

19-23 Legal Entitlement Guidance

This document provides guidance to tutors and other members of staff to enable them to help learners who need to complete the 19-23 Legal Entitlement form.

This form should only be completed by learners aged 19-23 who are considering a Level 2 qualification.

Context

The ESFA's funding rules state that a learner aged 19-23 who has not previously achieved a Level 2 qualification can only be eligible for funding on specific qualifications at Level 2. Since we are not funding any of these qualifications this year, it means that any learner aged 19-23 who is undertaking a Level 2 learning aim must have previously achieved a full Level 2 aim. Learners wanting to undertake a Level 2 without this will not be eligible for funding. This form is designed to help learners to declare whether or not he/she has attained a full Level 2 previously.

In summary, learners aged 19-23 will only be eligible to undertake a Level 2 aim if they have achieved a Level 2 aim previously. This is before considering the other relevant eligibility criteria.

Where this form has been submitted, the data team will work with you to try and ascertain eligibility.

However, it is the tutor/learning provider's responsibility to ascertain learner eligibility for funding at the earliest available opportunity by using the paperwork provided.

Level 2 Qualifications

We ask whether the learner has five GCSE grades 4 – 9 (A* - C) because that constitutes a full Level 2. We then go on to ask about Level 2 qualifications more generally. Some learners will know the level of learning for their prior attainment. Other learners may not however. That is why we have included the included questions to give the learner as much opportunity to declare prior attainment at Level 2.

Completing the Form and Eligibility

Once the form is complete, please submit it to the data team along with all other applicable paperwork. If the learner is able to declare that he/she has previously achieved a Level 2 then that learner is eligible (supposing that all other eligibility criteria are met). If the learner has not been able to declare that, then the data team will assess the application in more detail to try and ascertain eligibility. In these cases, the more detail the learner adds to the form the better.

The data team will confirm learner eligibility/ineligibility to you at the earliest available opportunity.

