performance measure. Of all the learning activities that were started, the number which were completed (i.e. where the learner was still there at the end of the course).

### **Destination/Progression**

Information on what a learner is doing after completing their learning activity (e.g. progression into further learning at a higher level, employment, voluntary work or self-employment).

### **Combination programme**

A programme consisting of a combination of A level(s) and IVET course(s).

### **Continuing Vocational Education and Training (CVET)**

Education or training after initial education and training – or after entry into working life aimed at helping individuals to:

- improve or update their knowledge and/or skills
- acquire new skills for a career move or retraining
- continue their personal or professional development.

### **Educational deprivation**

Educational deprivation can be defined as the lack of support, resources or opportunities for individuals to engage in learning, and/or to achieve learning outcomes.

The education domain of the Welsh Index of Multiple Deprivation was used to provide a deprivation uplift for funding allocations within the previous National Planning and Funding System. The funding model applied an uplift to provision undertaken by learners residing in areas that were in the most deprived 30 per cent of areas in the educational domain of the Index.

### **Initial Vocational Education and Training (IVET)**

Initial vocational education and training which is usually undertaken before entering into working life. This does not lead to occupational competence.

### **Learning Pathway**

A series of programmes that provide a route for progression for a learner.

## **Learning programmes**

A package of learning that has a clear purpose and planned outcomes, delivered through a main qualification and additional learning activities, as set out in the Programmes Directory.

## **Outcome**

The end of programme assessment of the extent to which the learner has achieved the purposes of the programme of learning and is capable of progression to further learning or employment.

## **Outcomes-based system**

A system which captures information on the learner, which demonstrates if the outcome of the programme was achieved successfully to enable progression.

## **Output**

A quantitative performance measure such as the number of qualifications achieved by learners or the number of courses delivered by providers.

## **Programme Directory**

The list of eligible programmes which are eligible for post-16 funding. The directory includes basic information on the title, code and level of programmes, in addition to details on the purpose and outcome, current main qualifications and learning area programme requirements.

## **Programme delivery reports**

Reports which highlight national patterns of historic, current, and planned delivery against learning programmes to inform and influence planning considerations. The report also sets out strategic priorities against national delivery trends for vocational provision.

## **Programme code**

The eight digit code which is used to identify a specific programme of learning.

## **Programme value**

The £value attached to a programme of learning.

## **Programme purpose**

The rationale for a learner engaging in a programme and the high level outcomes in terms of progression or potential employment.

## **Qualification**

An award made by an external awarding body following a period of study verified and obtained through assessment and/or examinations.

## **Retention**

A performance measure looking at the amount of learners that leave learning before completing their course of study.

## **Sector Subject Areas**

All regulated qualifications are assigned a Sector Subject Area code by the Awarding Organisation.

Sector Subject Areas are classifications of business areas as determined by the (then) Qualification and Curriculum Authority (QCA).

Sector Subject Areas enable the classification of particular subjects in two tiers.

Tier 1 is a broad grouping of values, for example:

1: Health, Public Services and Care.

Tier 2 is a more precise classification level with an additional 50+ values, for example:

1.1: Medicine and Dentistry.

Sector subject areas and their Tier 2 are listed at Annex C (page 42) to this guide.

## **Sparsity**

Low learner population density within a provider's learner recruitment area that reduces the opportunity for economies of scale, which may introduce diseconomies of scale, and may restrict the curriculum offer.

The objective of the sparsity uplift is to offer additional support to providers who, due to their location, suffer unavoidable diseconomies of scale.

## **Subject Area Weights**

Subject Area Weights (SAWs) are used to reflect the relative costs of delivery in different subject areas. Reflected in the SAW are additional costs borne by the provider, where they can be directly related and/or reasonably apportioned to learning activities, such as:

- premises maintenance costs
- materials
- equipment
- group size restrictions due to health and safety requirements or support needs for learners with learning difficulties and/or disabilities or basic skills needs
- student/staff ratio.

Subjects are drawn from agreed sector subject areas. Qualifications are then mapped to the appropriate SAW through their learning activity code.

**Success rate**

A performance measure. Of all the learning activities that were started, the number which were successfully completed and attained.

**Uplift**

Additional funding above the programme-based funding allocation to reflect the additional costs of delivery in areas of educational deprivation, areas of low learner density (sparsity) and for Welsh-medium and bilingual delivery.

**Welsh-medium**

This Welsh-medium uplift is intended to reflect the increased costs of providing the learning activity through the medium of Welsh. This is not to be confused with programmes designed to promote proficiency in the use of the Welsh language, such as Welsh for Adults courses, or GCSEs or GCEs in Welsh.

**Guided contact hours**

The number of teaching, instructional or assessment contact hours for a learning activity or programme.

**Weighted hours**

The total number of guided contact hours for a programme, including any applied Subject Area Weights.

**Learning activity code**

Also known as the Learning Aim Reference Code or QAN Code. The unique reference number for a qualification.

**Learner eligibility glossary****Asylum seeker**

A person who has registered an application for asylum with the UK Border Agency.

**Dependant**

In relation to an asylum seeker is defined as a spouse, civil partner, unmarried or same-sex partner, or child under 18-years-old included in the application for asylum.

**European Union**

Includes the following member state of the European Community.

|   |  |
|---|--|
| Austria   | Latvia   |
| Belgium   | Lithuania  |
| Bulgaria  | Luxembourg   |
| Republic of Cyprus  | Malta  |
| Czech Republic  | Netherlands  |
| Denmark   | Poland   |
| Estonia   | Portugal (including Madeira and the Azores)                                      |
| Finland (including the Aland Islands)   | Romania  |
| France (including the French Overseas<br>Departments of Guadeloupe, Martinique,<br>French Guyana, Reunion and Saint-Martin) | Slovakia   |
| Germany (including Heligoland)  | Slovenia   |
| Greece  | Spain (including the Balearic Islands, the<br>Canary Islands, Ceuta and Melilla) |
| Hungary   | Sweden   |
| Ireland   | United Kingdom (including Gibraltar)   |
| Italy   |  |

In addition, the following overseas dependent territories are regarded as part of the EU for funding eligibility purposes.

Anguilla; Aruba; Bermuda, British Antarctic Territory; British Indian Ocean Territory; British Virgin Islands; Cayman Islands; Falkland Islands; French Polynesia, French Southern and Antarctic Territories; Greenland and Faroe Isles; Henderson Island; Mayotte; Montserrat; Netherlands Antilles (Bonaire, Curaçao, Saba, St Eustatius and St Maarten); Pitcairn, Ducie and Oeno Islands; South Georgia and the South Sandwich Isles; St-Barthélemy; St Helena and its Dependencies; St Pierre et Miquelon; New Caledonia and Dependencies; Turks and Caicos Islands and Wallis and Futuna.

### **European Economic Area**

Includes all the EU countries and territories listed above, together with the following countries.

|               |              |
|---------------|--------------|
| Iceland       | Norway       |
| Liechtenstein | Switzerland* |

\*For simplicity, for providers that have to assess learners for eligibility for post-16 funding, Switzerland will be treated as being within the EEA. In law, Switzerland is not part of the formally recognised EEA but its nationals are similarly eligible under various international treaties signed by the UK and Swiss governments.

### **European Economic Area (EEA) migrant worker**

An EEA national who is a worker, other than an EEA frontier worker, in the United Kingdom.



In addition, there are certain categories of people, including EEA frontier workers, EEA frontier self-employed persons or EEA self-employed persons, who are eligible for post-16 funding. Further information on these categories can be found in the Schedule to the Education (Fees and Award) (Wales) Regulations 2007).

### **Family member of an EU National or EEA migrant worker**

The spouse, civil partner or child or grandchild or dependant parent or grandparent of an EU national, or of the EU national's spouse or civil partner.

### **Exceptional leave to enter or remain (ELE/R)**

ELE/R was a form of immigration status in use before April 2003. It was granted to asylum seekers who the Home Office decided did not meet the definition of a refugee as defined in the Refugee Convention but it decided should be allowed to remain in the UK for other reasons.

### **Discretionary leave to remain (DL)**

Permission to stay in the UK for reasons that are exceptional. This is sometimes given to a person who does not qualify for asylum but whom the Home Office believes should be allowed to stay for other reasons.

### **Humanitarian protection (HP)**

Protection given to someone under the terms of the European Convention on Human Rights. It is not the same as asylum, which may be given only to those who are fleeing persecution, under the terms of the 1951 United Nations Convention Relating to the Status of Refugees. The Home Office may give humanitarian protection to someone whom they believe does not qualify for asylum if they think there are humanitarian reasons for allowing that person to stay in the United Kingdom.

### **Family member of a person with DL or HP**

A person who is the spouse, civil partner, or child of a person with DL or HP; or the child of the spouse or civil partner of a person with DL or HP. The family member of such a person must have been the family member on the date on which the refugee made their application for asylum. In addition, the child of a refugee or the child of the spouse or civil partner of a refugee or step-child of a person with DL or HP must have been under the age of 18 on the date on which the person made their application for asylum.

### **Indefinite leave to enter or remain (ILE/ILR)**

Permission to enter or remain in the UK without any time restrictions on the length of stay.

### **Leave to enter or remain**

A person who has been informed by the Home Office that although they do not qualify for recognition as a refugee (see glossary definition below), they have been allowed to stay in the UK. Such a person is normally granted Humanitarian Protection or Discretionary Leave (DL).

## **Ordinary residence**

Defined as habitual and normal residence in the UK from choice and for a settled purpose throughout a prescribed period apart from temporary or occasional absences.

## **Relevant date**

The term 'relevant date' refers to 'the first day of the first academic (or teaching) year of the course' and this is defined as:

- a. 1 September if the academic year starts between 1 August and 31 December
- b. 1 January if the academic year starts between 1 January and 31 March
- c. 1 April if the academic year starts between 1 April and 30 June
- d. 1 July if the academic year starts between 1 July and 31 July.

## **Right of abode**

The right to live and work in the United Kingdom.

## **Settled status**

A person who is settled in the United Kingdom within the meaning of section 33(2A) of the Immigration Act 1971; in other words having either indefinite leave to enter or remain (ILE/ILR) or having the right of abode in the UK. British citizens and certain other people have the right of abode in the UK, including:

- those with European Community-United Kingdom of Great Britain and Northern Ireland passports
- British Dependent Territory Citizens (now known as British Overseas Territory Citizens)
- those whose passports have been endorsed to show they have right of abode in the UK
- those who have a certificate of naturalisation or registration as a British Citizen.

## **Refugee**

A person who is recognised by the Home Office as a refugee as described in the 1951 Geneva Convention. A person given refugee status is normally granted leave to remain in the UK for five years, and at the end of that period can apply for indefinite leave to remain (see 'Indefinite leave to remain' below).

## **Family member of a refugee**

A person who is the spouse, civil partner, or child of a person with refugee status; or the child of the spouse or civil partner of a refugee.

The family member of a refugee must have been the family member on the date on which the refugee made their application for asylum.

In addition, the child of a refugee or the child of the spouse or civil partner of a refugee or step-child of a person with refugee status must have been under the age of 18 years old on the date on which the refugee made their application for asylum.

### **Swiss worker**

A Swiss national who is a worker, other than a Swiss frontier worker, in the United Kingdom.

In addition, there are certain categories of people, including Swiss frontier workers, Swiss frontier self-employed persons or Swiss self-employed persons, who are eligible for post-16 funding. Further information on these categories can be found in the Schedule to the Education (Fees and Award) (Wales) Regulations 2007).

### **Turkish worker**

A Turkish national who is a worker in the United Kingdom.

### **Tier 4**

A category of immigration that applies to people who are coming to the UK to undertake a course of study at a UK educational establishment.

### **UK and Islands**

Means the UK, Channel Islands and Isle of Man.

### **Work-related immigration permission**

Means having the right to work in the UK under one of the work-related immigration categories. Further information is available from: [www.ukba.homeoffice.gov.uk/visas-immigration/working/](http://www.ukba.homeoffice.gov.uk/visas-immigration/working/)

## **Annex B: Provisional timeframe for delivery in 2015/16**

|                        |  |
|------------------------|--|
| May 2014               | DfES publishes initial planning guidance for LAs and FEIs to include strategic Ministerial priorities for 2015/16 and programme delivery reports, giving information on current patterns of delivery, collated at the programme level. |
| September 2014         | DfES publishes updated planning guidance for LAs and FEIs to include updated programmes directory and programme delivery reports.  |
| October 2014           | DfES publishes indicative allocations for 2015–16 and 2015/16.   |
| November 2014          | LAs and FEIs submit provisional delivery plans for 2014/15, together with a proforma outlining their response to the ministerial priorities for 2015/16.   |
| November-December 2014 | DfES officials meet with LAs and FEIs to discuss provisional delivery plans.   |
| January 2015           | DfES publishes provisional three year allocations for LAs and FEIs. LAs and FEIs are issued with the Conditions of Funding for 2015/16.  |
| March 2015             | LAs and FEIs submit final delivery plans for 2015/16.  |
| April 2015             | LAs start to receive the first of 12 payments for the 2015–16 financial year.  |
| August 2015            | FEIs start to receive the first of 12 payments for the 2015/16 delivery year.  |
| November 2015          | November monitoring snapshot (October data freeze) to include early count of learners for 2015/16 at the programme level.  |
| March 2016             | March monitoring snapshot (February data freeze) to include mid-year count of learners for 2015/16 at the programme level.   |
| July 2016              | Detailed data return to inform end of year monitoring process.   |
| October 2016           | DfES commences monitoring of 2015/16 programme delivery.   |
| March 2017             | DfES publishes learner outcome data for 2015/16.   |

## Annex C: Sector subject areas and their second tier categories

| 1st tier code | 1st tier description                             | 2nd tier code | 2nd tier description                                  |
|---------------|--|---------------|---|
| 1             | Health, Public Services and Care                 | 1.1           | Medicine and Dentistry                                |
|               |  | 1.2           | Nursing and Subjects and Vocations Allied to Medicine |
|               |  | 1.3           | Health and Social Care                                |
|               |  | 1.4           | Public Services                                       |
|               |  | 1.5           | Child Development and Well Being                      |
| 2             | Science and Mathematics                          | 2.1           | Science   |
|               |  | 2.2           | Mathematics and Statistics                            |
| 3             | Agriculture, Horticulture and Animal Care        | 3.1           | Agriculture   |
|               |  | 3.2           | Horticulture and Forestry                             |
|               |  | 3.3           | Animal Care and Veterinary Science                    |
|               |  | 3.4           | Environmental Conservation                            |
| 4             | Engineering and Manufacturing Technologies       | 4.1           | Engineering   |
|               |  | 4.2           | Manufacturing Technologies                            |
|               |  | 4.3           | Transportation Operations and Maintenance             |
| 5             | Construction, Planning and the Built Environment | 5.1           | Architecture  |
|               |  | 5.2           | Building and Construction                             |
|               |  | 5.3           | Urban, Rural and Regional Planning                    |
| 6             | Information and Communication Technology         | 6.1           | ICT Practitioners                                     |
|               |  | 6.2           | ICT for Users   |
| 7             | Retail and Commercial Enterprise                 | 7.1           | Retailing and Wholesaling                             |
|               |  | 7.2           | Warehousing and Distribution                          |
|               |  | 7.3           | Service Enterprises                                   |
|               |  | 7.4           | Hospitality and Catering                              |

|    |   |      |  |
|----|---|------|--|
| 8  | Leisure, Travel and Tourism               | 8.1  | Sport, Leisure and Recreation                          |
|    |   | 8.2  | Travel and Tourism                                     |
| 9  | Arts, Media and Publishing                | 9.1  | Performing Arts  |
|    |   | 9.2  | Crafts, Creative Arts and Design                       |
|    |   | 9.3  | Media and Communication                                |
|    |   | 9.4  | Publishing and information Services                    |
| 10 | History, Philosophy and Theology          | 10.1 | History  |
|    |   | 10.2 | Archaeology and Archaeological Sciences                |
|    |   | 10.3 | Philosophy   |
|    |   | 10.4 | Theology and Religious Studies                         |
| 11 | Social Sciences                           | 11.1 | Geography  |
|    |   | 11.2 | Sociology and Social Policy                            |
|    |   | 11.3 | Politics   |
|    |   | 11.4 | Economics  |
| 12 | Languages, Literature and Culture         | 12.1 | Languages, Literature and Culture of the British Isles |
|    |   | 12.2 | Other Languages, Literature and Culture                |
| 13 | Education and Training                    | 13.1 | Teaching and Lecturing                                 |
|    |   | 13.2 | Direct Learning Support                                |
| 14 | Preparation for Life and Work             | 14.1 | Foundations for Learning and Life                      |
|    |   | 14.2 | Preparation for Work                                   |
| 15 | Business, Administration, Finance and Law | 15.1 | Accounting and Finance                                 |
|    |   | 15.2 | Administration   |
|    |   | 15.3 | Business Management                                    |
|    |   | 15.4 | Marketing and Sales                                    |
|    |   | 15.5 | Law and Legal Services                                 |