



Llywodraeth Cymru  
Welsh Government



# WORK BASED LEARNING PROGRAMME SPECIFICATION and GUIDANCE

**FOR APPRENTICESHIPS, TRAINEESHIPS,  
EMPLOYABILITY SKILLS PROGRAMME and  
JOBS GROWTH WALES PROGRAMMES**

*April 2015 – July 2021*

**Version 5.1**

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## AMENDMENTS

<b>Version and Date</b>	<b>Amendment</b>	<b>Summary of Amendment</b>	<b>Relevant sections</b>
Version 3.9 July 2019	1.	Revised guidance on Progress for Success	Part 1 Apprenticeship Programme Specification Section G: Progress for Success (PfS)
	2.	Dates for the Support Cost declarations and applications updated with effect from 1 August 2019	PART 6 SUPPORT COSTS GUIDANCE
	3.	Amendment to reflect evolving practice	Part 3 European Funding Guidance, Section D Information Assurance D18
	4.	Clarification to allow eligibility evidence check before learning commences	Part 1 Apprenticeship Programme Specification Generic Section AA Eligibility for WG Funding and ESF Support - AA12
	5.	Changes to the eligibility for Level 2 apprenticeships (1 Oct 2019)	Part 1 Apprenticeship Programme Specification, Section B Eligibility for Apprenticeships - B6 Additional Guidance

<b>Version and Date</b>	<b>Amendment</b>	<b>Summary of Amendment</b>	<b>Relevant sections</b>
Version 4.0 November 2019	1.	Revised paragraph on Ineligibility for Traineeships	Part 1 – Traineeships Programme; Section J programme Information - J28, added para xi
	2.	Revised guidance on Eligibility for Progress for Success	Part 1 – Section G: Progress for Success added para g)
	3.	Community Benefits requirements specified	Part 7 – Provider Performance Management – Section D. Key Elements - para D10
	4.	Amendment to contractors' responsibilities in respect of subcontracting	Part 1 – Section Z: Sub-contracting – para Z8
	5.	Publication of data at provider level specification	Part 4 Data Submission Guidance – Publication of Data

<b>Version and Date</b>	<b>Amendment</b>	<b>Summary of Amendment</b>	<b>Relevant sections</b>
Version 5.0 August 2020	1.	Revised Ineligibility criteria for Apprenticeships	Additional guidance Section B Paragraph B6.
	2.	Apprenticeship Employer Incentive removed.	Part 1 Programme Specification; Section I – Paragraphs I19 – I27 removed.
	3.	Traineeship end date and process updated	Paragraph L20
	4.	Welsh Language Requirements updated throughout	Section V
	5.	Guidance for the new Employer Incentive Programme included	Section I
	6.	PAGS guidance updated to reflect changes throughout Programme Specification	Part 2 – PAGS-Guidance updated to reflect changes.
	7.	Support cost guidance updated for new contract year.	Part 6 – Section A – D dates updated to reflect new contract year
	8.	Website updated	Appendix 1a, 1b,

<b>Version and Date</b>	<b>Amendment</b>	<b>Summary of Amendment</b>	<b>Relevant sections</b>
	1.	Employer Incentive Scheme (EIS) : update to reflect the extension of the scheme and the change in funding rates for learners aged 16-24	Section I
Version 5.1 March 2021	2.	EIS: updated information on those participants progressing from Job Placement Schemes.	Section I
	3.	EIS : updated guidance for supporting disabled employees	Section I
	4.	EIS - State aid section removed	Section I
	5.	EIS Evidence requirement amended	Section I

## 1. PROGRAMME SPECIFICATION AND GUIDANCE

### INTRODUCTION

**[PAGS]** denotes a link to the PAGS guidance associated to the requirement.

This Programme Specification forms part of the Agreement between the Contractor and the Welsh Ministers for the delivery and funding of Apprenticeships, Traineeships and Jobs Growth Wales programmes collectively Work Based Learning (WBL), and sets out certain requirements that must be adhered to by the Contractor in the delivery of these programmes.

1. Further requirements and guidance to support this Programme Specification is available online at:

<https://beta.gov.wales/work-based-learning-wbl-programme-specification-and-guidance>

2. References to qualifications refer to both National Qualification Framework (NQF) and Qualification Credit Framework (QCF) registered qualifications that have been approved for public funding. The Database of Approved Qualifications for Wales (DAQW) remains the single point of reference for all approved qualifications and any one of these approved qualifications can be included in a relevant programme.
3. Through the delivery of the Apprenticeship and Traineeship programmes the Contractor must provide integrated programmes of learning, leading to qualifications approved for the purpose of and in accordance with Sections 96 and 99 of the Learning and Skills Act 2000 (as amended) or other qualifications approved by the Welsh Government from time to time.
4. The Contractor must comply with the Learning and Skills Act 2000 (as amended) so far as applicable, the Apprenticeship, Skills, Children and Learning Act 2009 (ASCL Act 2009) and all other relevant statutory obligations, including, but not limited to, those relating to health and safety; equal opportunities and protected characteristics; the national minimum wage; disability discrimination; the Welsh language; data protection; and the protection of children and vulnerable adults.
5. In addition the Contractor must
  - Take effective measures to ensure the retention and attainment of Learners;
  - Promote learning to employers to maximise employer participation and financial contributions to learning;
  - Develop and maintain close working relationships, as appropriate, with 14-19 Networks, Career Choices Dewis Gyrfa, Jobcentre Plus and other guidance services to ensure that Learners and employers are able to make well informed choices in line with specific labour market needs;
  - Promote the use of e-portfolios and the Skills Health Check process as applicable to each individual Learner;



- Promote community benefits (see 10: Provider Performance Management section D);
- Work with the relevant Awarding Organisations and Sector Skills Councils/Bodies as necessary; and
- Be able to demonstrate to the Welsh Government's satisfaction that they have made best efforts to work with other learning organisations to support the delivery of a broad range of learning opportunities, aligned to Welsh Government strategic priorities.
- Ensure that all staff, including those employed by sub-contractors, are aware of the requirement for all Work Based Learning practitioners including trainers, assessors, learning coaches and mentors to register with the Education Workforce Council, as from April 2017. For more information please see <https://www.ewc.wales/site/index.php/en/registration/applying-for-registration.html>

### **Contractor wishing to terminate its Agreement/Contractor at Risk of Failure**

6. Where a Contractor wishes to terminate its Agreement it should write notifying the Learner Provision Team.
7. When an Agreement has been, or is to be, terminated, the Learner Provision Team will write to the Contractor informing it of the following:
  - confirmation of the termination date;
  - the fields within the Lifelong Learning Wales Record that require completion for each individual Learner and timescales for completion of these fields
8. If a Contractor considers it is at risk of ceasing to trade, it should inform the Welsh Government of this risk. It should also supply the following information through [askWBL@gov.wales](mailto:askWBL@gov.wales):
  - contact details for correspondence;
  - liquidator details / contact details (if applicable);
  - details of where its Learner records are stored and clear referencing method used;
  - any further information required to enable access to Learner records
9. If the Contractor ceases to trade, the Contractor must inform the Welsh Government of the name and contact details of its liquidator so that the Welsh Government can liaise with the liquidator in order to have access to the Contractor records.

### **Duration of Agreement**

10. This Agreement will terminate for Traineeships on 31 March 2020.

11. This Agreement will terminate in respect of Jobs Growth Wales and Employability Skills Programme with new entrants no permitted on or after 1 April 2020. For all participants recruited up to and including 31 March 2020 the Agreement will not terminate until all participants have concluded their activities and appropriate payments have been made to employers in line with this Specification.

## APPRENTICESHIP PROGRAMMES

The purpose of the Apprenticeship Programme is to provide employers with the relevant skilled people to meet the current and future needs of their businesses and the Welsh economy.

### Section A: General Information

- A1. Apprenticeship Programme is a term that incorporates Foundation Apprenticeships, Apprenticeships and Higher Apprenticeships. Degree Apprenticeships are excluded from this Programme Specification.
- A2. Foundation Apprenticeships and Apprenticeships are employment based learning programmes for Employed Learners, at QCF levels 2 and 3 who follow a framework led programme developed by the relevant industry Sector Skills Council. Higher Apprenticeships are an employment based learning programme for Employed Learners, at QCF levels 4 and above, who follow a framework led programme developed by the relevant Sector Skills Council. Employed Learners can enter the Apprenticeship programme and undertake (en route and in addition to a level 3 vocational qualification) the level 2 components of the appropriate Foundation Apprenticeship framework.
- A3. Each framework specifies the learning activities, including, qualifications covering occupational competencies, the relevant technical knowledge, Essential Skills Wales and Employment Rights and Responsibilities (ERR).
- A4. Aspects of the Apprenticeship Programmes are underpinned by statute contained in sections of the Apprenticeship, Skills, Children and Learning Act 2009.

### Priorities

- A5. The Welsh Government is committed to ‘support the economy and business’ and a key action is to ‘Increase apprenticeship opportunities for young people’. In addition, the Welsh Government has a commitment to 16-19 year olds as part of the 14-19 Learning Pathways policy. Young people within this group are usually entitled to an offer of an appropriate post 16 learning place. Contractors must work with 14-19 Networks, Career Choices Dewis Gyrfa (or other designated body) and the Welsh Government to secure Apprenticeships for 16-19 year olds.
- A6. Providers are required to prioritise recruitment onto the apprenticeship programme in line with requirements detailed within their annual contract offer letter.
- A7. The Welsh Government reserves the right to target its priorities as it deems appropriate throughout the life of the Agreement. These could include by:
- age
  - qualification level
  - sector
  - company size
- A8. The Welsh Government reserves the right to vary the funding rate for Apprenticeships on the basis of these or other variables as part of the targeting of priorities as it deems appropriate throughout the life of the Agreement.

**Additional Guidance**

*Changes will be notified to Contractors in writing not less than 60 days before the start of the Programme Commission.*

**Frameworks**

- A9. The Contractor must ensure that the development and delivery of Foundation Apprenticeships, Apprenticeships and Higher Apprenticeships conform to frameworks for Wales published on Apprenticeships Frameworks Online (AFO) defined (or deemed) by the Specification of Apprenticeship Standards for Wales.

**Additional Guidance**

*A recognised Welsh apprenticeship framework sets out the minimum content and qualifications that an apprentice can expect to receive in an occupational area. Apprentices who started against a 'blueprint' framework, whilst they were still available, may still claim apprenticeship certification on completion of the framework. All starts on apprenticeship programmes must now follow a recognised Specification of Apprenticeship Standards for Wales (SASW) framework that has been published on the Apprenticeships Frameworks On-line system (AFO) at the time of start.*

**Performance Targets**

- A10. Contractors delivering Foundation Apprenticeship, Apprenticeship and Higher Apprenticeship programmes must achieve a minimum framework success rate of 75 per cent. The Welsh Government reserves the right to adjust the percentage over the lifespan of the Agreement. Further information on performance targets for framework success can be found in section 8 - Work-based Learning Outcomes Performance Thresholds.

**Specific Initiatives**

- A11. The Welsh Government will deliver from time to time specific initiatives under the apprenticeship programme, for example, initiatives aimed at supporting particular sectors and/or learner groups. Current examples of these initiatives include Progress for Success, the Young Recruits Programme and Shared Apprenticeships.

## Section B: Eligibility for Apprenticeships Programmes

- B1. Individuals who have legally left school and where an individual’s employment or main work placement is located in Wales are eligible for entry to the Foundation Apprenticeship, Apprenticeship, or Higher Apprenticeship programmes funded by the Welsh Government.

Cross border funding responsibilities are shown in the table below:

Participant’s residence	Employer base	Main country where participant works	Time spent working at main country	Funding
Wales or England	Wales	<b>Wales</b>	51% or more	Welsh Government Funding and priorities.
Wales or England	England	<b>Wales</b>	51% or more	Welsh Government Funding and priorities.
Wales or England	England	<b>England</b>	At least 50%	Voucher arrangements and priorities of the UK Government.
Wales or England	Wales	<b>England</b>	At least 50%	Voucher arrangements and priorities of the UK Government.

Please note that the key determiner is the country where the participant works. The determining factor for those employers situated close to / on the border between England and Wales is the location of the office where their Business Rates are paid.

The Contractor must ensure that it complies with the suitability and eligibility evidence requirements stipulated in Section AA: Eligibility for Welsh Government Funding and ESF Support. [\[PAGS\]](#)

### **Additional Guidance**

*For the avoidance of doubt, where a Learner progresses from any activity undertaken in respect of the WBL programme commission without a break in learning of more than eight calendar weeks, the original eligibility status remains extant.*

- B2. Eligible graduates would be expected to enter into either an Apprenticeship or Higher Apprenticeship programme. [\[PAGS\]](#)

### **Additional Guidance**

*The Apprenticeship or Higher Apprenticeship would not normally be in the same occupational route as the Higher Educational achievement unless the content of the Higher Education achievement is different to the Apprenticeship or Higher Apprenticeship. In this instance, the Contractor should identify the difference in the content of the Higher Educational achievement compared to the Apprenticeship of Higher Apprenticeship and hold this evidence on file.*

*There may be circumstances where the requirements of a particular Apprenticeship Framework prevent a Learner from undertaking a Level 3 or Level 4 Apprenticeship programme without first undertaking a Foundation Apprenticeship programme. Where this is the case, Contractors must obtain approval from the Welsh Government by completing and submitting the form 'Evidence to support the Recruitment of Level 2 Apprentices with a degree onto WBL'.*

*However, the Care Inspectorate Wales (CIW) has set a minimum threshold of 50% of staff to be qualified to at least NVQ Level 2 and that care homes with small numbers of staff require a higher proportion of qualified staff to cover absence. In order to meet this demand, the Welsh Government has agreed to a blanket retrospective exemption to allow the delivery of Foundation Apprenticeships to graduates employed within the Care Sector route without completion of the form.*



**Evidence to support the Recruitment of Level 2 Apprentices with a degree onto an apprenticeship programme**

<b>Learner Name:</b>	
<b>ULI / LN02 (if known)</b>	
<b>Title of Degree:</b>	
<b>Date Achieved:</b>	
<b>Result [e.g. 2:1]:</b>	
<b>Awarded by [ Name of HE Institution]:</b>	
<b>Apprenticeship Framework [Title and level]:</b>	
<b>Name of Employer:</b>	
<b>Apprentice Job title/ position in company:</b>	
<b>Justification for recruitment onto a Foundation Apprenticeship</b>	

<b>Completed by:[Name]</b>	
<b>Signature</b>	
<b>Position</b>	
<b>Date</b>	

*"Work Based Learning programmes operated through Welsh Government are part-financed by the European Union European Social Fund through The West Wales and the Valleys ESF Convergence Programme."*

- B3. Learners must be employed, including self-employed (except where exemption has been given by Welsh Ministers through regulation. Employment can be with a single employer or through a Shared Apprenticeship or Group Training Association model), and employers must ensure that the learner attends work and training for at least 16 hours per week (unless authorised absence has been granted). [PAGS](#)

NB: Employees of Work Based Learning providers are able to undertake an apprenticeship programme where all normal eligibility criteria are met and the learning is beneficial to the learner and the organisation in the context of developing skills. However, learning in more than one framework is not permitted and learning at multiple framework levels is only acceptable where the lower level is a framework requirement to progress to the higher level.

### **Additional Guidance**

*As apprentices are employed, they must be in receipt of a wage, as a minimum, in line with the National Minimum Wage (NMW) regulations rate for Apprentices. Apprentices must receive a wage in relation to both the on and off the job training elements of their programme.*

*Learners who are employed by an agency are eligible for entry to the Apprenticeship programme. In this instance, the provider must be satisfied that the agency is aware of their responsibility to ensure that the learner is able to complete the apprenticeship by a placement or multiple placements and is paid for attendance at any off the job training. Further the provider needs to be assured that the learner is committed to the learning.*

*Self employed Learners are eligible for entry onto the Apprenticeship Programme as long as all other entry eligibility requirements are met. When considering self-employment as an option, providers must ensure that the learner has sufficient support whilst on-the-job to develop through their framework. More importantly, it is incumbent on providers to ensure self-employed persons are able to learn on the job in full compliance of Health & Safety standards, particularly in respect of supervision.*

*Providers are required to use their best endeavours to ensure that each learner secures sustainable employment at the end of his/her apprenticeship programme (this includes self-employment). It is unlikely to be in an apprentice's best interests to be placed with an employer that, from the outset, is only offering temporary employment for the duration of the apprenticeship. Such an arrangement would only be appropriate where there is sufficient evidence to indicate that, once qualified, the apprentice will be able to secure sustained self-employment. Where self-employment is considered a reasonable option we would expect providers to support their learners in their transition into self-employment.*

*Self employed construction learners must comply with the additional criteria below:*

- *There must be no self employed Apprentices at Level 2; self employed apprentices should only be at Level 3 or above, having already attained at level 2, and must meet all other self employed criteria.*
- *The self-employed apprentice must have a minimum of two years of relevant experience in a related industry setting prior to commencing an apprenticeship.*



*Examples would include domestic or industrial installation, repair or maintenance, or construction.*

- *The self-employed apprentice must be effectively supervised by an experienced person in the trade or sector relevant to the apprenticeship. The supervisor must be someone who has sufficient training, experience, knowledge and other qualities that would allow them to assist an apprentice properly. The level of competence required will depend on the complexity of the situation and the particular support required.*
- *The self-employed apprentice must have proper sign off of tasks / competency by a competent industry person or employer. For example, proof of competency would be signed off by an industry qualified person with proof of competency being a CSCS / CPCS at the appropriate level and occupation, or an Industry regulated Electrical Heating and Ventilation certification.*
- *The Apprenticeship provider must provide Health & Safety training and the apprentice must have an appropriate CSCS card i.e. an apprentice CSCS card.*
- *The provider should ensure that the apprentice does not undertake any activities that they are not trained for/or qualified to undertake during the apprenticeship; other than under direct supervision from an industry qualified supervisor (see above) and only if the activities do not contravene any legal requirement for competency; such as Gas Safe.*

*For all other vocational sectors, it would be good practice to adhere to the above requirements.*

- B4. Learners must meet the entry requirements set out in framework guidance from the Sector Skills Council or other designated Issuing Authorities. [PAGS](#)
- B5. Contractors are responsible for ensuring that only eligible Learners are enrolled on a Foundation Apprenticeship, Apprenticeship or Higher Apprenticeship programme. The eligibility of the Learner must be established before or upon entry to the programme. This should include the practicality of providing a place to a Learner who may be unable to complete their programme including those likely to leave their current domicile permanently during the expected duration of the programme. Contractors should retain evidence of the Learner's eligibility and will be asked to produce it to the Welsh Government. [PAGS](#)

### **Ineligibility for Apprenticeship Programmes**

- B6. Individuals are ineligible for entry to the programmes if they are, at the point of entry:
- i. of compulsory school age; or
  - ii. attending school or college full-time as a pupil or student; or
  - iii. in full time higher education; or
  - iv. an ineligible overseas national; or
  - v. in custody or on remand in custody; or
  - vi. in receipt of an Assembly Learning Grant or Education Maintenance Allowance; or
  - vii. supported by the UK Government's Work Programme and have a contract of employment for less than 16 hours per week; or

- viii. taking part in any other employment or enterprise programme funded directly by the UK Government or the Welsh Ministers; or
- ix. taking part in any other UK Government or Welsh Ministers funded vocational learning programmes; or
- x. taking part in any other EU funded employment or enterprise programme or vocational learning programme (or any other form of EU funded scheme) unless permitted under ESF funding regulations - please refer to part 3 - European Funding Compliance Guidance for further advice. [\[PAGS\]](#)

### **Additional Guidance**

*As from 1 August 2020, the following frameworks will only be available for new entrants. That is, existing employees will be ineligible for these frameworks. These frameworks include:*

**Level 2/3 Business Administration**

**Level 2/3 Retail and Customer Service**

**Level 2 IT Users**

**Level 2 Management (Team Leading Pathway)**

*As from 1 August 2020, individuals will be ineligible for a level 2 Apprenticeship if they have been employed in their current job role for more than 6 months. Exceptions will apply where:*

- *the individual has declared him/herself as having a disability; or*
- *the level 2 apprenticeship is a requirement to progress to the level 3 apprenticeship (this would need to be agreed by Welsh Government on a case by case basis prior to the learner being signed onto the programme)*
- *the individual is aged 16-24 (this is in place until at least 31 July 2021).*

*Exceptions will also apply for specific Level 2 Frameworks where there is a requirement to support a Welsh Government priority area. These currently include:*

- *Health and Social Care – including Clinical Health*
- *Childcare (including Playwork)*
- *Digital (excluding IT Users)*
- *Driving Goods Vehicles*

*This list is under constant review and additional Frameworks may be added throughout the year and providers will be informed of these via askWBL circular emails.*

In addition, learners who have commenced a level 2 Hairdressing Apprenticeship and are seeking to immediately undertake a level 2 Barbering apprenticeship (or vice versa) will be considered as eligible for the *second* level 2 programme irrespective of the length of time they are employed in their current job role i.e. eligibility will be determined for the first level 2 apprenticeship and will remain extant as long as the learner immediately moves

onto the second level 2 programme. Note that this is an exceptional case and will **not** apply to other learners looking to undertake more than one level 2 apprenticeship programme. Learners should not generally undertake more than one apprenticeship programme at the same level.

*Furthermore, from 1 August 2020, individuals will be ineligible for a level 3 Apprenticeship if they have been employed in their current job role for more than 12 months. Exceptions will apply where:*

- *the individual has declared him/herself as having a disability; or*
- *is immediately progressing from a level 2 apprenticeship.*
- *the individual is aged 16-24 (this is in place until at least 31 July 2021).*

*Exceptions will also apply for specific Level 2 Frameworks where there is a requirement to support a Welsh Government priority area. These currently include:*

- *Health and Social Care – including Clinical Health*
- *Childcare (including Playwork)*
- *Digital*

*This list is under constant review and additional Frameworks may be added throughout the year and providers will be informed of these exemptions via askWBL circular emails.*

In addition, learners who have commenced a level 2 programme and are seeking to immediately progress to a level 3 programme (in the same occupational sector) i.e. a learner who has completed a level 2 programme will be eligible to progress to a level 3 programme irrespective of the length of employment in his/her current job role.

*Individuals who are supported by the UK Government's Work Programme are ineligible to undertake an apprenticeship programme if their contract of employment (with the employer who would authenticate the Apprenticeship Learning Agreement) is for less than 16 hours per week.*

*To ensure that as many Learners as possible can access the Apprenticeships programme, Learners should not normally undertake two apprenticeships at the same level from the same framework. It will normally be acceptable either for Learners to progress, e.g. from a level 2 Foundation Apprenticeship to a level 3 Apprenticeship framework.*

- B7. The Welsh Ministers will not pay any sum in respect of ineligible Learners and will seek repayment of any sums paid in error.



## Section C: Learner Terms and Conditions

### Learner Entitlement

- C1. A Learner must have an Apprenticeship Learning Agreement (ALA) which notifies in writing his/her terms and conditions of learning with the Contractor and employer upon starting a programme. The ALA includes commitments required under the ASCL Act 2009. S/he must similarly be notified of any subsequent changes to terms and conditions of learning. In addition a Learner must have an Individual Learning Plan (ILP). A link to the ALA can be found below. [\[PAGS\]](#)

<https://beta.gov.wales/work-based-learning-wbl-forms>

<https://beta.llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni>

- C2. The terms and conditions for a Learner already in learning (i.e. Learners that started learning on or prior to 31 March 2015) shall not be adversely affected by changes subsequently agreed between the Welsh Ministers and the Contractor.
- C3. Contractors must ensure that apprentices receive both off-the-job training and on-the-job training in line with SASW.

#### **Additional Guidance**

*The hours of training delivery arranged by an apprenticeship Contractor may differ from the figures contained in the framework specification, as each Learner may begin an apprenticeship with previous learning or achievement that should be recognised and counted.*

*For the purposes of claiming apprenticeship certification, there is no requirement on Welsh Government funded Contractors to keep specific records of the learning hours. Organisations who supply Apprenticeship Certificates (such as SSCs) have agreed that attendance on a funded apprenticeship programme is sufficient evidence that the framework hours have been met, and will accept a 'tick box' declaration.*

*From an audit and funding perspective, Contractors will not be required to separately identify on-and off-the job training hours for Learners; albeit Contractors will need to ensure that they comply with the Welsh Government's Data Submission Guidance and its Guidance on Evidence Requirements to Support Funding and Payments.*

*In the unlikely event that the validity of a claim for apprenticeship certification was challenged, the certifying organisation could request sight of documents such as initial assessment, training plans, training agreements and/or any Recognition of Prior Learning (RPL)/ Recognition of Prior Achievement (RPA) records from Contractors before providing a certificate.*

*It is also possible for a person to apply for an apprenticeship certificate having followed a framework independently. This is learning which takes place outside of a government-funded programme, for example, an employer utilising a published framework as part of their own in-house staff development programmes.*

*In such cases the on-and-off-the-job requirements are set out so that the person applying for the apprenticeship certificate knows exactly what evidence they may be required to provide to support their application.*

*The organisation providing Apprenticeship Certificates has the right to request supplementary evidence of hours of training to support the application for a certificate for the purposes of verification.*

- C4. The Contractor shall endeavour to provide suitable alternative learning for a Learner who has reasonable grounds for dissatisfaction with their programme of learning, or who is not making satisfactory progress, or where provision of learning as agreed in the ILP is no longer available.

### **Participation**

- C5. The Contractor must ensure the Learner is participating in his/her learning programme during the period of learning and must be able to provide evidence that a Learner is attending a programme of learning. Where the Contractor cannot provide satisfactory evidence the Learner shall be suspended (see clauses F5-F8).

## Section D: The Learning Process

- D1. The Contractor must design and implement effective policies, procedures and use Learner-centred documentation to facilitate the following activities:
- i. initial assessment, including assessment of essential skills needs;
  - ii. the planning of learning and the compilation of ILPs;
  - iii. ongoing assessment;
  - iv. reviews of progress;
  - v. mentoring; and
  - vi. Accreditation and verification. **[PAGS]**

### Recruitment/Referral

- D2. The Contractor must have documented procedures for ensuring that Referral Agencies are informed about the provision the Contractor offers and are kept up to date about any developments or changes in the provision.
- D3. As a minimum, the Contractor must submit, and update as appropriate, details of its portfolio of provision to Career Choices Dewis Gyrfa for inclusion in the Courses in Wales Database as prescribed by Career Choices Dewis Gyrfa.
- D4. The Contractor must ensure that all Foundation Apprenticeship, Apprenticeship and Higher Apprenticeship vacancies are entered on the Apprenticeship Matching Service database and communicated to Career Choices Dewis Gyrfa.

### *Additional Guidance*

*The Apprenticeship Matching Service is an on-line matching service to assist employers in finding suitable Apprentices, and aspiring Apprentices, to find employers. It has been developed by Career Choices Dewis Gyrfa under contract to the Welsh Government and is available on the Career Choices Dewis Gyrfa website at <http://www.careerswales.com/en/>.*

### Initial Assessment

- D5. The Contractor must ensure that all new Learners are assessed either prior to, or immediately upon, entering learning.
- D6. The Contractor shall ensure that all Learners undertake an initial assessment to identify previous learning, current learning requirements and any additional learning and support needs (including essential skills needs) which shall be recorded on the ILP. The ILP must be agreed by the Learner, the Contractor and the employer and be completed within four weeks of the start date. Further learning and support needs identified through regular progress reviews should be reflected in updates to the ILP. The ILP must also be kept up to date with any changes to the learner's personal details (name, address and contact details), and with the titles and start dates of any additional learning activities which commence during the learning programme. **[PAGS]**
- D7. All Learners entering Foundation Apprenticeship, Apprenticeship and Higher Apprenticeship programmes must undertake an initial and diagnostic assessment of essential skills using the WEST as follows:

**Mandatory**

- communication - within 61 days of the start date;
- application of number - within 61 days of the start date; and
- digital literacy – within 61 days of the start date if included as part of the qualification framework. **[PAGS]**

**Optional**

For most other vocational sectors, it would be good practice to undertake a digital literacy initial assessment as above.

**Additional Guidance**

*The need for essential skills support should not necessarily be a barrier to entering Foundation Apprenticeship, Apprenticeship or Higher Apprenticeship programmes.*

**Recognition of Prior Achievement (RPA)**

- D8. Contractors must take into account all prior achievements of an individual and not require, nor offer, training which replicates a prior achievement. Contractors must verify and record prior achievement that provides exemptions, proxies or other unit/credit based achievement towards the qualifications contained in the nominated apprenticeship framework. **[PAGS]**

As from 14 October 2016, learners who have achieved a qualification recognised as an alternative to Essential Skills as detailed under the apprenticeship framework are not required to undertake Essential Skills qualifications. However, if a learner's WEST assessment identifies that the learner has essential skills deficits which would inhibit progress through the framework, this need must be addressed. More information on proxy qualifications can be found at:

<http://gov.wales/docs/dcells/publications/161014-sasw-en.pdf>

**Recognition of Prior Learning (RPL)**

- D9. Contractors must pay particular attention where Learners have previously participated on the 14-19 Learning Pathways, Jobs Growth Wales, or similar programmes to ensure that an individual's learning achievements have been cross-referenced against the learning aims of the qualifications within the nominated framework. The duration of training and ILP shall be adjusted accordingly. **[PAGS]**

**Planned Learning and Individual Learning Plans (ILP)**

- D10. All learning must be planned to meet the Learner's individual needs as identified during initial assessment. **[PAGS]**
- D11. An ILP must, as a minimum:
- clearly identify the learner by name and unique identifier;
  - specify the Apprenticeship framework to be followed by its title and number;
  - identify both on-the-job and off-the-job training;



- iv. include the Learner's prior learning and assessed needs;
  - v. specify the expected duration of learning, which allows the Learner a reasonable prospect of successfully completing his/her learning;
  - vi. set out the start date and the frequency of reviews to be followed, e.g. Learners shall have their progress reviewed at intervals of no greater than 61 calendar days;
  - vii. set out the planned attendance;
  - viii. set out any agreed support arrangements;
  - ix. specify by name, level and reference number, approved qualifications which the Learner aims to achieve;
  - x. contain a brief statement of the Learner's employment or career objectives;
  - xi. specify the Learner's preferred language of learning and requirement for Welsh-medium or bilingual delivery of learning during the programme;
  - xii. specify within the learning plan opportunities to maintain and/or develop the Learner's Welsh language skills during the learning period;
  - xiii. be agreed by the Learner, the Contractor and the employer; and
  - xiv. contain a declaration authenticated by the Learner that s/he has agreed the ILP and that s/he has commenced the activities contained within it. This declaration should also confirm that the Learner has been made aware of the support of the European Social Fund. **[PAGS]**
- D12. The Contractor must ensure that the activities agreed in the ILP are carried out. **[PAGS]**
- D13. A copy of the Apprenticeship Framework being undertaken should be made available to the employer and learner.
- D14. Any subsequent changes to the ILP must be agreed between the Learner, employer and the Contractor and recorded on the ILP, together with the Learner's confirmation that the changes have been agreed. **[PAGS]**
- D15. Learners shall have unrestricted access to information on their learning arrangements including their ILP. **[PAGS]**
- D16. Providers are required to register the learner with the relevant awarding body within the maximum timeframe given by that Awarding Organisation or eight weeks of the learner starting the learning activity where no timeframe is specified. If a Learner is on an Apprenticeship programme, and undertaking both level 2 and level 3 as part of the framework, the requirement to register for the level 3 qualification shall be within eight weeks of progressing from the level 2 to the level 3. Similar arrangements must be in place if a Learner is undertaking level 2 or 3 as part of a Higher Apprenticeship framework. **[PAGS]**
- D17. The Contractor must report the registration for each qualification to the LLWR through an appropriate Award record by the end of the period in which the registration takes place. For each qualification registered and reported to the LLWR, the Contractor must record the result of the qualification within the LLWR in the relevant Award field, by the end of the period in which the evidence of achievement, or notification of withdrawal or failure, becomes available. **[PAGS]**

### On-going Assessment

- D18. The Contractor shall ensure that on-going assessment:

- i. assesses competence against ILP objectives;
- ii. is planned to meet the individual Learner's needs;
- iii. meets the criteria set by the awarding body; and
- iv. is recorded to awarding body standards

## Reviews

- D19. The Contractor will need to review each Learner's progress as frequently as necessary. As a minimum, Learners on Foundation Apprenticeships, Apprenticeships, or Higher Apprenticeships shall have their progress reviewed at intervals of no greater than 61 calendar days. This measurement should be applied from the start date and thereafter from the date of the last review undertaken. **[PAGS]**

### Additional Guidance

*The Contractor shall ensure that the progress review:*

- *Is conducted in an appropriate environment, away from the pressures of the workplace;*
- *Has sufficient time for proper discussion; and*
- *Involves the Learner, the learning Contractor and the employer.*

*A review shall include:*

- *actions agreed at the previous meeting;*
- *progress towards achieving the individual learning plan, this should also include explanations for poor progress if applicable;*
- *details of assessments undertaken;*
- *progress towards qualifications (if appropriate);*
- *identification of any obstacles to completing the programme and the support offered to address;*
- *agreed forward plan of learning for the period to the next review; and*
- *any agreed amendments to the individual learning plan.*

*Records of the review should be in a format that helps the review meeting to be effective. A record should:*

- *include space to record progress and list actions ;*
- *show clear progression from one review record to the next in terms of actions agreed and follow up; and*
- *include comments from the Learner, employer and learning Contractor*

- D20. Reviews should only take place when a Learner is in attendance, in person or virtually, at either the Learner's designated place of learning or the placement Provider's premises. The date, place and time of the next review should be agreed as part of the review process. **[PAGS]**

## Accreditation and Certification

- D21. Accreditation and certification must be to awarding body standards, complying with the relevant internal and external verification systems.

- D22. If the Apprentice has completed all elements of the framework it would normally be appropriate to show learning as completed. Where the learner is awaiting confirmation of the outcome of IV or EV, the learning should be shown as completed in the LLWR with the anticipated outcome. This outcome should be amended (if necessary) following the verification process.

## Section E: Learning Support

- E1. Contractors must ensure that Learners are provided with support and/or personal assistance to enable them to access or remain in learning and realise their potential.
- E2. Any post 16 learning funded by the Welsh Ministers, including Foundation Apprenticeships, Apprenticeships, or Higher Apprenticeships, is a potential route to meet a request for support under the 'Right to Time Off for Study or Training'.

### Apprentices Aged 16-19 (see also Apprenticeship Programme section A).

- E3. All Foundation Apprentices, Apprentices and Higher Apprentices aged 16-19 on entry will, as participants in the 14-19 Learning Pathways, be entitled to three strands of learning support. These are:

#### Learning Coach Support

- Access to a named learning coach either within the Contractor organisation or through a third party, who will provide the Learner with advice on how to maximise his/ her own ability and learning skills.

#### Access to Personal Support

- Where appropriate, to facilitate access to the personal support, via Youth Support Services, to develop solutions to and overcome situations in their lives which are barriers to their learning.

#### Careers Information, Advice and Guidance

- The entitlement to impartial careers information, advice and guidance. Where careers education is provided, "Careers and the World of Work: a framework for 11 to 19 year olds in Wales" [http://www.careerswales.com/prof/upload/pdf/Careers\\_Wow\\_WEB\\_\(E\).pdf](http://www.careerswales.com/prof/upload/pdf/Careers_Wow_WEB_(E).pdf) and "Careers and the World of Work: supplementary guidance" [https://www.careerswales.com/prof/upload/pdf/careersworksupplementary\\_guidance-e.pdf](https://www.careerswales.com/prof/upload/pdf/careersworksupplementary_guidance-e.pdf) are the key documents which the Contractor must use to review and develop their provision. Specialist independent and impartial careers information, advice and guidance are typically provided by professional advisers from Career Choices Dewis Gyrfa.

#### *Additional Guidance*

*It is considered good practice for the Learning Coach and the individual carrying out the review to be different people.*

### Additional Learning Support

- E4. Additional Learning Support must be provided for Learners with additional learning needs which:
- arise from a learning difficulty and/or disability;
  - is over and above that provided for in a learning programme; and

- iii. is necessary to enable the individual Learner to achieve framework success. **[PAGS]**
- E5. The definition of learning difficulty and/or disability does not include Learners with support needs arising from a functional literacy or numeracy difficulty (i.e. basic skills) or Learners for whom English (or Welsh) is a second language. **[PAGS]**

## Section F: Requirements when Completing/Leaving the Programme

- F1. Where a Learner is made redundant or otherwise changes his/her employer, the Contractor must endeavour to find an alternative employer and/or another Contractor who has been awarded a work based learning agreement by the Welsh Ministers. The Contractor shall use its best endeavours to minimise disruption for the Learner and seek to ensure that the Learner's qualification aims are met. The Contractor must retain evidence of the Learner's redundancy and of efforts made to make alternative arrangements. [\[PAGS\]](#)

### **Additional Guidance**

*As a minimum, we would expect a Contractor to support an apprentice who is made redundant by:*

- *Contacting other relevant employers they work with to see whether any other suitable vacancies may be available;*
- *Contacting other Contractors to see whether any other suitable vacancies may be available;*
- *Referring the Learner to Career Choices Dewis Gyrfa for advice on their possible options;*
- *Referring the Learner to the Apprenticeship Matching Service to see whether any suitable vacancies are advertised.*

*The Contractor may also identify other actions which are appropriate to support an apprentice who is made redundant, e.g. Jobs Growth Wales opportunities, but the primary focus should be to enable the apprentice to continue the apprenticeship.*

### **Exceptional Training Allowance Support**

- F2. It is recognised that where an apprentice becomes unemployed, Contractors may be required to transfer Learners to non-employed status whilst the Contractor supports the Learner to seek new employment. In this situation, Learners shall receive a training allowance of £50 per week for at least 30 hours attendance per week: for those Learners attending for less than 30 hours per week, payment of training allowances must be reduced proportionately on a pro rata basis; and Learners shall also be reimbursed necessary reasonable travel costs in excess of £5.00 per week, whilst attending learning. Payment of these costs for up to six weeks is reimbursable from Welsh Government. Contractors are reminded that they must inform Career Choices Dewis Gyrfa of all 16-19 year old Learner leavers within 10 working days of the leave date.
- F3. Where a Learner is unable to secure an alternative employer, the Learner may continue in learning for up to six months to complete their Apprenticeship. The Learner must be paid a learning allowance commensurate with attendance.
- F4. Where exceptional training allowance funding is allocated, Contractors must retain a record of all payments to the Learner.

## Suspension from the Learning Programme

F5. A suspended period of learning should only be applied where the learner is off work for an extended period of time e.g. as result of ill health, maternity etc. or (in exceptional cases) where the learner's circumstances necessitate a one-off break in their learning programme. Where a suspension occurs, the Contractor is required to maintain:

- written evidence to confirm that the learner is committed to returning to their learning programme after the suspended period; and
- written evidence to confirm that employer has agreed the suspension, the length of suspension and requires the learner to recommence their learning programme after the suspended period.

A suspended period of learning cannot be applied as a mechanism to manage contractual requirements e.g. in relation to meeting Contractor review timescales. With the exception of statutory minimums for maternity or other statutory leave, suspension must not exceed 13 consecutive weeks unless permitted by the employer's terms and conditions. **[PAGS]**

F6. An apprentice is entitled to Paternity leave which as a minimum must comply with the following guidance: <https://www.gov.uk/employers-paternity-pay-leave>. Paternity leave may exceed this requirement if within the employers terms and conditions of employment (see also F5 regarding suspension from learning).

### Additional Guidance

*It is expected that a suspension will normally apply where a learner is absent from their place of work for an extended period of time and plans to continue learning once they return to work. Acceptable reasons for suspension include:*

- *Learner illness;*
- *Maternity leave;*
- *Personal reasons which result in a period of employment absence e.g. bereavement, caring for a sick relative;*
- *Extended holidays;*
- *Termination of employment (where the contractor is unable to continue the learning programme within centre).*

*It is not routinely acceptable to apply a suspended period of learning where the learner is still in work but is struggling with the commitments of the apprenticeship programme (e.g. due to study or employment workloads). In this situation, the Contractor would be expected, in the first instance, to work with the learner/employer to ensure the apprentice remains on his/her programme. In addition, providers must ensure that both employer and learner expectations of the apprenticeship are managed at the outset. Prior to entry it is incumbent on the Contractor to ensure that the learner and the employer understand the commitment e.g. in relation to off the job training, on the job support, engagement with the provider for assessments/reviews etc. In exceptional circumstances and where both the employer and the learner are in agreement, a learner who is still in employment may be suspended from their programme for up to 13 weeks. A*

*learner must not be suspended from their learning programme more than once in relation to these 'exceptional circumstances'. 'Exceptional circumstances' are at the discretion of all parties and should only be applied where a commitment to recommence learning at the earliest opportunity, is evident.*

*It is not acceptable for a provider to suspend a learner in order to remedy a provider-system failure. For example, it is unacceptable for a provider to systematically place learners on suspension because it cannot meet the maximum 61 day review timescale. Providers must ensure that they effectively manage their delivery in order to ensure that, with the exception of relatively small number of learners, reviews are undertaken on time. Where a review cannot take place before 61 days have elapsed, providers are expected to document the reason for the late review and undertake the review as soon as possible. Reviews are a vital part of the apprenticeship programme and providers must ensure that these meetings are properly planned for (you will wish to note that some tolerance is given at audit if a review is undertaken beyond 61 days).*

*Providers must have a system in place to ensure that length of time on suspension is frequently monitored and does not exceed the 13 weeks maximum or the relevant statutory period or employer terms & conditions if greater. Contractors must ensure that they obtain evidence from the employer to confirm all suspensions. For example, the evidence could include a letter or email from the employer confirming the reason for the suspension, the expected duration and confirmation that the employer is holding the post for the apprentice to return.*

- F7. If a Learner is suspended from learning they must be given a progress review upon re-entry to learning. **[PAGS]**
- F8. The Contractor must review suspensions and terminate the Learner's place on the programme of learning if there is no likelihood of a return to learning. Should the Learner not return to learning at the end of the period of suspension the Learner will be deemed to have terminated learning. This will take effect from the last working day for which there is evidence that the Learner attended a programme of learning. Once the Learner's status has been clarified or when the maximum period of suspension is exhausted, the Contractor must update the relevant fields in the LLWR immediately. For the avoidance of doubt, suspensions relate to the suspension from the Learning Programme and not suspension from individual learning activities. **[PAGS]**

### **Progression from one programme to another**

- F9. A learner progressing directly from a Foundation Apprenticeship to an Apprenticeship or an Apprenticeship to a Higher Apprenticeship is counted as a continuing learner; the provider is **not** required to complete a new enrolment form. Progressions should take place within eight weeks of completion of the lower level framework. **[PAGS]**

#### **Additional Guidance**

*However, the provider must:*

- *Check that the information it holds on the learner is accurate and complete a Change of Circumstance form if any details have changed;*



- Undertake eligibility checks, if more than eight weeks have elapsed between the end of the first programme and the start of the next;
- Update the learner's ILP to include details of the new programme e.g. start date, expected duration and framework details; it is expected that the ILP will be a working document that is updated to reflect the current position;
- Update the learner's Apprenticeship Learning Agreement (if the employer is the same for both programmes) or prepare new a agreement and SME4 (if the employer is different); and
- Set up new LP, LA and AW records on the LLWR for the new programme of learning. This information does not have to be physically signed-off by the learner as long as the ILP has been updated, as outlined above.

### Transfer to a new Contractor

- F10. When apprentices transfer from one Contractor (the outgoing Contractor) to another Contractor (the new Contractor), it is the responsibility of the new Contractor to ensure the following documents supporting the Learner's eligibility, prior to and at the start of learning, are received from the outgoing Contractor:
- a copy of the Learner's ILP;
  - evidence of essential skills assessments;
  - copies of all assessments and reviews to date.
- F11. The outgoing Contractor must keep the originals of all forms for their own records and enter the transfer details into the LLWR. It is the responsibility of the outgoing Contractor to supply copies of the relevant forms and data to the new Contractor as well as retaining auditable evidence from the new Contractor that the transfer has taken place e.g. an email or letter.

### Re-entering Learning

- F12. Once a Learner has left learning, re-entry is only appropriate if entry eligibility conditions are met (i.e. the Learner has not become ineligible). **[PAGS]**

### Recording Transfers, Suspensions and Terminations from Learning on the Lifelong Learning Wales Record (LLWR)

- F13. When a Contractor identifies that a Learner has transferred, completed or ceased learning, either permanently or temporarily, action must be taken immediately to record this through the LLWR online data collection system. The Contractor must ensure that for each Learner who completes or ceases learning the necessary evidence and documentation requirements are met. **[PAGS]**

### Exit Arrangements

- F14. The Contractor shall endeavour to ensure that all Learners (including early leavers) have an exit interview to determine options and future career learning needs. Career Choices Dewis Gyrfa shall be notified of all leavers and potential early leavers at least on a monthly basis.

## Section G: Progress for Success (PfS)

The guidance below relates to learners who were recruited onto a PfS programme from 1 August 2019.

**All of the requirements and conditions stipulated for the Apprenticeship programme apply to the Progress for Success Programme, except where requirements differ as specified below. Contractors for PfS must comply with the following:**

- G1 Contractors must prioritise the up-skilling of practitioners that need to achieve Level 2 accreditation, prior to undertaking a Level 3. Contractors are only permitted to deliver the Apprenticeship Frameworks listed at G14. Contractors must achieve an 85% framework success rate.
- G2 Contractors are responsible for assessing whether participants require a Level 2 qualification prior to undertaking a Level 3 qualification.
- G3 Contractors are responsible for recording data on whether participants are able to speak, read and/or write in Welsh. They will be responsible for ensuring participants within Welsh medium settings are offered the opportunity to undertake training in the medium of Welsh, and ensuring that Welsh speaking participants from English medium or bilingual settings are given the opportunity to undertake training bilingually.
- G4 Contractors are reminded, that there is a 50% target for the proportion of Welsh first language learners (learners with a first language Welsh GCSE) who commence a Welsh/Bilingual apprenticeship (i.e. where LLWR field LA26 is recorded as 'C1' or 'B1') within early years care. Therefore, we would generally expect all learners with a first language Welsh GCSE to undertake some elements of their apprenticeship through the medium of Welsh.
- G5 Contractors will be required to ensure that any participants choosing to undertake qualifications through the medium of Welsh are provided such training, support and assessment by appropriately qualified Welsh speaking staff.
- G6 Contractors will be required to make participants aware of the requirement for privacy notices and actively encourage them to authenticate these, to enable contractors to contact them for evaluation purposes in order for us to better evaluate the *PfS* operation.
- G7 Contractors must only use the *PfS* marketing materials which have been authorised by Welsh Government, and are able to include their own logos in addition to the WG and ESF logos for particular materials. All course materials produced by contractors must include and display the WG and ESF logo, and highlight that the courses are subject to ESF support.
- G8 For self-employed registered child-minders, contractors will need to be assured that appropriate checks and balances are in place to conduct assessments. It is a contractor's responsibility to make sure that a self-employed participant has the requisite skills to function in the vocational area.

- G9 Those learners who are employed for at least 16 hours per week or are wishing to undertake Higher Apprenticeships are not eligible for funding through the Progress for Success programme.
- G10 Learners will be required to undertake the full Apprenticeship Framework; however, providers will be required to ensure that learners are given sufficient time to complete the framework due to the reduced number of hours practitioners will be in work and on the job.
- G11 Contractors must ensure that all learners have completed their qualifications and have all the necessary award certification in place by October 2022.

### Eligibility

- G12 All participants must be undertaking a level 2 or level 3 Apprenticeship Framework; all evidence and eligibility requirements are consistent with the Apprenticeship Programme. However, in addition to these requirements contractors must ensure the following is evidenced prior to a participant being accepted onto training:
- a) Learners have to be employed in an early years, childcare or play setting and have a contract of employment which is between 10 hours per week (minimum) and less than 16 hours per week (maximum) If Contractors become aware that the number of hours worked are amended while in learning; which results in the learners becoming ineligible for funding, Welsh Government must be informed as soon as possible. Employment would ideally be with a single employer but a Shared Apprenticeship may be permitted on a case by case basis and be agreed by Welsh Government prior to commencing.
  - b) Learners can be employed in a registered or non-registered settings; however, non-registered setting must be able to demonstrate that they are working towards registration with Care Inspectorate Wales (CIW).
  - c) The postcode of the learner's employment is in Wales.
  - d) Contractors must ensure that an Apprenticeship Agreement is in place for all learners, to evidence employers' consent.
  - e) Contractors are responsible for ensuring that only eligible learners are enrolled on a Foundation Apprenticeship or Apprenticeship under PfS. The eligibility of a learner must be established and evidenced before the start of their programme of learning. This should include the practicality of not providing a place to any learner who may be unable to complete their programme of learning, including those who may be likely to leave their employment permanently during the expected duration of the programme.
  - f) Contractors must retain evidence of the learners' eligibility and may be asked to produce it to the WG at any point.
  - g) Learners must be aged 18 and over.

### Eligible Frameworks

G13 The Progress for Success programme will only fund the following Apprenticeship Frameworks:

Level 2 Playwork Apprenticeship

Level 2 Childcare Play Learning and Development Apprenticeship

Level 3 Playwork Apprenticeship

Level 3 Childcare Play Learning and Development Apprenticeship

### Data Returns

G14 Contractors must complete LLWR Field LP51 with either an entry of PFS for each participant. All other LLWR fields are to be completed in line with the requirements for an apprenticeship programme.

## Section H: Shared Apprenticeship Delivery

- H1. Shared Apprenticeship delivery will only be applied in exceptional circumstances.
- H2. Contractors must ensure that learning delivery through a Shared Apprenticeship complies with all aspects of the Apprenticeship programme specification. In addition, Contractors delivering via a Shared Apprenticeship model must be able to evidence that:
- i. effective arrangements are in place to engage employers, including SMEs, in the Apprenticeship programme;
  - ii. the Contractor can facilitate the rotation of Apprentices between employers to ensure that each Learner has a rounded learning experience;
  - iii. each Apprentice has a formal contract of employment and Apprenticeship Learning Agreement, either with the Contractor (in 'host employer' models) or with one 'lead' employer;
  - iv. each Apprentice's placement with each separate employer is captured in their ILP, including the specific objectives/ specialist experience which will be gained from the placement;
  - v. processes are in place to ensure effective communication with all employers engaged in the learning process;
  - vi. employers are appropriately engaged in Learner progress reviews, and reviews are scheduled around the Apprentice's rotation between different employers;
  - vii. all of the employers involved are able to provide relevant vocational activities and support during Learner placements, so that each Apprentice has a suitably balanced experience; and
  - viii. the programme is marketed to key stakeholders including employers, schools, 14-19 networks and Career Choices Dewis Gyrfa, and they are fully involved in the recruitment of Apprentices.
- H3. The Welsh Government expects that learners following a shared model will secure sustainable employment on completion of their apprenticeship. The delivery and outcomes of Shared Apprenticeships will be monitored in the same way as other Apprenticeship programmes; however, some additional information will be required from the Contractor in order to evaluate the effectiveness of this model of delivery. This is likely to include but is not limited to the names of each of the employers providing Learner placements, and information on Learners progressing from a 'host employer' arrangement to employment.
- H4. The Welsh Government reserves the right, in exceptional circumstances, to provide additional financial support and administration costs, as appropriate.
- H5. The Welsh Government issued guidance about a shared apprenticeship protocol to WBL Providers, please see Section 2 – Guidance Notes. The protocol can be seen below.

<b>Protocol</b>	<b>Shared Apprenticeships activities should:</b>
<b>Market need</b>	<ul style="list-style-type: none"> <li>• be led by a lead contractor within the Work Based Learning (WBL) contracted network.</li> <li>• complement and not displace existing Apprenticeship provision.</li> <li>• justify operating a shared model instead of directly employed Apprenticeships, i.e. addressing market failure.</li> <li>• be representative of the sector, geographical area/Enterprise Zone and all key partners/stakeholders.</li> </ul>
<b>Operating model</b>	<ul style="list-style-type: none"> <li>• use Welsh Government funding solely to support Apprenticeship related activities such as a contribution to wage costs or co-ordination activities.</li> <li>• provide full-time, waged employment including covering the time apprentices spend off-the-job training.</li> <li>• have a clear engagement strategy and engagement criteria to secure host employers whilst not replacing existing Apprenticeship opportunities.</li> <li>• demonstrate a close working relationship with organisations currently engaged in the promotion of Apprenticeships to employers.</li> <li>• offer Apprenticeship places to a network of employers including, where possible, a minimum 50% of SMEs.</li> <li>• use the existing network of Work Based Learning (WBL) providers in Wales for the delivery of Apprenticeships.</li> <li>• endeavour to secure sustainable employment for at least 90% of apprentices at the end of or during the shared Apprenticeship, preferably at a salary above National Minimum Wage.</li> </ul>
<b>Added value</b>	<ul style="list-style-type: none"> <li>• ideally use a minimum combination of at least two host employers per Apprenticeship.</li> <li>• engage new employers into Apprenticeships, including onto mainstream Apprenticeship provision.</li> <li>• seek to enter high calibre apprentices into prestigious, high profile skills competitions such as World Skills.</li> <li>• support pre-apprenticeship programmes such as Jobs Growth Wales (JGW)/ Working Wales.</li> <li>• encourage females/males into non-traditional sectors, i.e. females into STEM subjects.</li> <li>• prioritise recruitment to those aged 16-19, those with protected characteristics and those living within areas of deprivation as indicated by the Welsh Index of Multiple Deprivation.</li> <li>• demonstrate benefits to host employers such as: improved profitability or customer satisfaction.</li> <li>• offer the delivery of Apprenticeships through the medium of Welsh or bilingually, particularly in predominantly Welsh speaking areas.</li> </ul>
<b>Quality</b>	<ul style="list-style-type: none"> <li>• deliver an Apprenticeship framework success rate of at least 81%</li> <li>• ensure the host employer has ultimate responsibility for the welfare, health and safety, learning and employment of the apprentice.</li> <li>• have clear systems to ensure that host employers can give necessary and appropriate support to the apprentice.</li> <li>• engage with employers looking to recruit into future jobs, not those who use the scheme as a source of temporary agency staffing.</li> <li>• operate a robust recruitment process for apprentices including advertising vacancies via the Apprenticeship Vacancy Service (AVS)</li> <li>• ensure that on-going Information, Advice and Guidance (IAG) on careers are available for the apprentice.</li> <li>• ensure that the host employer(s) offer the apprentice productive employment which supports the Apprenticeship framework.</li> <li>• ensure that the length of the programme supports the beneficial outcomes associated with Apprenticeships.</li> </ul>

	<ul style="list-style-type: none"> <li>• promote equality of opportunity to Apprenticeship places, including to under-represented groups.</li> </ul>
<b>Employment law</b>	<ul style="list-style-type: none"> <li>• comply with all relevant employment law and regulation, including those in the Employment Agency regulations.</li> <li>• agree a wage in conjunction with the host employer which must be at least the legal minimum wage.</li> <li>• ensure clarity about the responsibilities of an employee, set out for the apprentice in a handbook or guidance document.</li> <li>• ensure apprentices are working under an Apprenticeship Learning Agreement; this forms part of their Contract of Employment.</li> </ul>
<b>Eligible Costs</b>	<ul style="list-style-type: none"> <li>• consider costs – the following being examples:             <ul style="list-style-type: none"> <li>• salaries.</li> <li>• overheads.</li> <li>• travel.</li> <li>• staff co-ordinator.</li> <li>• recruitment.</li> <li>• marketing.</li> </ul> </li> </ul>
<b>Exit Strategy</b>	<ul style="list-style-type: none"> <li>• be financially sustainable and not dependent on Welsh Government funding, including wage contribution subsidy, in the medium to longer term.</li> </ul>
<b>Regional Skills Partnerships (RSPs)</b>	<ul style="list-style-type: none"> <li>• be endorsed by the relevant regional RSP.</li> </ul>

## Section I: Support for Young Apprentices and the Apprenticeship Employer Incentive

### YOUNG RECRUITS PROGRAMME (YRP)

11. Previous arrangements for YRP remain extant until participants complete their period of previously approved YRP support. Please refer to Version 1.8 of Programme Specification and Guidance April 2015 – March 2019.
12. YRP may be available for learners who are recruited onto an **approved** Shared Apprenticeship programme (see – Section H) but this will be determined on a case by case basis.

### SUPPLEMENTARY FUNDING FOR LEARNERS AGED 16-18

#### General Information

13. In order to encourage vocational opportunities for school leavers, additional young learners who are recruited and commence their apprenticeship programme during the summer period or the spring period will attract an enhanced funding rate (over and above the value determined under the activity cost model).
14. For 2016/17 this supplementary funding will apply to additional young learners aged 16-18 and will apply to the periods from July-October (inclusive) and January-March (inclusive).
15. From 2017/18 onwards, this supplementary funding will apply to additional young learners aged 16-19 and will apply for the periods from July – September (inclusive) and January – March (inclusive) in line with the Apprenticeship Employer Incentive.

#### Eligibility for the supplementary funding rate

16. Providers will only receive enhanced funding for each additional eligible learner they recruit. That is, the increased funding rate will only apply to each learner who is recruited over and above the number of young learners who started their apprenticeship programme (within the two specific periods) during the baseline year.
17. Eligible learners must also satisfy the following eligibility criteria:
  - Met the relevant age stipulation at the start of their first apprenticeship programme;
  - be recruited and commence their apprenticeship in the relevant summer period or the spring period;
  - have not been employed by the employer prior to entering the Apprenticeship;
  - be enrolled upon a Foundation Apprenticeship or Apprenticeship framework; and
  - have a contract of employment for at least 16 hours per week.

#### Use of the enhanced funding

18. The enhanced funding must be used to provide employer support to create apprenticeship opportunities targeted at the recruitment of school leavers.



19. The type of support that providers can offer is not currently prescribed. However, providers are unable to 'gift' the additional funding to the employer by way of a wage subsidy or other direct financial payment or incentive.
110. Acceptable uses of the additional funding would include (but not be limited to):
- a. Support for events organised by the Welsh Government, including 'Have a Go', by manning stands; allowing staff to familiarise themselves with 'Have a Go' equipment;
  - b. Working with employers, particularly micro-businesses, small businesses and other businesses that have not recruited apprentices, to develop recruitment strategies which encourage applications from school leavers, including supporting the evidenced costs of an employer's recruitment activities;
  - c. Working with employers to consider the recruitment of apprentices as part of its succession planning, including
    - i. Support employers to develop links with Careers Wales and schools;
    - ii. Additional coaching and mentoring support for the employer to help school leavers in the transition into work; and
    - iii. More frequent one-to-one mentoring to ensure that learners remain focussed and achieve their framework at a rate which is at or better than expected.

#### **Additional Guidance**

*This list is not exhaustive and providers should contact Welsh Government if they consider other uses of this funding (which are not listed) with the potential to achieve the desired outcomes.*

111. The use of this enhanced funding will not be subject to direct audit, but providers may be requested to provide information on how any additional funding has been used to increase the recruitment of young learners.

#### **Data Returns**

112. Contractors must complete LLWR Field LP51 with an entry of 'ENH' for each additional eligible learner. Failure to do so will result in no additional funding.

#### **Payments**

113. Eligible learners will attract an extra six induction units (IUs) at the start of their apprenticeship programme. Thereafter, they will revert to the standard number of IUs per year.
114. Eligible learners will also attract a delivery Credit Equivalent Unit (CEU) uplift of 30 per cent on the standard framework cost. This uplift will apply for the duration of the apprenticeship programme.

#### **Additional Guidance**

*This only relates to the first apprenticeship i.e. where a learner progresses to a higher level with the same employer, the uplift will only relate to the lower level.*

115. The Welsh Government will review the appropriateness of this uplift on achieving the desired aims and reserves the right to cease or suspend this uplift at any point with not less than 60 days' notice.
116. Additional payments will be made to providers, in arrears, based on data recorded within the Lifelong Learning Wales Record (LLWR). Any payments that are paid in relation to this funding supplement will be over and above a provider's apprenticeship programme commission.

### Reclaim

117. Enhanced payments will only be made in respect of each additional learner. Where a provider claims enhanced funding for learners that are not deemed to be additional (based on Welsh Government baselines), the Welsh Government will reclaim the extra funding awarded in respect of these learners.
118. The Welsh Government reserves the right to cease the enhanced rate for any provider who consistently makes improper claims for this additional funding.

## EMPLOYER INCENTIVE SCHEME

### Guidance on the availability of financial incentives for employers to recruit apprentices

Applicable from: 1 August 2020 to 30 September 2021. This programme supersedes the previous scheme which commenced 1 August 2017

#### Incentive payments for hiring a new apprentice

119. The employer may be eligible to receive an incentive payment for hiring a new apprentice i.e. recruiting someone new into the organisation as an apprentice. Different incentives will apply depending on the learner's age and hours of employment. There are also incentives to encourage employers to recruit disabled learners and redundant apprentices.
120. Employers will be able to claim the incentive payment for up to 10 apprentices (provided each apprentice meets the criteria). These apprentices do not have to be recruited at the same time but must be recruited (and immediately commence their apprenticeship programme) whilst the incentive scheme is still in operation.

#### Eligibility Criteria:

121. In order to attract the incentive each apprentice must **PAGS**:
- Meet all eligibility criteria as set out in the latest Work Based Learning Programme Specification;
  - be directly recruited as an apprentice;
  - be employed for at least 16 hours per week and not be employed on a zero hours contract;

- not have been employed by the employer claiming the incentive (or the maintained school or connected company or) within the six months prior to the employment contract start date (exceptions apply – see paras I22 and I44);
- have a contract of employment start date with the employer between 1 August 2020 and 30 September 2021 (inclusive);
- have an apprenticeship agreement containing a start date between 1 August 2020 and 30 September 2021 inclusive; and
- not be starting a Shared Apprenticeship.

*The basic rule for deciding if 2 companies are ‘connected’ with each other is that either:*

- *one of them has control of the other*
- *both are under the control of the same person or persons*

*In the case of a limited liability partnership, that control is where the other company possesses, or has the rights to get a share or more than half the assets or more than half the income of the limited liability partnership.*

- I22. Individuals who were previously employed by the employer (but not currently employed) in a part time role (i.e. under 16 hours p/w) or temporary role are eligible to attract the incentive but only where the apprenticeship contract of employment is for at least 30 hours
- I23. Where the employer is a local authority and the apprentice is employed by the governing body of a maintained school, the contract and/or agreement may be with the local authority.
- I24. Employers must be able to commit to employing the apprentice for the length of time required to complete the apprenticeship framework.
- I25. Whilst a learner can attract more than one incentive if they move to a different employer whilst the scheme is operational, Welsh Government will review the data to ensure that this is not abused. That is, if it becomes apparent that some learners are being encouraged to move from one employer to another in order for multiple employers to attract the incentive, we reserve the right to reclaim funds and to restrict the eligibility rules in relation to this incentive. It is vital that the public purse is protected
- I26. We will monitor uptake of incentives as incentives are rolled out to ensure that value for money is maintained, for example, monitoring early leavers and apprentices moving between employers who attract incentives
- I27. There are different incentives available depending on learner age, length of employment and other learner related circumstances. These are detailed below:

**Employing an apprentice who was made redundant from their previous apprenticeship opportunity**

- I28. Payments are available in respect of any apprentice (regardless of age) who has been made redundant from their apprenticeship programme between 23/03/2020 to 30/09/2021 and are recruited by a new employer to continue their apprenticeship. **PAGS**
- I29. Employers must commit to employing the apprentice for at least the time taken to complete his/her apprenticeship.
- I30. 2,600 is available for re-employing a redundant apprentice to complete their apprenticeship in the same framework pathway where the contract of employment is for at least 30 hours p/w.
- I31. £1,300 for re-employing a redundant apprentice to complete their apprenticeship in the same framework pathway where the contract of employment is at least 16 hours p/w but less than 30 hours p/w.
- I32. Note that the learner(s) *must* continue their Apprenticeship framework pathway. That is, learners will continue the apprenticeship that they commenced with their previous employer.
- I33. We recognise that the rate of funding for employing a redundant apprentice aged 16-24 is slightly less than the funding that would be available to support the same learner to undertake a new apprenticeship framework (see below). However, employers must be encouraged to employ a redundant learner on the same apprenticeship pathway as previously commenced and should recognise that the learner will already be part way through their apprenticeship programme and is therefore expected to complete in less time.

**For new learners i.e. excluding those who were previously made redundant from their apprenticeship programme:**

***For learners aged 16-24:***

*For eligible learners who are employed as apprentices prior to 1 March 2021:*

- I34. £3,000 is available if the apprentice is aged between 16 and 24 years old on the start date of employment and the contract of employment is for at least 30 hours p/w.
- I35. £1,500 is available if the apprentice is aged between 16 and 24 years old on the start date of employment and the contract of employment is at least 16 hours p/w but less than 30 hours p/w.

*For eligible learners who are employed as apprentices on or after 1 March 2021:*

- I36. £4,000 is available if the apprentice is aged between 16 and 24 years old on the start date of employment and the contract of employment is for at least 30 hours p/w.

137. £2,000 is available if the apprentice is aged between 16 and 24 years old on the start date of employment and the contract of employment is at least 16 hours p/w but less than 30 hours p/w

***For learners aged 25+:***

*For eligible learners who are employed as apprentices on or after 1 August 2020:*

138. £2,000 is available if, on the employment start date, the apprentice is aged 25 or over on the start date of employment and the contract of employment is for at least 30 hours p/w.
139. £1,000 is available if the apprentice is aged 25 or over on the start date of employment and the contract of employment is at least 16 hours per week but less than 30 hours p/w.

***Employing and Apprentice Progressing from a Job Placement Schemes***

140. Individuals progressing from Kickstart, Jobs Growth Wales (JGW) or *Engage to Change* onto an apprenticeship with the same employer will be eligible to attract the Welsh Government's employer incentive if:
- all other apprenticeship eligibility criteria are met; and
  - the employer incentive scheme is still available at the point of progression.
141. That is, the length of time with the placement employer will not be considered to be previous employment. Individuals progressing from Kickstart and Jobs Growth Wales will be recruited onto a specific apprenticeship programme and not one of the identified generic apprenticeships. Disabled individuals progressing from Engage to Change can be recruited onto a generic apprenticeship programme.
142. Individuals can progress to an apprenticeship programme prior to the expected end of their Kickstart/Jobs Growth Wales/Engage to Change placement but they must be terminated from their Kickstart/Jobs Growth Wales/Engage to Change placement prior to commencing their apprenticeship.

***Employing a Disabled Apprentice***

143. Employers who recruit a disabled apprentice are eligible to receive an additional uplift of £1,500 per learner. This uplift is additional to standard incentive payment that the learner would attract.
144. The disabled apprentice can have been employed by the employer claiming the incentive (or the maintained school or connected company) within the six months prior to being employed as an apprentice
145. The learner's disability can be self-declared and **must** be identified at the point of recruitment and the employer must therefore be aware of the individual's disability prior to making the decision to recruit the disabled person as an apprentice.

146. Where the learner's disability is self-declared when recruited as an apprenticeship and they have been employed by the employer claiming the incentive within the six months prior to the apprenticeship agreement start date.

### General Guidance

147. Where an employer recruits an apprentice and that apprentice subsequently leaves after 4 weeks have elapsed, this apprentice will still count against the maximum recruitment of 10 learners. That is, the employer will then only be able to attract the incentive for up to 9 more learners. Where the learner leaves within the first four weeks (and no incentive payment is made to the employer) the employer will be able to recruit another apprentice to 'replace' this learner [PAGS].

### Administration Payment

148. As with previous incentive schemes, Welsh Government will make payments to providers who in turn will be expected to pass this onto employers. Providers will be expected to retain evidence that payments have been made to employers [PAGS].
149. In recognition of the administrative burden placed on lead providers in managing the payment process and collating relevant evidence to support payments, we will award providers an administration fee for each learner recruited under this incentive programme. This fee is set at £100 (inclusive of VAT) per learner and will be payable in full once the learner has been employed for 4 weeks.

### Payment of incentives

150. Employers will be eligible for the incentive payments as follows:
- a. 50% of the incentive payment will be payable after the learner has been employed for 4 weeks (assuming that they are still undertaking their apprenticeship); and
  - b. The remaining 50% will be payable after the learner has been employed for 270 days (and is still undertaking their apprenticeship).
151. Due to insufficient information on the Lifelong Learning Wales Record (LLWR), payments for the administration fee and the employer incentive will be made directly to the lead provider following receipt of a monthly invoice. This invoice must detail required payments at individual learner level and must separately detail the incentive payment and the administration payment. An example of an acceptable invoice is shown at Annex A [PAGS].
152. Providers **must not** submit an invoice for a particular learner until the learner's Programme record has been recorded on the LLWR. Failure to do so will result in the entire invoice being returned.
153. Providers are able to submit invoices on a monthly basis in line with the timeframes given below:

- a) 30 October 2020
- b) 30 November 2020
- c) 31 December 2020
- d) 29 January 2021
- e) 26 February 2021
- f) 31 March 2021
- g) 30 April 2021
- h) 31 May 2021
- i) 30 June 2021
- j) 30 July 2021
- k) 31 August 2021
- l) 30 September 2021
- m) 29 October 2021
- n) 30 November 2021

- I54. Invoices must be sent to the askWBL mailbox and headed 'Employer Incentive Invoice'.
- I55. Invoices that are received by the timeframes detailed above will aim to be processed within 10 working days of the relevant deadline (exceptions apply - see para I51). Any late invoices will be processed within 10 working days of the following month's deadline.
- I56. Welsh Government will undertake a check of each invoice. Where at least one record included on the invoice cannot be verified from data on the LLWR, the *entire* invoice will be discarded and providers will be required to submit a revised invoice. Where this occurs, the invoice may not get paid until 10 working days after the following month's deadline (assuming the revised invoice is deemed to be correct).
- I57. Providers are not expected to withhold payments to those employers that are eligible to receive the incentive. That is, providers should not delay making payments to employers if the payment from Welsh Government has been delayed due to the late receipt of an invoice or an incorrect invoice.
- I58. We reserve the right to take action including to recover all or part of the incentive payments for hiring a new apprentice if we identify any breach of the funding rules. Funding will be recovered from the lead provider who will be required to take steps to recover the funding from the relevant employer **[PAGS]**.

#### **Evidence Requirements (also see PAGS requirements)**

- I59. Providers must hold relevant evidence to assure Welsh Government that employers are eligible for incentive payments for each relevant apprentice.
- I60. This evidence must be made available to the Welsh Government's Provider Assurance and Governance (PAGS) Team on request.
- I61. The evidence in respect of each incentive payment for hiring a new apprentice claimed must include:



- confirmation of the apprentice's date of birth;
- a copy of the apprentice's Apprenticeship Learning Agreement;
- a copy of the apprentice's employment contract including their start date and weekly hours of employment'
- Evidence (if relevant) to support that the apprentice was made redundant from their apprenticeship programme at any point from 23/02/2020 onwards;
- Evidence to support that the learner is still employed (and undertaking their apprenticeship) with the employer after 4 weeks has elapsed (for payment 1) and after 270 days have elapsed (for payment 2);
- A learner declaration to confirm a self-declared disability (if relevant);
- An employer declaration to confirm:
  - That individuals who were previously employed by the employer (but not currently employed) in a part time role (i.e. under 16 hours p/w) or temporary role are eligible to attract the incentive but only where the apprenticeship contract of employment is for at least 30 hours. This could include evidence from payroll and / or vacancy adverts and recruitment documentation;
  - That the apprentice has a disability (if relevant) and the employer was aware of this disability prior to recruiting the learner;
  - the intention to employ the apprentice for at least the time taken to complete their apprenticeship; and
  - that the recruitment of this apprentice does not result in the total number of apprentices (supported under the incentive) exceeding 10.

### Employer Incentive Contract Values

162. Each lead provider will be allocated a maximum contract value in respect of the incentive and administration payments in respect of all eligible starts. As the period of the incentive straddles two financial years, providers will be allocated two separate contract values to reflect:
- a. All eligible learners who commence their employment (as an apprentice) between 1 August 2020 and 31 March 2021; and
  - b. All eligible learners who commence their employment (as an apprentice) between 1 April 2021 and 31 July 2021 (*providers who were successful in the ACP tender will be awarded a separate contract under the ACP Framework for the period from 1 August 2021 to 30 September 2021*).
163. Learners must be counted against the contract value relating to their employment start date – not the contract value relating to their apprenticeship start date (if different).
164. Providers should count the full incentive value (i.e. the value awarded at 4 weeks and at 270 days) **and** the net administrative payment for each learner against the **same** contract period irrespective of the period in which these payments will be made i.e. a learner who starts their employment on 28 March 2021 should be entirely counted against the contract value awarded for the period from 1 August to 31 March despite some of the incentive payment being made in the later period.



165. Providers will be expected to ensure that they have sufficient contract value in the relevant period to support both the incentive and administration payments for each eligible start and *must* not sign up any new starts under this scheme if they have insufficient contract value remaining.
166. Welsh Government **cannot** commit to supporting the incentive payment for any starts recruited in excess of a provider's available contract value in the relevant period.
167. Where a provider expects that its contract value will be insufficient to support the available demand, they should send a business case to the askWBL mailbox identifying the expected shortfall in contract value. Welsh Government will then seek to identify further funds (including potential underspend from other providers). However, additional funds cannot be guaranteed.
168. Providers are required to identify any expected underspend on their employer incentive contract as soon as possible in order for funding to be relocated to providers with excess demand.
169. Welsh Government reserves the right to close the incentive programme before the 30 September 2021 if demand outstrips available funding.
170. When determining the remaining funding, providers should reflect the net administration value as Welsh Government are able to recover the VAT on these payments.

### Lifelong Learning Wales Record

171. Providers are requested to identify learners attracting this employer incentive in order for relevant data analysis to be undertaken. Providers should record the following codes in LLWR field LP51:
- |             |  |
|-------------|--|
| <b>RES:</b> | <b>For redundant learners (not attracting a disability uplift)</b> |
| <b>RED:</b> | <b>For redundant learners (attracting a disability uplift)</b>     |
| <b>OES:</b> | <b>For all other learners (not attracting a disability uplift)</b> |
| <b>OED:</b> | <b>For all other learners (attracting a disability uplift)</b>     |

**INVOICE / ANFONEB**

**To:** Learner Provision Team,  
Further Education and Apprenticeships Division,  
Welsh Government,  
Ty Afon,  
Bedwas Road,  
Caerphilly,  
CF83 8WT

**Tax Point Date / Dyddia Pwynt Treth:** \_\_\_\_\_

**Select Provider:** \_\_\_\_\_

Customer No Rhif yr Cwsmer	Invoice Date Dyddiad yr Anfoneb	Invoice Number Rhif y Anfoneb	Customer Contact Cyswllt y Cwsmer
0			

Description							
LN02	LP04	Start Date	Employer Name	Payment Type (Adminstration payment, Incentive payment 1, Incentive payment 2)	Amount GBP (net)	VAT (incentive payment=0%, administration payment=20%)	Amount GBP (Gross)
<b>TOTAL / CYFANSWM</b>							<b>£</b>

**Payment Terms/Telerau Talu:**

Verified invoices received by the communicated deadlines will be processed within 10 working days of the deadline. Any late invoices will be processed within 10 working days of the following month's deadline.

## TRAINEESHIPS PROGRAMME

### Section J: Programme Information and Eligibility

- J1. Traineeships Programme is a non-employed status training programme for 16-18 year olds not otherwise engaged in post-16 education or employment. The programme is aligned with 14-19 Learning Pathways, forming part of a broader range of options available for school leavers.
- J2. The primary objective of Traineeships is to equip young people with the skills, qualifications and experience to enable them to progress to learning at a higher level or to employment at the earliest opportunity.
- J3. Traineeships Programme is not time-bound. It is a flexible programme which requires the development of Individual Learning Plans (ILPs) to meet the needs of each young person. Some individuals may need relatively short periods of time to prepare for entry to employment or further learning opportunities. Others with more complex personal and social needs will require much longer periods before they are ready to enter and sustain suitable training and employment. The Provider must ensure that the Traineeships Programme is tailored to meet the individual's need.
- J4. The programme includes the use of employer work placements, community projects, voluntary work and centre-based learning opportunities and has three strands: Engagement, Level 1 and Bridge-to-Employment.

### Traineeships Engagement Strand

- J5. The Traineeships Engagement strand is for eligible Learners (see eligibility and ineligibility clauses below) who:
  - i. are assessed as needing to address a barrier (or barriers) to further learning or employment; and/or
  - i. need to confirm or contextualise an occupational focus prior to entering further learning or employment.
- J6. Careers Choices Dewis Gyrfa advisors will conduct an enhanced referral to assess the individual's learning needs prior to the Learner commencing the programme. The referral will specify the barrier(s) to further learning or employment to be addressed as part of the ILP.
- J7. The Traineeships Engagement strand encompasses
  - ii. the identification and addressing of a learning barrier (or barriers) that prevents the Learner immediately participating in vocational or other learning at Levels 1, 2 or 3 or progressing into employment; through
  - iii. the use of employer work placements, community projects, voluntary work and centre based learning opportunities which aim to confirm or contextualise an occupational focus; affording
  - iv. an opportunity to provide Learners with the breadth and flexibility of skills they need to enable them to progress, at the earliest opportunity, to either employment or further learning at a higher level; and
  - v. delivery of qualifications as permitted under clauses K1 - K2.

- J8. In addition, and subject to written agreement by the Welsh Government, where a young person has already identified a preferred progression route into further learning at a higher level (usually into FE provision) Careers Choices Dewis Gyrfa may identify that the Traineeships Engagement strand is necessary to confirm the appropriateness of his/her choice. In such cases the learner must receive additional support to confirm (or otherwise) his/her readiness for his/her preferred choice. Learners availing themselves of this option must have specific barriers or barriers to progressing (and sustaining that progression) into further learning at a higher level. This provision will therefore be available to young people identified through the Pre-16 Early Identification System by Careers Choices Dewis Gyrfa. Evidence of the barrier or barriers may be generic or specific to the preferred progression route.

#### *Additional Guidance*

*Examples of barriers may include:*

- *personal and social challenges;*
- *health (including mental ill-health) and emotional well-being issues;*
- *issues with preparing for employment and lifelong learning; and,*
- *a lack of economic competence.*

*Contextualisation of an occupational focus is depicted in the following example. An employer is interested in recruiting a particular young person who satisfies that organisation's qualification entry requirements for the post. However, the Learner has gained their qualifications in a non-work-related setting and would benefit from confirming their occupational focus and suitability by completing a period of time in the specific work setting. Up to 10 weeks (depending on the complexity of the job) is regarded as an appropriate time period for this activity with a realistic chance of the Learner receiving an offer of employment at the end of the placement.*

*Confirmation of an occupational focus is depicted as when a young person would benefit from the opportunity to spend (as a general guide) three weeks per taster placement in their stated occupational area of interest in order to experience a wide range of situations within that occupational setting and confirm their interest before committing to that vocational pathway. Other examples include:*

- *where a young person would benefit from physical fitness and other training required by military and emergency services; or*
- *where a young person does not currently have particular occupational interests and would benefit from the opportunity to sample different occupational settings.*

*The Individual Assessment of Needs would generally specify no more than three occupational tasters. Further 'taster' placements in different sectors may be arranged by the Provider should the Learner be unable to confirm an occupational focus.*

*Providers will be expected to forge links with the local community and voluntary organisations with a view to enhancing the Learner experience.*

*Confirmation of an identified progression route could be where a young person has, for example, chosen an occupational learning route at a Further Education Institution (FEI). The young person probably has high level GCSE qualifications to*

*enable the entry criteria for this route, but requires additional support to confirm his/her choice. The Traineeships Engagement strand may be utilised to confirm the appropriateness of that choice, however, this must be approved, in writing, by Welsh Government as per clause J21.*

### **Traineeships Level 1 Strand**

- J9. The Traineeships Level 1 strand is for eligible Learners (see eligibility and ineligibility clauses below) who are:
- i. assessed as being occupationally focussed; and
  - ii. able to follow a programme of study leading to a Level 1 qualification but assessed as being unable to currently follow a Level 2 (or above) programme.
- J10. The Traineeships Level 1 strand encompasses:
- i. the identification and addressing of a learning barrier (or barriers); through
  - ii. the use of employer work placements, community projects, voluntary work and centre based learning opportunities to deliver a Qualification and Credit Framework (QCF) qualification (see clause K3), relevant to the career aim of the Learner, prior to progressing, at the earliest opportunity appropriate to the Learner, to either employment or further learning at a higher level.

#### *Additional Guidance*

*For self-referral to the Traineeships Level 1 strand, an application form will be issued for completion by the Learner following a vocational guidance interview with a Career Choices Dewis Gyrfa advisor. All Learners commencing the Traineeships Level 1 strand must be assessed as possessing sufficient occupational focus to be able to follow and sustain a programme of study at Level 1, or equivalent, in the relevant occupation.*

*However, it would not be a requirement for all Learners to undertake a programme of vocational study at Level 1. For example, a Learner may already possess a vocational qualification at QCF Level 1 but may need to enhance their portfolio of qualifications by the acquisition of other qualifications at Level 1, e.g. the wider key skills or essential skills, or employability skills, before being ready to enter employment or undertake a formal programme of learning at Level 2.*

*Learners may acquire creditable skills at Levels 1 or 2, e.g., essential skills, during this process of delivering the vocational qualification at QCF Level 1. It is also permissible under this strand to deliver Essential Skills Wales qualifications at Entry Level 3 (in communication, application of number and/or digital literacy).*

*Contractors will be expected to forge links with the local community and voluntary organisations with a view to enhancing the Learner experience.*

### **Traineeships Bridge-to-Employment Strand**

- J11. The Traineeships Bridge-to-Employment strand is for eligible Learners (see eligibility and ineligibility clauses below) who:

- i. are assessed as being occupationally focussed; have completed the Traineeships Engagement strand; and are assessed as being above Level 1 learning; or
  - ii. are assessed as being occupationally focussed; have completed the Traineeships Level 1 strand; and have attained, as a minimum, all of the following:
    - A Qualification and Credit Framework (QCF) qualification (or units) of at least 'Certificate' size (a minimum of 13 credits) which tests occupational competencies at Level 1; and
    - Essential Skills Wales qualifications at Level 1 in Communication, Application of Number and Digital Literacy; and
    - Wider Essential Skills Level 1 qualifications in Working with Others, Improving Own Learning & Performance and Problem Solving.
- J12. The Traineeships Bridge-to-Employment strand includes the delivery of elements of a QCF qualification which tests occupational competencies at Level 2 as defined by the Learner's chosen occupational focus and prior learning, and/or the delivery of Technical Certificates (where available and where relevant to the individual's chosen career path), which are part of the appropriate Apprenticeship framework (see clause K5).
- J13. Contractors must ensure the Traineeships Bridge-to-Employment strand does not exceed 15 percent of its total Programme Commission value for Traineeships. This proportion may be varied in writing by the Welsh Ministers in subsequent years. The Welsh Government will monitor the value used for this strand of the programme via the contract management process. Contractors who believe they may exceed the 15 percent value must notify the Welsh Government via the [askWBL@gov.wales](mailto:askWBL@gov.wales) mailbox and obtain prior approval.
- J14. The Traineeships Bridge-to-Employment strand is linked to the payment of Training Allowance (TA) where eligibility must be confirmed at each interval (see clauses [L21-L27](#) below).

#### **Additional Guidance**

*As an example, a Traineeships Bridge-to-Employment strand Learner training in retail might undertake one of the following:*

- *units of a Level 2 vocational qualification in Retail Skills; or*
- *Essential Skills Wales qualifications at Level 2 or above; or*
- *City & Guilds Level 2 Certificate in Retailing; or*
- *units of a technical certificate in the Learners chosen vocation.*

*The Traineeships Bridge-to-Employment strand can be used to ensure that the young person is well-suited to the working environment of the recruiting organisation with a view that employment is offered at the earliest opportunity.*

## **Evidence Requirements**

J15. The Contractor must ensure that it complies with the suitability and eligibility evidence requirements set out in Section AA: Eligibility for Welsh Government Funding and ESF Support **[PAGS]**

### Eligibility for Traineeships

J16. Unless otherwise stated or in clause J28, individuals are eligible for the Traineeships programme if they meet all of the following criteria:

- i. have not reached the age of 19 and are not in full-time education;
- ii. are not employed;
- iii. are ordinarily resident in Wales;
- iv. meet the criteria set out in the Programme Specification, **[PAGS]**

J17. Individuals aged 15 at the point of entry will be considered eligible if their enrolment date is after they have completed education in the June before their 16<sup>th</sup> birthday in June, July or August of the same year and they are considered NEET at the point of referral onto the Programme. **[PAGS]**

J18. Full time education covers young people who:

- are attending school sixth form or college, full-time, as a pupil or student; or
- intend to attend school sixth form or college, full-time, as a pupil or student.

J19. Part-time work of no greater than 15 hours per week is classified as 'non-employed'. Such part-time employment must not conflict with required attendance on the Traineeships programme nor be treated as authorised/unauthorised absence from the programme **[PAGS]**

J20. Referral agencies and Providers must ensure that a Learner, who has reached 18 years of age, is fully aware of any entitlements to benefits as an adult. This will help them make an informed decision whether to enter or re-enter training via Traineeships or whether to pursue an adult training programme. **[PAGS]**

J21. Subject to written agreement by the Welsh Government, where a young person has already identified a preferred progression route into further learning at a higher level (usually into FE provision) Careers Choices Dewis Gyrfa may identify that the Traineeships Engagement strand is necessary to confirm the appropriateness of his/her choice. This provision will be available to young people identified by Careers Choices Dewis Cymru via the Pre-16 Early Identification System, who have specific barriers (generic or specific) to progressing, and sustaining that progression into further learning at a higher level. **[PAGS]**

J22. Where a Learner progresses from any activity undertaken in respect of the WBL Programme Commission without a break of more than three calendar weeks, the original eligibility status remains extant. **[PAGS]**

J23. All entrants to the Traineeships Engagement strand must be referred by Career Choices Dewis Gyrfa (or another legitimate organisation/agency as notified by the Welsh Ministers) and require a written referral on or before the Learner's start date.

J24. Learners can self-refer to the Traineeships Level 1 strand. However, where an individual applies directly to the Contractor for this provision Career Choices Dewis Gyrfa must be notified immediately and before the learner starts on the



programme. Careers Choices Dewis Gyrfa reserves the right to advise the individual that Level 1 provision is not a suitable option for them thus deeming the individual ineligible for Welsh Government funding. Contractors, via their initial assessment, must ensure the learning is at the appropriate level for the Learner. Contractors must refer the Learner to Career Choices Dewis Gyrfa if initial assessment confirms that the Traineeships Engagement strand or higher level learning is more appropriate. **[PAGS]**

- J25. Contractors must ensure that young people referred by Careers Choices Dewis Gyrfa are fully supported with personalised and adaptable provision by utilising the flexibilities of the programme, engaging with partner organisations and accessing the Learning Support (ALS) budget. Contractors must not refuse entry to any young person who has been referred by Careers Choices Dewis Gyrfa.
- J26. Contractors must ensure that only eligible Learners are enrolled on a Traineeships programme. The eligibility of the Learner must be established before the start of their programme and evidence obtained prior to, or shortly afterwards. Contractors must retain evidence of the Learner's eligibility and will be asked to produce it to the Welsh Government. **[PAGS]**
- J27. Contractors must also satisfy themselves before seeking Welsh Government funding that there is a reasonable likelihood that the Learner will be able to complete the programme of learning. This should include the practicality of providing a place to a Learner who may be unable to complete the programme if he or she is likely to leave his/her domicile permanently during the expected duration of the programme. **[PAGS]**

### **Ineligibility for Traineeships**

- J28. Individuals are ineligible for entry to Traineeships if they are, at the point of referral to the programme:
- i. of compulsory school age (see clause J18); or
  - ii. 19 years of age and over; or
  - iii. have not received the appropriate referral from Career Choices Dewis Gyrfa (or another legitimate organisation/agency); or
  - iv. an ineligible overseas national; or
  - v. in custody or on remand in custody; or
  - vi. in receipt of an Assembly Learning Grant or an Education Maintenance Allowance; or
  - vii. taking part in any other employment or enterprise programme funded directly by the UK Government or the Welsh Ministers; or
  - viii. taking part in any other UK Government or Welsh Ministers funded vocational learning programmes; or
  - ix. taking part in any other EU funded employment or enterprise programme or vocational learning programme (or any other form of EU funded scheme) unless permitted under ESF funding regulations; or
  - x. being mandated to attend the DWP Work Programme; or being registered for work with Jobcentre Plus/ DWP at the time of referral, or entry, to the programme; or
  - xi. already achieved a Level 3 or equivalent.



For referrals from 1 July to 30 September (inclusive) individuals will be ineligible for the Level 1 strand of the Traineeship programme if they have, at the point of referral to the programme:

- xii. attained (or have already sat and are expected to attain) at least 5 GCSEs at grades A\*-C (including Maths and English Language); or
- xiii. attained (or have already sat and are expected to attain) a Level 2 Vocational qualification and are seeking to undertake a Traineeship Level 1 in in the same occupational area.

This will be subject to monitoring and review by Welsh Government. [PAGS]

### **Additional Guidance**

*Learners who meet the criteria stipulated in (xi) or (xii) above who are referred outside of the 1 July – 31 September period may be eligible for a level 1 Traineeship programme (subject to all other eligibility criteria being met). These learners must be recorded with an entry of 'NQ' in LP75).*

- J29. The Welsh Ministers will not pay any sum in respect of ineligible Learners and will seek repayment of any sums paid in error.

### **Planned Learning and Individual Learning Plans (ILP)**

- J30. Contractors must ensure that all Learners undertake an initial assessment. All learning should be planned to meet the Learners individual needs and all Learners must be issued with an ILP. If the Contractor's own assessment of the Learner varies from the Career Choices Dewis Gyrfa Engagement Referral, the Contractor must engage with Career Choices Dewis Gyrfa to agree any changes required. A final ILP must be produced against an amended referral. [PAGS]
- J31. An ILP must, as a minimum:
  - i. clearly identify the learner by name and unique identifier;
  - ii. include the Learner's prior learning and assessed needs;
  - iii. specify the expected duration of learning, which allows the Learner a reasonable prospect of successfully completing his/her learning;
  - iv. have regard to the objectives stated in approved qualifications (or units thereof);
  - v. set out the start date and the frequency of reviews to be followed e.g. Learners shall have their progress reviewed at intervals of no greater than 31 calendar days;
  - vi. set out the planned attendance;
  - vii. set out any agreed support arrangements;
  - viii. specify by name, level and reference number approved qualifications which the Learner aims to achieve;
  - ix. contain a brief statement of the Learner's employment or career objectives;
  - x. be agreed by the Learner, the Contractor and, where appropriate, the 'lead worker' and employer;
  - xi. contain a declaration authenticated by the Learner that he or she has agreed the ILP and that he or she has commenced the activities contained

- within it. This declaration should also confirm that the Learner has been made aware of the support of the European Social Fund; and
- xii. take full account of the Career Choices Dewis Gyrfa Traineeships referral; and
  - xiii. specify the Learner's preferred language of learning (Welsh or English) and preference for Welsh-medium or bilingual delivery of learning during the programme; and
  - xiv. specify opportunities to maintain and/or develop the Learner's Welsh language skills during the learning period, where appropriate. **[PAGS]**
- J32. The Contractor must ensure that the activities agreed in the ILP are carried out. **[PAGS]**
- J33. Any subsequent changes to the ILP, including extending a Learner's period of learning, must be agreed between the Learner and the Contractor and, where appropriate, the 'lead worker' and employer. Changes must be recorded on the ILP. There is no requirement for Career Choices Dewis Gyrfa to agree to an extension. **[PAGS]**

#### **Additional Guidance**

*A suggested length of programme duration will continue to be included on the referral form as a result of Career Choices Dewis Gyrfa' advisors discussions with the young person. At the end of this period (if the young person has not progressed already) it will be for the Contractor to assess whether the Learner should continue on the Traineeships Engagement strand or progress elsewhere.*

- J34. Learners shall have unrestricted access to information on their learning arrangements/ ILP. **[PAGS]**
- J35. Where qualifications form part of the ILP, registration with the relevant Awarding Organisations must take place within eight weeks of the start date of learning for at least one qualification set out in the ILP for each Learner. **[PAGS]**
- J36. The Contractor shall report the registration for each qualification to the LLWR through an appropriate Award record by the end of the period in which the registration takes place. For each qualification registered and reported to the LLWR, the Contractor must record the result of the qualification within the LLWR in the relevant Award field, by the end of the period in which the evidence of achievement, or notification of withdrawal or failure, becomes available. **[PAGS]**

## Section K: Additional Programme Requirements (Traineeships)

- K1. Any qualifications undertaken as part of any strand of the Traineeships programme must be approved for the purpose of, and in accordance with, Sections 96 and 99 of the Learning and Skills Act 2000 (as amended) or otherwise be approved for delivery by the Welsh Government. For the avoidance of doubt, qualifications approved for delivery by the Welsh Government do not include licenses and funding must not be used by Contractors for this purpose.
- K2. Learners on the Traineeships Engagement strand can undertake qualifications at Entry Level in the Qualifications and Credit Framework (QCF) and National Qualifications Framework (NQF) and wider key skills within Essential Skill Wales qualifications up to and including Level 2. Qualifications at Level 1 or above in the QCF and NCF must not be delivered under this strand.
- K3. Learners on the Traineeship Level 1 strand should only undertake qualifications at Level 1 in the QCF and NQF, and/or Essential Skills Wales qualifications at Level 1 or Level 2. An exception to this condition is that Essential Skills Wales qualification at Entry Level 3 in Communication and/or Application of Number is/are deliverable under this strand.
- K4. Other qualifications at Level 2 or above must not be delivered under this strand. Under the Traineeships programme, training Contractors that are approved can offer the Welsh Baccalaureate within the Traineeships Level 1 strand but this can only be delivered at Level 1 equivalent.
- K5. Learners on the Traineeships Bridge-to-Employment strand should only undertake the delivery of elements of a QCF qualification which tests occupational competencies at Level 2 as defined by the Learner's chosen occupational focus and prior learning and/or the delivery of Technical Certificates (where available and where relevant to the individual's chosen career path), which are part of the appropriate Apprenticeship framework. Essential Skills Wales qualifications at Level 2 or above may also be delivered under this strand.

### *Additional Guidance*

*As an example, a Traineeships Bridge-to-Employment strand Learner training in retail might undertake one of the following:*

- *units of a Level 2 vocational qualification in Retail Skills; or*
- *Essential Skills Wales qualifications at Level 2 or above; or*
- *units of a technical certificate in the Learners chosen vocation.*

### **Offer of a Suitable Learning Place**

- K6. The Contractor must ensure it supports the Welsh Government's commitment to make a suitable offer of provision to young people. This should be the offer, acceptance and commencement of a suitable place in education or training for a young person making the first time transition from compulsory education at age 16 as set out in the Youth Engagement and Progression Framework.
- K7. A place in education or training includes:
- a part or full-time place in a school or college; or

- an Apprenticeship opportunity; or
  - a Welsh Government Traineeships place; or
  - a place on a re-engagement programme; or
  - a volunteering opportunity; or
  - a Level 2 training programme during employment.
- K8. The Contractor must work with the relevant Local Authority and Career Choices Dewis Gyrfa to ensure that an appropriate mix and balance of provision is in place to enable this to happen. Contractors have a key responsibility to identify young people at risk of dropping out and providing support to help keep them engaged. They must also notify Career Choices Dewis Gyrfa if young people drop out of education and training and where they are at risk of dropping out (see clauses K11 and K12).
- K9. The Welsh Government may, during the lifetime of the Agreement, revise its offer of education and training for young people. Contractors will be given a minimum of 60 days notice in writing before such a change is implemented.
- K10. An offer of a suitable learning place should be made by a Contractor within eight weeks of a Learner being referred. (Please refer to the Glossary of terms for further clarification). Where a Disclosure and Barring Service (DBS) check is required to support the learning placement, it is the responsibility of the Contractor to cover the cost.
- K11. The appropriate Starters and Leavers Form must be used to notify Career Choices Dewis Gyrfa of all eligible Learners entering or leaving learning within 10 working days of the start or leave date.
- K12. Career Choices Dewis Gyrfa must be notified where a Learner has been identified as at risk of disengaging from learning using the Referral to Career Choices Dewis Gyrfa Form.

### Re-entering Learning

- K13. Once a Learner has left learning, or completed any Traineeships strand, re-entry is only appropriate if the Learner continues to meet the eligibility criteria (i.e. the Learner has not become ineligible).

### Assessment and Review

- K14. The Contractor must track and measure the Learner's progress and distance travelled in relation to 'soft skills' such as confidence, self-esteem, motivation, ability to co-operate, self-discipline and wellbeing. **[PAGS]**
- K15. The Contractor must review each Learner's progress as frequently as necessary. As a minimum, progress reviews should be undertaken at intervals of no greater than 31 days. This measurement should be applied from the start date and thereafter from the date of the last review undertaken. **[PAGS]**
- K16. The Contractor shall ensure that the progress review shall:
- be conducted in an appropriate environment, away from the pressures of the workplace;
  - allow sufficient time for proper discussion; and

- involve the Learner, the Contractor and (where applicable) the work placement provider. **[PAGS]**
- K17. A review shall include:
- actions agreed at the previous meeting;
  - progress towards achieving the ILP, this should also include explanations for poor progress if applicable;
  - details of assessments undertaken;
  - progress towards qualifications (if appropriate);
  - identification of any obstacles to completing the programme and the support offered to address;
  - agreed plan of learning for the period to the next review; and
  - any agreed amendments to the ILP. **[PAGS]**
- K18. The record of the review shall include confirmation that the progress review took place by means of authentication by the Learner, the Contractor and, where applicable, the work placement provider. **[PAGS]**
- K19. Records of the review should be in a format that helps the review meeting to be effective. A record should:
- include space to record progress, actions and explanations for poor progress (if applicable);
  - show clear progression from one review record to the next in terms of actions agreed and follow up; and
  - include comments from the Learner, work placement provider (where applicable) and the learning provider.
- K20. Reviews should only take place when a Learner is in attendance, in person or virtually, at either the Learner's designated place of learning or the placement Provider's premises.
- K21. The date, place and time of the next review should be agreed as part of the review process. **[PAGS]**
- K22.** All Learners must undertake an initial and diagnostic assessment of their essential skills (communication, application of number and digital literacy), using the Wales Essential Skills Toolkit (WEST) as part of the Learner's initial assessment, within 4 weeks of the start date, unless evidence is available following progression from the Traineeships Engagement strand. Contractors must make provision for the on-going monitoring of a Learner's essential skills using the WEST. **[PAGS]**

### **Additional Guidance**

*Essential skills is key to a young person's assessment and where identified as necessary, Essential Skills Wales qualifications should be embedded into their Individual Learning Plan. Where possible, essential skills activity should be a seamless part of the learning process as evidence shows that when delivered as a classroom activity, young people disengage quickly as this feels like school.*

*Where the Learner requests the presence of their learning coach at a review, it is considered good practice that the learning coach's signature is also captured as part of the review process.*

### **Performance Targets and Progression**

- K23. The Welsh Government expects Contractors to achieve a minimum positive progression rate of 50 percent for each strand of the Traineeships programme. The Welsh Government reserves the right to adjust the percentage over the lifespan of the tendered period. Further information on performance targets for positive progression success can be found in section 8 - Work-based Learning Outcomes Performance Thresholds.
- K24. Performance will be measured as progression into employment (including self-employment and voluntary work) or further learning at a higher level, including progression onto the Jobs Growth Wales programme. Further information on the definition of a positive progression is included in the Destination Guidance at part 6 of this document. Contractors must comply with the recording and supporting evidence requirements.
- K25. The Traineeships programme has been designed to form part of a broad range of options available for school leavers. Contractors must consider a full range of opportunities to progress Learners at each exit point of the programme. Progression from the Traineeships Engagement strand to the Traineeships Level 1 strand should not be assumed where a different option might be more beneficial to the Learner.
- K26. A transfer from the Traineeships Engagement strand or a Traineeships Level 1 strand to a Traineeships Bridge-to-Employment strand will not constitute a progression into further learning at a higher level.

## Section L: Learner Terms and Conditions (Traineeships)

### Learner Entitlement and Support

- L1. The Learner must be notified in writing of his/her terms and conditions of learning with the Contractor upon starting a programme and of any subsequent changes to them. This must include hours of attendance, value of their Training Allowance (TA), and when and how this will be paid to the Learner
- L2. The terms and conditions for a Learner already in learning shall not be adversely affected by changes subsequently agreed between the Welsh Ministers and the Contractor.
- L3. An eligible Traineeships Learner, who is not employed, shall be entitled to accrue two days annual leave from his/her programme of learning per completed 28 calendar days of learning without adversely affecting his/her learning allowance (see clauses L21 – L27). In addition, the Learner shall also be entitled to time off for (or in lieu of) statutory holidays. This entitlement is cumulative where a Learner who is not employed, progresses from one Traineeships strand to another with the same Contractor. Leave entitlement shall be pro-rated against attendance patterns.

#### *Additional Guidance*

*A completed calendar month of learning runs from the Learner's start date, e.g., from 25th of the month to 24th of the next month. If a Learner starts on, e.g., 30th of January, the calendar month should run to the 28th or 29th (if a leap year) of February.*

- L4. The Contractor shall endeavour to provide suitable alternative learning for a Traineeships Learner who has reasonable grounds for dissatisfaction with his/her programme of learning, or who is not making satisfactory progress, or where provision of learning, as agreed in the ILP, is no longer available.
- L5. Contractors must ensure that Learners are provided with support, or personal assistance, to enable them to access or remain in learning and realise their potential. Traineeships Learners are, as participants in the 14–19 Learning Pathway entitled to three strands of learning support. These are:
  - i. Learning Coach Support: Access to a named learning coach either within the Contractor's organisation or through a third party, who will provide the Learner with advice on how to maximise their own ability and learning skills. For the definition of a Learning Coach, please see Glossary of Terms.
  - ii. Access to Personal Support: Where a young person is at significant risk of disengagement (see clause K12), or has already disengaged, a lead worker will be allocated to support the individual. The lead worker may come from one of the specialist support services or be a Learning Coach, Youth Worker or Career Choices Dewis Gyrfa adviser. Access to Personal Support through Learner Support Services includes, for example:
    - specialist health and wellbeing advice, including information on sexual health and substance misuse;



- access to specialist mental health support; and
  - specialist counselling services
- iii. Careers Information, Advice and Guidance: The learner is entitled to impartial careers information, advice and guidance. Where careers education is provided, Careers and the World of Work framework is the key document which the Contractor should use to review and develop their provision. Specialist individual careers information, advice and guidance is typically provided by professional advisers from Career Choices Dewis Gyrfa.

### Attendance

- L6. Hours of attendance are linked to the payment of Training Allowance (TA) (see clauses [L21 – L27](#) below). Any change to the TA may impact on attendance requirements. Should any change be made to required hours of attendance or allowance entitlement for any strand of the programme, Contractors will be given at least 60 days' notice in writing of such a change.
- L7. Traineeships Engagement strand Learners must attend learning for 12 hours or over in any 7-day period. The maximum hours of attendance shall be 30 hours (including hours attending day release courses and excluding one meal break per day) in any 7-day period.
- L8. Within eight weeks of entering the programme, Traineeships Engagement strand Learners in attendance for fewer than 21 hours must be allocated home study projects equivalent in time to the difference between their agreed attendance requirements as specified on the ILP and 21 hours. For Learners engaged for fewer than 21 hours after the first 8 weeks (after accounting for authorised absence), payment of the Training Allowance (TA) will be reduced proportionately (see clauses [L21 – L27](#)).

### Additional Guidance

*For example, an ILP is drawn up with a young person indicating that the Learner shall undertake Engagement training for 12 hours per week for the first four weeks. The Learner will receive the full non means-tested TA of £30 per week. If the Learner misses hours of the agreed attended learning, their non means-tested TA will be reduced proportionately.*

*Beyond eight weeks, every Learner's ILP should be amended to include learning of at least 21 hours duration per week which may include home study projects. If, after eight weeks in learning, the Learner is able to commit to, for example, 14 hours of attendance learning, their non means-tested TA will be reduced proportionately by one third to £20 per week.*

*Although 21 hours is the minimum number of hours that an engagement learner should undertake over a 7 day period (after the first 8 weeks have elapsed), learners may undertake additional hours (up to a maximum of 30 hours over a 7 day period). Where this occurs, the TA will remain capped at £30 per week.*

*The TA must only be proportionately reduced where a learner attends for less than 21 hours per week after the first eight weeks have elapsed.*



- L9. Traineeships Level 1 and Bridge-to-Employment strand Learners shall normally attend learning for 30 hours or over in any 7-day period. The maximum hours of attendance shall be 40 hours (including one meal break per day) in any 7-day period.
- L10. For the purposes of paying a Training Allowance for Traineeships Level 1 and Bridge-to-Employment strands Learners who are not employed and attending for less than 30 hours a week (after accounting for authorised absence), payment of training allowances must be reduced proportionately (see clause [L23](#)).

#### **Additional Guidance**

*For example, a Traineeships Level 1 strand Learner in any one week attends for 20 hours as opposed to 30 hours. Their Training Allowance is reduced to £33.33 for that week.*

- L11. The Contractor is required to have in place appropriate procedures to monitor Learners' attendance during their period of learning.

#### **Authorised Absence**

- L12. Contractors may approve pre-authorised absence of up to 15 consecutive working days. Learners who have completed 15 consecutive working days of pre-authorised absence must be immediately withdrawn from learning if they fail to return to learning on the 16th working day. The last date for which allowances are payable is the 15th working day. Suspension is not an option available for Traineeships Learners. **[PAGS]**
- L13. Paternity leave for non-employed participants must be treated as authorised absence for a period of up to two weeks.

#### **Additional Guidance**

*Examples of authorised absence include:*

- *sickness, supported by a Statement of Fitness for Work (fit note) after 7 days;*
- *holiday entitlement;*
- *time off in lieu (e.g. on account of working on a bank holiday);*
- *compassionate leave;*
- *pre-authorised medical appointments;*
- *pre-arranged appointments linked to specialist personal support e.g. counselling appointment;*
- *time off to deal with housing issues;*
- *time off to attend an appointment with Career Choices Dewis Gyrfa; or*
- *time off to attend a job interview.*

#### **Unauthorised Absence / Notification Arrangements**

- L14. Eligible Learners who have been absent from a programme of learning for 10 consecutive working days without prior authorisation and whom the Provider has attempted to contact, but had no success, shall be immediately withdrawn from learning and payment of allowances. Payment of allowances must cease immediately from the last working day for which there is evidence that the Learner attended the programme. **[PAGS]**

### Additional Guidance

*For example, if a Learner does not make contact with the Learning Contractor or learning placement representative for 10 consecutive working days, on the 11th working day the Learner should be withdrawn.*

- L15. Career Choices Dewis Gyrfa must be notified where a Learner has been identified as being at risk of disengaging from learning. This includes where a Learner's unauthorised absence level has exceeded the agreed level. **[PAGS]**
- L16. The appropriate Starters and Leavers Form must be used to notify Career Choices Dewis Gyrfa of all eligible Learners leaving learning within 10 working days of the leave date. **[PAGS]**

### Progression from one programme to another

- L17. A learner progressing directly from the Traineeships Engagement strand to the Traineeships Level 1 or Bridge-to-Employment strand is counted as a continuing learner and the provider is not required to complete a new enrolment form. **[PAGS]**

However, the provider must:

- Check that the information it holds on the Learner is accurate and complete a Change of Circumstance form if any details have changed;
- Undertake eligibility checks, if more than three weeks have elapsed between the end of the first strand and the start of the next;
- Update the learner's ILP to include details of the new strand (e.g. start date, expected duration and framework details); and
- Set up new LP, LA and AW records on the LLWR for the new programme of learning. This information does not have to be physically signed-off by the Learner as long as the ILP has been updated, as outlined above.

### Transfer to a new Contractor

- L18. When Learners transfer from one Contractor (the outgoing Contractor) to another Contractor (the new Contractor), it is the responsibility of the new Contractor to ensure the following documents supporting the Learner's eligibility, prior to and at the start of learning, are received from the outgoing Contractor:
- i. a copy of the Learner's ILP;
  - ii. evidence of basic and/or essential skills assessments;
  - iii. copies of all assessments and reviews to date.
- L19. The outgoing Contractor must keep the originals of all forms and data for their own records and enter the transfer details into the LLWR. It is the responsibility of the outgoing Contractor to supply copies of the relevant forms and data to the new Contractor as well as retaining auditable evidence from the new Contractor that the transfer has taken place e.g. an email or letter.
- L20. The Traineeships Programme will cease on 31 March 2022 and, those learners yet to complete their Individual Learning Plan, will be able to transfer onto the new youth employability programme which comes into operation on 1 April 2022. Traineeships Contractors must work with the receiving new youth employability programme contractors to ensure transition for any displaced

learners is as smooth as possible. New employability programme contractors will be obliged to work with Traineeships contractors throughout March 2022 to this end. It is vital that throughout the transition period the interests of learners is given paramount importance.

### Recording Terminations from Learning on LLWR

- L21. When a Contractor identifies that a Learner has completed or ceased learning, action must be taken immediately to record this through the LLWR. The Contractor must ensure that for each Learner who completes, or ceases learning, the necessary evidence and documentation requirements are met. **[PAGS]**

### Learning Support

- L22. The Welsh Government places a responsibility on Contractors to ensure that Learners are provided with financial support, and/or payment in kind, and/or personal assistance, to enable them to access, or remain in, learning and realise their potential. The Welsh Government may, in the lifetime of this contract, revise the allowances available and the processes for paying these allowances. Contractors will be given a minimum of 60 days' notice in writing before such a change is implemented

### Financial Support

#### Training Allowance (TA)

- L23. Eligible Learners following the Traineeships Engagement strand must be paid a Training Allowance (TA) of £30 per week; reduced proportionately according to patterns of attendance (but see also clauses [L7](#) and [L8](#)). **[PAGS]**
- L24. Where a Learner does not have a bank account when they commence a learning programme it would be reasonable to expect that the Contractor gives the Learner a cash payment until allowances can be paid directly into their bank account. Contractors may wish to allow a couple of weeks for a bank account to be opened and available.
- L25. Eligible Learners following the Traineeships Level 1 or Bridge-to-Employment strands must be paid an allowance of a minimum of £50 per week; reduced proportionately according to patterns of attendance (see also clause L10). **[PAGS]**
- L26. For eligible Learners following the Traineeships Bridge-to-Employment strand:
- i. Contractors may claim a training allowance for up to 10 weeks from the Welsh Ministers to enable a supporting employer to be identified (a supporting employer is one who is actively seeking to recruit an individual into employment);
  - ii. If a supporting employer is not found within the 10 week period, eligibility of the Learner must be reassessed for the Learner to continue in learning. If eligible, the Contractor must continue to deliver the content of the ILP as agreed, with the cost of the allowance being met by the Contractor. If

ineligible, the Learner's place on the programme of learning must be terminated.

- iii. The Learner can only remain on programme for an additional 10 weeks (with the cost being met by the Contractor, or an employer) after the initial 10 week period. **[PAGS]**
- L27. Eligible and participating Traineeships Learners are entitled to be paid an allowance, appropriate to their programme and attendance, until the day prior to their 20th birthday. Allowances must be paid promptly. Any deductions from an allowance must be reasonable and proportionate and in accordance with the Learner's terms and conditions. **[PAGS]**
- L28. Monthly payments to Contractors to reflect the payment of allowance costs to Learners will be derived using a formulaic approach linked to the type and volume of Traineeships provision recorded via the LLWR, up to a maximum which will be governed by a Contractor's Programme Commission support cost allocation. **[PAGS]**
- L29. Contractors must retain a record of all payments to the Learner and a receipt authenticated by the Learner confirming payment. Where Learners are paid by BACS, an attendance record, authenticated by the Learner to confirm attendance, must be completed. This attendance record may then be used as the basis to create a BACS payment. There will be no requirement for a receipt if the attendance record and the BACS printouts are held on file. **[PAGS]**

### Funding for Travel

- L30. Eligible Learners following the Traineeships programme are required to pay travel costs up to the equivalent of 10 percent of their weekly training allowance for a full week's attendance. A Traineeships Level 1 strand or Traineeships Bridge-to-Employment strand Learner receiving a maximum Training Allowance of £50 per week will be required to meet the first £5 of their weekly travel costs. A Traineeships Engagement strand learner receiving the maximum training allowance of £30 per week is required to meet the first £3 of their weekly travel costs. Learners may claim towards necessary reasonable travelling expenses incurred in connection with travel to and from their place(s) of learning above this amount. Learners using their own transport may claim for the costs of fuel where this does not exceed the cost of travel by public transport (where available). Learners using their own transport may also claim for the costs of car or motor cycle parking where there is no alternative free-of-charge parking facility. The Welsh Government will support the cost of travel by car, or motor cycle, up to a maximum of 25p per mile. Contractors must ensure that any payments made to learners do not exceed the maximum rate of 25p per mile. **[PAGS]**
- L31. Monthly payments to Contractors to reflect travel costs paid to Learners will be derived using a formulaic approach linked to the type and volume of Traineeships provision recorded via the LLWR, up to a maximum which will be governed by a Contractor's Programme Commission.
- L32. The Welsh Ministers may, during the lifetime of the Agreement, revise the process for paying financial support to Learners for funding travel costs, and/or the amount available. Contractors will be given a minimum of 60 days notice in writing before such a change is implemented.

## Funding for Childcare

- L33. Childcare support is available for non-employed Learners who are lone parents. Eligible Learners receive a contribution towards the costs of registered or accredited childcare. Childcare funding is only available where a childcare Contractor is registered by the Care and Social Services Inspectorate Wales (CSSIW) or has been approved by an accredited organisation's Quality Assurance Scheme. Contractors should refer to the Support Cost Guidance (6) for information relating to the maximum levels of available support. [\[PAGS\]](#)
- L34. The Welsh Government will allocate funding to reflect childcare costs reimbursed to Learners using a formulaic approach. Contractors will receive a monthly allocation based on their performance recorded via the LLWR, up to a maximum of £161.50 per week for the first child or £274.55 per week for two or more children.

## Additional Learning Support

- L35. Additional Learning Support is available for Learners with Additional Learning Needs which:
- i. arise from a learning difficulty and/or disability;
  - ii. is over and above that provided for in a learning programme; and
  - iii. is necessary to enable the individual Learner to achieve a positive outcome. [\[PAGS\]](#)
- L36. The definition of learning difficulty and/or disability does not include Learners:
- who have support needs arising from a functional literacy or numeracy difficulty (i.e. essential skills) or ;
  - for whom English (or Welsh) is not the first Language, e.g. asylum seekers, refugees or migrants. [\[PAGS\]](#)
- L37. The Welsh Government will allocate funding to reflect Additional Learning Support costs using a formulaic approach based on information recorded via the LLWR, up to a maximum which will be governed by a Contractor's Programme Commission. Welsh Government will not allocate Additional Learning Support to cover the travel costs of any Learner under this programme.

## EMPLOYABILITY SKILLS PROGRAMME

### Section M: Programme Information and Eligibility

#### Programme Purpose

- M1. The aim of the Employability Skills Programme is to support unemployed adults to get a job and to stay in work by improving their employability skills. The core content of the programme is a high quality work placement or employer specific training, work preparation training, and essential skills provision. Providers have the flexibility to bring these elements together in the best way to engage and support individuals.
- M2. Employability Skills is a flexible programme which will enable adaptations to be made as further requirements of the Department for Work and Pensions (DWP) Work and Health programme and other relevant labour market developments emerge.
- M3. The Employability Skills programme will be delivered via a flexible and tailored package of support for individuals and to achieve a higher level of employment outcomes.

#### Employability Skills Programme Overview

- M4. All individuals in the Employability Skills programme (with the exception of offenders in the community) **must** have as part of their Employability Plan:
- either
- a) A high quality work placement which offers meaningful work experience and the opportunity to develop workplace skills.
- or
- b) employer specific training.

In addition, the plan may include:

- essential skills training, if required;
  - work preparation training, if required, which might include CV writing, interview preparation and practice, job-search techniques and inter-personal skills;
  - accredited vocational skills training, if required, to meet minimum requirements of some industry sectors;
  - in-work coaching for new employees, if required. [IPAGS](#)
- M5. Providers have the flexibility to deliver elements of the programme in the best way to engage and support individuals into employment. Providers must work with individuals from the outset to assess their individual needs and tailor a programme that meets those needs. Some people may need to focus primarily on essential skills and work preparation at the beginning of their programme before moving into a work placement or employer specific training. Others may benefit from starting their work placement with a supportive employer early in the programme with work preparation, essential skills and any vocational training built in alongside.

- M6. Programme delivery should be tailored to meet individual needs with consideration given to mode, timing and duration.
- M7. Participants must complete a registration form (ESP1) and timesheets for all time spent on the Programme. This will be included in the PAGES Audit. [PAGES](#)

### Eligibility and Referral

- M8. Adults will be eligible to enter and participate in the Employability Skills programme if they meet all of the requirements below. Eligibility must be confirmed by the Jobcentre Plus (JCP) Work Coach.
- Are aged 18 and over;
  - Are unemployed and registered with JCP (this includes those claiming benefits or and those claiming credits only), or are included in a spouse or partner's claim for benefits.
  - Can complete the programme before being eligible for the DWP Work or new Work and Health Programme
  - Have not achieved a full level 2 qualification or equivalent. (Exceptions to this may be at the discretion of the JCP Work Coach where the programme will support a more qualified individual to gain work experience).
  - Have little 'current' or 'relevant' work experience (see below) but who are work focused.
  - Have a reasonable chance of being ready for employment within six months of engaging with the programme [PAGES](#)
- M9. The Employability Skills programme is **not** intended for:
- the most disengaged people, who require very intensive support;
  - those who already have the qualifications, skills and experience needed to find work themselves;
  - those already in employment;
  - those in full-time education;
  - ineligible overseas nationals;
  - those in custody or on remand in custody; or
  - those taking part in any other employment or enterprise programme funded directly by the UK Government, the Welsh Government or EU funding that duplicates the provision offered through the Employability Skills programme. This point does not apply, however, to individuals who have secured employment through the Employability Skills programme
- M10. Neither of the above groups should be referred to the Employability Skills programme. For people who are further away from the market and need more intensive support before they can engage, additional help is available through wider training provision and the Work Programme (or forthcoming DWP Work and Health programme). Those who are very close to employment or are likely to be successful in finding opportunities themselves or with light touch support from Careers Wales and/or JCP.
- M11. For the purpose of this programme, 'current' means within the last 3 months.



- M12. For the purpose of this programme, 'relevant' will be at the discretion of the JCP Work Coach and may be confirmed by Careers Wales on the basis of the analysis of the skills currently being sought by local recruiting employers.
- M13. For the purpose of this programme, 'work-focused' means someone who is motivated and confident to find work. They may lack a specific occupational focus. This will be at the discretion of the JCP Work Coach and may be confirmed by Careers Wales.
- M14. Individuals seeking to participate in this programme must be confirmed as eligible by their JCP Work Coach. A JCP Work Coach will ring and email a selected provider to make an appointment. The JCP Work Coach will provide the individual with a signed referral letter that will also identify the benefit status (if any) of the individual. Where Careers Wales identifies individuals whose needs can be met by this programme, it may make a direct referral subject to receipt of a letter from JCP confirming eligibility. [IPAGS](#)
- M15. An individual is able to participate in the Employability Skills programme more than once, provided they continue to meet the eligibility criteria for the programme. [IPAGS](#)
- M16. Offenders in the community. They must be referred to the programme by the National Probation Service (NPS) / Wales Community Rehabilitation Company (CRC) and be confirmed as eligible by the NPS / CRC. A risk assessment will be completed prior to the individual being referred to the Programme. Alternative venues will be considered on a case by case basis. Providers should submit their request to [employabilityskills@gov.wales](mailto:employabilityskills@gov.wales) [IPAGS](#)
- M17. The Lift Programme is a tackling worklessness intervention, designed to respond to the Welsh Government's Tackling Poverty Action Plan 2013, providing training and employment opportunities to people in long-term. Lift Mentors and Communities for Work Teams can refer directly into the ESP Programme. The eligibility criteria outlined in paragraphs 3.1-3.3 will apply.
- M18. The Employability Skills programme is a voluntary programme. Individuals cannot be mandated to participate in it.
- M19. Welsh Government reserves the right to amend the target cohort and eligibility criteria for the Employability Skills programme, for example, to complement the emerging requirements of the DWP Work and Health Programme and other relevant labour market developments. As a result of these requirements there may be a need for providers to test new approaches in providing employability support to individuals. 60 days notice will be given to providers of any significant change.
- M20. The JCP Work Coach will use his/her experience and knowledge of the claimant to assess whether an individual is appropriate for referral to the programme and will also complete a light touch skills assessment. This process will identify unemployed adults who:
- may find work themselves or with the support provided by JCP or Careers Wales and who therefore should not be referred to the Employability Skills Programme;



- may not be ready for employment within six months and need more intensive support to that available within the Employability Skills Programme.

### The Individual Skills Gateway (ISG) for Adults

- M21. JCP will refer individuals to the Individual Skills Gateway (ISG) for Adults where the Work Coach considers there is a need for an individual to access the additional services provided by the ISG. If Careers Wales identifies unemployed adults who it feels should not have been referred to this programme, it will contact the JCP Work Coach to discuss.
- M22. Where Careers Wales identifies individuals whose needs can be met by this programme, it may make a direct referral subject to receipt of a letter from JCP confirming eligibility.

### Eligibility evidence requirements for providers

- M23. Providers must be in receipt of a JCP referral letter signed prior to, or on the start date, in respect of all individuals. The JCP referral letter will state if the individual is on Jobseekers Allowance or Universal Credit, or is registered with JCP and claiming credits only. Providers must be in receipt of a signed referral form from NPS/CRC for offenders accessing the provision. **IPAGS**
- M24. Providers must retain evidence of the individual's eligibility and will be asked to produce it during routine monitoring and PAGES audits. Providers must also satisfy themselves before seeking Welsh Government funding that there is a reasonable likelihood that the learner will be able to complete his/her programme. **IPAGS**
- M25. If an individual fails to attend the programme, the JCP Work Coach should be informed. Timesheets must be completed for evidence of the participant's attendance on the Programme. **IPAGS**

### Benefits

- M26. Individuals will be restricted to a maximum of 30 hours activity (training and work based) each week for the duration of the programme.
- M27. For individuals claiming Job-Seekers Allowance participation will be restricted to a maximum of 16 hours, face-to-face, centre-based training activity per week for the duration of the programme in line with DWP rules. Providers should ensure that individual Employability Plans are developed in line with this to ensure no negative impact on benefits as a result of participation in the programme.

### Employability Plan

- M28. Providers must develop an individual Employability Plan for each participant of the Employability Skills Programme. Providers must use the information from the JCP referral letter along with results of the ISG assessment, where provided. The Wales Essential Skills Toolkit (WEST) Initial and Diagnostic Assessment (IA) results will evidence essential skills needs. **IPAGS**
- M29. All employability activities must be planned to meet the individual's needs as identified by the ISG (where provided) and the provider's initial assessment. Form

ESP2 is an example of an Employability Plan. An Employability Plan must, as a minimum:

- clearly identify the individual by name and unique identifier;
- include the individual's prior learning and assessed needs;
- specify the expected duration of placement/training in hours/weeks which allows the individual a reasonable prospect of successfully completing his/her placement/training;
- set out the start date and the frequency of reviews to be followed;
- set out the planned attendance;
- set out any agreed support arrangements;
- contain a brief statement of the individual's employment or career objectives;
- be agreed by the individual and the provider and, where appropriate, the employer;
- contain a declaration authenticated by the individual that s/he has agreed the Employability Plan and that s/he has commenced the activities contained within it. This should include a Welsh Government Privacy Statement.
- specify the individual's preferred language of training (Welsh or English) and preference for Welsh-medium or bilingual delivery of learning during the programme; and
- specify opportunities to maintain and/or develop the individual's Welsh language skills during the learning period, where appropriate. [IPAGS](#)

M30. The provider must ensure that the activities agreed in the Employability Plan are carried out. Any subsequent changes to the Employability Plan must be agreed between the individual and the provider. Changes must be recorded on the Employability Plan.

M31. Individuals shall have unrestricted access to information on their placement/training arrangements/Employability plan.

M32. In addition, providers will be required to:

- submit information accurately regarding individual and outcome details, completion certificates etc. as evidence for claims via the data management system.
- to make individuals aware of the requirement for Privacy Notices and actively encourage them to authenticate these to enable contractors to contact them for evaluation and monitoring purposes in order for us to better evaluate and monitor the performance of the Employability Skills programme. This is contained in the participant's registration form (ESP1).
- use marketing materials produced by the marketing contractors and authorised by Welsh Government. If, in addition, contractors choose to create their own materials these must be approved by Welsh Government prior to them being used. All materials must also include and display the Welsh Government logo and adhere to the Welsh Language Standards. Marketing leaflets will be provided by the Welsh Government;
- ensure that all activities noted in the Specification are available to individuals in Welsh and/or bilingually so that any individuals choosing to undertake qualifications through the medium of Welsh are provided such

training, support and assessment by appropriately qualified Welsh speaking staff.

## Work Focused Delivery

### High Quality Work Placement

- M33. Evidence shows that successful employment and training programmes are built on the engagement and active involvement of employers, as well as voluntary and community organisations to give unemployed adults experience of a real workplace to enable them to develop the confidence, skills and attitudes needed to get and to sustain work. The evidence also supports the delivery of training alongside work placement activity to contextualise, reinforce and provide the opportunity to put into practice acquired skills. **[PAGS]**
- M34. A high quality work placement should be delivered in accordance with the following principles. A high quality work placement will:
- provide experience of a real workplace with a local employer, voluntary or community organisation;
  - provide quality work experience consisting of meaningful work activities that reflect actual employment;
  - be matched to the individual's needs and interests as reflected in their Employability Plan;
  - be matched to actual vacancies or areas of emerging demand in the local labour market;
  - include a written agreement made between the individual, employer and provider which sets out mutual expectations and commitments and which includes induction processes, clear objectives and a timetable for regular reviews;
  - include a real job interview. Where this is not feasible the job interview should be replaced with employer feedback reflecting on the time spent on the work placement. **[PAGS]**
- M35. A work placement is expected to last between 120-240 hours over the maximum six month programme duration. This will allow providers to design programmes that meet the needs of individuals and to deliver training elements alongside work placements. However, this should be a flexible approach and can be shorter or longer dependent on the needs of the individuals. It is good practice to inform the JCP Work Coach of any work placement activity. During the work placement providers must remain in contact with the individual to assess development against the employability plan. A Health and Safety assessment must be completed prior to the individual starting the work placement to ensure the individual is placed in a safe environment. **[PAGS]**

### Employer Specific Training

- M36. Employer specific training is the delivery of bespoke employability and skills activities delivered in partnership with a recruiting employer, group of employers or economic sector. Bespoke employability and skills activities can be agreed between the provider and employer/s actively seeking to recruit individuals that meet the eligibility requirements of this programme. These activities may be employer/sector focused and tailored to the needs of the recruiting employer/s.

Employer specific training opportunities can be identified by JCP or by providers. [IPAGS](#)

- M37. Employer specific training can be delivered flexibly dependent on employer requirements up to a maximum of 8 weeks, within which a maximum of 30 hours activity can be delivered per week. JCP should be consulted in all cases to ensure compliance with benefit rules. [IPAGS](#)
- M38. Employer specific training must include the offer of a real job interview upon completion of the employability and skills activities where an employer or employer group has been identified. Live opportunities will be posted at Jobcentre Plus enabling individuals to access current vacancies. The Skills Gateway will also advertise vacancies through the Job Matching service. [IPAGS](#)
- M39. Welsh Government may allow exceptions to the programme eligibility for employers seeking to recruit unemployed adults who do not meet all of the eligibility requirements stated. This will be assessed on a case by case basis by JCP. [IPAGS](#)
- M40. If an individual does not attend the training JCP Work Coach should be informed. [IPAGS](#)
- M41. Licences may be delivered within the Employer Specific Training part of the Employability Skills programme. Licences must be completed within the duration of the employer specific training element of the programme, take into account the funding caps applied and must lead to an offer of employment with the recruiting employer. This will be assessed on a case by case basis by Welsh Government and JCP. Providers should contact [employabilityskills@gov.wales](mailto:employabilityskills@gov.wales). [IPAGS](#)

## Centre Based Training

### Work Preparation

- M42. Work preparation training might include CV writing, interview preparation and practice, job-search techniques and inter-personal skills or confirmation of an occupational focus. It may also include delivery of training related to workplace health, for example, managing stress in the workplace and work/life balance. It is anticipated that work preparation training will be delivered through centre-based activity.

### Essential Skills

- M43. Essential Skills Wales qualifications up to and including Level 2 can be delivered within the Employability Skills programme. These qualifications must form part of the individual's Employability Plan.
- M44. In 2014 the Welsh Government commissioned the development of a single, standardised, on-line essential skills assessment tool for use by all Welsh Government contracted providers, the Wales Essential Skills Toolkit (WEST). It is a contractual obligation for all providers delivering Welsh Government programmes of learning of more than 5 hours per week, to undertake an assessment of the individual's essential skills using WEST within 2 weeks of an individual commencing a programme. Providers will therefore be required to use the WEST

to assess the essential skills of individuals as part of the Employability Skills programme. **[PAGS]**

### Vocational Skills Training

Vocational skills training can include delivery of stand alone qualifications such as Health and Safety, First Aid, Manual Handling, Fire Awareness. These qualifications must form part of the individual's Employability Plan.

### **Programme Duration**

M45. We expect an individual's Employability Skills programme to last up to six months (excluding any in-work coaching). The length of the planned programme should reflect the needs of the individual. The programme is designed to ensure all individuals get substantial work experience and training while giving providers the flexibility to tailor programmes to the needs of each individual.

### **Assessment and Review**

M46. The provider must review each individual's progress as frequently as necessary but at least once every 31 days, and as outlined in the Employability Plan. **[PAGS]**

M47. The provider must ensure that the progress review shall:

- be conducted in an appropriate environment, away from the pressures of the workplace;
- allow sufficient time for proper discussion; and
- involve the individual, the provider and (where applicable) the work placement provider, in person or virtually. **[PAGS]**

M48. A review shall include:

- actions agreed at the previous meeting;
- progress towards achieving the Employability Plan;
- details of assessments undertaken;
- progress towards qualifications (if appropriate);
- identification of any obstacles to completing the programme and the support offered to address;
- agreed plan of learning for the period to the next review; and
- any agreed amendments to the Employability Plan.

The record of the review shall include confirmation that the progress review took place and should be authenticated by the individual, the provider and, where applicable, the work placement provider. **[PAGS]**

### **Positive Outcomes**

M49. Employability Skills is an employment focused programme. Taking into account the target cohort for this programme the expectation is that providers will secure a minimum progression rate into employment of 55%. For offenders in the community the expectation is that 50% of all leavers achieve qualification/units of qualifications. **[PAGS]**

- M50. Providers are also expected to increase individuals' level of essential skills competence up to level 2 where appropriate. **[PAGS]**
- M51. A job outcome is a minimum of 16 contracted hours work per week and is paid employment; this may be comprised of more than one contract of employment so long as the minimum number of paid hours of employment totals 16 per week. Zero hour contracts are not acceptable. Only one job outcome per individual accepted. The outcome payment will only be paid when the individual has successfully achieved a job outcome and this is recorded on the data management system when four weeks employment has been reached. ESP4 Destination Form must be completed and a valid payslip dated after the programme end date and after 8 weeks of completion or an official email, contract or letter from the employer confirming this must be used as evidence and is intended to last a minimum of 13 week. For those entering self-employment, evidence of self-employment must be provided e.g. registering with HMRC as self-employed. **[PAGS]**

### Strand 2 - In-work Coaching

- M52. Evidence demonstrates that the first few weeks and months of employment are the time when new employees are most at risk of dropping out of work. To support individuals to sustain employment achieved as an outcome of the Employability Skills Programme, providers may offer in-work coaching from week one of employment up to a maximum of three months following employment, the first session must be within the first 3 weeks of programme completion. The purpose of the coaching is to provide continuity of contact for the employee and to offer support to overcome any barriers to sustaining employment. **[PAGS]**
- M53. Providers must secure the written agreement of the employer to the coaching including any continuation of support. Providers must develop a 'coaching contract' between the provider, the employee and the employer which defines the parameters of the agreement, the support to be provided, which must include face to face support, its frequency and the preferred means of communication. This is set out in the In-Work Coaching form (ESP5). If change of employer, the first coaching session should be carried out within the first 6 weeks of programme completion. **[PAGS]**
- M54. Providers must record the date and summary of conversation of the coaching activity and outline any support provided. Authenticated copies must be retained by the provider as evidence that the coaching support has taken place for 3 months. **[PAGS]**
- M55. Individuals may not access other elements of the programme during this period. Although, participants can continue their essential skills training. **[PAGS]**

### Individual entitlements and support

- M56. All individuals, including those on the Offender programme, that are not employed may be eligible to receive a contribution towards travel costs. Refer to the WBL Support Cost Guidance for information.
- M57. Individuals that are not employed may be eligible to receive a contribution towards Childcare support. Refer to the WBL Support Cost Guidance for information relating to the maximum levels of available support.

The following forms must be used in conjunction with this guidance and can be found at: <https://beta.gov.wales/work-based-learning-wbl-forms>

- ESP 1 – Participants Registration
- ESP2 – Employability Plan
- ESP3 – Work Placement
- ESP4 – Destination Form
- ESP5 – In-work Coaching form

Annex 2 – Employability Skills Programme Delivery Process map



## JOBS GROWTH WALES (JGW)

### Section N: Programme Information and Eligibility

- N1. JGW is a package of support to help job ready unemployed young people aged 16 – 24 into a paid and sustainable job opportunity for a six month (26 week) period.
- N2. Participants must be employed for a minimum of 25 hours per week up to a maximum of 40 hours per week; contracted hours must be fixed at the outset. Participants must be in receipt of a wage at or above the National Minimum Wage (NMW) rate as appropriate for their age.
- N3. Participants must be gainfully employed for the duration of their time with the employer and the jobs created must be additional to the workforce and not replace positions that would otherwise be filled. For recruitment to the JGW programme to take place there must be an individual job description which outlines the structure and scope of the job role that the Participant will undertake. All jobs will be advertised through Jobs Growth Wales Live system on the Careers Wales website. All jobs created for the JGW programme need to ensure that the participant gains a valuable work experience which will enhance their skills and future career prospects. [PAGS](#)
- N4. A positive outcome of the JGW programme is to support participants to gain work experience and to enable them to enter sustained employment including, an apprenticeship. Therefore, all of the jobs created should not specify a requirement for previous work experience or specific vocational qualifications which could limit the number of participants who could apply for that opportunity. However, we accept that some jobs, will require a standard of general education – e.g. 5 GCSEs at A\*-C or a degree or equivalent. Where a graduate opportunity has been created, the degree must be relevant to the job opportunity.

### Participant Eligibility for the JGW Programme

- N5. Participants are eligible for the programme if they are considered 'job ready' and are able to provide evidence to support the below entry requirements:
1. Aged 16-24 years old; and
  2. Unemployed at the point of application; and
  3. Unemployed when commencing (i.e. day 1) of their job opportunity; and
  4. Are domiciled in Wales; and
  5. Have a legal right to live and work in the United Kingdom; and
  6. Have applied for the job opportunity via the Jobs Growth Wales Live system.
- N6. Those who have **completed** the Work Programme through the Department for Work and Pensions (DWP) are also eligible provided they meet the six criteria at paragraph N5 above.



'Job ready' definition

N7. An individual must be considered 'job ready' by a Jobcentre Plus Work Coach (18-24 year olds) and Careers Wales advisers (16-17 year olds) and must be deemed as 'job ready' at the point of application to enter the labour market if they:

- Are actively seeking work;
- Show motivation and commitment;
- Understand the importance of punctuality and can demonstrate this;
- Have attended interview skills training or a mock interview;
- Show confidence and self-esteem and are well-presented;
- Understand in-work etiquette;
- Have worked to address all barriers to work;
- Have a specific occupational focus
- Have a stable living environment;
- Have realistic expectations for gaining employment;
- Have completed relevant employability or pre-recruitment training; and can attend interviews;
- Have no identified literacy or numeracy issues;
- Have been referred by Careers Wales or Jobcentre Plus.

N8. For the purpose of the JGW Programme, 'unemployed' is defined as:

*An individual who does not hold a contract of employment **and** is engaged with Jobcentre Plus (or Careers Wales for participants aged 16-17).*

**Ineligibility**

N9. Individuals are **ineligible** for the programme if they are, on day 1 of the job opportunity:

- Of compulsory school age; or
- Have reached the age of 25; or
- Not considered 'job ready'; or
- Attending school or college full time as a pupil or student; or
- In full time higher education; or
- Already enrolled in/undertaking a Welsh Government WBL programme; or

- Already have a contract of employment; or
- An ineligible overseas national; or
- In custody or on remand in custody; or
- In receipt of an Assembly Learning Grant or Education Maintenance Allowance; or
- Not domiciled in Wales; or
- Referred to or participating in DWP Work Programme/ Work Choice; or
- If they are unable to provide evidence for the 'eligibility criteria' noted in N5; or
- They are currently on the Jobs Growth Wales (JGW) programme or have completed a job opportunity through JGW (subject to eligibility under paragraph N13); or
- They have previously been employed with the recruiting employer.

[IPAGS](#)

- N10. Participants will be able to progress directly onto the JGW programme upon successful completion of the Welsh Government's Traineeship programme; Lift programme; or other key programmes that have been agreed by the Welsh Government. Welsh Government written approval is required before participants commence a JGW job opportunity from other programmes not listed above.
- N11. The Welsh Government reserves the right to change the eligibility criteria at any point during the contracted period, providing at least 60 days notice in writing is given before such a change is implemented.
- N12. Although participants are ineligible to re-enter the JGW programme if they have previously completed a job opportunity through JGW, they may be able to re-access the JGW programme with a different employer if the opportunity has ended early due to circumstances out of their control e.g. business has ceased trading/premises closed, or it can be demonstrated that it is, in the opinion of Jobcentre Plus or Careers Wales, of genuine benefit to the participant in re-entering the programme. In these instances, participants would not be eligible to re-enter the JGW programme with the same employer who provided the job opportunity under JGW on a previous occasion. Any participant re-entering the JGW Programme must seek prior agreement with the Welsh Government.
- N13. Participants must complete a self-declaration of eligibility on the Jobs Growth Wales Live system when applying for vacancies. Contractors are responsible for verifying a participant's eligibility using the Participant Registration form and the 2014-2020 ESF eligibility guidance (see N39). This must be completed **before** a participant is offered a JGW opportunity. Contractors are responsible for ensuring only eligible participants are recruited to the JGW programme and retaining the evidence of eligibility. Contractors may be asked to produce it to the Welsh Government within 5 working days of the request. [IPAGS](#)

N14. The Welsh Ministers will not make any payment to Contractors in respect of ineligible Participants and will seek repayment of any sums paid in error from the Contractor.

### **Employer Eligibility**

N15. Employers are eligible for participation in the programme if they can demonstrate that they meet **all** of the following criteria: [IPAGS](#)

#### Employer Standards:

1. The Employer is based in Wales; and
2. The Employer is from the Private or Third Sector; and
3. The Employer has appropriate employer liability insurance in place; and
4. The Employer confirms that none of the Directors or members of the Management Board of the company have previously owned, been employed as a Director or member of a Management Board of any company that has been liquidated or made insolvent within the last 12 month period; and
5. The Employer will ensure that the appropriate provision is made for health, safety and welfare for Participants and that it complies with the Health & Safety at Work act 1974 and all other relevant legislation (including Codes of Practice and Guidance Notes issued from time to time by the Health & Safety Executive); and
6. The Employer will provide the Contractor with notice in writing of an intention to terminate the Participant's contract and the reason for termination; and
7. The Employer is responsible for notifying the Contractor if the candidate is already known to the Employer. Participants cannot have previous had a contract or employment with the employer; and
8. The Employer agrees to handle Participant's personal data relating to the Programme in line with the principles of the General Data Protection Regulations ; and
9. The Employer is not currently working with another WBL Contractor on an existing JGW opportunity; and
10. The Employer has confirmed that they are not currently in receipt of other ESF funding in respect of the available JGW opportunity.

Additionality

1. The job opportunity is additional to the existing workforce; and

Sustainability

1. The Employer has been trading for a minimum of six months, has identified growth plans; and
2. The intention is that the job becomes sustainable following the 26-week opportunity; and
3. The job opportunity is not considered to be seasonal, there is currently no recruitment activity already underway for this post or the job opportunity has not been created to cover sickness leave or maternity leave and will not result in the displacement of any existing employees; and
4. Where the Employer has previously accessed the JGW programme, they are able to demonstrate that they sustained the Participant at the end of the JGW opportunity; and

Quality

1. The job opportunity provides quality work experience and the Participant has a clear and specific job description outlining the role and responsibilities of the job opportunity; and
2. The Participant will be paid at least the National Minimum Wage (NMW) rate for their age; and The job opportunity will last for at least 6 months (26 weeks) and the Employer will give the Participant a contract of employment that notifies in writing his/her terms and conditions of employment with the Employer. This must be in place from day one of the job opportunity. 0 hours contracts cannot be accepted. The Participant must be notified in writing of any subsequent changes to their terms and conditions; this must include the Employer's standard terms and conditions of employment including holiday and sick pay entitlement shall apply to Participants. The Participant will also be entitled to time off for (or in lieu of) statutory holidays. The Welsh Government will reimburse the employer's contribution towards statutory sick pay; and
3. The Employer will ensure that the Participant has a named line manager within the company who is responsible for supporting and supervising them; and
4. The Employer will take part in the interview process and provide relevant feedback to the Contractor on unsuccessful candidates; and
5. The Employer will meet the cost of any resources, including any training costs, required by the Participant to undertake the job opportunity; and the Employer will comply with the systems and processes in place to advertise the job vacancies as directed by the Welsh Government; and

Financial

1. The Employer is responsible for any overtime payments, which will not be reimbursed by Welsh Government; and

2. The Employer will keep a record of the Participant's attendance each week (via an authenticated timesheet) and provide this to the Contractor on request; and
3. The Employer has procedures in place to account for PAYE, National Insurance and other deductions in respect of payments to the Participant; he Employer shall, if so requested, make available to the Contractor and Welsh Government all accounting, financial, payroll and other records relating to the JGW Programme; and
4. The Employer is aware of the Contractor's payment process and timescales for reimbursement and their obligation to provide the necessary evidence to allow the Contractor to process the payment (reimbursement of wages, in arrears); and
5. The Employer is responsible for meeting the cost of NI contributions and Pension contributions where applicable; and
6. The Employer must be able to pay the Participant through an auditable process e.g. BACS, Cheque, Bank Transfer. Cash payments are not permitted; and
7. The Employer has sufficient funding available for the Participant to be paid regularly as part of their regular workforce and will demonstrate evidence to support this; and
8. The Employer will ensure that no concurrent funding under a Government-funded programme is received in respect of any Participant; and

#### Monitoring and Evaluation

1. The Employer agrees that their details will be sent to WEFO which will be held securely by them for the retention period specified by WEFO for the JGW Programme and only used for statistical and research purposes. Following the end of the Programme retention period these details will be destroyed. The details that will be passed on are those contained in the Employer Application form and will be done so as a condition of funding, this includes participating in the evaluation of the JGW Programme and is aware that they may be contacted; and
2. The Employer agrees to participate in monitoring and audit activity when required; and
3. The Employer will provide participants' destination data when the participant's opportunity has ended; and

#### **Creating multiple vacancies**

- N16. Multiple vacancies will be assessed on a case-by-case basis and will only be awarded to Employers who are able to demonstrate sustainability of previous JGW participants, or can demonstrate that multiple vacancies do not account for the majority of their workforce. If there is any doubt over the awarding of multiple vacancies Contractors are expected to discuss this with Welsh Government.
- N17. It is the Contractor's responsibility to ensure that the Employer meets the eligibility criteria noted above.

- N18. The sustainability of these job opportunities is key to the success of the JGW programme and Contractors must ensure that this is discussed with the employer from the outset to ensure that the Welsh Government is supporting employers with genuine plans for growth and expansion so that the opportunities can be sustained.
- N19. The Contractor is responsible for briefing the Employer on the impact that the sustainability requirements of the JGW Programme may pose on their future involvement on the Programme (see below).
- N20. Where an Employer has previously accessed the programme they will need to demonstrate that they have sustained the required level of participants that completed the programme as outlined in the table below. Where a participant did not complete the full 6 months, through no fault of the employer, that participant will not be counted in the sustainability assessment calculation.

Employer's Sustainability Rate	Eligibility	Comments
70% +	Eligible to progress	Providing they are able to meet the eligibility criteria for the programme, they will be considered for future opportunities.
50 – 69%	Ineligible to progress	The decision will be made on the information held on the Welsh Government database at the time, and any corrections to this information should be considered as an appeal. Employers are also able to appeal if they are able to provide additional evidence to support the reasons for the lower sustainability rate and these will be dealt with on a case-by-case basis.
Below 50%	Ineligible to progress	Employers that are not able to demonstrate a sustainability rate of 50% or above for participants who completed the programme will not be considered for future opportunities.

- N21. How the rates are calculated
- The sustainability rates are calculated by dividing the number of participants who have completed the programme and have been retained by the Employer by the total number of JGW participants who have been employed by the company. This figure is multiplied by 100 to determine the sustainability percentage rate.
  - Participants who are still on the programme are not included in this calculation and we would expect to see the destination outcome of current participants before considering future opportunities where there is no sustainability history for the employer.
- N22. The Welsh Government may direct Contractors to target employers from specific sectors to align with regional priorities.
- N23. Public sector Employers are ineligible to participate in the JGW programme.

## State Aid

- N24. The financial support provided under the Jobs Growth Wales programme is delivered under the *de minimis* State Aid regulation. The *de minimis* aid regulation means that there is a limit on the amount of state funding (from any public source, not just central government) that can be provided to any single undertaking (company) over a three fiscal year period. The current limit is set at €200,000 (€100,000 for undertakings in the road transport sector). [IPAGS](#)
- N25. The Employer must detail how much *de minimis* state aid they have received in the last 3 fiscal years. The amount of funding awarded to the Employer under this programme will also count towards their *de minimis* limit **at the time of making the award** and the Contractor must make Employers aware of this. [IPAGS](#)
- N26. Contractors must ensure that Employers have completed the State Aid declaration and have not exceeded the State Aid limit prior to participating in the programme. The Contractor must retain a copy of the State Aid declaration for audit and verification purposes. [IPAGS](#)
- N27. Employers that have reached the *de minimis* limit may still be eligible for participation in the programme under the General Block Exemption Regulation (GBER). [IPAGS](#)
- N28. Employers that are participating in the programme under the GBER State Aid regulation will not be entitled to the full wage reimbursement. The wage reimbursement will be capped at 50% of the age-appropriate NMW rate. This will automatically be calculated by the data management system.

## Allocating and Awarding JGW Job Opportunities

- N29. Allocations for the JGW programme will be made on a financial year basis.
- N30. The baseline for determining the allocation is the number of unemployed 16-24 year olds per local authority area. The reporting of 'filled' jobs should be recorded using the local authority area of the **participant**.
- N31. The Contractor will be required to submit a Delivery Profile at the outset of the JGW Programme. This will detail expected monthly job opportunity starts, split into the East Wales and West Wales and the Valleys programme areas.
- N32. Formal Quarterly Contractor performance reviews will take place. These reviews will determine future allocations including any in-year reallocation. Contractors should not exceed their maximum allocation and should not submit jobs to the JGW Live system once the maximum allocation has been reached.

## Priority Recruitment

- N33. The Programme will be part-funded by the European Social Fund (ESF) through the Welsh Government. Contractors are required to pay particular attention to supporting jobs and participants in West Wales and the Valleys (WWV) areas to maximise drawdown of European Funding.
- N34. Welsh Government reserves the right to freeze the recruitment of participants from areas where funding has been maximised.

N35. Welsh Government expects Contractors to align with regional priority sectors where possible.

### **Evidence of Eligibility**

N36. Contractors are responsible for ensuring that Participants are eligible to engage with the JGW Programme. The eligibility of participants should be verified prior to appointment with an Employer. [IPAGS](#)

### **ESF Evidence Requirements**

N37. In order to ensure that the process is as streamlined as possible, we have provided a list of evidence below that is necessary for each young person.

### **Basic rules to participate in the Wales ESF programmes**

N38. Participants must have the legal right to live in the UK during the period of ESF support. For ESF operations which are designed to help participants to gain work or other work-related outcomes, the participant must also have: the legal right to work in an EU member state.

N39. Contractors must provide evidence of the following eligibility criteria. Please see Section AA of Part 1: Programme Specification. [IPAGS](#)

- Evidence of legal right to live and work in the UK:
- Evidence of 'unemployed' status immediately prior to entry:
- Evidence of Age:
- Evidence of home address:



## Section O: JGW Participant Terms and Conditions

### Participant Entitlement

- O1. Participants must have a contract of employment which notifies them in writing of their terms and conditions of employment with the employer upon starting the JGW programme ('day one' of the job opportunity). The Contractor must retain a copy of this and may be asked to produce it to Welsh Government as part of the monitoring process. Participants must also have a clear and specific job description outlining their job role. Furthermore, they must be notified in writing of any subsequent changes to their terms and conditions of employment or job duties. **[PAGS]**
- O2. Payment of wages shall be at least the appropriate NMW rate for the participant's age. The rate of pay may exceed the age-appropriate NMW if the employer so chooses but the Welsh Government will only reimburse wage costs against the NMW (100% reimbursement from April to 30<sup>th</sup> September and from 1<sup>st</sup> October 2016 will be reduced to 50% reimbursement). All participants must commence their employment by 31<sup>st</sup> March 2016 for the contract year 2016/2017. **[PAGS]**
- O3. The Contractor must provide the Participant with their contact details for the duration of their time on the JGW job opportunity.

### Attendance and Absence

- O4. Participants must attend their employment for a minimum of 25 hours per week in any 7-day period. The maximum hours of attendance for funding purposes shall be 40 hours (including statutory breaks) in any 7-day period. The employer must declare a fixed number of hours of employment per week between 25 and 40 hours. This should be fixed from the outset and remain in place for the 26 weeks. Note: Once agreed this cannot be changed. The data management system will cap payments at the value declared. The Welsh Government will not reimburse costs where attendance is in excess of the number of contracted hours specified in their contract of employment. Where the job requires irregular attendance, the employer must still declare a fixed number of contracted hours of attendance per week. **[PAGS]**
- O5. The employer's terms and conditions of employment, including standard holiday entitlements, sick pay etc. shall apply to Participants. If a Participant is not being sustained at the end of the opportunity, employers must encourage Participants to use any holidays that have been accrued as the Welsh Government will not reimburse these after the 26 weeks have ended. The Welsh Government will reimburse employers contribution towards Statutory Sick Pay following recent legislation changes but again, will not reimburse costs after the 26 weeks of funding has ended. **[PAGS]**
- O6. The Contractor must have in place appropriate procedures to monitor the Participant's attendance during the period of the programme and must maintain evidence that a Participant is/was attending the job opportunity. Where the employer cannot provide satisfactory evidence of attendance e.g. timesheets, authorised absence and/or payment the Participant shall no longer be supported or funded under the JGW programme. **[PAGS]**

## Recording Terminations from the Programme

- O7. If a Participant stops attending work, or resigns, during the JGW job opportunity, then the Participant is to be removed from the JGW programme with effect from the last working day for which there is evidence that the Participant attended. Payment must cease immediately from the last working day for which there is evidence that the Participant attended the job opportunity. **IPAGS**
- O8. The Contractor must ensure employers are aware of their obligation to notify them in this eventuality, and must document the reason for the termination. **IPAGS**

## 26 week job opportunity not completed

- O9. Should the Participant have the opportunity for a positive progression before the completion of the 26 week opportunity, this should be encouraged by all parties e.g. to commence an Apprenticeship.
- O10. Where a Participant has voluntarily exited the programme within 28 days of the start date, the employer may re-advertise the job opportunity and fill it with a new Participant for the full 26 weeks. The Contractor must use a new allocation when this occurs.
- O11. Where an employer has decided to terminate a Participant's contract due to behavioural problems/issues, the Contractor must be satisfied that there was a genuine case for dismissal. If there is a genuine case and within 28 days of the start date, the employer may re-advertise the job opportunity and fill it with a new Participant, however, this must be utilised from a new allocation. **Recycled vacancies are no longer permitted through the programme.** **IPAGS**

## Participant Support

- O12. Each Participant must have a named line manager from the participating Employer who is responsible for supporting and supervising him/her during the JGW programme. The Contractor is responsible for ensuring this mechanism is in place before commencing a job opportunity with an Employer and remains in place for the duration of the Programme.
- O13. The Contractor **must** provide mentoring support to the participant for the duration of their job opportunity. **IPAGS**
- O14. Contractors must, for the duration of the Programme:
- Agree a suitable communication method for monthly contact with the Participant;
  - Contact the Participant on a monthly basis as a minimum;
  - Meet with Participant face to face at least once;
  - Record the date and a brief description of the conversations using the Mentoring form. Hard copies of the mentoring forms must be retained by the Contractor as evidence that the mentoring support has taken place. **IPAGS**

- O15. Where a Contractor is unable to get hold of the Participant within 7 working days of their agreed mentoring session they must;
- Contact the Employer to verify whether the Participant is still employed with them, and ask to speak to the individual;
  - Contact the Participant during different times of the day;
  - Contact Participant using alternative contact details where provided;
  - Issue a letter to the Participant asking them to make contact.
  - Contact Welsh Government if all above methods have failed.
  - Contractors must keep an audit trail of efforts made to contact participants **[PAGS]**
- O16. Contractors must inform the Employer that they will be contacting the Participant throughout the Programme to review progress. **[PAGS]**
- O17. Contractors must check that the job descriptions reflect the work being undertaken by the Participant. Contractors must check that the wages paid are in line with the value claimed by the Employer. An outline of questions that can be used to enable further discussion can be found on the Mentoring form. Hard copies of the mentoring forms must be retained by the Contractor as evidence that the mentoring support has taken place. **[PAGS]**
- O18. Contractors must make contact with the line manager to discuss Participants' progress and give the employer the opportunity to report any issues they may have. **[PAGS]**
- O19. Contractors must, for the duration of the Programme:
- Agree a suitable communication method for monthly contact with the Employer;
  - Contact the Employer on a monthly basis as a minimum;
  - Meet with Employer face to face at least once;
  - Record the date and a brief description of the conversations using the Mentoring form. Hard copies of the mentoring forms must be retained by the Contractor as evidence that the mentoring support has taken place. **[PAGS]**
- O20. Where a Contractor is unable to get hold of the Employer within 7 days of their agreed review they must;
- Inform WG that they are unable to make contact;
  - Issue a letter to the Employer asking them to make contact. **[PAGS]**

- O21. If the opportunity is not being sustained, Contractors must ensure that the Participant is fully supported in any future job search activity and referred to the appropriate support bodies e.g. Careers Wales and/or Jobcentre Plus (JCP). Contractors must support the Participant in identifying the skills/experience/training that they gained throughout the Programme which will support them into further sustained work or an Apprenticeship. [PAGS](#)

### **Additional Support**

- O22. Participants who are disabled can access the DWP Access to Work programme which is a specialist disability service delivered by Jobcentre Plus. This service provides practical advice and support to disabled people and their employers to help them overcome work related obstacles resulting from disability. It is provided where the employee requires support or adaptations beyond those “reasonable adjustments” which an employer is legally obliged to provide under the Equality Act 2010.

## Section P: The JGW Programme and related requirements

- P1. The maximum number of opportunities per Contractor is outlined in the individual Contractor's Finance Schedule.
- P2. The JGW programme will be offered for a maximum of 26 weeks or 182 days for each Participant.

### Recruitment/Referral

- P3. All Employers recruited to the Programme must be referred through the Jobs Growth Wales Expression of Interest form on the Skills Gateway website. All Employers will be passed to the Jobs Growth Wales team in the first instance to determine any history of prior involvement and the sustainability rates of previous participants that have completed the programme.
- P4. The below details the process the Jobs Growth Wales team will follow upon receipt of an Expression of Interest: [PAGS](#)

#### **Employer completes EOI**

Employers who do not meet the basic eligibility criteria for the programme will be immediately referred to Business Wales where additional assistance will be offered that may assist the Employer to qualify in the future.

#### **EOI sent to JGW mailbox**

JGW team to check Employer's eligibility and sustainability using information held on the data management system.

Where an employer does not meet the eligibility criteria for the programme due to sustainability issues etc. the JGW team will contact the employer to discuss the reasons and begin any appeal proceedings. This will be done within 5 working days of receipt of an EOI. An employer will then have 14 working days to respond to the appeal, following which there will be a further 5 working days for the JGW team to approve the employer. Please note these are the maximum timescales.

Where an employer meets the eligibility criteria they will be sent directly to their chosen contractor within 5 working days of receipt of an EOI.

The contractor will then be expected to contact the employer to undertake their own checks and complete the paperwork. The contractor will then upload the job vacancy to Careers Wales AMS and send an electronic version of the employer application form to the JGW team.

#### **QA of job vacancy**

The JGW team will quality assure the job vacancy and set live within 3 working days.

- P5. Where a Contractor is unable to meet the needs of an employer, the Contractor must signpost the employer to other Contractors to ensure that employers have the opportunity to engage in the JGW programme.

- P6. Contractors must manage employers' expectations from the outset in terms of:
- Process for payments i.e. employers should have enough money to pay Participants as part of their regular workforce and will receive reimbursement from Contractors in arrears;
  - The recruitment process - on average, the whole process from enquiry to filling the vacancy takes around eight to ten weeks. **IPAGS**
- P7. Any concerns the Participant has about their job opportunity should, in the first instance, be made to the Contractor managing the opportunity to resolve the issue with the employer. In the event of a resolution not being reached, the Participant should be referred to other agencies which will be able to offer support and guidance on Employee v Employer disputes, such as ACAS or Citizen's Advice Bureau. The Welsh Government will not be responsible for resolving contract/employment issues.
- P8. The Contractor must agree the job to be advertised (in compliance with the requirements of this Programme Specification). The Contractor must work in partnership with the recruiting employer and other partner agencies.
- P9. The Contractor must have documented and agreed procedures for ensuring that available vacancies are additional and of sufficient quality before being advertised through the JGW Live system. Contractors must satisfy themselves that the job title assigned to the job description is an accurate reflection of the post described. This will determine the number and quality of applications that the post receives, so it is important to get it right. The Welsh Government reserves the right to quality assure vacancies before they receive approval to go live on the system. If the Welsh Government identifies a problem with the job the Contractor will be responsible for resolving this with the employer.
- P10. The Contractor must inform the JGW team and Career Choices Dewis Gyrfa of any changes to the vacancy.
- P11. The Contractor must ensure that applicants from each point of referral (Career Choices Dewis Gyrfa, JCP and any Learners progressing from other Welsh Government Programmes such as Traineeships and Lift and direct progression from JCP Work Experience Programme) have equality of opportunity as potential programme Participants.
- P12. Where appropriate, prospective Participants identified through the referral agents (Career Choices Dewis Gyrfa and JCP) may undergo an initial assessment prior to the JGW job opportunity to provide independent advice and guidance. An action plan will be developed for the Participant.
- P13. The Contractor must discuss the process for sifting potential Participants and who will manage this prior to interview by the Employer.
- P14. Contractors must submit all vacancies to the JGW Live System. Particular attention should be paid to the following: **IPAGS**

### Multiple Vacancies

- P15. The system will allow Contractors to submit up to 20 vacancies in one vacancy form. A unique reference number will be generated for each vacancy form submitted. This vacancy number will need to be recorded as part of the Participant's data record for the Welsh Government to know which vacancy the Participant is assigned to. The Welsh Government, if the jobs meet the eligibility criteria, will approve the jobs once uploaded on the system.

### Graduate Vacancies

- P16. Where a Contractor submits a graduate opportunity to the system, the phrase "Graduate Opportunity" must be present in the job title e.g. "Graduate Opportunity – IT Manager" as well as the relevant degree or equivalent required to undertake the role. Where a graduate opportunity has been identified this requires someone at Graduate level to do that job and/or be relevant to the degree and not simply that the employer wants to recruit someone with a higher level of education. The Welsh Government will monitor this as part of the Quality Assurance process.

### Employers Managing Applications

- P17. Contractors must ensure that vacancies are correctly managed on the JGW Live system. Whilst Employers will retain the ability to manage their own vacancies, the Contractor must ensure the status of all vacancies is kept up to date. Automated monthly housekeeping reports will be sent out to Contractors to monitor the correct completion of system administration and discussed during Contract Management meetings.
- P18. In addition, Employer log-in details for the JGW Live system will be issued directly to Employers and will no longer be sent to the Contractor.

### Setting the 'Live' Period for the Vacancy

- P19. Contractors must ensure that jobs are 'live' on the system for a minimum of 10 working days. Employers may wish for the vacancy to be 'live' for a longer period but minimum time requirements must be adhered to. There will no longer be an extension to the 'live' period for any vacancies. [IPAGS](#)

### Reporting vacancies status

- P20. Contractors **must** update the status of the vacancy on JGW live no later than 30 days after the closing date of the vacancy and prior to an individual starting on the programme.

## On-going Participation

- P21. The Contractor must ensure that:
- Participants are in receipt of a wage that is at least equal to the NMW for their age;
  - an accurate record is maintained to demonstrate that Participants have attended their job opportunity for the appropriate number of hours;
  - Employers maintain accurate records of payments made to Participants;
  - An accurate record of payments made to employers is held by themselves. **IPAGS**

## Exit Arrangements

- P22. The Contractor must obtain destination data for Participants who leave the Programme early. The Destination Form must be completed and authenticated within 4 weeks of the Participant's employment end date, and the participant's destination reported through the online data management system and the Destination form within 6 weeks of the participant's end date. **IPAGS**
- P23. The Contractor must obtain an immediate destination for each Participant and upload to the Data Management System and complete the Destination form. The Destination Form must be completed and authenticated within 4 weeks of the participant completing the opportunity. The destination must be reported on the system within 6 weeks of the employment end date. Destination data which is not reported within 6 weeks of the employment end date will be noted as 'not able to contact' and will **not** be eligible for reimbursement of the £100 destination fee. This will also be recorded as a negative outcome for the contractor. **IPAGS**

## JGW Data Returns

- P24. The Contractor must submit data to WG via the Data Management System in relation to each of their JGW Participants. The WG reserves the right to introduce alternative means of data collection by providing at least 30 days' notice in writing of the change to Contractors. **IPAGS**
- P25. The Contractor must submit data on new Participants using the JGW Data Management System before the Participant commences their job opportunity with the Employer. This is to reduce the risk of ineligible Participants being appointed with Employers. **IPAGS**
- P26. The Contractor must notify WG within 5 working days of any Participants that do not start the job opportunity with the Employer once uploaded on to the Data Management System. **IPAGS**



- P27. The Welsh Government reserves the right to request additional data in relation to each JGW Participant during the course of the programme which must be provided within 5 working days. [IPAGS](#)
- P28. The Participant and Employer must confirm in writing that they consent to their information being passed onto the Welsh European Funding Office (WEFO) and other third party organisations contracted by the Welsh Government for evaluation purposes. This confirmation is included on the Employer application form and Participant registration form and authentication must be provided to support this. [IPAGS](#)
- P29. Records Management and Data Security conditions in Part 4 Section D apply to all records held for the JGW programme.

### JGW Payments

- P30. Between the 1<sup>st</sup> April 2016 and 30<sup>th</sup> September 2016 the Welsh Government shall reimburse the cost to cover the appropriate NMW (assessed on the state aid options outlined in section N24) for each participant in respect of contracted hours worked on the JGW job opportunity. Employers Expressions of Interest forms, which have been received by the Welsh Government between the 1<sup>st</sup> April 2016 and the 31<sup>st</sup> July 2016, will be reimbursed 100% of the participant's wages for the full 26 weeks of attendance. All job opportunities must be created by 30<sup>th</sup> September 2016 to be eligible for this reimbursement rate of 100% of wages. Any additional EOIs or jobs created by those employers, after 1<sup>st</sup> August, will reduce to the new rate. [IPAGS](#)
- P31. From 1<sup>st</sup> October 2016, the Welsh Government shall reimburse **50%** of the cost of all jobs created to cover the appropriate NMW each participant in respect of contracted hours worked on the JGW job opportunity This will be automatically be calculated and paid by the Data Management System. The minimum number of hours is 25 and the maximum number of hours is 40 which must include statutory breaks.

The NMW rates can be found at:

<https://www.gov.uk/national-minimum-wage> [IPAGS](#)

- P32. As per UK Government guidance, the appropriate NMW rate is derived from the age of the Participant, and the appropriate rate on the first day when the pay period commenced. Any NMW increase, related to a Participant's birthday, should be submitted as a mid claim adjustment. [IPAGS](#)
- P33. The Welsh Government will reimburse employers contribution towards Statutory Sick Pay (SSP). [IPAGS](#)
- P34. The Welsh Government will not reimburse costs after the 26 weeks of funding has ended. [IPAGS](#)

- P35. The Welsh Government will not reimburse training costs. These must be met by the employer. [IPAGS](#)
- P36. The Welsh Government will not reimburse costs for holidays that have been accrued, or un-used. These should be taken during the JGW job opportunity. [IPAGS](#)
- P37. Payments will only be reimbursed against evidence of actual payments made in respect of the Participant's employment. [IPAGS](#)
- P38. A maximum value will be calculated for each job opportunity. This will ensure that Contractors cannot exceed the rules of the JGW programme. This will be based on:
- 1st April – 30th September 2016 - the number of contracted hours per week x 26 weeks (maximum job opportunity) x NMW (as appropriate throughout the scheme for each Participant). This value will also include the Management Fees.
  - 1<sup>st</sup> October 2016 – 31<sup>st</sup> March 2017 - the number of contracted hours per week x 26 weeks (maximum job opportunity) x NMW (as appropriate throughout the scheme for each Participant) divided by 50%. This value will also include the Management Fees. [IPAGS](#)
- P39. For each participant the Contractor shall be paid a maximum management fee of £770 (excluding VAT) which is linked to the following payment schedule: [IPAGS](#)

NB. All fees noted below exclude VAT

Month	Fee	Description	Evidence Requirements
1	£120	<p>Employer Engagement fee – will be paid when:</p> <p>Employer has been approved through Jobs Growth Wales EOI process or a direct progression opportunity;</p> <p>Vacancy has been agreed and advertised on AMS;</p>	<p>Vacancy has a reference number and can be located on AMS</p>
1	£175	<p>Participant start fee – will be paid when:</p> <p>Health &amp; Safety appraisal of the Employer has been undertaken;</p> <p>Employer Application form has been completed</p> <p>Participant has applied through CW system;</p> <p>Participant Registration form has been completed &amp; uploaded before the Participant has commenced employment;</p> <p>AMS has been updated to reflect the status of the vacancy;</p> <p>Schedule for Mentoring has been agreed with Employer and Participant;</p> <p>Participant timesheets/wage slips have been verified.</p>	<p>Completed Health &amp; Safety appraisal form;</p> <p>Completed Employer Application form;</p> <p>Participant application can be traced back to AMS;</p> <p>Completed Participant Registration form including evidence to support WEFO eligibility, see annex A. Participant record has been created on DMS prior to start date;</p> <p>Status of the vacancy appropriately reflected on AMS;</p> <p>Mentoring form has been updated with schedule for mentoring;</p> <p>Evidence of participant attendance and invoice to Contractor matches timesheet and wage slip;</p> <p>Copy of the Job Description;</p>

Month	Fee	Description	Evidence Requirements
			Copy of the signed and dated contract of employment.
2	£75	<p>Administration &amp; Mentoring – the payment of £75 will be paid when:</p> <p>Participant remains in employment;</p> <p>Participant timesheets/wage slips have been verified;</p> <p>Monthly mentoring with Employer and Participant has taken place and recorded on Mentoring Form.</p> <p>Where applicable, early leavers have been recorded on the DMS and their destination reported within 6 weeks of Participant's leave date.</p>	<p>Evidence of participants attendance whilst on JGW opportunity;</p> <p>Wage slip;</p> <p>Invoice to provider matching timesheet and wage / salary pay slip;</p> <p>Evidence of monthly mentoring having taken place recorded using the JGW mentoring form. Mentoring should include a brief synopsis of the conversation/meeting taken place. JGW Mentoring form to be authenticated by the provider. For Face to Face mentoring, the participant must also authenticate to confirm mentoring taken place.</p> <p>If early leaver, completed JGW destination form (with supporting evidence) and completed JGW exit interview. Destination on DMS matches the form.</p>
3	£75	<p>Administration &amp; Mentoring – the payment of £75 will be paid when:</p> <p>Participant remains in employment;</p> <p>Participant timesheets/wage slips have been verified;</p>	<p>Evidence of participants attendance whilst on JGW opportunity;</p> <p>Wage slip;</p> <p>Invoice to provider matching timesheet and wage / salary pay slip;</p> <p>Evidence of monthly mentoring having taken place recorded using the JGW</p>

Month	Fee	Description	Evidence Requirements
		<p>Monthly mentoring with Employer and Participant has taken place and recorded on Mentoring Form.</p> <p>Where applicable, early leavers have been recorded on the DMS and their destination reported within 6 weeks of Participant's leave date.</p>	<p>mentoring form. Mentoring should include a brief synopsis of the conversation/meeting taken place. JGW Mentoring form to be authenticated by the provider. For Face to Face mentoring, the participant must also authenticate to confirm mentoring taken place</p> <p>If early leaver, completed JGW destination form (with supporting evidence) and completed JGW exit interview. Destination on DMS matches the form.</p>
4	£75	<p>Administration &amp; Mentoring – the payment of £75 will be paid when:</p> <p>Participant remains in employment;</p> <p>Participant timesheets/wage slips have been verified;</p> <p>Monthly mentoring with Employer and Participant has taken place and recorded on Mentoring Form.</p> <p>Where applicable, early leavers have been recorded on the DMS and their destination reported within 6 weeks of Participant's leave date.</p>	<p>Evidence of participants attendance whilst on JGW opportunity;</p> <p>Wage slip;</p> <p>Invoice to provider matching timesheet and wage / salary pay slip;</p> <p>Evidence of monthly mentoring having taken place recorded using the JGW mentoring form. Mentoring should include a brief synopsis of the conversation/meeting taken place. JGW Mentoring form to be authenticated by the provider. For Face to Face mentoring, the participant must also authenticate to confirm mentoring taken place.</p> <p>If early leaver, completed JGW destination form (with supporting evidence) and completed JGW exit interview. Destination on DMS matches the form.</p>

Month	Fee	Description	Evidence Requirements
5	£75	<p>Administration &amp; Mentoring – the payment of £75 will be paid when:</p> <p>Participant remains in employment;</p> <p>Participant timesheets/wage slips have been verified;</p> <p>Monthly mentoring with Employer and Participant has taken place and recorded on Mentoring Form.</p> <p>Where applicable, early leavers have been recorded on the DMS and their destination reported within 6 weeks of Participant's leave date.</p>	<p>Evidence of participants attendance whilst on JGW opportunity;</p> <p>Wage slip;</p> <p>Invoice to provider matching timesheet and wage / salary pay slip;</p> <p>Evidence of monthly mentoring having taken place recorded using the JGW mentoring form. Mentoring should include a brief synopsis of the conversation/meeting taken place. JGW Mentoring form to be authenticated by the provider. For Face to Face mentoring, the participant must also authenticate to confirm mentoring taken place.</p> <p>If early leaver, completed JGW destination form (with supporting evidence) and completed JGW exit interview. Destination on DMS matches the form.</p>

Month	Fee	Description	Evidence Requirements
6	£75	<p>Administration &amp; Mentoring – the payment of £75 will be paid when:</p> <p>Participant remains in employment; Participant timesheets/wage slips have been verified;</p> <p>Monthly mentoring with Employer and Participant has taken place and recorded on Mentoring Form.</p> <p>Where applicable, early leavers have been recorded on the DMS and their destination reported no later than 6 weeks of Participant's leave date;</p>	<p>Evidence of participants attendance whilst on JGW opportunity; Wage slip; Invoice to provider matching timesheet and wage / salary pay slip.</p> <p>Evidence of monthly mentoring having taken place recorded using the JGW mentoring form. Mentoring should include a brief synopsis of the conversation / meeting taken place. JGW Mentoring form to be authenticated by the provider. For Face to Face mentoring, the participant must also authenticate to confirm mentoring taken place.</p> <p>If early leaver, completed JGW destination form (with supporting evidence) and completed JGW exit interview. Destination on DMS matches the form.</p>
7	£100	<p>Destination fee of £100 will be paid when: The Contractor must complete the Destination Form for the Participant's final destination no later than 6 weeks of their Employment end date.</p> <p>The Contractor completes a Destination form for each Participant and uploads the information onto the DMS within 6 weeks of the participant's end date;</p>	<p>Completed JGW destination form with evidence to support positive destination. Evidence for destination can be: Letter / email from employer Contract of employment Apprenticeship / YRP approval letter. Further education – letter to confirm acceptance on course. Letter / email from lecturer. Wage / salary pay slip for month following the end of the JGW opportunity</p>

Month	Fee	Description	Evidence Requirements
			Destination on DMS matches the form

- P40. The Contractor will be paid in arrears following a monthly claim submission to the Welsh Government via DMS which outlines the costs incurred on a monthly basis. Claims must be submitted to the Data Management System in a timely manner and the submission of claims should not exceed 12 weeks after the employment end date. Claims will not be paid after this time.
- P41. The claims period will need to align to a Participant's payment cycle.
- P42. If a 'programme end date' field is completed on the system, then no claims will be paid that exceed this date.
- P43. For payment and assurance purposes, the Contractor must keep a record of all payments made to the Employer, and a record of all payments made to the Participants by the Employer (in the form of certified copies of wage slips, certified bank statements or a P11 including a timesheet for the participant).
- P44. Further claim guidance is available as part of the online data management system guidance.
- P45. Where a Contractor is found to have supported an ineligible Participant and/or cannot evidence that the Participant is eligible through the Programme, Welsh Government will seek to reclaim payment/s made to the Contractor.

### **Audit – See Section S Audit**

#### **Contract Management**

- P46. Welsh Government will undertake quarterly contract management reviews.
- P47. This will involve reviewing the following:
- Performance against profiled allocations (including LIFT vacancies);
  - Sustainability of opportunities created;
  - Coverage of job opportunities created across Wales;
  - Meeting the requirements of the Payment Schedule;
  - Meeting the requirements of the Welsh Language Policy;
  - Actions from Monitoring undertaken;
  - Management of vacancies on AMS;
  - Timeliness of data;
  - Management of subcontractors/partners;
  - Action taken to raise awareness regarding ESF funding;
- P48. Welsh Government will review and reallocate unused allocations where necessary on a quarterly basis.



- P49. Contractors must contribute to on-going evaluation and review of the JGW Programme.
- P50. Where Welsh Government finds that a Contractor has not followed the terms of the Programme Specification, they will seek to reclaim payment/s made to the Contractor.
- P51. Welsh Government will take necessary action to reduce the risk to delivery of the Programme where the Contractor is found to be non-compliant.

### Monitoring

- P52. The assurance and monitoring work undertaken by PAGES has two purposes, firstly to provide the Deputy Permanent Secretary, in his role as Additional Accounting Officer, with assurance that funds have been used for the purpose for which they were given and secondly to provide assurance to WEFO that the ESF monies have been appropriately spent. This is achieved by monitoring participant and employer records at JGW provider premises on a sample basis ensuring that each payment type and each employer and participant is eligible. Each provider is subject to two annual audits.
- P53. Welsh Government reserves the right to freeze contracts where an unsatisfactory audit report has been issued until the Contractor is able to rectify the recommendations noted in the report.

### Health and Safety – JGW

- P54. WG requires Contractors to appraise their Employers in respect to health and safety, prior to Participants starting in employment. The appraisal process for JGW is to gain appropriate assurance that the Employer will provide a safe working environment for the Participant. Assurance is gained by appraising the Employer in accordance with the Welsh Government Health and Safety code of practice for contracted provision, Section 8 and Annex 1. Please see the link to the Code: [PAGES](#)
- <https://beta.gov.wales/health-and-safety-management-code-practice-contracted-provision>
- P55. There is no requirement for the Contractor to complete a contract with JGW Employers in respect of health and safety. Similarly, there is no requirement to monitor the JGW Employer in respect of health and safety during the 26 week period. Contractors should encourage Participants to remain vigilant and raise any Health & Safety concerns. [PAGES](#)
- P56. If the appraisal undertaken by the Contractor identifies that the Employer does not fully meet its legal requirements, then this should be communicated to the Employer, but no advice should be given as to how the Employer rectifies any omission. The Contractor should refer the Employer to the Health and Safety Executive if advice is needed. [PAGES](#)

## GENERIC SECTION

### Section Q: Health and Safety

- Q1. All Contractors funded by the Welsh Government must have in place an effective Health and Safety Management system which, as a minimum, complies with legislation and the requirements set out in the Welsh Government's Health and Safety Code of Practice for Contracted Provision (Code). If the Welsh Government notifies the Contractor of any amendments to the Code, such amendment shall be deemed to be incorporated in the Code with effect from the date of notification.

The Health and Safety Code of Practice is available at <https://beta.gov.wales/health-and-safety-management-code-practice-contracted-provision>

- Q2. The Contractor's health and safety management system must cover all its undertaking including (where appropriate) sub-Contractor provision.
- Q3. The Contractor must undertake an audit of its health and safety management system and produce a report at least annually.
- Q4. The Contractor must report to the Welsh Government and investigate all relevant Learner accidents, diseases and dangerous occurrences within stipulated time-scales on documentation as detailed within the Code.

Guidance on the incidents that should be reported to the Welsh Government and how to report them is available at <https://beta.gov.wales/accident-and-disease-recording-and-reporting-guidance-work-based-learning-providers>

- Q5. For specific requirements of the Contractor when delivering the JGW Programme, see section P above.

## Section R: Data and Payment Conditions

- R1. All documentation must comply with European funding requirements (including publicity requirements) as set out in this Programme Specification and the European Funding Manual.
- R2. The Contractor must submit information, at least monthly, on all Learners, their learning programmes, learning activities and awards by means of the Lifelong Learning Wales Record (LLWR), using the on-line data collection system and submit information for Jobs Growth Wales participants to the Jobs Growth Wales CRM system.

### The Lifelong Learning Wales Record (LLWR)

- R3. All Learner information for Apprenticeships and Traineeships specified in the LLWR User Support Manual is to be submitted electronically to the Welsh Government via the LLWR using the on-line data collection system. Particular attention must be given to the LLWR User Support Manual, which sets out requirements relating to data protection.

Lifelong Learning Wales Record User Support Manual is available at:

<https://gov.wales/further-higher-education-data-collections>

#### **Additional Guidance**

*For payment purposes it is necessary that data be submitted at least monthly and accompanied by a verification form issued by the Welsh Government. A copy of the Provider Verification Form guidance and template spreadsheet can be found within the documents tab of LLWR Inform. Please note a LLWR Inform account will be required to access these documents*

- R4. The Contractor must, within the LLWR, identify all Contractors delivering learning activities on its behalf. This includes, but is not restricted to, sub-Contractors and consortium members.

#### **Additional Guidance**

*Contractors are required to identify all other organisations which are delivering learning on their behalf. This would include sub-contractors and consortium partners but would also include any providers who are delivering learning activities. Where more than one provider is delivering a learning activity, the Contractor delivering the greatest proportion of the learning activity should be identified within the LLWR. Information on the relevant LLWR fields is given within the "Data Submission Guidance for Work Based Learning".*

- R5. In addition to the requirements above, the Contractor must put in place an effective system of internal control to ensure:
- i. the terms and conditions set out in this Programme Specification are met before recording a Learner as starting on a programme via the LLWR;
  - ii. the terms and conditions set out in this Programme Specification in respect of recording Learner absence, suspension or leaving a programme are

complied with and such matters are correctly and accurately recorded via the LLWR, on a timely basis and certainly no more than a month after this occurs; and

- iii. the terms and conditions set out in this Programme Specification and supporting guidance in respect of recording Learner outcomes are satisfied prior to recording a Learner outcome in the LLWR. **[PAGS]**
- iv. all data submitted to the LLWR is complete, accurate and timely. Therefore, the following LLWR data submission and reconciliation guidance must be followed:
  - [LLWR Manual](#)
  - Data Submission Guidance
  - Provider Verification guidance
  - [LLWR Data Reconciliation guidance](#)  
(Please note that this document is available from LLWR-Inform (accessed through the Education Portal Service) and requires a user account to log in)

- R6. Should significant problems be identified during either this process or through audit visits, the Welsh Government may require a Contractor to submit copies of documentation to support the LLWR data before payment is released. The Welsh Government may also withhold any future payments pending the submission of satisfactory supporting documents.

### Overlaps

- R7. Where a Learner is recorded on the LLWR as being with more than one Contractor at the same time, this will cause an overlap in learning which will result in the following:
- all funding for the learning delivery via the WBL programme by the first Contractor will be recovered from the beginning of the Programme Commission year (where applicable). This will be re-funded, if applicable, once the overlap has been corrected, providing it is still within the contract year. No funding will be paid to the second Contractor; and
  - funding relating to the learning programme(s) will not be made to any of the Contractors concerned until the overlap is resolved.

### *Additional Guidance*

*To resolve overlaps:*

- *Contractor(s) should check LLWR-Inform each month and access information on the monthly fundable overview report which will provide the following information: Contractors involved in the overlap; Learning programme (Traineeships, Apprenticeships etc.) and conflicting Start/End dates;*

- *Contractors should liaise and agree a course of action that resolves the overlap. This usually involves amending start and/ or end dates. The Contractor should ensure that any revised date is evidenced;*
- *Contractors are reminded that termination dates recorded must be accurate and evidenced by supporting evidence;*
- *Contractors are also reminded that a key eligibility requirement is confirmation that the Learner is not already taking part in any other employment, learning or enterprise programme funded directly by the UK Government or the Welsh Ministers;*
- *Contractors should, wherever possible, resolve the overlap directly with the other Contractor. It is expected that the Welsh Government will only intervene as a last resort at the request of the Contractor(s) concerned;*
- *If the Welsh Government is required to intervene, please refer to [askWBL@gov.wales](mailto:askWBL@gov.wales). Resolution will involve referral to PAGS, Learning Provision, Quality and LLWR teams;*
- *Based on the information/data gathered, a decision will be made as the most appropriate course of action required to resolve the external overlap. The Contractor(s) be required to implement the action stipulated. This is likely to be the amendment of start/end dates, or any other course of action that can be reasonably requested to resolve the overlap; and,*
- *Failure to resolve and implement any recommendations made by Welsh Government by month 16 of the contract year will result in a loss of funding for all parties involved.*

## Payment Conditions

- R8. Programme delivery for Apprenticeships and Traineeships will be funded monthly and will be determined using data recorded via the LLWR on-line data collection system.
- R9. Payments will only be made for learning activities delivered in line with the provider's Financial Schedule. Following verification of data, payments will be made retrospectively in relation to the recruitment of, the level of progress and achievement of each Learner against his/her programme of learning.
- R10. Provided that the Contractor satisfies all relevant payment conditions, including evidence requirements, the Welsh Government will pay the Contractor no later than the 24th day of the calendar month that follows the data freeze date, for the cumulatively profiled activity. Payment is subject to the maximum stated in the Finance Schedules of the Programme Commission, as may be amended from time to time in accordance with the Agreement and notified reviews. Any net payment due will be paid electronically.
- R11. The Contractor shall record all Learner Awards in the LLWR but (subject to the Agreement) will be paid only for those which are achieved within seven months of the actual leaving date of learning and which are eligible for WBL funding. For the 2016/17 contract year, the Contractor shall record all Learner Awards in the LLWR but (subject to the Agreement) will be paid only for those which are achieved within

six months of the actual leaving date of learning and which are eligible for WBL funding. **[PAGS]**

### **Change of Bank Details**

- R12. Where a Contractor wishes to notify the Welsh Government of a change of bank details, the Contractor should send this information to the following email address: [payments.enquiries@gov.wales](mailto:payments.enquiries@gov.wales)
- R13. When submitting these details, the Contractor should quote its G1 number. This number is contained at the top left hand corner of the Contractor's remittance advice slips (e.g. G1/Sxxxxxxx).

### **Evidence Requirements (Jobs Growth Wales only)**

#### **JGW Data Submission and Payment Conditions**

- R14. If the Contractor is delivering JGW it will need to submit data to Welsh Government via a secure online collection system – currently the JGW Data Management system. This submission forms the basis of the Contractor's claim for payment for its JGW delivery. Requirements are set out in more detail in Sections N, O and P of this Programme Specification.

## Section S: Audit

### Introduction

- S1. Contractors must put in place internal control systems to ensure that the data submitted to the LLWR are:
- i. accurate;
  - ii. compliant with the terms and conditions of funding set out in this Programme Specification and supporting guidance documents; and
  - iii. supported by the documentary evidence which is required by the terms and conditions of funding which is maintained as part of a clear audit trail.
- S2. All Contractors with Programme Commissions will be subject to audit by the Provider Assurance and Governance Service (PAGS).
- S3. Where PAGS identifies significant weaknesses in the control environment, PAGS reserves the right to require the Contractor to appoint and finance an external auditor. The external auditor must be a registered auditor. The external auditor will be required to perform testing in line with the Welsh European Funding Office (WEFO) audit certification instruction guidance for the 2014-20 Structural Fund Programmes.
- S4. Where Contractors are required to appoint and fund an external audit due to significant issues being identified, PAGS will require access to the external auditor to:
- i. establish scope and objectives of the work;
  - ii. obtain assurance on the quality and consistency of work being undertaken; and
  - iii. obtain assurance on the adequacy of report findings.

### Non-Compliance

- S5. Where non-compliance with payment conditions is identified, sums paid to the Contractor may be recovered, without prejudice to any other rights and remedies available to the Welsh Ministers.
- S6. Where the non-compliance is found to be material, or of a systemic nature, in addition to the foregoing, the Contractor may be required to undertake a 'self audit' to establish the full extent of non-compliance and any recovery due. PAGS will review and test the findings of the self-audit.

### Other Auditors

- S7. In addition to PAGS, Contractors will be subject to audit reviews conducted by the following:
- i. the Wales Audit Office;
  - ii. the Welsh Government's internal audit service;
  - iii. the Welsh European Funding Office;
  - iv. the European Court of Auditors;
  - v. the European Commission; and

- vi. other external auditors as deemed appropriate and notified in writing by the Welsh Ministers.
- S8. The contractor must ensure that records requested for audit are provided to Welsh Government in no more than 5 working days following the request. The contractor should ensure that their records management arrangements are sufficiently robust to be able to submit the selected records to Welsh Government within this timescale.



## Section T: Education for Sustainable Development and Global Citizenship / Well-being of Future Generations Act.

- T1. Education for Sustainable Development and Global Citizenship (ESDGC) has been superseded by the Welsh Government's commitment to the [Well-being of Future Generations Act](#).
- T2. The Contractor must have a documented strategy for encompassing the key areas of:
- i. commitment and leadership;
  - ii. organisational management;
  - iii. teaching and learning;
  - iv. communities and partnerships
- noting the well-being goals of:
- A prosperous Wales
  - A resilient Wales
  - A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities
  - A Wales of vibrant culture and thriving Welsh language
  - A globally responsible Wales.
- T3. The strategy should be reviewed on at least an annual basis as part of the Contractor's self-assessment cycle.
- T4. The Contractor must nominate a member of staff who is responsible for co-ordinating and monitoring its ESDGC/Well-being strategy, and whose job description reflects this role.
- T5. See also Section 3 European Funding Compliance Guidance G. Cross Cutting Themes.
- T6. Further information on the Well-being of Future Generations Act can be found at the following link:

<https://futuregenerations.wales/about-us/future-generations-act/>

## Section U: Quality Assurance and Continuous Improvement

- U1. The Contractor must have in place its own systems to manage the quality of learning and to ensure the achievement and maintenance of high standards.
- U2. The Contractor must undertake an annual self-assessment, based on guidance published by the Welsh Government and Her Majesty's Inspectorate of Education and Training in Wales (Estyn). The resulting self-assessment report and quality development plan must be submitted to the Welsh Government at a date to be agreed between the Contractor and the Welsh Government, reflecting the individual Contractor's annual quality cycle. Submissions must be made using systems specified by the Welsh Government.
- U3. Progress against actions identified in the quality development plan must be reviewed on a regular basis, and the outcomes of the review documented by the Contractor. This documentation, together with supporting evidence of actions taken, must be made available to the Welsh Government and Estyn on request.
- U4. The Contractor must use mechanisms and reports provided by the Welsh Government to reconcile learner outcomes data submitted to the LLWR against its own management information; this should be undertaken on a monthly basis. The Contractor is responsible for ensuring the timely recording of Learner outcomes, that data submitted to the Welsh Government is complete and accurate, and that prompt action is taken to address any inaccuracies. Statistics derived from the LLWR will be used to produce summary reports on the Contractor's learner outcomes, which will be published by the Welsh Government (these reports will not be produced for 2019/20).

### Inspection

- U5. Estyn has a statutory duty to inspect education and training in Wales. The Contractor must co-operate fully with inspectors to enable them to complete this duty.
- U6. The Contractor shall allow the Welsh Government to give Estyn such information concerning the activities and performance under the Agreement and Programme Commission and any previous similar contracts with the Welsh Government (or its predecessor funding bodies) as inspectors may request to enable them to undertake effective inspections of the Contractor's operations. This includes statistics and benchmarks derived from LLWR returns submitted by the Contractor and the Contractor's most recent self-assessment report and quality development plan.
- U7. Following inspection by Estyn, the Contractor must present an action plan showing how inspectors' recommendations will be addressed.

### Responsiveness

- U8. The Welsh Government aims to ensure that the education and training system is responsive to the views of citizens and businesses, and that learners' needs are central to the planning and delivery of learning. The Contractor must therefore:

- i. ensure that systems are in place to undertake learner and employer surveys and to follow up and address feedback identified through the surveys;
- ii. administer follow-up surveys for learners who leave without completing their learning programme, to identify their reasons for leaving and their destinations;
- iii. gather regular feedback from employers on the effectiveness of the Contractor and the quality of the learning delivered;
- iv. have in place arrangements for senior managers and, where applicable, governors to consider and respond to issues raised by both learners and employers;
- v. have a formal Learner Involvement Strategy, based on guidance published by the Welsh Government;
- vi. have a formal procedure for dealing with complaints from learners, employers and other third parties, based on guidance published by the Welsh Government; and
- vii. ensure that the outcomes of all of the above systems are incorporated into the annual self-assessment cycle and used to inform continuous improvements in quality and standards.

### **Performance standards**

- U9. Where shortcomings are identified through the Welsh Government's annual Learner Outcomes Reports or as a result of an Estyn or Ofsted inspection (including inspection judgements of either 'unsatisfactory and needs urgent improvement' or 'adequate and needs improvement'), the Contractor must put in place a detailed action plan with specific objectives and targets to address these shortcomings. The implementation of the action plan will be monitored over the period up to re-inspection and/or Agreement and Programme Commission review (see paragraph U2).
- U10. The Welsh Government reserves the right to instigate an escalation procedure where a Contractor does not make sufficient and timely improvements in quality. Without prejudice to any other rights or remedies available to them, the Welsh Ministers will take steps to terminate the Agreement and Programme Commission as a whole or in part, or to reduce volumes and activities provided for in the Programme Commission, as outlined in clause 1.1.12 of the Agreement, Schedule 1. This escalation may occur in advance of any re-inspection taking place.

### **Securing continuous improvement**

- U11. The Contractor must participate, as appropriate, in quality improvement initiatives instigated by the Welsh Government and its partner organisations. This includes, but is not limited to, quality support networks, workshops and improvement projects funded through the Investing in Quality Programme.
- U12. As a minimum, the Contractor must:

- i. participate in benchmarking programmes initiated by the Welsh Government;
- ii. accept remedial support which is made available by the Welsh Government to address specific shortcomings, including those identified through Estyn inspections;
- iii. agree to share best practice through networks, events, research, case studies and publications for the WBL network in Wales; and
- iv. participate in any evaluation commissioned by the Welsh Government.

## Section V: Welsh Language Requirements

- V1. The Welsh Language (Wales) Measure 2011 (the “Measure”) makes provision for the specification of standards of conduct in relation to the Welsh language. The current standards are specified in the Welsh Language Standards..
- V2. The Welsh Language Commissioner has issued a compliance notice on the Welsh Ministers specifying which of the standards currently apply to any activity or service provided by or on behalf of the Welsh Ministers. A copy of the latest version of the compliance notice is available at <https://gov.wales/welsh-language-commissioners-compliance-notice>
- V3. The Service Delivery Standards which currently apply to the Services are listed below. The Welsh Government will notify contractors of any changes to the Service Delivery Standards.

	Service Provided	Relevant Standards
1	Correspondence	1, 2, 4, 5, 7
2	Standards relating to telephone calls made and received by a body;	8, 9, 10, 12, 13,14,15, 16, 17, 18, 20, 21, 22
3	Standards relating to a body holding meetings that are not open to the general public;	24, 24A, 27, 27A
4	Standards relating to meetings arranged by a body that are open to the public;	30, 31, 32, 33, 34
5	Standards relating to a body displaying material in public	37, 38
6	Standards relating to a body producing and publishing documents	40, 47, 48, 49
7	Standards relating to a body producing and publishing forms;	50, 50A, 50B51
8	Standards relating to a body’s website and on-line services;	52, 55,56, 57
9	Standards relating to a body’s use of social media	58, 59
10	Standards relating to signs displayed by a body	61, 62, 63
11	Websites and online services	64, 67 ,68, 69
12	Standards for raising awareness about Welsh Language services provided by a body	81, 82 83, 84, 85

- V4. The Contractor is required to report against compliance with the standards in the same way as for other duties and requirements under this contract.

### Welsh Language policy

- V5. The [Welsh Language Strategy - Cymraeg 2050](#), was published on the 10 July 2017 and outlines the vision of the Welsh Government of a million Welsh speakers by 2050. All Contractors are expected to support the relevant aims of the strategy.

- V6. To support the aim of Cymraeg 2050. A 50% target is in place for the proportion of Welsh first language learners (learners with a first language Welsh GCSE) who commenced a Welsh/Bilingual apprenticeship (i.e. where LLWR field LA26 is recorded as 'C1' or 'B1') within the sectors of
- Health, Public Services and Care (including early years care)
  - Construction, Planning and the Built Environment and
  - Agriculture, Horticulture and Animal Care

It is generally expected **that within all sectors, providers should actively promote** learners with a first language Welsh GCSE and/or learners who classify themselves as 'fluent Welsh speaker' or 'Welsh speaker not fluent' (**LLWR field LP23**) to undertake most of their apprenticeship through the medium of Welsh.

- V7. The post compulsory education sector and the workplace has a critical role to play in ensuring that young people, on leaving statutory education, maintain and develop their Welsh language skills for use in future employment. This sector ensures opportunities for returning Welsh learners and those who are not confident in using Welsh to re-engage in speaking the language and provide all speakers with opportunities to use the Welsh language in their everyday life.

- V8. The [Coleg Cymraeg Cenedlaethol's Further Education and Apprenticeship Welsh-medium Action Plan](#) was launched in January 2019 provides a basis for future actions within the post-16 sector. The plan highlights priorities in:

- skills development, a focus on four potential areas of linguistic development.
- planning for the future, improvement in learner experience, staff development and increase the provision of Welsh medium and bilingual resources and ensuring that bilingual workplace skills are understood and valued by employers
- measuring success by setting a long term vision and measurable milestones to assess the progress made.

The plan addresses the issues that are needed to ensure linguistic continuity from statutory education to post-16 education and training sector. It also ensures that learners have the necessary language skills as well as the vocational qualifications they've gained in preparation for employment.

- V9. The Contractor is required to support the development of the Welsh language as a skill in the workplace and actively support the take up of Welsh language and bilingual training. The Contractor must also create demand for the Welsh language provision by creating an environment where learners can engage services in their language of choice. To support this, the provider is required to have an up to date Welsh language policy in place.
- V10. The Welsh language policy must detail the Contractor's commitment to actively implement the Welsh Language Standards and promoting the Welsh language and culture as detailed in the [Future Generations Act](#), in developing learning provision and opportunities through the medium of Welsh, and also in line with paragraphs V11 – 17 below.

V11. In response to The Further Education and Apprenticeships Action Plan the Contractor's Welsh language policy must include an action plan that will include:

- organisational targets for the delivery of Welsh-medium, or bilingual, learning and assessment which reflects the needs of the specific provision programmes delivered by the Contractor;
- arrangements for the recording of Learners' language preference, Welsh language skills and their achievements on programmes delivered through the medium of Welsh;
- arrangements for the recruitment and/or the development of staff to deliver services and learning through the medium of Welsh / bilingually
- partnership arrangements with other Contractors, and employers, to support learners who wish to learn and be assessed through the medium of Welsh;
- clear objectives for the development of Welsh-medium and bilingual activities and resources in support of provision
- the arrangements for marketing and promoting the Contractor's Welsh-medium or bilingual provision;

V12. It is expected that Contractors when engaging with employers to actively promote Welsh-medium and bilingual provision.

V13. The Contractor must discuss the requirement for undertaking activity through the medium of Welsh with all learners and specify the following on the participant's individual learning Plan (ILP):

- The preferred language and requirement for Welsh-medium or bilingual delivery of activity during the programme; and
- The opportunities to maintain and/or develop the participant's Welsh language skills during the learning period.

V14. The Contractor must ensure the recording of accurate data on the Post-16 Data Management System for activity undertaken bilingually or through the medium of Welsh on LLWR.

The key fields are:

- LA23: Ability to speak Welsh;
- LA26: Type of Welsh medium learning;
- LP67: Highest level Welsh qualification obtained;

- V15. Through its self-assessment and Quality Development Plan process the Contractor should analyse information on learners' Welsh language skills and monitor the take-up of Welsh-medium, or bilingual, provision. In its self-assessment contractors should consider as a minimum:
- The availability of Welsh-medium staff and assessors to deliver activity through the medium of Welsh, including through collaborative delivery with other Contractors where appropriate;
  - An evaluation of current delivery (including actual delivery figures) and targets for increasing delivery for each year of the contract period;
  - An analysis of demand, based on learners' prior attainment through the medium of Welsh, feedback from employers, and analysis of the number of learners from Welsh-medium schools;
  - Actions to mitigate any current limiting factors for Welsh-medium delivery;
  - Remedial actions that will be taken to ensure that the targets are met and how the Contractor will develop the Welsh-medium provision.
- V16. Evidence that the activities within the self-assessment are supported by internal processes and commitment, such as an annual updated Welsh language action plan which sets out in further detail the issues and actions listed within the SelfAssessment Report (SAR). Please refer on SAR Guidance at: <https://gov.wales/self-assessment-post-16-providers>
- V17. Contractors are encouraged to demonstrate best practice through the development and full consideration of a Welsh Language Action Plan..



## Section W: Equality and Diversity

- W1. The Contractor must ensure that its duties in the Agreement towards current and potential Learners are implemented consistently and effectively. The Contractor must demonstrate that it has formal policies and procedures in place to secure equality of opportunity for current and prospective Learners, irrespective of disability, gender, race, age, religion/belief or non belief or sexual orientation, and that it takes appropriate action to tackle discriminatory behaviour by Learners, staff or managers.
- W2. One of the Welsh Government's primary aims is to move towards an inclusive and more enabling society. Improving Access, Equality and Equity of opportunity is one of our delivery priorities as outlined in the Apprenticeship policy, developed in 2017.
- <https://gov.wales/sites/default/files/publications/2018-03/aligning-the-apprenticeship-model-to-the-needs-of-the-welsh-economy.pdf>
- W3. In order to address the under-representation of disabled people on the apprenticeship programme the [Inclusive Apprenticeship Disability Action Plan](#) was launched in December 2019. The plan contains practical actions which concentrate on removing barriers for disabled learners by using the social model of disability and ensuring that the right support is available for learners to achieve their full potential.
- W4. Contractors must:
- i. Ensure they take action to tackle any barriers to apprenticeships arising from difficulties experienced by under-represented groups. We require providers to support employers to adopt best practice when recruiting apprentices and supporting under-represented individuals throughout their apprenticeship.
  - ii. Be aware that gender-stereotyping is a specific area for development, particularly around STEM related occupations. Where a learner is undertaking an apprenticeship in a gender atypical sector/occupation (e.g. a female undertaking a construction apprenticeship) providers should provide extra support/mentoring where necessary.
- W5. The Contractor must have a formal equal opportunities strategy, including as a minimum:
- i. A policy to ensure compliance with equalities legislation, including the Equality Act 2010, in line with guidance issued by the WG;
  - ii. Clear guidelines to sub-Contractors, to staff and to Learners on their responsibilities in respect of equality and diversity;
  - iii. Appropriate training for staff on their equality duties, the Contractor's own policies and where to access advice and best practice;
  - iv. Where necessary, support for its employers to promote equality of opportunity, including sharing good practice; and

- v. Arrangements for monitoring participation and attainment by age, gender, ethnicity and disability status, including data and analysis from referral agencies and benchmarking participation rates against local and national averages; and taking positive action to improve participation and attainment by under-represented groups.
- W6. The Contractor must undertake a formal review of its equal opportunities strategy annually, and must use its own data and annual self-assessment to evaluate its effectiveness in implementing the strategy. The WG will use LLWR data and other evidence, including self-assessment reports, to monitor participation rates and to evaluate action taken by Contractors to secure equality of opportunity.
- W7. The Contractor, including its sub-Contractors and/or members of its consortium, must have arrangements in place to address issues of bullying, discrimination, victimisation or harassment for both Learners and staff. Arrangements will include procedures for investigating complaints about bullying or harassment (linked to the Contractor's overall complaints procedure); support and advice for Learners and/or staff members who are involved in investigations; and appropriate guidance and training. Learners and staff must be made aware of expectations in relation to bullying and harassment as part of induction. The policy must make it clear that bullying or harassment on the grounds of disability, gender, race, age, religion, sexual orientation or any other form of difference will not be tolerated.

## Section X: Marketing and Communications

- X1. The Contractor must ensure that any marketing and communications activity undertaken in relation to WBL by itself, consortium members or sub-Contractors, underpins and does not contradict the Welsh Government's learning and skills marketing and communications.
- X2. The Contractor will be required to participate in collaborative marketing activities and national campaigns (e.g. Apprenticeship Week, Apprenticeship Awards), Ministerial visits, Events (e.g. SkillsCymru), Equality and Diversity initiatives, and Press and Publicity as determined by the Welsh Ministers.
- X3. The Contractor shall have an annual marketing and communications plan. This plan shall be shared with the Welsh Government and align to the contractor's business need and be inclusive of activities contained within the Welsh Government's annual plan. It should be a detailed account of all elements of marketing and communications and include:
- the activities you intend to undertake
  - who you will be targeting with the publicity
  - when you intend to carry out each publicity activity
  - the budget available for each activity
  - the expected outcomes.
- X4. The Contractor shall evaluate its marketing and communication activities and copy the evaluation to Welsh Government Marketing. The Communications and Marketing plan should be reviewed on a termly basis and the Welsh Government's learning and skills marketing and communications team should be informed of any change.

### Providing evidence of marketing and publicity

- X5. During the monitoring of your project, Welsh Government will make regular checks of the publicity and promotional materials organisations are producing and may ask you to send samples of these.
- X6. The Contractor is required to:
- Provide a named contact responsible for managing communications, publicity and marketing for the contract.
  - Send drafts and briefings of your marketing and publicity materials before publishing (this will prevent errors that may result in publicity needing to be withdrawn or reissued).
  - Provide evidence of all press and social media coverage achieved and copies of releases.

### Branding

- X7. Providers and sub-contractors must publicise funding from the Welsh Government and the European Social Fund
- X8. All marketing and communications activity must be in line with the Welsh Government's Marketing and Style Guides current at the time. For further information, please email: [askWBL@gov.wales](mailto:askWBL@gov.wales)

- X9. With regards to ESF acknowledgment in marketing and communications materials please refer to the branding guidelines here: <https://gov.wales/eu-structural-funds-2014-2020-publicity-guidance>
- X10. The consequences of non-compliance are potentially serious and could lead to a reduction of the funding paid to each project. Furthermore, the ESF managing authority will audit the communications within each project, so it is important that projects not only meet the requirements set out here but also retain verifiable evidence that communication activities and publicity materials are fully compliant with ESF branding guidelines.

### Additional Guidance

- X11. Any queries on branding should be referred as follows:
- queries or requests related to the Welsh Government logo should be emailed to [askWBL@gov.wales](mailto:askWBL@gov.wales)
  - queries or requests related to the ESF logo should be emailed to [askWBL@gov.wales](mailto:askWBL@gov.wales)
- X12. Contactors must comply with Welsh Language Marketing Guide.

### Press Releases

- X13. Welsh Government requires the contractor to supply a minimum of four case study leads per campaign and on request to support ongoing Programme and ministerial requirements. These may be per region, sector, audience (e.g. young people, employers, adults) to support Welsh Government priorities such as equality and diversity. These case studies will be used in national campaigns and other marketing and communications activity. When possible, the Welsh Government will advise contractors of how each case study had been used.
- X14. The Contractor shall be responsible for marketing WBL provision, ensuring that all marketing and communications activity is in line with the Welsh Government's Marketing and Style Guides current at the time. For further information email: [BrandingQueries@gov.wales](mailto:BrandingQueries@gov.wales); NB: queries or requests related to the Welsh Government logo should be emailed to [BrandingQueries@gov.wales](mailto:BrandingQueries@gov.wales);
- X15. All press releases must acknowledge the Welsh Government and European Social Fund and must be forwarded to the Welsh Government Press Office Communications team for information purposes via [askWBL@gov.wales](mailto:askWBL@gov.wales)
- X16. With regards to ESF acknowledgment in marketing and communications materials please refer to the branding guidelines here: <https://gov.wales/eu-structural-funds-2014-2020-publicity-guidance> NB: queries or requests related to the ESF logo should be emailed to [askWBL@gov.wales](mailto:askWBL@gov.wales)
- X17. Should the Contractor or consortium members or sub-Contractors be asked to comment on any aspect of WBL to any of the media, the Welsh Government Press Office/Communications must be informed via [askWBL@gov.wales](mailto:askWBL@gov.wales) before making any comment.

### Consent forms

- X18. It is essential that you receive full and formal consent of everyone featured in a story, photograph, case study, news item or other feature. They must understand what giving consent means.

### Data protection/ (from 25 May 2018) General Data Protection Regulations

- X19. The GDPR/ Data Protection Act requires that the person knows:
- who you are
  - what their information or photo will be used for
  - who else it may be given to
  - provided the opportunity to give consent
- X20. The best way to meet these requirements is to ask them to complete a consent form and to clear the proposed material with them before it's published for the first time. Your manager or marketing or communications colleagues may have a consent form you can use.
- X21. If children are featured, you must have written consent from their parent or legal guardian.
- X22. You should ensure your colleagues responsible for marketing, legal and data protection issues are content with your arrangements for confirming consent.

### Customer Surveys and Evaluation

- X23. The Contractor must participate in customer surveys and evaluation activities as required from time to time by the Welsh Government.

### Vacancies Database

- X24. The Contractor shall be responsible for inputting vacancies on the Apprenticeship Vacancy Service (AVS) / Manage Apprenticeships service and will be required to maintain the accuracy of this information during the lifespan of the contract. This is applicable for all programmes.

### Courses in Wales/ Course Database

- X25. The Contractor shall be responsible for inputting all its WBL provision on the Courses in Wales (Course Database) system and will be required to maintain the accuracy of this information during the lifespan of this Agreement. Please see website at: <http://www2.careerswales.com/coursesinwales/default.asp>
- X26. Courses in Wales is a web enabled search facility that provides information on post-16 learning opportunities. The search facility is accessed by advisers, individuals and businesses via the Career Choices Dewis Gyrfa website and provides visitors with specific information on the variety of opportunities to train and learn in Wales.
- X27. For further information on how to access the search facility, please view "Courses in Wales" on the 'Career Choices Dewis Gyrfa' website.

- X28. Contractors who have a contract to deliver WBL programmes are required to manage their own provision details. Contractors can do this by accessing the Data Entry Manager section of “Courses in Wales” on the 'Career Choices Dewis Gyrfa' website in order to add, edit or delete provision details. This is a straightforward process.
- X29. Once you have input your training courses, they will be checked by Career Choices Dewis Gyrfa and will be available for the general public to access within five working days.
- X30. Courses in Wales is developed and maintained by Career Choices Dewis Gyrfa. It is important that your training course information is included within “Courses in Wales” in order to provide a comprehensive database of all training and learning opportunities across Wales.
- X31. Should you require further information or assistance please email [coursesinwales@cwwest.co.uk](mailto:coursesinwales@cwwest.co.uk)
- X32. Contractors must establish and maintain contact with the appropriate Courses in Wales co-ordinator in Career Choices Dewis Gyrfa.

### **Skills Competitions**

- X33. Contractors are encouraged to participate in skills competitions, such as World Skills.
- X34. Such competitions are highly effective as a promotional tool to capture the attention of individuals and employers and motivate them to engage in vocational training.
- X35. These events showcase excellence in vocational disciplines and inspire others as to the value of a vocational career. Skills competitions also encourage those already following a vocational path to achieve their full potential. Promoting skills competitions helps to target:
- young people at a cross-roads in deciding whether to take a vocational or academic career path in post-16 education and training;
  - apprentices and would-be apprentices to realise their full potential;
  - school-age children to see just what can be achieved by apprentices; and
  - those not in employment, education or training (NEETS) to consider vocational careers and realise their potential.

### **Celebrating Success**

- X36. Welsh Ministers believe that success and achievement should be celebrated. Contractors must, at least annually, hold an appropriate graduation ceremony for Apprentices and it is suggested that similar ceremonies are held for other Learners and Participants. These ceremonies must be communicated to the communications and marketing team a month prior to them taking place
- X37. Graduation ceremonies should be memorable occasions to recognise the success and achievement of Learners. Therefore, ceremonies should be seen as important

events. To make it an occasion, a Contractor may hold a ceremony on an individual provider basis, a consortium basis or on a regional basis.

- X38. Graduation Ceremonies also present a great opportunity to confirm to employers how successful their apprentices have been for their business. Ceremonies provide deserved recognition to learners, employers and trainers; they esteem vocational achievement which will support the parity of vocational achievement with academic achievement.

## Section Y: Leading a Consortium

- Y1. For the purposes of this Programme Specification, the Contractor is deemed to lead the consortium. It is able to 'sub-let' the delivery of its Programme Commission to its consortium members.
- Y2. Responsibility for compliance with the Agreement and Programme Specification will be with the Contractor. Operating as a consortium will not relieve the Contractor from any of the obligations contained in the Agreement, Programme Commission and Programme Specification.
- Y3. The Contractor will need to satisfy the Welsh Ministers that it has appropriate systems and procedures in place to assess and manage the risk of using consortium members for any aspect of programme delivery. The Contractor must undertake appropriate risk assessments.
- Y4. The Contractor must ensure that its agreement with each consortium member replicates the requirements of the Contractor's own Agreement and Programme Commission with the Welsh Ministers. As a minimum, the Contractor's agreement with each consortium member must also specify:
- i. the programme delivery for which each consortium member is responsible;
  - ii. arrangements for quality assurance and performance monitoring, including integration of each consortium member's activities into the Contractor's annual self-assessment cycle;
  - iii. performance targets, including success and/or progression rates, in line with the Welsh Ministers' targets for WBL outcomes;
  - iv. requirements to comply with the Learning and Skills Act 2000 (as amended) so far as applicable, the Apprenticeship, Skills, Children and Learning Act 2009, and all other relevant statutory obligations, including, but not limited to, those relating to Health and Safety; Equality Duty; the NMW; Disability Discrimination; the Welsh Language, data protection and the Protection of Children and Vulnerable Adults;
  - v. health and safety requirements;
  - vi. arrangements for the submission of accurate and timely data to the Contractor on Learners, and other evidence required for the Contractor to fulfil its Agreement and Programme Commission obligations;
  - vii. access to Learner records for the purposes of audit, and to reports from external bodies (such as external verification reports from awarding organisations);
  - viii. management and audit processes to ensure that each consortium member complies fully with its obligations; and
  - ix. that processes are in place to monitor the financial health of each consortium member.



- Y5. The Contractor must ensure that relevant information is communicated to each consortium member, including any changes to programme requirements or new policy directives from the Welsh Ministers relevant to WBL delivery.
- Y6. The Contractor must take action in the event of underperformance of any consortium member, and must have procedures in place to investigate complaints about consortium members from Learners, employers or other third parties.
- Y7. In the event of consortium member failure (for any reason) or withdrawal, the Contractor is responsible for ensuring that Learners complete their programmes and the Contractor must have contingency plans in place to ensure the continuity of learning.
- Y8. The Contractor must maintain a list of all its consortium members and other deliverers of learning activities; it shall make this available to the Welsh Government on request. It shall record consortium members appropriately on the LLWR using the relevant fields (see data submission guidance).

## Section Z: Sub-Contracting

- Z1. For the purposes of this Programme Specification, 'sub-contracting' denotes sub-contracting of delivery of a full learning programme or programmes to a third party. This section applies to any direct or indirect sub-contracting arrangement.

### *Additional Guidance*

The link to the best practice guide for sub-contracting is at:

<http://learning.gov.wales/docs/learningwales/publications/120924-sub-contracting-en.pdf>

- Z2. Sub-contracting will not relieve the Contractor from any of the obligations contained in the Agreement or Programme Commission.
- Z3. A sub-Contractor to a Contractor may sub-contract to another person or party; such sub-contract will not relieve the Contractor from any of the obligations contained in the Agreement and Programme Commission.
- Z4. Prior to entering into any sub-contract for the delivery of any Programme the Contractor must first satisfy the Welsh Ministers that it has appropriate systems and procedures in place to assess and manage the risk of using any sub-Contractors for delivery of any Programme or part thereof that the Contractor is required to provide to the Welsh Ministers under the Agreement. The Contractor must undertake a risk assessment when considering whether to sub-contract.
- Z5. The Contractor must ensure that its relationship with each sub-Contractor is formalised through a written contract which replicates the requirements of the Contractor's own Agreement and Programme Commission with the Welsh Ministers. As a minimum, the Contractors agreement with each sub Contractor must also specify:
- i. the programme delivery for which the sub-Contractor is responsible;
  - ii. arrangements for quality assurance and performance monitoring, including integration of sub-contracted activities into the Contractor's annual self-assessment cycle;
  - iii. performance targets, including success and/or progression rates, in line with the Welsh Ministers' targets for WBL outcomes;
  - iv. requirements to comply with the Learning and Skills Act 2000 (as amended) so far as applicable, the Apprenticeship, Skills, Children and Learning Act 2009, and all other relevant statutory obligations, including, but not limited to, those relating to Health and Safety; Equal Opportunities; the NMW; Disability Discrimination; the Welsh Language, Data Protection and the Protection of Children and Vulnerable Adults;
  - v. health and safety requirements;
  - vi. arrangements for the submission of accurate and timely data to the Contractor on Learners, and other evidence required for the Contractor to fulfil its Agreement and Programme Commission obligations;
  - vii. access to Learner records for the purposes of audit, and to reports from external bodies (such as external verification reports from awarding organisations);

- viii. management and audit processes to ensure that the sub-Contractor complies fully with its contract, including a schedule of regular monitoring meetings between named contacts at the Contractor and sub-Contractor; and
  - ix. that processes are in place to monitor the financial health of sub-Contractors.
- Z6. The Contractor must ensure that relevant information is communicated to sub-Contractors, including any changes to programme requirements or new policy directives from the Welsh Ministers relevant to WBL delivery.
- Z7. The Contractor must take action in the event of underperformance by sub-Contractors, and must have procedures in place to investigate complaints about sub-Contractors from Learners, employers or other third parties.
- Z8. In the event of sub-Contractor failure (for any reason) or withdrawal, the Contractor is responsible for ensuring that Learners complete their programmes and must have contingency plans in place to ensure the continuity of learning. The Contractor is also responsible for notifying Welsh Government at the earliest opportunity if they encounter issues with sub-contractors that could impact the delivery of other Contractors within the network.
- Z9. Contractors are required to make Welsh Government aware of any new or obsolete sub-contractors (and other deliverers of learning activities) as soon as practicable. Providers should ensure that all sub-contractors and other deliverers of learning activities are recorded on the LLWR using appropriate fields (as detailed within the data submission guidance).
- Z10. Where the Contractor has arranged for a third party to deliver parts of the learning process (such as technical knowledge or Essential Skills activities) this is not within the formal definition of 'sub-contracting', but the Contractor must ensure that these arrangements are defined and monitored through a formal agreement which specifies the third party's responsibilities.

## Section AA: Eligibility for Welsh Government Funding and ESF Support

### WEFO Eligibility Guidance

- AA1. The WEFO Eligibility Guidance, published in January 2016, sets out the process to follow when assessing learner suitability and eligibility and lists the documents that WEFO will accept as evidence of eligibility. It also sets out guidance to help follow the process effectively and economically. Contractors for work based learning must follow this guidance and must apply the refinements described below.
- AA2. This guidance supersedes the WBL Eligibility Q&A for new learners and should be used in conjunction with the WEFO Eligibility Requirements which can be found at:
- <http://gov.wales/funding/eu-funds/2014-2020/looking/eligibility/?lang=en>
- AA3. This section explains how suitability and eligibility for funding works. Contractors must also ensure that their learners meet the eligibility requirements in framework guidance.

### Suitability

- AA4. The Guidance makes assessing the suitability of a learner the first step; Contractors must ensure that each learner has a programme that satisfies Part 1 paragraph 1 of the WEFO Guidance.
- AA5. The information collected through the processes for referral, initial assessment, WEST and completion of an ILP should ensure that there is sufficient evidence of suitability. This information must be available for audit along with the evidence on eligibility.
- AA6. Learners must meet the entry requirements set out in framework guidance from the Sector Skills Council or other designated Issuing Authorities.

### Eligibility

- AA7. The specification for each programme sets out eligibility criteria which determine whether participants (learners) may take part in the programme. They also set out criteria which will make participants ineligible. In summary, the eligibility criteria are:

Criterion	Evidence must demonstrate	Apprenticeships	Traineeships	Jobs Growth Wales	LLWR field (Apprenticeship and Traineeship programmes only)
C1	Right to live and work in the UK	✓	✓	✓	-
C2	Highest qualification	✓	✓ (< level 3)	-	LP22
C3	Employment status	✓ (employed, self-employed)	✓ (non-employed)	✓ (non-employed)	LP11
C4	Age	✓	✓ (< 19)	✓ (16 – 24)	LN15
C5	Location of employment ("employer address")	✓ (in Wales)	-	-	LP13
C6	Address where ordinarily resident ("home address")	✓	✓ (in Wales)	✓ (in Wales)	LN11
Notes:		<p>Evidence required at sign-up, delay start until all evidence available</p> <p>Eligible for WG funding if either C5 or C6 is located in Wales</p> <p>Eligible for ESF support if C5.</p>	<p>Evidence required at sign-up or shortly after, start learners even if they cannot provide all evidence on day one and acquire evidence quickly</p>	<p>Evidence required at sign-up, delay start until all evidence available</p>	

- AA8. The table notes one circumstance in which the criteria are applied differently for WG funding and ESF Support.
- AA9. For Apprenticeship and Traineeship programmes the former criteria C7, C8 and C9 have been withdrawn although values must still be completed and justified for their associated LLWR fields (LP78, LP79 and LP80). These are no longer “essential criteria” for recruitment. However, it is good practice to secure evidence of destination in all cases.
- AA10. For learners who have refused to allow any eligibility evidence to be acquired we cannot be sure that they are entitled to undertake a programme (much less receive ESF support). We can understand refusals when we were collecting information retrospectively but, from 18 April 2016, such individuals should not be allowed to start a programme.
- AA11. Potential Participants must not be delayed in starting a Traineeship programme of learning once they have suitability evidence if they cannot provide all the eligibility evidence needed for their programme on entry. Contractors must allow them to start and make every effort to gather the required evidence within 2 months.
- AA12. Apprentices and Jobs Growth Wales learners should not start until Contractors have recorded a complete set of suitability and eligibility evidence. These learners may provide their evidence on or before their first day of learning including as part of the sign-up process.
- AA13. If a participant starts a Traineeship programme and:
- a. is subsequently unable to provide evidence for their right to live and work in the UK; and / or
  - b. the contractor concludes the evidence provided is false; and /or
  - c. there is reason to believe that the participant is not legally entitled to live and work in the UK (i.e. is an illegal immigrant),
- then, report concerns using DWP’s confidential reporting service and place the learner on approved absence for up to the maximum period (see Section L) to allow for further investigation. If this time has elapsed without resolution the participant must be terminated from the programme.
- AA14. If a participant starts an Apprenticeship programme and:
- a. the contractor concludes the evidence provided is false; and /or
  - b. there is reason to believe that the participant is not legally entitled to live and work in the UK (i.e. is an illegal immigrant),
- then, report concerns using DWP’s confidential reporting service and place the learner on suspension for up to the maximum period (see Section F) to allow for further investigation. If this time has elapsed without resolution the participant must be terminated from the programme.
- AA15. If a participant starts a Jobs Growth Wales Programme and:
- a. the contractor concludes the evidence provided is false; and /or

- b. there is reason to believe that the participant is not legally entitled to live and work in the UK (i.e. is an illegal immigrant),

then, report concerns using DWP's confidential reporting service and terminate the learner from the programme.

AA16. The WEFO Guidance published in January 2016 expanded on earlier guidance by accepting:

- provisional driving licences as preferred evidence of Age
- evidence of employment as preferred evidence of the right to live and work (since employers must already have checked this to comply with UK Law).

#### *Additional Guidance*

*Contractors should ensure that proof of employment as evidence of the right to live and work in the UK is dependable. An NI number and / or letter would be sufficient evidence in support of another form of evidence regarding right to work in the UK. We recommend that the requirements found at <https://www.gov.uk/legal-right-work-uk> are applied in all cases.*

AA17. Contractors may use these two new forms of preferred evidence for learners who started their programmes before January 2016 but who still lack the other acceptable forms of evidence for age or right to live and work in the UK.

AA18. The WEFO Guidance accepts birth certificates as preferred evidence of the right to live and work in the UK. WBL programmes do not accept birth certificates for this although they are acceptable as preferred evidence of age.

AA19. To comply with European funding requirements Apprentices wishing to enter learning with a level 3 or higher qualification will only be eligible for funding through ESF to undertake a level 2 programme of learning if the programme is:

- In a different subject from their level 3 or higher qualification
- Necessary for a career change
- There is evidence of the learner's aspiration to progress to level 3.

AA20. In order to obtain ESF evidence that all three conditions are met, providers are required to record this information within the learner's ILP in order to be able to record LP75 with a "Y". The ILP will be subject to evidence requirement and audit checks.

AA21. Evidence of the level 3 entry qualification and the level 3 qualification aspiration are both needed. The justification for starting the level 2 programme must be documented in the ILP explicitly stating that the learner is committed to working towards at least a level 3 for the programme to be eligible for ESF support.

AA22. Where it is not the learner's intention to progress to level 3, there is no requirement to record any information within the ILP but LLWR field LP75 must be recorded with "NQ".

AA23. The list of acceptable LP75 entries for apprenticeships is:

- "Y" for each learner where all eligibility evidence is collected including where self-declaration is permissible or, for example, 'no qualification' is declared by the learner.

- “N” for each learner where all ESF evidence cannot be obtained (from 1 April 2016 any new apprenticeship starts with this entry will not be eligible for WBL funding)
- “P” (in progress) for each learner where the provider is still gathering ESF evidence, this is expected to be a short term value (from 1 April any new apprenticeship starts with this entry will not be eligible for WBL funding).
- “NQ” the apprentice has qualifications on entry at level 3 or higher, is recorded on a level 2 programme but does not intend to progress to a level 3 apprenticeship; or the learner is a Traineeship Level 1 learner who already holds 5 GCSEs at grades A\*-C (including Mathematics and English Language); or the learner is a Traineeship Level 1 learner who already holds a level 2 vocational qualification in the same occupational sector as the level 1 Traineeship programme.
- “NW” the location of the apprentice’s employment is outside Wales (see para AA6, criterion C5 in the WBL Programme Specification)
- Providers must ensure that they obtain all necessary evidence prior to starting an apprentice on a programme. The only exceptions to this relate to the two scenarios given above i.e. where an LP75 entry of ‘NQ’ or ‘NW’ applies. Note that for ‘NQ’, we would expect a provider to encourage a level 2 learner to seek to progress to a level 3 apprenticeship where at all possible.
- From 1 March 2016, any new apprenticeship starts with an LP75 code of “N” or “P” will be rejected from the WBL payment calculation. Codes “NQ” and “NW” will be included in payments to Contractors, but will not be included in the claim for ESF Support Suitability and eligibility evidence must be available for audit throughout the retention period for the programme.

AA24. For Apprenticeship and Traineeship programmes Contractors must ensure that the proportion of learners with complete suitability and eligibility evidence always exceeds 95% as “Y” for the contract period 2015/16 and that this evidence has been acquired following the method set out in the WEFO Guidance. As from 1 March 2016 95% shall only apply on an on-going basis to Traineeship entrants; all other entrants should always be 100% as “Y”. LP75 data must be kept up to date in LLWR. WG will monitor the LP75 data and will conduct spot checks of learner files.

AA25. Contractors must make WG aware of all learners that lack complete evidence so that they can be withdrawn from any claim for ESF support.

AA26. The WEFO Guidance does not list documents that are acceptable as preferred evidence of the learner’s home address. These documents are acceptable for learners on a WBL programme:

- a. Tenancy agreement / documents; or
- b. Mortgage statement / correspondence; or
- c. Recent statement from bank / building society / credit card company / credit union; or
- d. Recent utility bill or council tax demand / correspondence; or
- e. Evidence of registration on electoral roll; or



- f. Correspondence from employer, pension scheme; or
- g. Driving licence (provisional or full, any EU country); or
- h. Firearms certificate / Shotgun licence; or
- i. Letter / confirmation from home owner (family / lodging); or
- j. Benefits / State Pension notification letter; or
- k. HMRC correspondence; or
- l. Rent card / statement; or
- m. Solicitor's correspondence; or
- n. Careers Wales Engagement Referral only (Non-employed); or
- o. DBS Certificate.

AA27. WG will consider other forms of preferred evidence for this criterion if formally requested.

## 2. PROVIDER ASSURANCE AND GOVERNANCE SERVICE GUIDANCE

### Manual on the Evidence Requirements to Support Funding and Payment

#### A. Introduction

The Programme Specification April 2015 – March 2021 forms part of the contract for the delivery and funding of Work Based Learning (WBL) and sets out certain requirements that must be adhered to in the delivery of the following programmes:

- Apprenticeships;
- Traineeships;
- Jobs Growth Wales [Private Sector only]; and

This Manual supplements the Programme Specification and its aim is to enable you to quickly and easily identify the evidence required to support payments related to:

- Entry [WBL] / start up administration fee [JGW];
- Monthly Delivery [WBL] / Monthly Administration fee [JGW]; and
- Attainments [WBL] / Destination fee [JGW].

In addition, further guidance is provided for:

- Suspensions [WBL – Apprenticeships only] / Leavers [WBL & JGW]; and
- Guided Contact Hours (GCH)[WBL]

This document also includes examples of eligibility forms and a template to aid the recording of GCH where you do not already have a suitable process. Please note that the example eligibility forms and GCH template are not mandatory. You are able to develop your own documents provided that the relevant Programme Specification requirements are met and the relevant data is captured as detailed on the example forms [WBL only].

If you have any queries or require further clarification, please contact [askWBL@gov.wales](mailto:askWBL@gov.wales) and start the subject of your e-mail as PAGS.

#### Notes

'You' in this document refers to a WBL Contractor's staff or authorised representative.

1. This Manual sets out the evidence requirements for the funding methodology that commences with the contract start date of 01 April 2015. For any learners who remain in learning from the previous contract period, the previous guidance document and funding methodology remain extant.

## B. Apprenticeship Programmes Scheme and Shared Apprenticeship Delivery

(Foundation Apprenticeships, Apprenticeships, Higher Apprenticeships)

Entry Payment – New Starts	Prog Spec Ref
<p>Before submitting any data to the LLWR in respect of a new start, the following evidence must be held:</p> <ul style="list-style-type: none"> <li>Eligibility - evidence that the learner is eligible.</li> </ul> <p>NB: From 01 August 2020, for certain Level 2/3 Frameworks, as specified in the additional eligibility requirements in B6, providers must provide an audit trail of evidence that demonstrates that learners are new and not existing employees..</p> <p>This could be:</p> <ul style="list-style-type: none"> <li>Copy of Contract of Employment specifying the learner’s employment start date;</li> <li>Correspondence from the Employer to the Learner informing them of their employment start date.</li> </ul> <p>If an employer wishes a learner to undertake a Level 2 and have met all the additional criteria they must also evidence that the learner has not been in their current role for over 6 months. This can include:</p> <ul style="list-style-type: none"> <li>Copy of Contract of Employment specifying the learner’s new role and the start date;</li> <li>Correspondence from the Employer stating previous role and detailing the new role and the date it started.</li> </ul> <p>NB. Any correspondence from the employer must be specific on the date the change of role took place, and specific as to the change in job title and the change to the prospective learner’s job description. It cannot be a general statement that the learner’s role has changed.</p> <p>Also, from 01 August 2020, level 2 apprenticeships, except for those where there is a Welsh Government priority, as detailed in B6 of the WBL specification, will require additional evidence of eligibility. This will include (if appropriate to the individual Learner);</p> <ul style="list-style-type: none"> <li>Learner’s Declaration of Disability(if appropriate);</li> <li>Written confirmation from Welsh Government that a learner may undertake a level 2, as it is required to obtain Level 3 Framework; and</li> <li>Proof of Age.</li> </ul> <p>Many of these additional evidence requirements are also able to meet the ESF eligibility requirements and therefore do not necessarily have to add an additional administrative burden.</p> <p>If eligibility is established in advance of commencement on the programme, eligibility should be re-confirmed on the start date as circumstances can and do change.</p>	<p>B1 to B6</p> <p>B6</p>

Entry Payment – New Starts	Prog Spec Ref
<ul style="list-style-type: none"> <li>A learner is <b>not</b> eligible if they are, at the point of entry, already taking part in any other EU funded employment or enterprise programme, or vocational learning programme funded directly by the UK Government or the Welsh Ministers.</li> </ul>	B6
<ul style="list-style-type: none"> <li>Fully completed data collection forms (or similar) that include all data items from the LLWR LN and LP datasets (i.e. fields that start LN or LP) authenticated by the learner and you. There is no requirement to obtain the learner’s signature on documentation to verify data items from the LA and AW datasets (i.e. field that start LA or AW), but you must use the learner’s ILP to record activities undertaken with start dates. You may use your own documentation providing these documents contain the relevant data items required by the LLWR as well as original authentication, ESF logo, privacy notice and ESF statement. The forms must be authenticated by you and the learner to confirm that the information contained on the forms is correct;</li> </ul>	R3 – R5
<ul style="list-style-type: none"> <li>Evidence to confirm that the learner has read, understood and authenticated the GDPR (LLWR) Privacy Notice as part of the sign up process; Notifications of amendments have been seen and understood by the learner; LLWR field (LP83) has been updated accordingly;</li> </ul>	D62-D68 (Part 3. European Funding compliance Guidance)
<ul style="list-style-type: none"> <li>Evidence to confirm that initial assessment, including the Wales Essential Skills Toolkit (WEST). Essential skills and diagnostic assessments are to be undertaken within 61 days of the start date;</li> </ul>	D7
<ul style="list-style-type: none"> <li>Evidence to confirm a record of prior achievement that provides exemptions, proxies or other unit/credit based achievement towards qualifications, including Essential Skills;</li> </ul>	D5 - D7 D8
<ul style="list-style-type: none"> <li>An Individual Learning Plan (ILP) must be held, however, it is acceptable for this document to be partially completed at the start of learning. The ILP must be fully completed, authenticated by the learner, employer and you within 4 weeks of the start date. The ILP <u>must</u> be updated throughout the duration of the apprenticeship programme to record all activities undertaken and the start and end dates (i.e. items from the LLWR dataset that start LA and AW). All changes/updates must be authenticated by the learner;</li> </ul>	D1 D6-D12  D14 to D17
<ul style="list-style-type: none"> <li>an Apprenticeship Learning Agreement (ALA) authenticated by the learner, employer and you confirming that the learner is in receipt of the National Minimum Wage (NMW).</li> </ul>	C1
<p><b>NB:</b> Apprenticeship or an Apprenticeship to a Higher Apprenticeship is a continuing learner, and you are <b>not</b> required to complete new enrolment forms, but you <b>must</b>:</p>	F9
<ul style="list-style-type: none"> <li>Check that the information held is accurate and complete a Change of Circumstance form if any details require updating;</li> </ul>	

Entry Payment – New Starts	Prog Spec Ref
<ul style="list-style-type: none"> <li>• Undertake eligibility checks if more than 8 weeks have elapsed between the end of the first programme and the start of the next;</li> <li>• Update the learner’s ILP to include the new programme e.g. start date, expected duration and framework details etc. (It is expected that the ILP will be a working document that is updated to reflect the learner’s current position);</li> <li>• If necessary, update the learner’s Apprenticeship Learning Agreement (if the employer is the same for both programmes) <b>or</b> prepare a new Apprenticeship Learning Agreement and SME4 (if the employer is different); and</li> <li>• Set up new LP, LA and AW records on the LLWR for the new programme of learning. This information does not have to be authenticated by the learner as long as the ILP has been updated, and any Change of Circumstance form completed as outlined above.</li> </ul>	
<p><b>WEFO New Data and Evidence Requirements (LP75)</b></p> <p>From the 1 January 2015 all Learners in learning and new starts from this date must provide evidence of eligibility in line with the most recent WEFO Data and Evidence Requirements. Providers must keep a copy of this evidence on learner file for review by PAG’s team.</p> <p>Note: Updates to the WEFO Data and Evidence Requirements are issued regularly through Ask WBL providers should ensure they are they are aware of latest guidance.</p>	Section AA
<p><b>Hours of Work (LP61)</b></p> <p>A learner is only eligible if they attend work and training for at least 16 hours per week (unless authorised absence has been granted). From 1st August 2016 all new starts must provide evidence of hours worked to support LP61. The provider should retain evidence to support LP61 in the form of an authenticated Apprenticeship Learning Agreement that confirm the learner has been attending work and training for at least 16+ hours per week.</p>	B3

Monthly Delivery Payments	Prog Spec Ref
<p>A Monthly Delivery Payment will be payable in respect of all learners 'In Learning' at any point during the month.</p> <p>For a new start</p> <ul style="list-style-type: none"> <li>a fully completed ILP (a partially completed ILP is acceptable if within 4 weeks of the start date) and a forward plan of learning to the date of the first review will evidence the monthly payment(s) until the planned date of the first review.</li> </ul> <p>The evidence to be retained by you to support the Monthly Delivery Payment will be:</p> <ul style="list-style-type: none"> <li>a progress review that took place in the month, demonstrating progress made since last review and, if the learning is continuing, a forward plan of learning. This review must be authenticated by the Learner, employer and you. (Employer's signatures are not required on review documentation where a learner undertakes off the job training on a full time block release basis if the period is expected to exceed 10 consecutive weeks.)</li> <li>NB: There may be occasions where it is not possible for the employer to authenticate the progress review. In such circumstances, the lack of an employer authentication would not invalidate the review or any monthly delivery payment. However, persistent and / or repeated absence of employer authentication on review documents will be reported and may result in funding being recovered.</li> </ul> <p>If a payment month falls between two reviews, then the evidence to support the payment will be:</p> <ul style="list-style-type: none"> <li>fully completed reviews undertaken before and after the payment month that are no greater than 61 calendar days apart;</li> <li>both reviews must be authenticated by the learner, employer and you and include progress made since the last review. If the learning is continuing, both reviews must contain a forward plan of learning for the period to the next review. If the learning is completed, the later review does not need a forward plan.</li> </ul> <p><b>NB: See Annex D of this guidance for review requirements</b></p>	<p>D6</p> <p>D19</p> <p>D20</p> <p>AnnexD PAGS Guidance</p>

Welsh Medium And Bilingual Delivery Uplift	Prog Spec Ref
<p>The evidence requirements for the Welsh Medium and Bilingual Medium uplifts are as follows (based on the data recorded in LLWR field LA26) using the following definitions:</p> <p><b>B1</b> – Learning completed in a bilingual context and at least 50% of the available assessments within the learning activity completed through the medium of Welsh. The outcome may be achieved using any appropriate teaching methodology.</p> <p><b>B2</b> – A significant amount of Welsh Medium learning e.g. both verbal and written. Welsh used in many, but not all, parts of the learning activity. Assessment mainly in English, but some may also be in Welsh</p> <p><b>B3:</b> A small amount of Welsh medium learning e.g. use of Welsh limited to verbal communication or to a minor part of the learning activity. English only assessment. This code can be used to record situations where some Welsh is used during the learning. Minimum use of incidental Welsh is not sufficient for it to be recorded. There needs to be Welsh language interaction between assessor/ lecturer and learner for it to be a meaningful use of the language'</p> <p><b>C1</b> – Learning completed in a Welsh-medium context and all of the available assessments within the learning activity completed through the medium of Welsh.</p> <p>You should ensure that evidence is retained on reviews and the ILP to support the coding recorded in LLWR field LA26.</p>	<p>V13 – V14</p> <p>LLWR manual field LA26</p>

Outcomes / Attainments	Prog Spec Ref
<p>For fundable purposes any outcome/ attainment must be entered onto the LLWR by you within 6 months of the actual leaving date; and you must hold either:</p> <ul style="list-style-type: none"> <li>• a copy of the qualification certificate (authenticated as a true copy); or</li> <li>• the results list from the awarding body.</li> </ul> <p>The qualification certificate or the results list should, as a minimum, include:</p> <ul style="list-style-type: none"> <li>• the learner's name;</li> <li>• the name of the approved qualification;</li> <li>• the level of approved qualification; and</li> <li>• the date the attainment was gained.</li> </ul> <p><b>NB</b></p> <p>Internal Verification reports are not acceptable as evidence to support Attainments.</p>	<p>D16 D17 R11</p> <p>Part 3. European Funding Compliance Guidance – Section D</p>

Suspensions / Leavers	Prog Spec Ref
<p>When the learner is no longer undertaking an activity (or activities), the LLWR must be updated to reflect this. If this is temporary and the learner is expected to return to complete the activity (or activities), then <u>suspension</u> is appropriate. If the learning has been completed (successfully or not) or the learner is not expected to return, the learner should be treated as a <u>leaver</u>.</p>	<p>R5</p>
<p><u>Suspensions</u></p> <p>You are expected to have in place systems to identify when a learner is no longer in learning. If this is expected to be temporary, for example a learner going on maternity leave fully anticipating to return to complete their learning plan, then the learning activity (or activities) should be suspended. This is achieved by completing LA31 with code 5 and LA30 with the suspension date. The suspension date should be the last date that there is evidence of the learner being 'in-learning'.</p> <p>E.g. centre based activities supported by a timesheet / attendance record, day or block release attendance in college for activity/ies recorded in the ILP or work based activities etc.</p> <p>This can be accepted providing the latest learner review (containing a forward plan) is no more than 61 days old at the date of suspension.</p> <p>If the learner is able to authenticate to confirm the suspension, this must be recorded on the ILP, a change of circumstances form, or similar.</p> <p>If the learner is unable to authenticate to confirm the suspension date e.g., the learner may already have commenced their maternity leave, then the ILP, a change of circumstances form, or similar authenticated by you identifying the last 'in-learning' date will, in conjunction with the previous review within 61 days of the suspension date (containing a forward plan) support the suspension date. Where the learner was attending college on day or block</p>	<p>F5 to F8 F12</p>



Suspensions / Leavers	Prog Spec Ref
release, attendance records from the college may also be used to evidence the suspension date.	
<p>You should have a monitoring system in place to ensure that length of time on suspension is monitored and does not exceed the 13 weeks maximum or the relevant statutory period or employer terms &amp; conditions if greater. Where the relevant statutory period or employer terms &amp; conditions are greater than 13 weeks you should obtain evidence from the employer that the suspension is agreed. For example, the evidence could include a letter or email from the employer confirming the reason for the suspension, the expected duration and confirmation that the employer is holding the post for the apprentice to return.</p> <p><u>Return from Suspension</u> A review must be completed on the first day of learning on return from suspension. You should update the activities on the learner's ILP with the return from suspension date.</p> <p>If the learner doesn't return to learning from suspension, then LA31 (Completion Status) should be changed from 5 to a more appropriate code, which in the majority of cases will be code 3, and the ILP must be updated with the actual leave date.</p> <p><b>NB:</b> The activity suspension from and to date(s) must be recorded on the learner's ILP in all cases. LP55 must be evidenced on the ILP or a leaver form.</p>	<p>F6</p> <p>F7</p> <p>F8 , F13 R3</p> <p>R3</p>
<p><u>Leavers</u> If the learning has been completed, (successfully or not) then the activity (or activities) should be closed by updating LA30 with the last evidenced date of learning (there can be different dates for different activities) and LA31 should be updated accordingly. LP55 should also be updated with the leave date.</p> <p>The leave date should be the last date that there is evidence of the learner being 'in-learning' in conjunction with a review containing a forward plan authenticated by the learner within 61 days of this date.</p> <p>If the learner is able to authenticate to confirm the leave date, LP55 must be evidenced on the ILP or a leaver form or similar.</p> <p>If the learner has already left and is unable to authenticate to confirm the leave date then the ILP or a leaver form, or similar authenticated by you identifying the last 'in-learning' date in conjunction with a review within 61 days of the leave date (containing a forward plan) will support the leave date. Where the learner was attending college on day or block release, attendance records from the college may also be used to support the leave date.</p>	<p>F13</p> <p>R3</p>
<p><u>Redundancy</u> Where an Apprentice has been made redundant you are expected, as a minimum, to provide support to the learner by:</p> <ul style="list-style-type: none"> <li>•Contacting other relevant employers you work with to determine if any alternative suitable vacancies may be available;</li> <li>•Contacting other providers to determine if any suitable vacancies may be available;</li> </ul>	<p>F1</p> <p>C1, 0</p>

Suspensions / Leavers	Prog Spec Ref
<ul style="list-style-type: none"> <li>•Referring the learner to Careers Choices Dewis Gyrfaf for advice on their possible options;</li> <li>•Referring the learner to the Apprenticeship Matching Service to identify whether any suitable vacancies are advertised;</li> <li>•Identify other actions which are appropriate to support an apprentice who is made redundant e.g. Jobs Growth Wales opportunities, but the primary focus should be to enable the apprentice to continue the apprenticeship.</li> </ul> <p>Evidence to support these activities should be maintained on the learner file and may be subject to audit.</p>	
<p><u>Deletions</u> Providers must comply with Data Submission Guidance and only delete records in line with this guidance.</p> <p>To support the deletion, providers must keep a full auditable trail for a minimum of 24 months, following the date of the deletion for audit purposes.</p>	4. Data Management Guidance
<p><u>Transfers</u> To support transfers:</p> <ol style="list-style-type: none"> <li>1. the new provider must keep copies of the appropriate paperwork of the transferring learner on the learners file;</li> <li>2. the outgoing provider should keep a copy of the letter or email sent to the new provider, confirming that the transfer has taken place, on the learners file.</li> </ol> <p>The documentation is subject to audit.</p>	F10-F11 4. Data Management Guidance

## C. Apprenticeship Employer Incentive scheme

<b>New Starts</b> Applicable from: 1 August 2020 to 30 September 2021. This programme supersedes the previous scheme which commenced 1 August 2017	<b>Prog Spec Ref</b>
<p><b>Before submitting any data to the Data Management System in respect of a new start the following evidence, taken from the employer, by the Provider, must be held:</b></p> <ul style="list-style-type: none"> <li>• The business is based in Wales (or the recruited employee(s) would be based in Wales for at least 51% of their time);</li> <li>• That the apprentice is a new employee i.e. not previously employed by the employer or any associated company connected to the employer within the last six months <b>or</b> the new apprentice was previously employed by the employer (but not currently employed) in a part time role (i.e. under 16 hours p/w) or temporary role and has now been recruited under an apprenticeship contract of employment for at least 30 hours per week <b>or</b> the new apprentice is disabled. This could include evidence from payroll, previous contracts or letters/correspondence of employment for either temporary employment and/or for under 16 hrs, new contract or letters/correspondence of employment/terms of conditions with appropriate hours for eligibility being claimed and / or vacancy adverts and recruitment documentation;</li> <li>• That the apprentice has a disability (if relevant) and the employer was aware of this disability prior to recruiting the learner;</li> <li>• the intention to employ the apprentice for at least the time taken to complete their apprenticeship; and</li> <li>• that the recruitment of this apprentice does not result in the total number of apprentices (supported under the incentive) exceeding 10</li> </ul> <p><b>Notes:</b>                      Providers will be required to obtain and retain evidence, authenticated by the employer to prove that the eligibility requirements set out above are met. PAGS would expect the Provider to engage with the employer and complete a declaration, authenticated by the employer, recording all of the above criteria.</p> <p><b>Incentive Scheme learner eligibility</b></p> <ul style="list-style-type: none"> <li>• The apprentice must meet all eligibility criteria as set out in the latest Work Based Learning Programme Specification</li> </ul> <p><b>Additional Incentive Scheme Eligibility</b></p> <ul style="list-style-type: none"> <li>• Evidence of the apprentice's date of birth;</li> <li>• Evidence that the learner was directly recruited as an apprentice. This could include evidence from payroll and / or vacancy adverts and recruitment documentation</li> <li>• Copy of contract of employment (must not be zero hours contract) with start date between 1 August 2020 and 30 September 2021 (inclusive);</li> <li>• An apprenticeship agreement containing a start date between 1 August 2020 and 30 September 2021 inclusive.</li> </ul>	<p>B1</p> <p>I21, I22 and I46</p> <p>I21 – I46</p> <p>I59 – I61</p> <p>B1- B6</p> <p>I21- I46</p> <p>I28-I33</p>

<p><b>Employing an apprentice who was made redundant from their previous apprenticeship opportunity.</b></p> <ul style="list-style-type: none"> <li>• Written evidence (copy of redundancy letter or confirmation e-mail) confirming redundancy dated 23/02/2020 or after.</li> </ul> <p><b>Employing a Disabled Apprentice</b></p> <ul style="list-style-type: none"> <li>• Self-declaration of learner’s disability (for example: declaration of disability by apprentice on application form) is acceptable but must be identified at the point of recruitment.</li> <li>• Other evidence could include, correspondence concerning reasonable adjustments for interview, or any other correspondence or documentation that demonstrates the employer was aware of the apprentice’s disability prior to recruitment.</li> </ul> <p>Where a learner is identified as having a disability <b>after</b> they have been recruited, the employer will <b>not</b> be eligible for the additional incentive payment.</p> <p><b>Notes:</b> Providers will be required to obtain and retain evidence, appropriately authenticated to prove that the eligibility requirements as set out above are met</p> <p><b>Incentive Payments</b> Applicable from: 1 August 2020 to 30 September 2021</p> <p><b>Before submitting any data to the Data Management System in respect of an incentive payment the following evidence must be held:</b></p> <p>The Provider must have obtained and retained, authenticated evidence to support eligibility for each of the types of incentive payments being claimed. if we identify any breach of the funding rules. Funding will be recovered from the lead provider who will be required to take steps to recover the funding from the relevant employer.</p> <p><b>At 4 weeks (50%)</b></p> <ul style="list-style-type: none"> <li>• Providers are required to obtain and retain evidence, authenticated by the employer to prove the learner’s employment date ;</li> <li>• Providers are required to obtain and retain evidence to prove that the employer has continuously employed the learner as an apprentice for a minimum of 4 weeks. This evidence should be authenticated by the employer.</li> </ul> <p><b>At 270 days(50%)</b></p> <ul style="list-style-type: none"> <li>• Providers are required to obtain and retain evidence, authenticated by the employer to prove the learners employment date;</li> <li>• Providers are required to obtain and retain evidence to prove that the employer has continuously employed the learner as an apprentice for a minimum of 270 days. This evidence should be authenticated by the employer.</li> </ul> <p>You must maintain a record of all payments to the Employer. This will include invoices to Welsh Government, showing the claim for each incentive payment</p>	<p>I59-I61</p>
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by learner. You will need to retain BACS reports to demonstrate that payment has been made to the employer.	
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#### D. Traineeships (Engagement, Level 1 and Bridge-2-Employment)

Entry Payment – New Starts	Prog Spec Ref
Before submitting any data to the LLWR in respect of a new start, the following evidence must be held:	
<ul style="list-style-type: none"> <li>Evidence that the learner is eligible (NB if eligibility is established in advance of commencement on the programme, eligibility should be re-confirmed on start date as circumstances can and do change;</li> </ul>	J15 to J27
<ul style="list-style-type: none"> <li>a learner is <b>not</b> eligible if they are already taking part in any other EU funded employment or enterprise programme or vocational learning programme funded directly by the UK Government or the Welsh Ministers (unless prior written approval has been given by the Welsh Government which confirms that learning activities are not duplicated).</li> </ul>	J28
<ul style="list-style-type: none"> <li>a Careers Referral (Engagement learners) or Level 1 Referral Application Form, or evidence of notification to Careers Choices Dewis Gyrfa to support a self referral, completed on or before the start date;</li> </ul>	J23 - J24
<ul style="list-style-type: none"> <li>fully completed data collection forms (or similar) that include all data items from the LLWR LN and LP datasets (i.e. fields that start LN or LP) authenticated by the learner and you. (You may use your own documentation providing these documents contain the relevant data items required by the LLWR as well as original signatures, ESF logo and ESF statement. The forms must be authenticated by you and the learner to confirm that the information contained on the forms is correct;</li> </ul>	R3
<ul style="list-style-type: none"> <li>Evidence to confirm that the learner has read, understood and authenticated the GDPR (LLWR) Privacy Notice as part of the sign up process; Notifications of amendments have been seen and understood by the learner; LLWR field (LP83) has been updated accordingly;</li> </ul>	D62-D68 (Part 3. European Funding compliance Guidance)
<ul style="list-style-type: none"> <li>A fully completed Individual Learning Plan authenticated by you, the learner and where appropriate, the learning coach and employer; and</li> </ul>	J30 to J36
<ul style="list-style-type: none"> <li>Evidence that the Wales Essential Skills Toolkit (WEST) essential skill initial and diagnostic assessment has been undertaken, within four weeks of start date, unless evidence is available following progression from Engagement training.</li> </ul>	K22

<p><b>NB:</b> A learner progressing directly from Engagement to Level 1 or Level 1 to Bridge to Employment is a continuing learner, and you are <b>not</b> required to complete new enrolment forms but you <b>must</b>:</p> <ul style="list-style-type: none"> <li>• Check that the information held is accurate and complete a Change of Circumstance form if any details require updating;</li> <li>• Undertake eligibility checks if more than three weeks have elapsed between the end of the first programme and the start of the next;</li> <li>• Update the learner’s ILP to include details of the new programme (e.g. start date, expected duration etc.) It is expected that the ILP will be a working document that is updated to reflect the learner’s current position; and</li> <li>• Set up new LP, LA and AW records on the LLWR for the new programme of learning. This information does not have to be authenticated by the learner as long as the ILP has been updated, and any Change of Circumstance form completed as outlined above.</li> </ul>	L17
<p><b>WEFO New Data and Evidence Requirements (LP75)</b></p> <p>From the 1 January 2015 all Learners in learning and new starts from this date must provide evidence of eligibility in line with the most recent WEFO Data and Evidence Requirements. Providers must keep a copy of this evidence on learner file for review by PAG’s team.</p> <p>Note: Updates to the WEFO Data and Evidence Requirements are issued regularly through Ask WBL providers should ensure they are they are aware of latest guidance.</p>	<u>Section AA</u>

Monthly Delivery Payments	Prog Spec Ref
<p>A Monthly Delivery Payment will be payable in respect of all learners 'In Learning' at any point during the month.</p> <p>For a new start</p> <ul style="list-style-type: none"> <li>a fully completed ILP (a partially completed ILP is acceptable if within 4 weeks of the start date) and a forward plan of learning to the date of the first review will evidence the monthly payment(s) until the planned date of the first review.</li> </ul> <p>The evidence to be retained by you to support the Monthly Delivery Payment will be:</p> <ul style="list-style-type: none"> <li>a progress review that took place in the month (demonstrating progress made since last review), authenticated by the Learner and you (and employer if applicable).</li> <li>Progress reviews should only take place when a learner is in attendance in person or virtually at either the learner's designated place of learning or the placement Provider's premises. The date, place and time of the next review should be agreed as part of the review process.</li> </ul> <p>If a payment month falls between two reviews, then the evidence to support the payment will be:</p> <ul style="list-style-type: none"> <li>a fully completed review in the month before and a fully completed review no greater than 31 days of the previous review;</li> <li>both reviews must be authenticated by the learner and you (and employer if applicable) and include progress made since the last review. If the learning is continuing, both reviews must contain a forward plan of learning for the period to the next review. If the learning is completed, the second review does not need a forward plan.</li> </ul> <p><b>NB: See Annex B of this guidance for review requirements</b></p>	<p>J30 to J36</p> <p>Annex B PAGS Guidance</p> <p>K14 to K22</p>

Welsh Medium And Bilingual Delivery Uplift	Prog Spec Ref
<p>The evidence requirements for the Welsh Medium and Bilingual Medium uplifts are as follows (based on the data recorded in LLWR field LA26) using the following definitions:</p> <p><b>B1</b> – Learning completed in a bilingual context and at least 50% of the available assessments within the learning activity completed through the medium of Welsh. The outcome may be achieved using any appropriate teaching methodology.</p> <p><b>B2</b> – A significant amount of Welsh Medium learning e.g. both verbal and written. Welsh used in many, but not all, parts of the learning activity. Assessment mainly in English, but some may also be in Welsh</p> <p><b>B3:</b> A small amount of Welsh medium learning e.g. use of Welsh limited to verbal communication or to a minor part of the learning activity. English only assessment. This code can be used to record situations where some Welsh is used during the learning. Minimum use of incidental Welsh is not sufficient for it to be recorded. There needs to be Welsh language interaction between assessor/ lecturer and learner for it to be a meaningful use of the language'</p> <p><b>C1</b> – Learning completed in a Welsh-medium context and all of the available assessments within the learning activity completed through the medium of Welsh.</p> <p>You should ensure that evidence is retained on reviews and the learner's ILP to support the coding recorded in LLWR field LA26.</p>	<p>V13 – V14</p> <p>LLWR manual field LA26</p>

Guided Contact Hours (GCH)	
<p><b>GCH must be recorded and evidenced for all Traineeship programmes.</b></p> <p>All payments are based on the number of GCH recorded for 'Centre based provision' and the number of GCH recorded for 'Work Based Support &amp; Assessment'.</p> <p>A template to record GCH is included in Annex C, this is not mandatory and you are able to design your own method of evidencing GCH.</p>	<p>For further information See Annex C - PAGS Guidance</p>
<p><b>Outcomes / Attainments</b></p> <p>NB outcomes / attainments are not funded for the Engagement programme.</p>	
<p>For fundable purposes any outcome/attainment must be entered onto the LLWR by you within 6 months of the actual leaving date; and you must hold either:</p> <ul style="list-style-type: none"> <li>• a copy of the qualification certificate (authenticated as a true copy); or</li> <li>• the results list from the awarding body.</li> </ul> <p>The qualification certificate or the results list should, as a minimum, include:</p> <ul style="list-style-type: none"> <li>• the learner's name;</li> <li>• the name of the approved qualification;</li> <li>• the level of approved qualification; and</li> <li>• the date the attainment was gained.</li> </ul> <p><b>NB</b> Internal Verification reports are not acceptable as evidence to support Attainments.</p>	<p>R11</p> <p>Part 3 European Funding Compliance Guidance Information Assurance Section D</p>





Leavers	Prog Spec Ref
<p>When the learner is no longer undertaking an activity (or activities), the LLWR must be updated to reflect this.</p> <p>NB: this section should also be used for the process of managing authorised and unauthorised absence.</p>	<p>L21</p> <p>L12 to L16</p>
<p><b>Leavers</b></p> <p>If the learning has been completed, (successfully or not) then the activity (or activities) should be closed by updating LA30 with the last evidenced date of learning (this may be different dates for different activities) and LA31 should be updated accordingly. LP55 should also be updated with the leave date.</p> <p>The leave date should be the last date that there is evidence of the learner being 'in-learning' in conjunction with a review containing a forward plan authenticated by the learner within 31 days of this date. Where the learner was attending college on day or block release attendance records from the college may also be used to evidence the leave date. This leave date should be recorded on the ILP, a leaver form, or similar.</p> <p>If the learner is able to authenticate to confirm the leave date, this must be evidenced on the ILP, or a leaver form, or similar.</p>	<p>L21</p> <p>R3</p>
<p>If the learner has already left and is unable to authenticate to confirm the leave date then the ILP, or a leaver form, or similar authenticated by you identifying the last 'in-learning' date in conjunction with a review within 31 days of the leave date (containing a forward plan) will support the leave date. Where the learner was attending college on day or block release, attendance records from the college may also be used to support the leave date.</p> <p>The appropriate Starters and Leavers Form must be used to notify Career Choices Dewis Gyrfa of all eligible youth Learners leaving within 10 working days of the leave date.</p>	<p>L16</p>
<p><b>NB</b></p> <p><b>Authorised Absence :</b></p> <p>You may approve pre-authorised absence of up to 15 consecutive working days. Where it becomes clear that 15 days authorised absence is not going to be enough to enable the learner to return to learning or where the learner has completed 15 consecutive working days of pre-authorised absence, they must be immediately withdrawn from learning if they fail to return to learning on the 16th working day. The last date for which allowances are payable is the 15th working day.</p>	<p>L12</p>
<p>Examples of authorised absence include:</p> <ul style="list-style-type: none"> <li>• sickness (supported by a Statement of Fitness for Work (fit note) after 7 days);</li> <li>• holiday entitlement;</li> <li>• time off in lieu (e.g. on account of working on a bank holiday);</li> <li>• compassionate leave;</li> <li>• pre-authorised medical appointments;</li> <li>• pre-arranged appointments linked to specialist personal support e.g. counselling appointment;</li> <li>• time off to deal with housing issues;</li> <li>• time off to attend an appointment with Career Choices Dewis Gyrfa; or,</li> </ul>	<p>L12</p>

Leavers	Prog Spec Ref
<ul style="list-style-type: none"> <li>time off to attend a job interview.</li> </ul>	
<p><b>Unauthorised Absence</b>  Learners who have been absent from a programme of learning for 10 consecutive working days without prior authorisation and whom the Provider has attempted to contact, but had no success shall be immediately withdrawn from learning and payment of allowances must cease immediately from the last working day for which there is evidence that the Learner attended the programme.  Career Choices Dewis Gyrfa must be notified where a Learner has been identified as at risk of disengaging from learning. This includes where a Learner's unauthorised absence level has fallen below their agreed attendance level.</p>	L14-L16

## Young Recruits Programme

Previous arrangements for YRP remain extant until participants complete their period of previously approved YRP support. Please refer to Version 1.8 of Programme Specification and Guidance April 2015 – March 2019.

## E. Other WBL Support Funding

### Work Ready Programme – Carry Over Learners only

Refer to the PAGS Work Based Learning Guidance on the Evidence Requirements 1 August 2011 – 31 March 2015 issued January 2015 version 5.

<b>Travel Funding (unemployed learners only)</b> <i>For further details, Part 8 of the Programme Specification and Guidance notes</i>	<b>Prog Spec Ref</b>
<p>Traineeships</p> <p>Learners following a Traineeship are required to pay travel costs up to the equivalent of 10% of their weekly training allowance for a full week's attendance. E.g. a Traineeship Level 1 learner receiving a maximum Training Allowance of £50 per week will be required to meet the first £5 of their weekly travel costs. A Traineeship Engagement learner receiving the maximum training allowance of £30 per week is required to meet the first £3 of their weekly travel costs. Learners may claim towards necessary reasonable travelling expenses incurred in connection with travel to and from their place(s) of learning above this amount. Wherever possible, weekly or monthly season tickets should be used, but you should not make payments for a season ticket of more than one calendar month. All claims must be considered on the basis of travel by the most economical route. If a learner uses his/her own transport, s/he may claim for the costs of fuel and car or motor cycle parking provided this does not exceed the cost of travel by public transport (where available) and there is no alternative facility to park the car or motorcycle. The Welsh Government will support the cost of travel by car, or motor cycle, up to a maximum of 25p per mile, and you must ensure that any payments made to learners do not exceed the maximum rate of 25p per mile</p> <p><b>Evidence</b>  <u>Public transport:</u> You are required to retain evidence of attendance to support the travel cost. You are also expected to retain all receipts to support the travel claim.</p> <p><u>Private transport:</u> the learner must state the details of the journey(s) and records should be maintained by you to evidence that mileage claims are only being made for journeys to and from the learner's home to the place of study and/or work placement.</p> <p>You <b>must</b> retain a record of all payments to the learner. For payments made by cash or cheque, a receipt authenticated by the learner confirming the payment must be held. For payments made by BACS, an authenticated attendance record must be held.</p>	<p>L28</p> <p>L29</p> <p>Part 6 Support Cost Guidance</p> <p>L30 – L32</p>

<p><b>Training Allowances (unemployed learners only)</b>  <i>For further details, Part 8 of the Programme Specification and Guidance notes</i></p>	<p><b>Prog Spec Ref</b></p>
<p><b>Traineeship learners</b>  Non-employed learners must be paid an allowance as specified in the Programme Specification L23 to L28.</p> <p><b>Evidence requirements</b>  You are required to make training allowance payments direct to the learner. You must maintain a record of all payments to the learner. For payments by cash or cheque, a receipt authenticated by the learner should be held in addition to evidence of attendance. Where learners are paid by BACS, an attendance record authenticated by the learner and authorised by you must be completed. This attendance record may then be used as the basis to create a BACS payment. You will need to retain the BACS reports to demonstrate that payment has been made.</p>	<p>L23 to L28  also  SUPPORT COSTS GUIDANCE</p>
<p><b>Childcare Funding (non-employed lone parents only)</b>  <i>For further details, Part 8 of the Programme Specification and Guidance notes</i></p> <p><b>Traineeships</b>  You must hold: to</p> <ul style="list-style-type: none"> <li>• a fully completed application form;</li> <li>• a copy of the child's birth certificate;</li> <li>• evidence that a check has taken place to confirm that the childcare provider is registered with the Care and Social Services Inspectorate Wales (CSSIW) or has been approved by an accredited organisation's Quality Assurance Scheme (a print screen or printout would suffice);</li> <li>• copy of the letter confirming child benefit entitlement or their Tax Credit Award Notification (TC602 (SN));</li> <li>• all original invoices received in respect of the childcare;</li> <li>• attendance records to confirm the learner was in learning for the periods covered by the childcare funding.</li> </ul>	<p>L33 also  SUPPORT COSTS GUIDANCE</p>
<p><b>Additional Learning Support (ALS) Funding</b>  <i>For further details, please refer to Part 8 of the Programme Specification and Guidance notes</i></p>	<p>E4 &amp; E5</p>
<p>ALS support is available for learners with Additional Learning Needs which:</p> <ol style="list-style-type: none"> <li>i. arise from a learning difficulty and/or disability;</li> <li>ii. is over and above that provided for in a learning programme; and</li> <li>iii. is necessary to enable the individual learner to achieve.</li> </ol> <p>Support does not include learners with support needs arising from a functional literacy or numeracy difficulty (i.e. essential skills) or learners for whom English (or Welsh) is a second language.  Any ALS support must be recorded on the ILP.</p>	<p>L35 &amp; L36  SUPPORT COSTS GUIDANCE</p>

The evidence to be retained by you to support Additional Learning Support funding is set out in the document 2015/19 WBL Support Costs Guidance.

## F. Jobs Growth Wales (Private Sector only)

This section is to provide guidance and clarity to the Work Based Learning (WBL) Managing Agents, contracted to deliver the Jobs Growth Wales [JGW] programme via the WBL tender.

### JGW Forms/Documentation

The following forms have been designed by the Welsh Government for use by you in the delivery of the JGW Programme.

- *JGW1 Employer Application Form*
- *JGW2 - Participant Registration Form*
- *JGW 3 – Mentoring Form*
- *JGW 4a – Destination Form*
- *JGW 5 – Direct Progressions Letter*

### Other documentation required to be held on file by you:

- Evidence of health and safety appraising; in accordance with the Welsh Government Health and Safety Code of Practice for contracted provision;
- Evidence to confirm validity of the Employer Liability Insurance
- Expression of Interest Form
- Employer Application form
- Participant Application form
- Copy of the Jobcentre Plus or Careers Wales Referral letter
- Copy of participant's job description;
- Copy of participant's signed and dated contract of employment and if applicable evidence of any changes to employment contract made during the 26 week opportunity
- Evidence of participant's attendance i.e. timesheets;
- Evidence to support the participant's last working day i.e. timesheets
- Evidence to support National Minimum Wage is being paid to participants: i.e. payslips, Employer payroll records;
- Evidence of participant's sickness record;
- Evidence to support the ESF evidence requirements as follows: (see Guidance notes, Page 88)



- participant's legal right to live and work in the UK at the time of commencing the programme,
  - participant's highest qualification held on entry to programme (Note: applicable for Graduate JGW opportunity only to evidence the relevant degree or equivalent qualifications required.)
  - participant's unemployed status at the time of commencing the programme, (JCP or CW referral only)
  - participant's age at the time of commencing the programme;
  - participant's home address,
  - participant's Immediate destination,
- Evidence of employer's payments to participants i.e. wage slip;
  - Evidence of payment by you to Employers; and
  - Evidence to confirm the accuracy of the data submitted by you for each participant to the JGW secure on line data collection;
  - Evidence to support the efforts made by you to contact the participant and/or the employer if they are unable to get hold of them within 7 days of their agreed mentoring session. (See JGW Specification Section O, "Participant Support")
  - Evidence of letter sent by you to employers and/or participants where monthly mentoring contact could not be made;
  - Evidence to support destination (see JGW Specification Section P, "Exit Arrangements for types of acceptable evidence).
  - (Where applicable) Evidence from the employer of notice in writing of the intention to terminate the participant's employment contact and the reasons why.

## Evidence requirements to support funding

The following documentation must be fully completed and retained on file for audit to support funding.

### A: Start up Fee

The initial fee cannot be claimed by you until the position is reported as filled on the Jobs Growth Wales Live system and will be paid when a participant commences in a placement.

<b>A: Start Up Fee</b> Evidence required to support the payment of the start up fee by you is :	<b>Prog Spec Ref</b>
<ul style="list-style-type: none"> <li> <b>JGW1 Employer Application Form:</b> must be fully completed by every employer for every vacancy. If an employer subsequently identifies an additional vacancy after the first application, another JGW1 must be completed by the employer and submitted with the new vacancy details. Contractors are responsible for ensuring the employer has met the required sustainability rates before allowing applications for additional vacancies to be advertised.                     </li> </ul>	N15, P39
<p>With the exception of direct progressions - Contractors should hold evidence that employers recruited to the programme have been approved by Welsh Government through the Jobs Growth Wales Expression of Interest (EOI).</p>	P4
<p>All vacancies must be included on the Jobs Growth Wales Live website, hosted by Careers Wales. The JGW team will then review the details and approve / query or clarify / reject the vacancy prior to the vacancy going live on the system and recruitment process commencing.</p>	P4, P14, P19
<p><u>Employer State Aid Eligibility:</u>                      The Jobs Growth Wales programme is operating under State Aid regulations and as such the employer must choose which one of the following applies to the their business:</p> <p><b>GBER</b> (General Block Exemption Regulation): If an employer has exceeded the de minimis State Aid limit, they can participate in the programme under the General Block Exemptions Regulation (GBER) but they will only be entitled to claim 50% of the wage reimbursement appropriate to the national minimum rate. However GBER is aimed at specific disadvantaged target groups. If the participant is either:</p> <ul style="list-style-type: none"> <li>Is 6 months out of regular work; or</li> <li>Has not yet reached a level 3 qualification; or</li> <li>Is a lone parent; or</li> <li>Is a member of an ethnic minority within a Member State requiring the development of linguistic, vocational training or work</li> </ul>	N24 to N27

<b>A: Start Up Fee</b> Evidence required to support the payment of the start up fee by you is :	<b>Prog Spec Ref</b>
<p>experience to enhance the prospect of gaining stable employment.</p> <p><b>De minimis</b> declaration: The amount of funding you provide to the employer under the JGW programme will be included in any cumulative amount of <i>de minimis</i> State Aid received by the employer. EU rules require that the amount of cumulative <i>de minimis</i> state aid is limited to €200,000 (€100,000 for undertakings in the road transport sector) from all sources combined during any three financial year's period. You will need to be satisfied that the amount offered under JGW will not result in the employer exceeding this ceiling. All employers must therefore declare the amount of <i>de minimis</i> State Aid received in the past 3 three years. Where the employer has already received <i>de minimis</i> State Aid up to the ceiling or where the amount fundable under JGW will exceed the ceiling, the employer is <u>not</u> eligible for JGW support.</p> <p>The employer should include full details of any <i>de minimis</i> support including the organisation granting the aid, the dates paid and amount(s). Typically this might be grant/financial or non-grant/non-financial <i>de minimis</i> support - usually from central or local government or other public bodies.</p> <p>If the employer is active in the coal sector you cannot use the <i>de minimis</i> aid system.</p>	
<ul style="list-style-type: none"> <li>• <b>JGW2 - Participant Registration Form:</b> must be fully completed by every participant on the programme. Eligibility should be established by you on recruitment to the programme. The form must be completed by the participant and your organisation on the first day the participant attends the programme to provide evidence of eligibility.</li> <li>• <b>WEFO New Data and Evidence Requirements</b></li> </ul> <p>From the 1 January 2015 all new participants must provide evidence of eligibility in line with the most recent WEFO Data and Evidence Requirements. Providers must keep a copy of this evidence on participant's file for review by PAG's team.</p> <p><i>See Guidance Notes - Page 88 onwards for examples of acceptable documentation.</i></p> <p>Note: Updates to the WEFO Data and Evidence Requirements are issued regularly through Ask WBL providers should ensure they are they are aware of latest guidance.</p> <ul style="list-style-type: none"> <li>➤ <b>Evidence of Legal right to live and work in the UK;</b></li> <li>➤ <b>Evidence of unemployed status;</b></li> </ul> <p>Please note regardless of list of WEFO acceptable evidence detailed in the Guidance notes section, for JGW participants the only acceptable documentation to evidence unemployed</p>	<p>N9, N13 &amp; N36</p> <p>Section AA Programme Spec</p>

<b>A: Start Up Fee</b> Evidence required to support the payment of the start up fee by you is :	<b>Prog Spec Ref</b>
<p>status is the Referral letter/confirmation from DWP/Jobcentre plus or Careers Wales.</p> <ul style="list-style-type: none"> <li>➤ <b>Evidence of highest qualifications held on entry;</b> Please note this is only applicable for Graduate JGW opportunity to evidence the relevant degree or equivalent qualifications required. Original documents must be sighted, copies of which must be authenticated as 'I certify that this is a true copy'.</li> <li>➤ <b>Evidence of Age.</b></li> <li>➤ <b>Evidence of Address.</b></li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Copy of the participant's contract of employment</b> which notifies in writing their terms and conditions of employment upon starting the programme.</li> </ul>	O1
<ul style="list-style-type: none"> <li>• <b>Copy of participant's job description</b> which should outline their job role clearly and specifically. Furthermore, they must be notified in writing, of any subsequent changes to their terms and conditions of employment or job duties.</li> <li>• Evidence to confirm the <b>accuracy</b> of the <b>data</b> submitted by you for each participant to the JGW secure on line data collection point.</li> <li>• Evidence that <b>health and safety appraising</b> has taken place prior to the participant being placed with the employer.</li> </ul>	N3 & O1  P24 to P28  P54 to P56

## B: Monthly Administration Fee:

You must have evidence to confirm that the participant remains active within the programme to support funding for the subsequent 5 months.

<b>B: Monthly Administration Fee</b> Evidence required to support the payment of the monthly administration fee by you is:	<b>Prog Spec Ref</b>
<ul style="list-style-type: none"> <li>• <b>JGW3 – Mentoring Form:</b> as a minimum this must be completed on a monthly basis for all participants to provide evidence of mentoring support for the duration of their time on the programme. You <u>must</u> contact the participant and the employer/line manager, and you should ensure that a suitable method of communication is agreed at the outset. Where a contractor has been unable to contact the participant or the Line manager/employer within 7 days of the agreed date they must provide evidence they have written to them requesting they make immediate contact.</li> </ul>	O13 to O21 & P39
<ul style="list-style-type: none"> <li>• Evidence to support participant’s ongoing <b>attendance</b> on the programme. You must have appropriate procedures in place with the employer to monitor the participant’s attendance at their job opportunity. The employer must be able to provide evidence to you demonstrating that the participant has attended for the appropriate number of hours each week and you must maintain an accurate record of this attendance from the employer to support funding. Where the employer cannot provide satisfactory evidence of attendance, authorised absence and/or payment the participant can no longer be supported or funded under the JGW programme and should be terminated from the programme.</li> </ul>	O4 to O6 & P39
<ul style="list-style-type: none"> <li>• Evidence of the efforts made by you to <b>contact</b> the participant and/or the employer. If a contractor is unable to contact a participant and/or the employer within 7 days of their agreed mentoring session they must document the efforts made to contact them. This includes evidence of letters, emails sent by you to employers and/or participants where contact could not be made.</li> </ul>	O15 & O20
<ul style="list-style-type: none"> <li>• Evidence to confirm all periods of <b>sickness absence</b>. This should include any self certification by the participant for periods of sickness absence up to 7 days. For sickness absences over 7 days a Med 3 (fit/unfit for work certificate) must be available. You are required to report the number of sick days a Participant takes on a monthly basis. The Welsh Government will not reimburse costs after the 26 weeks of funding has ended You should note that the Welsh Government will not reimburse costs relating to any sickness absence by the participant unless the employers usual terms and conditions pay the participant’s full rate of pay during these periods of absence (as identified in the participant’s contract of employment). The Welsh Government will not reimburse Statutory Sick Pay.</li> </ul>	O5, P32 & P33

<b>B: Monthly Administration Fee</b> Evidence required to support the payment of the monthly administration fee by you is:	<b>Prog Spec Ref</b>
<ul style="list-style-type: none"> <li>• Evidence to confirm <b>payment to the participant by the employer</b>. This must be copies of payslips from the employer to the participant that meet HMRC requirements (as a minimum this should record gross and net amounts payable together with all fixed deductions and include sickness absences). It is not sufficient to hold evidence of the net amount paid to each participant.</li> <li>• Evidence to confirm <b>payment by you to the Employer</b>. This must include invoices/claims from the employer to you. Payments will only be reimbursed against evidence for actual payments made in respect of the participant's employment. For funding purposes participants must attend between 25 and 40 hours (including statutory breaks) in <u>any</u> 7-day period and the employer must declare from the outset of the participant's employment on the programme the fixed number of hours of attendance per week. This must remain in place for the 26 weeks and once agreed cannot be changed. The data management system will cap payments at the value declared. The Welsh Government will not reimburse costs where attendance is in excess of the number of contracted hours specified in the contract of employment and <b>will only</b> reimburse costs against the NMW.</li> </ul>	O2 P6 & P39  O2, P30 to P39
<ul style="list-style-type: none"> <li>• Evidence to support the participant's <b>last working day</b> of attendance on the programme. There must be an attendance record authenticated by the participant and a representative of the employer confirming the last day attended. The participant must be removed from the programme with effect from the last working day for which there is evidence of attendance (this includes when a participant stops attending work, completes the programme or resigns).</li> </ul>	O6 to O8, P22 & P39
<ul style="list-style-type: none"> <li>• Evidence of employer intention to <b>terminate the participant's contract</b>. Where applicable, if the employer for whatever reason decides to terminate the participant's contract before the end of the 26 week period, the employer must provide the contractor with notice in writing of the intention to terminate the participants' employment contact and the reasons why.</li> </ul>	O7, O8 & O11



<p>the offer of an apprenticeship (Foundation Apprenticeship, Apprenticeship or Higher Apprenticeship). The offer must not be a conditional offer.</p> <p>➤ <b>For further learning</b> this must include a confirmation letter (or copy) <b>or</b> e-mail from the institution confirming the offer of a place. The offer must not be a conditional offer.</p> <ul style="list-style-type: none"><li>• Note: Where a positive progression has not been achieved the employer could be deemed ineligible for further access to the programme.</li></ul>	
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**G. Employability Skills Programme (ESP) for unemployed adults and offenders in the community from 12th September 2016.**

Entry Payment – New Starts – Unemployed adults	Prog Spec Ref
<p><b>Before submitting any data to the Data Management System in respect of a new start the following evidence must be held:</b></p> <ul style="list-style-type: none"> <li>• A fully completed and signed eligibility form (ESP1 Form). NB: If eligibility is checked in advance of commencement to the programme eligibility should be reconfirmed on start date as circumstances can and do change.</li> <li>• An authenticated referral letter from the JCP Work Coach addressed to the individual, confirming eligibility for the ESP programme and the individuals benefit status. NB: A standardised referral letter has been agreed between WG and DWP PAGES will only accept this version. NB: The referral should be authenticated on or before the start date.</li> <li>• A fully completed Individual Employability Plan (IEP) authenticated by you and the individual. (ESP2 Form) NB: The individual IEP must be updated throughout the duration of the ESP programme to record all activities undertaken and the start and end dates and any changes to activities agreed must be recorded on the IEP and agreed with the individual.</li> <li>• For all individuals, evidence of the essential skills initial assessment using the Welsh Government approved assessment tool - Wales Essential Skills toolkit (WEST).</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>• if an individual is accessing the ESP programme more than once the above eligibility criteria must be reconfirmed prior to their start date and new eligibility forms must be completed.</li> </ul>	<p>M7, M8 &amp; M24</p> <p>M14, M23</p> <p>M4, M29</p> <p>M28, M44</p> <p>M15</p>

Entry Payment – New Starts – Offenders in the Community NB Offenders in the community are only eligible for the essential skills element of the ESP programme.	Prog Spec Ref
<p><b>Before submitting any data to the Data Management System in respect of a new start the following evidence must be held:</b></p> <ul style="list-style-type: none"> <li>• A fully completed and authenticated eligibility form (ESP1 form). NB: If eligibility is checked in advance of commencement to the programme eligibility should be reconfirmed on start date as circumstances can and do change.</li> <li>• An authenticated referral letter from the National Probation Service (NPS)/ Wales Community Rehabilitation Company (CRC) confirming eligibility for the ESP programme. NB: The referral should be authenticated on or before the start date.</li> <li>• A fully completed Individual Employability Plan (IEP) authenticated by you and the individual. (ESP2 Form) NB: The individual IEP must be updated throughout the duration of the ESP programme to record all activities undertaken and the start and end dates.</li> </ul>	<p>M7</p> <p>M16</p> <p>M4, M29</p> <p>M28, M44</p>

<b>Entry Payment – New Starts – Offenders in the Community</b> <b>NB Offenders in the community are only eligible for the essential skills element of the ESP programme.</b>	<b>Prog Spec Ref</b>
<ul style="list-style-type: none"> <li>For all individuals, evidence of the essential skills initial assessment using the Welsh Government approved assessment tool - Wales Essential Skills toolkit (WEST).</li> </ul>	
<p>Notes:</p> <ul style="list-style-type: none"> <li>if an individual is accessing the ESP programme more than once the above eligibility criteria must be reconfirmed on start and new eligibility forms must be completed.</li> </ul>	M15

<b>Assessment and Review Payments</b>	<b>Prog Spec Ref</b>
<p>Reviews should be documented on the ESP2 form using the sections provided.</p> <p>For new starts:</p> <ul style="list-style-type: none"> <li>A fully completed IEP (ESP2) and a forward plan of learning will evidence the monthly payment until the planned date of the first review.</li> </ul> <p>The evidence to be retained by you to support the monthly assessment and review will be:</p> <ul style="list-style-type: none"> <li>A progress review that is took place in the month that demonstrates the progress made since the last review and a forward plan of learning. The review should be authenticated by the individual and you and where applicable the work placement employer.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>Progress reviews should be carried out at least once every 31 days. Where it is identified that reviews are regularly being completed outside the contractual frequency, this will be reported. There may be genuine reasons why a planned review cannot be undertaken. In such circumstances, the reasons should be documented and a new review date should be arranged as soon as possible. In such circumstances, a small number of days over the 31 days would be acceptable. However, it is expected that late reviews would be a rare occurrence. Persistent and / or repeated late reviews will be reported and will result in funding being recovered.</li> <li>Should a late review occur, attendance records for courses or learning activities recorded in the individuals IEP will also be accepted to evidence 'in-learning'. PAGS may also accept other evidence that demonstrates that the individual was in learning during the month(s) in question. For example, assessment records authenticated by the individual or centre based attendance records in respect of individuals on day / block release. This additional evidence does not preclude the requirement to complete reviews to the minimum frequency of at least once every 31 days.</li> </ul>	<p>M46 to M48</p> <p>M46</p>

<b>Guided Contact Hours (GCH) – Centre Based and Work Based Delivery</b>	<b>Prog Spec Ref</b>
An individual's time on the ESP programme should last up to a maximum of six months. The length of time on the planned programme should be tailored by you	M33 to M42

<p>to reflect the needs of the individual and should be designed to ensure all individuals get substantial work experience and training.</p> <p>GCH must be recorded and evidenced for all ESP activities. All payments are based on the number of GCH recorded for 'Centre based provision' and the number of GCH recorded for 'Work Based Support &amp; Assessment'. The following evidence must be held:</p> <ul style="list-style-type: none"> <li>GCH should be recorded and evidenced on attendance records or timesheets, for each activity and the hours will need to be shown separately for Centre Based Provision and Work Based Support &amp; Assessment as appropriate. Some activities may use both methods of delivery; some activities may be delivered using one method only. You are able to design your own method of recording and evidencing GCH.</li> <li>Absence – If an individual fails to attend any Centre Based Provision and/or Work Based Support &amp; Assessment then these absences should be recorded on the attendance records or timesheets and GCH should be recorded on the data management system as zero. NB; Pre-authorized absence can only be granted to individuals if it has already been approved by JCP. You may not approve any absence.</li> </ul>	<p>M25, M7</p> <p>M25</p>
<p>Notes:</p> <ul style="list-style-type: none"> <li>For individuals claiming Job seekers allowance participation in the programme is restricted to a maximum of 16 hours per week for centre based activity.</li> <li>For individuals claiming Universal Credit participation in the programme for both centre based activity and work placement is restricted to 30 hours per week.</li> <li>For unemployed individuals a high quality work placement is expected to last between 120-240 work based hours over the maximum six month programme duration. Multiple shorter placements can be offered but these should not exceed the maximum of 240 hours over the sixth month placement.</li> <li>For offenders in the community as they are only eligible for the essential skills element of the ESP programme GCH will be recorded as centre based only, unless written approval has been sought from the Welsh Government for an individual to attend training at alternative venues.</li> </ul>	

<b>Work Placement – Unemployed adults only</b>	<b>Prog Spec Ref</b>
<p>NB: Work placements are not applicable for offenders in the community and those on job seekers allowance as their time on the programme should be centre based only.</p> <p>If it is agreed as part of the IEP that the individual would benefit from a high quality work placement the following evidence must be held:</p> <ul style="list-style-type: none"> <li>A copy of the written agreement made between the individual, the employer and the provider which sets out the mutual expectations and commitments and which includes the induction process, clear objectives and a timetable for regular reviews. (ESP3 Form)</li> </ul>	<p>M33 to M35</p> <p>M34</p> <p>M34</p>

<ul style="list-style-type: none"> <li>Evidence from the employer that the individual had a real Job interview or feedback reflecting on their time spent on the work placement.</li> </ul>	
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<b>Welsh Medium And Bilingual Delivery Uplift</b>	<b>Prog Spec Ref</b>
<p>The evidence requirements for the Welsh Medium and Bilingual Medium uplifts are as follows: (based on the data recorded in the Data Management System.</p> <ul style="list-style-type: none"> <li>You should also ensure that evidence to support learning in Welsh is recorded as part of the individual's IEP.</li> <li>You should note that to be eligible for this uplift at least 50 percent of the learning materials (including notes, PowerPoint presentations, teaching books, and hand-outs) must be in Welsh.</li> </ul>	Section V: Welsh Language Requirements

<b>Outcome Payment</b>	<b>Prog Spec Ref</b>
<p>The expectation is that providers will secure a minimum progression rate into employment of 55%. For offenders in the community the expectation is that 50% of all leavers achieve qualification/units of qualifications.</p> <p>Providers are also expected to increase individuals' level of essential skills competence up to level 2 where appropriate.</p>	M49 to M51
<p>The evidence requirements to support an outcome payment are as follows.</p> <ul style="list-style-type: none"> <li>A fully completed destination form (ESP4 Form) authenticated by the individual and you and where applicable the employer.</li> <li>Evidence of progression into employment is via a valid payslip dated after the end date on the programme and up to 8 weeks after completion of the programme.</li> <li>Evidence of self-employment needs to be provided e.g. copy of the individual's registration with HMRC as self-employed dated after the end date on the programme.</li> </ul>	M51  M51  M51
<p>Notes:</p> <ul style="list-style-type: none"> <li>An outcome payment will only be paid when the individual has successfully achieved a job outcome and this is recorded on the data management system when four weeks employment has been reached.</li> <li>A job outcome is a minimum of 16 contracted hours work per week and is paid employment; this may be comprised of more than one contract of employment so long as the minimum number of paid hours of employment totals 16 hours per week.</li> <li>Zero hour contracts are not acceptable.</li> <li>Only one job outcome per individual is accepted.</li> </ul>	

<b>In work Coaching – Support</b>	<b>Prog Spec Ref</b>
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<p>To support individuals to sustain employment, providers may offer in work coaching from week one of employment up to a maximum of 3 months. A positive destination must be entered in the Data Management System in order to be eligible for the in work coaching strand of the programme.</p>	<p>M52 to M55</p>
<p>The following evidence must be held:</p> <ul style="list-style-type: none"> <li>• Evidence of a written agreement to the coaching support, in the form of a “Coaching contract” authenticated by the provider, employer and individual and includes; the parameters of the agreement; the support provided including face to face support; and the frequency and preferred means of communication for the agreed coaching.</li> </ul>	<p>M53</p>
<ul style="list-style-type: none"> <li>• A record of the date and brief outline of the coaching activity and the agreed support provided authenticated by you and the individual. (ESP5)</li> </ul>	<p>M54</p>

Leavers and Early Leavers	Prog Spec Ref
<p>You are required to have in place appropriate procedures to monitor an individuals' attendance during the 6 month period on the programme.</p> <ul style="list-style-type: none"> <li>• The actual leave date (early or full completion) should be the last date that there is evidence of the individual 'in-learning'. This is supported via a timesheet or attendance record, and a fully completed review within the last 31 days.</li> <li>• The leave date must be recorded on the IEP and should be supported by a fully completed destination form (ESP4 Form) authenticated by the individual and you and where applicable the employer.</li> </ul>	<p>M46</p> <p>M25</p> <p>M51</p>
<p>Notes:</p> <ul style="list-style-type: none"> <li>• Pre-authorised absence can only be granted to individuals if it has already been approved by JCP. You may not approve any absence.</li> <li>• Where an individual fails to attend centre based and/or work based training, you are required to take all reasonable steps to encourage them to return to the programme. Where you cannot provide evidence of continued learning or work placement, the individual shall be terminated and referred back to JCP.</li> <li>• The Provider must update the relevant fields of the Data Management system with the leave date.</li> </ul>	

## Employability Skills Programme (ESP) - Support Costs

<b>Travel Support Costs - unemployed individuals and offenders in the community. NB: Refer to the WBL Support Cost Guidance for information relating to the maximum levels of available support.</b>	<b>Prog Spec Ref</b>
<p>All individuals, including those on the Offender programme, that are not employed may be eligible to receive a contribution towards travel costs. For those individuals on the ESP Programme the full cost of all reasonable travel expenses will be reimbursed.</p> <p>Individuals may claim all necessary reasonable travelling expenses incurred in connection with travel to and from their place(s) of learning.</p> <p>The evidence you are required to have to support payments to individuals for travel costs are as follows:</p> <ul style="list-style-type: none"> <li>• Regular travel claims – you must retain receipts to support all travel costs incurred i.e. bus or train tickets. Without a receipt travel costs cannot be reimbursed by you to an individual.</li> <li>• Own vehicle – evidence to establish the correct mileage claimable. You should hold evidence that the payments made to the individual have not exceeded the maximum of 25p per mile. The individual must state the details of the journey(s) and records should be maintained by you to evidence that mileage claims are only being made for journeys to and from the individual's home to the place of study and/or work placement;</li> <li>• All other travel payments – evidence to establish the eligibility of the claim. Providing this evidence is held, you can certify payments on a weekly, fortnightly or monthly summary, depending on your internal control system.</li> <li>• You must retain individual attendance records/time sheets and a record of all payments made to the individual. For payments made by cash or cheque, a receipt signed and dated by the individual confirming the payment must also be held. Where individuals are paid by BACS you will need to retain the BACS reports to demonstrate that payment has been made.</li> </ul>	<p>Part 6 – Support Costs Guidance</p>
<b>Childcare Support Costs - unemployed individuals NB: Refer to the WBL Support Cost Guidance for information relating to the maximum levels of available support.</b>	<b>Prog Spec Ref</b>
<p>The evidence requirements to support childcare support payments are as follows:</p> <p>You must hold:</p> <ul style="list-style-type: none"> <li>• a fully completed application form;</li> <li>• a copy of the child's birth certificate;</li> <li>• evidence that a check has taken place to confirm that the childcare provider is registered with the Care and Social Services Inspectorate Wales (CSSIW) or that the childcare provider is approved by the Family Information Services in Wales (a print screen or printout would suffice);</li> <li>• copy of the letter confirming child benefit entitlement or their Tax Credit Award Notification (TCAN);</li> <li>• all original invoices received in respect of the childcare; and</li> <li>• attendance records to confirm the individual was in learning for the periods covered by the childcare funding.</li> </ul>	<p>Part 6 – Support Costs Guidance</p>

## Annex A: Guide for Confirmation of Learner Eligibility – Apprenticeships

Please see Guide for Confirmation of Learner Eligibility – Apprenticeships at:

Welsh

[https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?\\_ga=2.27709756.1616631507.1558594883-1561503714.1554888891](https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?_ga=2.27709756.1616631507.1558594883-1561503714.1554888891)

English

<https://gov.wales/work-based-learning-wbl-forms>

*Please note: These documents are intended as a guide only. It is the responsibility of the provider to ensure that they have robust processes in place to collect the relevant data to confirm learner eligibility.*



## Annex B: Guide for Confirmation of Learner Eligibility – Traineeships

Please see Example of Confirmation of Learner Eligibility – Traineeships at:

Welsh

[https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?\\_ga=2.27709756.1616631507.1558594883-1561503714.1554888891](https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?_ga=2.27709756.1616631507.1558594883-1561503714.1554888891)

English

<https://gov.wales/work-based-learning-wbl-forms>

*Please note: These documents are intended as a guide only. It is the responsibility of the provider to ensure that they have robust processes in place to collect the relevant data to confirm learner eligibility.*

## Annex C: Guided Contact Hours – Further information & evidence

### 1. Traineeship Guided Contact Hours (GCH)

- 1.1 GCH should include only time when a member of your staff (or a staff member from a sub-contracted organisation when that applies) is present to give specific guidance towards learning. It may include lectures, tutorials and supervised study in, for example, 'open learning centres', libraries, learning workshops and in the workplace. For Traineeship learners on work tasters or placements, all hours can be counted.
- 1.2 It does not include hours where supervision or assistance is of a general nature and is not specific to the study or training of the learner.
- 1.3 Unauthorised absences should not be included in the GCH figure evidenced.
- 1.4 Authorised absence can be included in the GCH figure e.g. dental & hospital appointments and centre / placement closure due to snow etc.
- 1.5 Payments are based on GCH and therefore must be evidenced. You are required to provide your best estimate of GCH at commencement of the programme for Work Based GCH and for Centre Based GCH. Once the programme is completed, you are required to complete actual GCH delivered for Work Based GCH and for Centre Based GCH

### 2. Guidance for the completion of GCH:

- 2.1 When a learner commences a learning programme, the guided contact hours entered into the Lifelong Learning Wales Record (LLWR) should be your best estimate of the number of GCH that you will spend with the learner during the expected time to complete the programme.
- 2.2 There is a requirement to separately record the expected guided contact hours undertaken within centre based (LP69) and work based (LP70).
- 2.3 Work Based GCH hours should include only those hours where the learner is in the workplace as part of their Traineeship programme. This includes time spent in the workplace either undertaking voluntary work, work experience or on a work placement. It also includes any contact time in the workplace with staff assessing the learners' progress or achievements, for example, in the assessment of competence.
- 2.4 Centre Based GCH should include only those hours when a member of your staff (or a staff member for a sub-contracted organisation when that applies) is present to give specific guidance towards the learning programme. It may include lectures, tutorials and supervised study in, for example, 'open learning centres', libraries, learning workshops and in the workplace. This will typically be when the learner is centre based but may include other activities which take place outside the learning centre. This could include, for example, time spent on educational visits, community projects, or in learning workshops in support of a learning activity. It could also include group based delivery in the workplace.
- 2.5 Centre Based Guided Contact Hours does not include work place contact time with staff assessing the learners' achievements, for example, in the assessment of competence, as this should be recorded as work based.

2.6 Your expected hours should be as accurate as possible and should be adjusted during delivery of the activity where it appears that the recorded GCH has been over or under estimated.

**3. Guidance for the completion of Actual GCH:**

3.1 Once the learner completes the programme, the actual cumulative total of GCH evidenced within the centre and work based should be submitted to the LLWR (fields LP71 and LP72 respectively).

**Evidencing Guided Contact Hours (GCH)  
Traineeships Programmes only**

There is no need to record hours at an activity level, GCH only needs to be recorded at a programme level.

This form is for an example only and you are free to develop your own evidence basis for Traineeship learners providing you clearly identify Centre Based and Work Based Hours separately.

Number of Guided Contact Hours (GCH)	Learner name Learning Programme Programme start date	
	Centre Based	Work Based
GCH b/f from previous review.		
GCH undertaken since last review.		
Total GCH to date c/f to next review.		

## Annex D: Learner Reviews

### 1. Learner Progress Reviews

- 1.1 The learner's progress review is the main method of monitoring and maintaining progress towards completion of the ILP.
- 1.2 You will need to review each learner's progress as frequently as necessary. As a minimum, learners on apprenticeship programmes shall have their progress reviewed once every 61 days following the start of learning / previous review. For learners on Traineeships / programmes, the learners shall have their progress reviewed once every 31 days. This measurement should be applied from the start date and thereafter from the date of the last review undertaken.
- 1.3 Late reviews - Where it is identified that reviews are regularly being completed outside the contractual frequency, this will be reported. There may be genuine reasons why a planned review cannot be undertaken. In such circumstances, the reasons should be documented and a new review date should be arranged as soon as possible. In such circumstances, a small number of days over the 61 or 31 days would be acceptable and would not be reported. However, it is expected that late reviews would be a rare occurrence. Persistent and / or repeated late reviews will be reported and will result in funding being recovered.

Should a late review occur, attendance records for courses or learning activities recorded in the learner's ILP will also be accepted to evidence 'in-learning'. PAGS may also accept other evidence that demonstrates that the learner was in learning during the month(s) in question. For example, assessment records authenticated by the learner or college attendance records in respect of learners on day / block release. This additional evidence does not preclude the requirement to complete reviews to the minimum frequency of at least once every 31 days.

- 1.4 You shall ensure that the progress review:
  - shall be conducted in an appropriate environment, away from the pressures of the workplace;
  - shall allow sufficient time for proper discussion; and
  - shall involve the learner, the learning provider and (where applicable) the work placement provider / employer in person or virtually
- 1.5 A review shall include:
  - actions agreed at the previous meeting;
  - progress towards achieving the individual learning plan;
  - assessments undertaken;
  - progress towards qualifications;
  - identification of any obstacles to completing the programme;
  - agreed forward plan of learning for the period to the next review; and
  - any agreed amendments to the individual learning plan.
- 1.6 Where the learner requests the presence of their learning coach at a review, it is considered good practice that the learning coach authentication is also captured as part of the review process.

- 1.7 The record of the review shall include confirmation that the progress review took place by means of a authentication by the learner, the Provider and where applicable, the work placement provider.
- 1.8 Records of the review should be in a format that helps the review meeting to be effective. A record should:
- include space to record progress and list actions;
  - show clear progression from one review record to the next in terms of actions agreed and follow up; and
  - include comments from the learner, work placement provider / employer (where applicable) and learning provider (each receiving a copy of the review for reference).

## Annex E: Traineeship Destinations

### 1. Performance Thresholds

- 1.1 You must ensure that LP79 accurately records the learner destination and it should not be completed until the evidence is available to support the code. If at a later date you become aware that a progression did not occur you must amend your data accordingly.
- 1.2 Performance thresholds for the Traineeships programme are published at <https://gov.wales/learner-outcome-measures-further-education-work-based-learning-and-adult-community-learning> under Learner Outcomes.
- 1.3 LLWR field LP42 will be required for Traineeship learners who left up to and including 31 December 2014. After this date it will be an optional field for Traineeships and you can complete if you wish to follow up with learners after the four week window.

### 2. Definition of a positive measurable progression for Traineeships

- 2.1 For the Traineeship programmes a positive measurable progression is deemed as a progression into further learning **at a higher level**, employment, voluntary work or self-employment and the start date must be within four weeks of the learner leaving the programme.

#### *Further learning at a higher level*

- 2.2 A positive measurable progression into further learning at a higher level must be for **16 hours or more per week**.
- 2.3 A positive measurable progression onto a further/higher education course must lead to an approved qualification at a **higher level** which must be **accredited** within the Credit and Qualifications Framework for Wales (CQFW).
- 2.4 A positive measurable progression within work-based learning is deemed as progression onto a programme such as Foundation Apprenticeship. It also includes progression to a **higher level programme** within the Traineeship programmes i.e. Engagement Traineeship to Traineeship Level 1. You should however, note a transfer from a Traineeship Level 1 to Bridge-to-Employment will not constitute a progression into further learning at a higher level. When learners transfer from a Traineeship Level 1 to Bridge-to-Employment code 12 or 13 will need to be completed for LLWR field LP41 and code 16 in LP79; these learners will then be excluded from the calculation for positive progressions for Traineeships Level 1.

#### *Employment/voluntary work*

- 2.5 A positive measurable progression into employment or voluntary work must be for **16 hours or more per week**. If a learner with learning difficulties and/or disabilities is progressing into supported employment the 16 hours does not apply.
- 2.6 If a learner has entered employment but the minimum requirements for a positive measurable progression has not been met code 22 Employed (Part-time) should be entered in LP79. This will not be regarded as a positive measurable progression and therefore you will not be required to provide supporting evidence.

- 2.7 Voluntary work has been included as a positive measurable progression but this is under review as a positive progression.

### 3. Performance measure for Traineeship progressions

- 3.1 You must ensure that LLWR field LP79 accurately records the learner destination as this will be used to measure Traineeship positive progressions for the Learner Outcomes Report (LOR). The measure for positive progressions is based on a learner's 'actual destination' within four weeks of leaving the programme.

- 3.2 The following codes will be **included** in the calculation for positive progression for learners:

13 Voluntary work

15 Progressed to learning with a higher level learning aim (other than higher education) at the same provider or another provider

18 Self-employed (including setting up own business)

19 Progressed to higher education (QCF4 or equivalent, or higher), at the same provider or another provider

21 Employed (full-time)

- 3.3 The following codes will be **excluded** from any calculations for the Traineeship destinations:

20 Other (this code must only be used for the following: long term sickness; pregnancy; death; custodial sentence or remand in custody; or the learner has moved out of Wales). **Evidence must be held by you to support these codes; examples of evidence are attached at paragraph 6**

- 3.4 The following codes will be regarded as 'negative' progressions (i.e. the learner will be counted as a leaver who has not progressed):

09 Seeking work/unemployed

16 Further learning at the same level, at the same provider or another provider

22 Employed (part-time or short-term)

99 Not known

### 4. Evidence requirements

- 4.1 The Traineeship Learner Destination form has been produced to ensure consistency within the network on the evidencing of destinations. This form must be completed for all positive measurable progressions. In some cases further evidence is required to support the destination, please refer to the Traineeship Learner Destination form and Guidance for completion which identifies these requirements. **You should not update LP79 until the evidence is available to support the positive measurable progression.**



## 5. Audit of positive measurable progressions

- 5.1 LLWR field LP79 and supporting evidence (including the Learner Destination – Traineeship form) will be included in reviews undertaken by the Welsh Government’s Provider Assurance and Governance Service (PAGS).
- 5.2 PAGS may issue guidance on the minimum standards to ensure evidence is authentic and robust and this guidance may change from time to time.

## 6. Examples of evidence to support code 20

### ***Long term sickness***

- 6.1 You will need to have evidence available that the learner has left the programme due to long term sickness. Learners would have exhausted any eligible periods of authorised leave. You must hold MED 3 ‘fit/unfit notes’ as evidence.

### ***Pregnancy***

- 6.2 Pregnancy is not a reason in itself for the learner to leave a programme but can be a reason for not progressing. You will need to have evidence available that the learner has not been able to progress due to pregnancy. Examples of evidence include:

- an authenticated statement from the learner; or
- a review documenting the learner is not able to progress due to pregnancy

### ***Death***

- 6.3 This would have been recorded by you in LP41 (code5).

### ***Custodial sentence or remand in custody***

- 6.4 You will need to have a record of how you became aware that this was the reason for the learner leaving the programme.

### ***Moved out of Wales***

- 6.5 You will need to have evidence available that the learner has moved out of Wales and is not able to continue with learning funded by the Welsh Government. (This does not include moves within Wales; you should manage a transfer to another provider if you are unable to continue delivering the learning). Examples of evidence include:

- a statement by the learner confirming this is the case; or
- review documenting the learner is moving out of Wales and is unable to continue with his/her learning programme

- 6.6 If you have supporting evidence which is not identified within these Guidance Notes please e-mail [Post16Quality@gov.wales](mailto:Post16Quality@gov.wales) with the details and a response will be provided on whether the evidence is acceptable.

### 3. EUROPEAN FUNDING COMPLIANCE GUIDANCE

#### A. Introduction

- A1. Work Based Learning Programmes (WBL) are part funded through European Structural Funds (ESF) Programmes. This guidance contains the current requirements for WBL providers, in respect of ESF funding for contracts for 2015-2019.
- A2. Providers are required, as a part of their contract with the Welsh Government, to comply with the requirements of any European Funding awarded to support the programmes.
- A3. The compliance requirements apply to the contract holding organisations, consortium members and all subcontractors.

#### B. European Social Fund Publicity Requirements

##### Introduction

- B1. This section should be read in conjunction with the WEFO Information and Publicity Guidelines 2014-2020 which can be found at:

<https://gweddill.gov.wales/funding/eu-funds/2014-2020/wefo-guidance/publicity/?lang=en>

- B2. European Union rules relating to ESF projects require that proper regard is given to publicising the financial support from the ESF. This means that participants/ learners, delivery partners and the general public are made aware that the programmes are part funded through the ESF. The support must be acknowledged on programme paperwork, inside or outside buildings, and in any interaction with press, media or the general public. This section sets out the minimum publicity requirements of the funding programme.

##### Forms and Paperwork

- B3. Any forms (paper or electronic) that are used for collecting and/ or recording project information must have appropriate logos and/ or straplines that acknowledge the support from European Funds.

##### Use of ESF Logo and Publicity Statement

- B4. The following must include the ESF logo in colour:
- Websites/pages (homepages and WBL specific pages);
  - E-mail publications;
  - E-newsletters;
  - E-mail signatures of ESF funded staff;
  - Hard copy/paper documents where colour is used anywhere else in the document.
- B5. Black and White logos can be used for the following documents where colour is not practical/possible, but only where the document is being produced entirely in black and white:
- Guidance documents (unless online);
  - Award certificates where not externally sourced;

- Marketing leaflets and any pre-recruitment forms (NB: where entirely black and white);
- Registration/enrolment forms confirming learner details;
- Individual Learning Plans (ILP), Activity records and review forms (each review);
- Award and completion forms;
- Change of circumstances forms;
- Evaluation/ follow up forms;
- Letters, acknowledgement slips, business cards;
- All equivalent forms used by sub-contractors and consortia members;
- Any other paper format documentation linked directly to WBL programmes.

### Using Welsh Government Provided Templates

- B6. Welsh Government provides some templates of forms for providers to use. Using these forms will ensure that you collect the necessary data and that you use the current WEFO approved ESF logo and publicity text. The Welsh Government approved templates will be posted on the Welsh Government WBL web-pages.

### Use of Providers' own forms

- B7. Where Providers choose to use their own hard copy documentation instead of the template forms provided, the Provider will be required, as a condition of funding, to include the ESF Logo and publicity statement (as above). The SME4 forms that are referred to later in this document must also contain the Welsh Government and ESF Logos.
- B8. The following statement (confirming that the learner has been informed that their learning programme is supported by the ESF) must be clearly identified on both (a) the participant's registration/ enrolment document and (b) the ILP for WBL programmes (including Jobs Growth Wales):
- B9. 'In signing this form I am confirming that I have been made aware that the learning I am undertaking is part financed by the European Social Fund through the Welsh Government.'

### ESF Logo in correct colour and size formats

- B10. The ESF logo must be displayed according to the WEFO Information and Publicity Guidelines 2014-2020.
- B11. A sample logo is also on the cover page of this document.

### Verbal Notification of ESF Support

- B12. In addition to the above written acknowledgements, it is also a requirement of funding that Providers verbally make all learners aware of the support provided by the ESF towards their programme of learning, at their point of registration/ enrolment.

### ESF Publicity in Marketing Materials

- B13. It is a requirement of funding, that all published marketing materials related to any of the commissioned Welsh Government WBL programmes, include acknowledgement of European funding. This requirement includes Provider letterheads, email signatures, and compliment slips, press releases, event materials and promotion literature. As a minimum, the latest ESF logo as shown above must be incorporated into the literature. Providers must also use the following phrase in all formal correspondence with learners.

“Mae'r Rhaglenni Prentisiaeth, Hyfforddeiaeth a Thwf Swyddi Cymru, a arweinir gan Lywodraeth Cymru, yn cael cymorth ariannol gan Gronfa Gymdeithasol Ewrop”.

“The Apprenticeship, Traineeship and Jobs Growth Wales Programmes, led by the Welsh Government, are supported by the European Social Fund”.

### **Provider Website**

- B14. Provider websites must clearly acknowledge the funding received from ESF. Please see WEFO Information and Publicity Guidelines 2014-2020 for guidance on how you should use the EU logo on your website.

### **ESF publicity plaques**

- B15. Providers are required to display an ESF publicity plaque. The plaques can be obtained free of charge from the Welsh Government upon request via [askWBL@gov.wales](mailto:askWBL@gov.wales). Providers must have at least one ESF publicity plaque in a visible position at each relevant venue where WBL training takes place plus any main training provider office (if different) and always positioned to provide maximum visibility by the general public and learners.

### **Other Publicity**

- B16. Providers are required to acknowledge the ESF funding, provided through the Welsh Government in any presentations, speeches or articles for conferences, newsletters or presentations.
- B17. The WBL European Funding Team are always welcoming of positive news stories from providers to highlight the contribution that the ESF is making in Wales.

### **ESF Publicity Portfolio**

- B18. Providers are required, as part of their WBL contract, to retain a file of specific evidence of ESF publicity.
- B19. These might include marketing materials, presentations, speeches, newspaper articles, letterheads, email signatures, photographs of ESF plaques at various Provider learning sites and premises, and any other examples of such publicity that the Provider has undertaken.
- B20. Whilst auditors will retain the right to verify processes and systems on the ground, the ability to provide this publicity evidence portfolio to an auditor immediately on request can help to reduce the likelihood of more detailed system verification by ESF auditors because your paperwork will demonstrate that you are collecting the relevant data, and are meeting the ESF publicity requirements.

### **Europe Day - 9th May**

- B21. The European Union, in offering Wales ESF funding, requires that Europe Day (May 9th) is recognised/marked by ESF projects and their partners. To help ensure this requirement is met by Providers, the Welsh Government will contact Providers to seek involvement in activities supporting the recognition of the benefits of the ESF in and around Europe Day. Providers are required to take reasonable steps to participate including ensuring all learners in learning on that day are made aware of Europe Day and the role of ESF in their programme of support.

### C. Avoiding Double Funding

- C1. The purpose of this section is to help Providers avoid double funding/counting between different European Projects.
- C2. The Welsh Government anticipates that it will draw down ESF grant to support WBL programmes. It is essential that Providers do not attempt to attract ESF grant towards the same programme costs/activities/outcomes. Costs associated with learner time, activity or outcomes which form part of the delivery of the Welsh Government's WBL programmes must not be counted towards any other European Union funded projects.
- C3. Providers must not treat contract payments received (in relation to WBL programmes) as Match Funding toward other/ local European Union projects.
- C4. Any payment either intentionally or inadvertently made by WEFO to a Provider for any activity already undertaken under a mainstream WBL Agreement and funded by the Welsh Government would represent double funding.
- C5. The following explains in more detail the circumstances that are most likely to arise, and seeks to assist Providers to identify where a risk may exist. Where there is any doubt the Provider should contact Welsh Government via [askWBL@gov.wales](mailto:askWBL@gov.wales).
- C6. Double funding may occur when:
- Payments made to Providers by the Welsh Government in respect of its WBL programmes are used or counted by the Provider as match funding towards other European projects;
  - Costs incurred by a Provider in delivering Welsh Government WBL programmes are included in other ESF projects as actual project costs;
  - The same learner is counted in more than one ESF project, for the same activities, outcomes or costs.
- However:
- A learner who is undertaking a WBL programme either in employment or in centre based provision, may also undertake an entirely separate programme of ESF supported learning e.g. a specific language course or IT training in evening classes, where that additional learning is not a part of and is not being reported as part of the learner's WBL programme claims and returns via LLWR.
- C7. The Welsh Government does not object to the additional learning, provided:
- The additional learning does not detract from completion of the WBL programme or progression from it by the learner;
  - The additional learning is not already a requirement of the WBL programmes specifications for that WBL programme (and thus already funded);
  - The Welsh Government will not provide match funding certification or costs towards the additional activity (relating to other ESF projects).

- C8. Outcomes achieved and costs incurred by WBL and additional learning programmes remain distinct, separately measureable and can be demonstrated as complementary not duplicative.
- C9. Where a learner completes their time and activity on a Welsh Government WBL programme and has left the WBL programme, the learner may progress onto a further ESF supported programme (e.g. further learning, job search etc. including a further WBL programme where deemed appropriate and as governed by WBL programme rules).
- C10. For further advice and guidance, please contact Welsh Government via [askWBL@gov.wales](mailto:askWBL@gov.wales) to clarify individual circumstances.

#### D. Information Assurance

##### Introduction

- D1. Contractors are responsible for ensuring that their consortium members and sub-contractors comply with these requirements.
- D2. Contractors are responsible for ensuring that externally hosted digital systems and external paper record keeping used for WBL comply with these requirements by including them within the scope of the Information Security Management Systems (ISMS).
- D3. WG will check that these arrangements are in place and are effective.
- D4. Contractors should comply with the rules set out in the Welsh European Funding Office's (WEFO's) Eligibility Rules and Conditions for Support from the European Structural Funds 2014-2020. These national rules cover document retention, document formats and eCohesion.
- D5. Some of the requirements set out in the programme specification say that a solution is "likely" to be acceptable. This seems vague but arises because being acceptable depends on more than just the chosen technical solution; it is also necessary to have the right combination of policies and procedures in place.

##### *Additional Guidance*

*For example, creating an audit trail which demonstrates that data are authentic by making a learner log in using their ID and password and then confirm the data must be combined with a policy which says that learners must not share IDs and passwords and sets out the sanctions if learners don't abide by the policy. Controls A.9.1 "Access Control Policy" and A.9.3 "User responsibilities" might be of most value in these circumstances.*

##### **Overall Requirements**

##### **Accepted Security Standards**

- D6. Each Contractor must demonstrate compliance with the ISO27000:2013 (Information Technology – Security Techniques – Information Security Management Systems) series of standards, particularly ISO27001:2013. This requirement is based on EU Regulations (EU 1303/2013 Article 140(6)) and Wales European Funding Office (WEFO) European Structural Funds (ESF) Rules.

##### *Additional Guidance*

*For example, creating an audit trail which demonstrates that data are authentic by making a learner log in using their ID and password and then confirm the data must be combined with a policy which says that learners must not share IDs and passwords and sets out the sanctions if learners don't abide by the policy. Controls A.9.1 "Access Control Policy" and A.9.3 "User responsibilities" might be of most value in these circumstances.*

- D7. The Information Assurance for Small and Medium Enterprises (IASME) standard (as a management standard for information security) may be used any sub-contractor or consortium member which:
- is an independent business, managed by its owner or part-owners and having a small market share, and either
  - has 9 or fewer employees, or
  - is responsible for 25 or fewer learners at any one time
- D8. These criteria for IASME attempt to minimise the impact of gaining and maintaining compliance with a security standard and to minimise the amount of learner data potentially at risk.
- D9. Compliance with IASME instead of ISO27001:2013 must be agreed with the Contractor and with the WG and must demonstrably ensure that all information processed under the contract is authentic.
- D10. Sub-contractors, typically small sub-contractors (see paragraph D7) may use the Information Security Management System and management information system implemented by their parent Contractor to minimise the overhead of achieving compliance with an accepted standard.

#### **Additional Guidance**

*The range of sizes and capabilities of sub-contractors is a valuable factor in delivering learning, but it may also mean that sub-contractors find that implementing and maintaining compliance with ISO27001:2013 in their own right is an overhead which cannot be carried. In such circumstances WG suggests that Contractors and their sub-contractors work together to consider whether sheltering the sub-contractor under Contractor's ISMS or negotiating agreement to comply with IASME would be a more effective arrangement.*

- D11. Contractors must demonstrate compliance for the first time by 29 September 2017 and must maintain compliance thereafter. Until Contractors demonstrate compliance they must continue to:
- acquire and maintain records on paper and may not adopt digital-only systems
  - apply the security controls set out in the WBL4 PQQ IA Questionnaire and in "Specific Requirements" below
- D12. Compliance is required for all aspects of WBL information management and processing. Contractors may extend compliance beyond WBL to other parts of their business or incorporate WBL into an existing ISMS. WG will only check that the arrangements for WBL are in place and effective.
- D13. Compliance with the ISO standard supersedes the requirements found in the WBL4 Prequalification Questionnaire on Information Assurance.



D14. Contractors must comply with all applicable EU and UK Law.

### **Paperless – Digital Only Operation**

D15. Before WG will agree that new records no longer need to be held on paper, WBL Contractors, their consortium members and sub-contractors, must demonstrate:

- i. compliance with what the European Common Provision Regulations EU 1303/2013 describe as “accepted security standards” for systems in which born digital data are held, and
- ii. that all data, information and evidence required by the programme specification and guidance are held digitally, are authentic and can be accessed by WG, WEFO and the EC when needed for inspection, investigation, verification or audit

D16. WG will agree that individual Contractors may begin digital only operation after they have demonstrated to WG’s satisfaction that they have met the two criteria. Contractors need not wait for other Contractors to have demonstrated compliance, but they must ensure that their whole contract, including aspects delivered by sub-contractors, meets these two requirements.

D17. Existing paper records are subject to the current arrangements for retention and disposal; they can be managed under the ISMS but must be retained on paper according to the retention schedule.

D18. WG recognises that in some circumstances the collection of new paper records may be necessary (for example, as a transitional arrangement to meet a new requirement before digital systems can be enhanced). During the transition a mixed approach is acceptable but the documents originating on paper must remain on paper. Once a digital only process is adopted it may still be necessary to, by exception, complete a paper record first. For example, lost connectivity or an employer’s security protocols. A process must be developed highlighting action taken to save such records digitally at the earliest opportunity. Providing secure authentication protocols are followed, such ‘by exception’ paper records need not be held separately.

### **Specific Requirements**

#### **Introduction**

D19. This section sets out requirements for information assurance that are not a natural part of the ISO27000:2013 standards or where WG intends that Contractors demonstrate specific arrangements in their ISMS.

D20. Compliance with these requirements will be assessed.

#### **Cyber Essentials Plus**

D21. A Cyber Essentials Plus (CESPlus) certificate is a mandatory requirement for all contracts through which Welsh Government information is processed by a Contractor. Please note that the certification is time bound and must be refreshed prior to annual expiry.



D22. It is good practice for WBL Contractors to include the CESPlus controls in the scope of their ISO27001:2013 ISMS. However, Contractors must have CESPlus certification for work based learning processes and procedures.

### Passwords

D23. Where passwords are used to protect assets they must meet National Cyber Security Centre (NCSC) guidance and in particular must:

- Be created and managed in ways that are consistent with National Cyber Security Centre (NCSC) Guidance
- Be protected to the same extent as the information which they are intended to protect
- Never be shared
- Be changeable by the user in a way that prevents repetition of or variations of previous passwords

D24. Shorter and less complex passwords, for example four digit PIN codes, are not acceptable.

D25. Contractors should consider the use of two factor authentication for sensitive operations to minimise the impact of password compromise.

### Encryption

D26. All digital information and data must be encrypted in transit. Data at rest must comply with industry standards (SQL TDE for data at rest on servers).

D27. In particular, personal or sensitive data being sent by email must be encrypted. Welsh Government uses Egress Switch for encrypted emails.

#### *Additional Guidance*

*Egress Switch (www.egress.com) is a commercial product for encrypted web mail. Recipients use their normal work email address to receive notifications that an encrypted email has arrived and to create a free account through which they can log in and collect the email securely. Composing and sending emails needs a paid for annual licence.*

*Egress Switch is used by the spot check team for eligibility spot checks and for WEFO and EU audits.*

D28. Encryption must comply with the FIPS 140-2 or AES 256 standards and any passwords used to protect encrypted materials must comply with the requirement for passwords.

#### *Additional Guidance*

*This specification does not list products which provide adequate encryption. Contractors have the latitude to select products according to their business needs and may select products which comply with the standards when appropriately configured.*

*Contractors should conform to any available NCSC guidance on product configuration. They should bear in mind that NCSC's guidance will state the classification of the*

*information that may be processed once a product has been appropriately configured. A product configured for OFFICIAL must not be used for information of greater sensitivity.*

## Information Sharing

- D29. The Learner and Employer must provide authenticated confirmation that they consent to their information being shared. Information may be shared between WG, Contractors, sub-contractors, consortium members, employers, third party organisations for evaluation and audit purposes and other organisations mentioned in this programme specification by following the arrangements set out in this programme specification. These arrangements include the requirement to protect information in transit by encrypting it and to ensure that data being shared are adequate, relevant and not excessive.
- D30. Information may also be shared using online services (e.g. the Learning Records Service) to automate business processes (for example, acquiring evidence of a learner's highest qualification to show that they meet the eligibility criteria for joining a programme of learning) provided that the terms and conditions of the service set out adequate arrangements for protecting the information being shared and the amount of information being shared is minimised.
- D31. In all other circumstances, information may only be shared once an information sharing protocol has been agreed between the parties sharing the data. Agreement by WG is also required for information for which WG is a data controller; the explicit agreement of the WG Information Asset Owner for WBL is required.

### **Additional Guidance**

*Contractors may wish to consider the Wales Accord on Sharing Personal Information (WASPI – [www.waspi.org](http://www.waspi.org)) as a tried and tested framework for information sharing protocols.*

## Use of Mobile Technology

- D32. The use of mobile technology has specific controls in ISO27001:2013.
- D33. To avoid concerns about data protection when collecting data as images on laptops, mobile phones or tablets Contractors should note that:
- We require Contractors to retain evidence and to comply with the programme specification, guidance and relevant laws (which include the DPA/GDPR)
  - In particular, we expect that Contractors will comply with the security sections of this specification and Principle 7 of the DPA (which says that appropriate technical and organisational security measures must be taken) or similar obligations under the GDPR.
- D34. Using images applies to ordinary digital cameras and those in laptops, mobile phones or tablets. With this in mind we expect:
- Staff would use devices issued by their employer for business use only (not their own mobile phones)
  - Mobile devices are appropriately protected and managed (see [D26 to D28](#) )

- Photographs would be downloaded (and, if necessary, redacted) quickly and not left on phones
- Photographs would be stored securely for the duration of the retention period

D35. While the requirement to gather and retain evidence has been set by the WEFO Eligibility Rules and Guidance and the WBL Programme Specification neither sets out a technical solution nor a business process for Contractors to adopt; Contractors should devise and follow processes which comply with the points above and which work well for them.

D36. If necessary, Contractors should take their own professional advice.

### **Records Retention – General**

D37. All records (see D43 and D44), whatever their medium, must be available for inspection, verification or audit until they have been properly disposed of at the end of their retention period (see D39 to D42).

D38. Contractors must report the location of all records to Welsh Government; Welsh Government will conduct a survey of Contractors annually.

### **Records Retention – Duration**

D39. All records, whatever their medium, must be kept until WG notifies Contractors that the records may be disposed of.

D40. For programmes starting before 2014:

- WEFO Rules set out their requirements for records retention and these are reflected in this and earlier programme specifications sections for each programme
- The dates that WEFO gives in its Rules are earliest date they anticipate for disposal and allow beneficiaries to make plans for retention
- The actual date will be announced by WEFO and depends on the EU closing the programme. This means that the EU will tell WEFO when it will no longer want the records for audit, WEFO will tell WG, and WG will tell Contractors

D41. For programmes starting in 2014 or later:

- The WBL4 programmes will terminate as stated in the programme commissions for each programme. The ability to submit claims for eligible expenditure then continues for 7 months for Contractors and for 12 months for WG
- The retention period is two calendar years from the 31 December that follows the inclusion of the final eligible expenditure that signifies the completion of the operation
- WG may still need to retain documents for a longer period if required by the applicable State aid rules or if audits or investigations are underway and has been specifically advised to retain the audit trails until further notice
- The actual date will be announced by WEFO. This means that WEFO will tell WG, and WG will tell Contractors

D42. For all programmes:

- Contractors must follow a process for disposal that allows them to demonstrate that the records have been disposed of properly (for example, they could create and keep a certificate of destruction which lists the individual files destroyed)
- Records should not be kept forever
- Put another way, the dates given are “do not destroy before” dates. They are not “destroy on” dates.

### **Records Retention – What to Keep**

D43. The Contractor must retain authenticated information sufficient to verify:

- Evidence of information on learners supported and of learning/ activities undertaken, including achievements, outcomes and next destination of learners
- Recruitment, training and review services and any other support provided to the learner by the Contractor
- All information and data collected, stored and reported to the Welsh Government with respect to the Agreement
- Audit visits and corrective actions undertaken
- Any additional specific information as specified in the Guidance on the Evidence Requirements for WBL, or any cited in the Programme Specification, that have not been covered in this guidance [PAGS]
- Delivery of each sub-contracting arrangement including all information listed above

D44. Important points of detail:

- When retaining the above information, the Contractor must not seek to differentiate between learners / activities supported by ESF and any other learners/ activities
- Where carbonated paperwork is used, the Contractor must ensure that they retain the top copy (i.e. the ink signature version)
- Where Contractors enter into either administration or liquidation, then at the WG’s discretion, the Contractor is contractually bound to pass the relevant records on to the Welsh Government
- WEFO and other ESF Auditors conduct quarterly audit reviews and will select samples from learner records
- Non-compliance with WG requirements outlined herein may result in recovery of sums paid.

### **Obsolescence – Digital Continuity**

D45. Contractors must ensure that the information they hold on behalf of WG remains accessible and usable for the duration of its retention period.

- D46. Contractors should bear in mind that the short period available to provide information which is required for audit (5 days) leaves little or no time for discovering and remedying any problems caused by holding information in formats that are no longer accessible.
- D47. Contractors must ensure that any arrangements for digital continuity also preserve any data needed to demonstrate authenticity.

### Contingency Planning and Disaster Recovery

- D48. Contractors must have contingency plans in place for WBL information management and processing. They must be able to demonstrate that these are effective by providing records which show that the plans have been exercised.
- D49. The plans should explicitly cover the loss of a sub-contractor or consortium member.

### Data Loss

- D50. Contractors must report security incidents affecting or likely to affect data processed under this contract to their WG provider performance manager within one working day of becoming aware of the incident. Contractors may use Egress Switch as a secure means of exchanging information about an incident using the address [WBL.Infosec@gov.wales](mailto:WBL.Infosec@gov.wales). Contractors should cooperate with their WG provider performance manager and specialist WG staff and share information without undue delay.
- D51. The contractor must have systems in place to ensure that they are diligent with the personal data of learners. In situations where a learner is at risk of identify theft due to lost data or lost or misplaced paper records, the provider must encourage the learner to register with Credit Industry Fraud Avoidance Service (Cifas) at <https://www.cifas.org.uk/pr>, the cost of which must be paid by the provider. Further, providers must ensure that the Information Commissioner's Office is notified promptly (see <https://ico.org.uk/for-organisations/>).

### Authenticity

- D52. The programme specification uses the term “authenticated” whenever there is a requirement to prove that information is:
- Of undisputed origin and not a copy; genuine
  - Based on facts; accurate or reliable
- D53. This is usually for information which is needed for scrutiny, investigation or audit.
- D54. Authenticity is partly about operating processes designed to guarantee authenticity and partly about gathering metadata which demonstrates that those process (and only those processes) have taken place.
- D55. Contractors should ensure that the information they process is demonstrably authentic.
- D56. Contractors should ensure that any digital systems maintain accurate and reliable records. For example, if they record date, time, location or identity to help authenticate a record they should record the actual date, time, identity or location for the record's creation. When connectivity permits, the authenticating record should be created at the same time as the record it authenticates; it should rarely be created later.

D57. For a standards-based approach, BS 10008:2014 and its three codes of practice<sup>1</sup> set out a comprehensive approach to establishing and maintaining the authenticity of information well enough to satisfy the courts (referred to as “legal admissibility”).

### **Additional Guidance**

*Common characteristics of authenticity for all media include:*

- *Clear links between each accounting record and its supporting documents*
- *Tamper proof (or at least tamper evident with mechanisms to alert staff when tampering has occurred)*
- *Authorised deletion leaves a permanent record that deletion took place*
- *Unauthorised deletion or replacement is prevented*
- *Version controlled with the ability to see previous versions (subject to the need to redact information according to clear rules)*
- *Complies with DPA and from 25 May 2018 GDPR requirements (see Annexe A)*
- *The process used to determine authenticity creates a record of each check and these records can be interrogated alongside the original data/evidence (e.g. a record showing that the system has authenticated the submitter of new claim data by making them login using a user id and password that are subject to agreed policies and procedures)*
- *The processes used to acquire data and metadata are reliable and repeatable*

*For digital data and metadata these also include:*

- *Data originated in an external system that is accepted as authoritative (e.g. GOV.UK Verify, LRS, Careers Wales)*
- *Data entered into the system by an individual who is trusted and has previously been authenticated by someone else who has already been authorised*
- *Data protected in transit by strong encryption to at least FIPS 140-2*
- *Computer to computer data transfers ensure that both computers are what they claim to be by exchanging and checking digital certificates (X.509)*
- *Person to computer exchanges use known login using ID issued by system manager and protected by password or two factor authentication (may need assurance for individual that they're logging into the right computer)*

*On paper they also include:*

- *Recognisably what it's supposed to be because it complies with the specification for the type of document (e.g. that the document really is a UK Passport)*
- *Recognisably signed and dated by an individual that is already known and trusted*

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<sup>1</sup> The codes of practice are BSI BIP 0008-1, -2, -3

- Copied in a way that's tamper proof (or at least tamper evident) (BS 10008:2014)

## Signatures

- D58. Manuscript signatures, with dates, are an acceptable means of authentication for information held on paper.
- D59. Experience of European audits shows that if manuscript signatures cannot be deciphered and the signatory's name identified, claims are sometimes disallowed by ESF auditors. Therefore, all signatures (of learners, employers, or representatives of the Contractor) must be accompanied by the full name of the individual signing the document and the date on which it was signed.
- D60. Manuscript signatures in an electronic form (for example scanned images of manuscript signatures) are of little value in authenticating digital records and are therefore not accepted. They are too easily copied and abused. Modern digital systems offer far better approaches to authentication. Some possibilities are discussed in the Guidance Notes.

### *Additional Guidance*

*There is a wide range of digital equivalents to "signed and dated". These are developing quickly as technology advances*

*Records created following login with an individual ID and password are likely to be acceptable. For example, the record of a progress review is likely to be acceptable if the learner has had to login with their own ID and password in order to mark it as "agreed".*

*Practical methods which record additional data about an element of the learner's record – metadata – will be useful in establishing authenticity. For example, a solution which automatically records the date, time and location of a periodic progress review together with the assessor's ID and keeps these in an unalterable form will be useful. The value of such controls may best be established as part of the risk assessment for the provider's ISMS.*

*For particularly significant records, Contractors may consider the use of two factor authentication. For example, the conclusion of learner sign up might require that the learner login to the Contractor's systems and enter a code sent to their mobile phone.*

*Other examples can be found among common commercial sign up and password change mechanisms which involve an exchange of eMails (validating the eMail address) and special web page links*

*Digital certificates are especially useful for authenticating exchanges of data between computer systems.*

## Preferred Media

- D61. All media are acceptable, but choice of medium should bear in mind the preference for digital and for originals. The order of preference for Work Based Learning, from most preferred to least, is:
- Born digital (held in a system that meets accepted security standards)
  - Certified digital scans of original paper



- Original paper
- Copied and certified original paper

### **Data Protection Act / (from 25 May 2018) General Data Protection Regulation– Roles**

- D62. Contractors must, as a matter of law, comply with the General Data Protection Regulations/ Data Protection Act, especially GDPR articles 5, 6 and 9 / the DPA Data Protection Principles.
- D63. In order to comply with the WBL contract and the European funding guidance, the Welsh Government requires Contractors to supply individual Learner information to validate the support given. As WG determines the purpose and the manner in which the personal data are processed, then the Welsh Government is the Data Controller for this information.
- D64. Contractors also collect individual personal data for which Contractors are solely responsible. This means that Contractors are Data Controllers in their own right.
- D65. Contractors must ensure that their employees understand the Contractor's data protection/ General Data Protection Regulation responsibilities and that any employees whose role involves contact with learners (especially those involved in signing up learners) can explain the fair processing notice and how this complies with the GDPR/ DPA.

### **Data Protection Act / (from 25 May 2018) General Data Protection Regulation– Fair Processing**

- D66. The GDPR/ DPA require data controllers to provide fair processing information to data subjects (data subjects include learners, the Contractor's employees and employer's staff).
- D67. WG has developed a fair processing notice (aka privacy notice) which covers its role as a data controller and Contractor's role as data controller with the assistance of Contractors and learners. WG requires that this notice (or a notice which provides at least the same information) to be given to each learner and sufficient support to be provided for all learners to be able to understand the notice and, where necessary, give informed consent to their data being processed.
- D68. The LLWR privacy notice should also be given to learners. For all Work Based Learning programmes providers would be required to capture learner/ participant confirmation, duly authenticated, that they have read and understood the LLWR Privacy Notice as part of the enrolment process.*

### **Data Protection Act/ (from 25 May 2018) General Data Protection Regulation – Adequate, Relevant, Not Excessive**

- D69. Contractors are expected to exercise care when deciding what data to collect and share, particularly when making copies of key personal documents (for example, as evidence of eligibility). In particular, they must take care to comply with article 5 of the GDPR, (before 25 May 2018) data protection Principle 3) which requires that all personal data being processed are adequate, relevant and not excessive for the purpose for which they are being processed.



D70. When source documents contain more information than needed Contractors must ensure that any excess information is redacted effectively.

### **Additional Guidance**

*The eligibility evidence requirements first published in December 2014 and subsequently updated set out the eligibility checks to be completed and documented for each learner, describe the forms of evidence that are acceptable and the reason for collecting the evidence.*

*For example, a learner is eligible if they have the legal right to live and work in the UK. For this, Contractors might examine a learner's passport and make a copy of it which they retain.*

*This allows Contractors to demonstrate that they have complied with the rules on learner eligibility. However, Contractors must also comply with the DPA which says that the data you collect and keep must be "adequate, relevant and not excessive". This means that you must copy enough information but no more. To be useful evidence, your copy must clearly show:*

- *What the document is and that it is genuine*
- *The identity of the learner*
- *The details that demonstrate eligibility*

*So a copy of a learner's passport, used to show right to live and work, should only be of the "biodata" page (the page with the photograph) with any stickers conferring the right to work on following pages and omit the learner's date of birth, sex and place of birth and omit the date of issue (you need expiry as the passport must be in date or recent). If you also need proof of the learner's date of birth, you could leave this data visible too, and you wouldn't need to see a birth certificate.*

*The same approach to deciding what to retain applies to all other forms of evidence.*

*Contractors should not keep the un-redacted data; it's easiest to never collect the information you don't need.*

### **Data Protection Act/ (from 25 May 2018) General Data Protection Regulation– Technical and Organisational Security Measures**

D71. Contractors are expected to exercise care when processing all personal data. In particular, they must take care to comply with data protection Principle 7/ the General Data Protection Regulation article 5 which requires that all personal data being processed that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

## Assessing Compliance

### Introduction

D72. WG recognises a difference between internally determined compliance and externally verified certification. It is possible to demonstrate compliance without having to take the further step of gaining certification as an organisation.

#### *Additional Guidance*

*WG is likely to ask for less evidence if a Contractor has achieved certification than if they are claiming compliance. Externally verified certification is likely to have checked almost all that the EU Regulations require and WG is likely to accept that a certificate covers most of what it would examine when assessing compliance. It would therefore only check, for example, that the ISMS scope covered WBL data and processes and that the requirements of Section 3 were being met.*

D73. WG requires Contractors to demonstrate compliance with standards. This means that Contractors must put in place all the elements of an information security management system required by clauses 4 to 10 of ISO27001:2013, tailored to the needs of their organisation according to Clause 4. Compliance with Clause 9 will give internal assurance that all the elements are in place and being operated effectively and that appropriate evidence is available when the Contractor has to demonstrate compliance.

D74. WG does not require Contractors to demonstrate formal certification to the ISO standard awarded by an external body. Each Contractor can make its own decision on whether to achieve certification based on its own business strategy. WG will accept certification as evidence of compliance provided that the ISMS scope clearly covers WBL and responses to non-conformities and continuous improvement are being actively managed.

### Assessing Information Assurance Arrangements

D75. Contractors must demonstrate compliance with ISO27001:2013 and the specific requirements above at least annually. As evidence of compliance WG may ask Contractors for:

- Any mandatory documents or records required by the standards including those generated by internal audit activity (ISO27001:2013 Clause 9)
- On the spot demonstrations that the policies, procedures and controls are being complied with effectively and that there are no non-conformities
- responses to non-conformities and continuous improvement are being actively managed
- ISO27001:2013 or IASME Certificate
- External assessments of security arrangements (e.g. penetration testing) or ISMS
- IASME self assessment preparation questionnaire
- Evidence that the specific requirements in Section on Specific Requirements are being met

- D76. Contractors must ensure that similar evidence is available in order to demonstrate that compliant information security management systems are being operated by Contractors' consortium members and sub-contractors.
- D77. Welsh Government will check Contractors' compliance for the first time during the 2016/17 contract year (see D11) and then annually. Contractors may choose a point during this contract year when they believe that they are ready for assessment and approach the WBL Information Assurance Project team to arrange for assessment. The first check will be a certification audit; subsequent checks are likely to be surveillance visits.

#### **Additional Guidance**

*“Certification audits” examine the mandatory documents and records that make up an ISMS and are intended to establish that a fit for purpose ISMS has been designed and is in place. Certification audits can be repeated until compliance has been demonstrated to WG’s satisfaction. In the WBL context, “certification audit” is synonymous with assessing compliance.*

*“Surveillance visits” are intended to show whether the ISMS is effective and up to date. They are likely to look at any minor non-conformity identified during the certification audit and then to look at what Contractor staff are actually doing (as opposed to what the ISMS says they should be doing).*

### **E. Provider Responsibilities and the Management of sub-contracting risks**

- E1. It is the responsibility of the Contract Holder to ensure these standards are met by all Consortia Members and sub-contractors. It is also the responsibility of the Contract Holder to ensure that all sub-contractors and consortia members adhere to the ESF requirements contained in this document.
- E2. The Provider must undertake a risk assessment when sub-contracting. In all instances where a sub-contract relationship exists, the Provider must enter into formal agreements with sub-contractors.

### **F. Confirmation of an Employer’s SME / Large firm and public or private sector status**

- F1. For European funding purposes, employers of apprentices/ JGW participants must confirm their status as either a SME (i.e. small and medium enterprise) or a Large Firm, and whether they are a public body or not. The Welsh Government has to comply with rules which govern the use of ESF funding to train public sector workers at level 3 or above, and confirm SME status and employer size. The Welsh Government is also required to differentiate learners employed by SME from those employed by large firms - using the European Union official definition of an SME.
- F2. Providers must confirm the number of employees and the private or public sector status of participant employers.
- F3. The SME4 form is NOT required for work placement providers under the WBL non-employed programmes such as Traineeships. (NB: This is because the “employer” participation in these programmes is as a “work placement provider” and not as an employer).
- F4. For Apprenticeships and Jobs Growth Wales, Providers are required to request, obtain and retain an authenticated SME4 form from each employer to cover every employed

status learner/participant who is participating in a WBL programme. This includes learners who are participating in the Foundation Apprenticeship, Apprenticeship and Higher Apprenticeship programmes.

- F5. To reduce bureaucracy, if an employer routinely sends five or six employees (as a group) into the Apprenticeship programme every 6 months, then that employer would be expected to complete one SME4 form for each group intake. Some employers may prefer to complete one SME4 form (all sections) for each learner/participant rather than one per group of learners/participants.
- F6. The SME4 form lists the criteria from Parts A to F to determine SME status and includes the number of individuals employed by the employer organisation, its turnover, balance sheet, Public or Private sector status and independence from organisations which themselves fail to meet the SME definition. All such measurements will relate to the last period of audited accounts for that employer.
- F7. The SME status/ large firm status of any employer would not prevent their involvement in any WBL programme operated by the Welsh Government. Learners/participants, who are employed by companies that do not meet the European Union definition of an SME, will continue to be eligible to participate in learning programmes, provided they meet the normal rules of that individual programme as defined in the WBL Programme Specification.
- F8. The SME4 form should be obtained within 30 days from the start of the learner's learning programme/participant's job opportunity and the original must be retained by the Provider. There is no requirement for Providers to send the Welsh Government copies of the SME4 form, but it is vital that the:
1. SME4 form is retained for audit inspection by the Provider;
  2. SME status of the employer is entered accurately onto the LLWR.

The existence and accurate completion of the SME4 form (and the entry of the information it contains onto the LLWR) will be monitored by the Welsh Government project officers and auditors.

The SME4 form can be found at the link below:

#### **Welsh**

[https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?\\_ga=2.198762666.460621862.1557324064-1561503714.1554888891](https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni?_ga=2.198762666.460621862.1557324064-1561503714.1554888891)

#### **English**

<https://gov.wales/work-based-learning-wbl-forms>

### **G. Cross Cutting Themes requirements**

- G1. The cross cutting themes for the 2014-2020 round of European Funding can be found at: <https://gweddill.gov.wales/funding/eu-funds/2014-2020/wefo-guidance/cross-cutting-guidance/?lang=en>

## H. Eco-Code guidance

### Guidance for Training Providers:

- H1. Training providers are asked to provide the following information and advice / guidance to their employers. This can be undertaken using this form directly, or by building it into Training providers' own documentation.

### Guidance for Employers:

- H2. As a Company / Business participating in WBL programmes operated by the WG (including those supported by the ESF) e.g. as an employer of apprentices or Jobs Growth Wales participants in Wales, or as a training placement provider, we want you to be aware of the ECOCODE Action Plan toolkit (shown below)..
- H3. You are encouraged to use this Action Plan Toolkit to the extent that it can be adapted by your organisation, if you would find it useful in supporting the development of your company and its interface with environmental sustainability issues. You are asked to consider adopting the attached ECOCODE Action Plan (below) to further support your existing actions in protecting the environment, as a means to document processes and corporate habits and policies you already undertake.
- H4. Please be aware that it is a requirement of the WBL Agreement we hold with your training provider that they make you aware of the ECOCODE Action Plan Toolkit initiative. It is not a mandatory requirement that employers take up the use of the ECOCODE Action Plan but we may (as part of evaluation work) ask employers to confirm whether they did so or not (and please be assured that this will in no way affect your ability to continue to participate in WBL programmes).

<b>ECOCODE ACTION PLAN</b>	
Company Employer name :	
<b>I confirm that the following actions will be addressed by the above named company as part of our commitment to supporting environmental sustainability and protection. These actions will be taken into account during our operational year and will be reviewed at least annually as part of our corporate planning.</b>	
Signed: (and position in company)	
<b>Reduce, Reuse, Recycle</b>	
Eco-code	We will reduce, repair, reuse and recycle potential waste wherever possible.
Actions	1. Purchase items with low / zero levels of packaging 2. Recycle all materials used, including paper, metals, glass and plastic 3. Compost appropriate perishable items
<b>Transport</b>	
Eco-code	We will try and encourage more environmentally friendly ways for you to travel when you come and see us! Likewise, organisation business will be conducted through the most environmentally sustainable mode of transport.
Actions	1. Reduce need for transport through the use of ICT 2. Utilise public transport wherever possible 3. Vehicle share wherever possible
<b>Purchasing</b>	
Eco-code	We will buy products and materials that do not harm the environment when they are made or used or disposed of..
Actions	1. Purchase re-used / recycled products wherever possible 2. Purchase from environmentally-sound supplier organisation
<b>Water</b>	
Eco-code	We will save water wherever possible.
Actions	1. Turn off taps whenever not in use 2. Install water conservation measures such as time limited taps and 'grey water' recycling systems
<b>Energy</b>	
Eco-code	We aim to lower energy consumption at the centre, and teach you about how to save energy.
Actions	1. Turn off all heating / lighting when not needed 2. Use heating controls to swiftly react to different daily heating needs 3. Install effective insulation, close all doors / windows in winter 4. Subscribe to a green energy company such as Good Energy that can source 100% green electricity
<b>Biodiversity</b>	
Eco-code	We will try and increase the biodiversity of the site and its surroundings.
Actions	1. Consult local wildlife groups on how to effectively encourage biodiversity and wildlife in your area
<b>Raising Awareness</b>	
Eco-code	We will tell all our visitors and the general public about how we are looking after our environment and hope they do the same at home!
Actions	1. Place prominent notices and posters around the organisation premises 2. Provide information on website and in literature

## 4. DATA SUBMISSION GUIDANCE

This guidance provides clear and concise data management principles for the Work-based Learning (WBL) sectors and to the users of the data recorded on LLWR.

The document sets out what is expected from providers in respect of:

- Accuracy – to ensure data is submitted to the LLWR in the correct format as set out in the LLWR manual. To be correct, a data value must be the right value and must be represented in a consistent and unambiguous form.
- Timeliness – to ensure data is submitted to the LLWR within the expected timeframe.
- Integrity – to ensure that the submission and management of data is a true reflection of the learning delivered and the outcomes achieved by learners.
- Completeness – to ensure all Learner (LN); Learning Programme (LP); Learning Activity (LA); and Award (AW) data sets have been submitted to LLWR.
- Consistency – to ensure values are consistent across all datasets.

The Data Management Principles will be updated at least annually and can be found under the “Documents” section of LLWR-Inform.

### Publication of Data

The Welsh Government reserves the right to publish provider level information on an annual basis. This will include (but not be limited to): Contract Values, Apprentice numbers (starts and in-learning) disaggregated as required and learner outcomes.

## **5. DESTINATION GUIDANCE (Traineeships)**

### **A. Introduction**

- A1. Providers must make every effort to ensure they support the Learner to progress into a sustainable outcome. Welsh Government will undertake monitoring of learners who are recorded as progressing into higher level learning or employment but who subsequently re-enter the Traineeships programme.

### **B. Leavers from 1<sup>st</sup> January 2015**

- B1. From January 2015, Welsh Government will measure the destination of Learners within 4 weeks of leaving the Traineeships programme. This is in line with Welsh European Funding Office (WEFO) requirements.
- B2. LLWR field i.e. LP79 is used to record this measure and inform positive progressions for the learner outcomes report (LOR). Annex A provides detail on the definition, recording and evidence requirements for LP79.

### **C. Leavers before 1st January 2015**

- C1. LLWR field LP42 is required for Traineeship learners who left up to and including 31 December 2014. After this date it will be an optional field for Traineeships, for Contractors to complete if they wish to follow-up with Learners after the four week window.

### **D. Audit of positive measurable progressions**

- D1. Providers must ensure that LP79 accurately records the learner destination and for Traineeship learners it should not be completed until the evidence is available to support the code. There is no requirement for further follow-up however, if at a later date, you become aware that a progression did not occur you must amend your data accordingly.
- D2. LP79 with supporting evidence, for Traineeship learners (including the Learner Destination – Traineeship form) will be included in reviews undertaken by the Welsh Government's Provider Assurance and Governance Service (PAGS).



## Annex A

Destination and LP79 code/s	Categorisation (Positive, Negative or Neutral)	Definition/Criteria	Evidence requirements	Additional information
Further learning at a higher level - <b>codes 15 or 19</b>	Positive	<p>The further learning:</p> <ul style="list-style-type: none"> <li>- must start within four weeks of the learner leaving the programme;</li> <li>- must be for 16 hours or more per week (there is no stipulated duration);</li> <li>- must be accredited within the Credit and Qualifications Framework for Wales (CQFW);</li> <li>- must be intended to lead to an approved qualification at a higher level.</li> </ul>	<p>The Traineeships Destination form must be completed and one of the following must be available as supporting evidence:</p> <ul style="list-style-type: none"> <li>- declaration from 'new' provider;</li> <li>- e-mail / letter / admissions slip from new provider which includes name of learner, start date and that the programme/course is accredited within the CQFW and is of 16 hours or more per week.</li> </ul>	<p>Progression from a Traineeships Level 1 strand to a Traineeships Bridge-to-Employment strand does not constitute a progression into further learning at a higher level. Transfers between these Traineeships strands should be coded 12 or 13 in LP41 and code 16 in LP79; these learners will then be excluded from the calculation for positive progressions for Traineeships Level 1 strand.</p>
Employment /voluntary work – <b>codes 13 and 21</b>	Positive	<p>The employment / voluntary work:</p> <ul style="list-style-type: none"> <li>- must start within four weeks of the learner leaving the programme;</li> <li>- must be for 16 hours or more per week (there is no stipulated duration).</li> </ul> <p>If a learner with learning difficulties and/or disabilities is progressing into supported employment the 16 hours rule does not apply.</p>	<p>The Traineeships Destination form must be completed and one of the following must be available as supporting evidence:</p> <ul style="list-style-type: none"> <li>- declaration from employer;</li> <li>- correspondence from employer / voluntary organisation confirming the following details: learner name; name of company; job title; start date; and that the minimum hours requirement is met;</li> <li>- employment contract;</li> <li>- latest wage slip.</li> </ul>	<p>Welsh Government is planning to review the types of voluntary work learners are entering and how these benefit the learner in the longer-term (for example has it led to the individual gaining sustainable employment?). The result of this review will inform the decision on whether voluntary work remains as a positive measurable progression in future.</p>

**Annex A**

<p>Self-employment – <b>code 18</b></p>	<p>Positive</p>	<p>The self-employment:</p> <ul style="list-style-type: none"> <li>- must start within four weeks of the learner leaving the programme;</li> <li>- must be 16 hours or more per week (there is no stipulated duration).</li> </ul>	<p>The Traineeships Destination form must be completed and one of the following must be available as supporting evidence:</p> <ul style="list-style-type: none"> <li>- a submitted HMRC ‘SA302’ self assessment tax declaration, with acknowledgement of receipt (SA302s can be requested from HMRC).(where first SA302 not yet submitted, other documentation to show that the trade / business activity is registered with HMRC for tax and national insurance purposes)</li> <li>- records to show actual payment of Class 2 National Insurance Contributions;</li> <li>- business records in the name of the business as evidence that a business has been established and is active / operating – lease on premises; purchase/ lease of equipment; publicity materials; business invoices; correspondence with Local Authority; legal correspondence;</li> <li>- if registered as a limited company: Companies House records/ listed as Company Director</li> <li>- confirmation letter from accountant</li> <li>- VAT registration confirmation from HMRC.</li> </ul>	
<p>Further learning at same or lower</p>	<p>Negative</p>	<p>The further learning:</p>	<p>The Traineeships Destination form (Annex B) must be completed and one of</p>	<p>The requirements for this field have been introduced to meet WEFO requirements.</p>

**Annex A**

Destination and LP79 code/s	Categorisation (Positive, Negative or Neutral)	Definition/Criteria	Evidence requirements	Additional information
level – code 16		<ul style="list-style-type: none"> <li>- must start within four weeks of the learner leaving the programme;</li> <li>- must be 16 hours or more per week (there is no stipulated duration);</li> <li>- must be accredited within the CQFW.</li> </ul>	<p>the following available as supporting evidence:</p> <ul style="list-style-type: none"> <li>- declaration from ‘new’ provider;</li> <li>- e-mail / letter / admissions slip from new provider which includes name of learner, start date and that the programme / course is accredited within the CQFW and is of 16 hours or more per week.</li> </ul> <p>Evidence is not necessary for learners who are coded as ‘transfers’ i.e. codes 12 and 13 in LP41 (these learners will be excluded from the calculation for performance measures).</p>	<p>Where a learner is undertaking further learning and the requirements are not met code 09 i.e. seeking work/unemployed should be entered in LP79.</p>
‘Other’ – code 20	Neutral	<p>‘Other’ includes:</p> <ul style="list-style-type: none"> <li>- Long term sickness (eligible periods of authorised leave or suspension would have been exhausted);</li> <li>- Pregnancy;</li> <li>- Death.</li> </ul>	<p>Examples of evidence:</p> <ul style="list-style-type: none"> <li>- MED 3 ‘Unfit/ Fit notes’.</li> </ul> <p>A review documenting that the learner is not able to progress due to pregnancy; or an authenticated statement from the learner.</p> <ul style="list-style-type: none"> <li>- This would be recorded in LP41 (code 5).</li> </ul>	<p>2. Pregnancy is not a reason in itself for the learner to leave a programme but can be a reason for not progressing.</p>

**Annex A**

Destination and LP79 code/s	Categorisation (Positive, Negative or Neutral)	Definition/Criteria	Evidence requirements	Additional information
		<ul style="list-style-type: none"> <li>- Custodial sentence or remand in custody.</li>   <li>- Moved out of Wales - not able to continue with learning funded by the Welsh Government.</li> </ul>	<ul style="list-style-type: none"> <li>- A record of how the provider became aware that this was the reason for the learner leaving the programme.</li>   <li>- Review documenting the learner is moving out of Wales and is unable to continue learning programme; or a statement by the learner confirming this is the case.</li> </ul>	
Employed (Part-time) – <b>code 22</b>	Negative	N/A	N/A	N/A
Unemployed – <b>code 9</b>	Negative	N/A	N/A	N/A
Not known – <b>code 99</b>	Negative	N/A	N/A	N/A

## E. Traineeships Learner Destination Form

<b>Name of Provider:</b>
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Section 1 – Learner Details	
Name: _____	
LN01 [Unique Learner Identifier]:	LN02 [Learner Identifier with provider]
LP55 [Date terminated learning programme]: ___/___/___	LP41 [reason for termination of learning programme]: _____  LP79: Destination code: _____

<p><b>Section 2 : Depending on LP79 code please complete as follows:</b></p> <ul style="list-style-type: none"> <li>▪ Section A1 and either A2 or A3 for codes 15, 16 or 19</li> <li>▪ Section B1 and either B2 or B3 for codes 13 or 21</li> <li>▪ Section C1 and C2 for code 18</li> </ul> <p>Please note where original supporting documents are required but cannot be retained, the original documents must be sighted, copies of which must be signed and dated as 'I certify that this is a true copy'.</p>
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<p><b>A1: Further Learning</b></p> <p><b>Destination – same or different provider [LP79 codes 15, 16 or 19]</b></p> <p>LA09 - Start date of new activity: ___/___/___</p> <p>Type of learning programme (e.g. Traineeships Level 1, Foundation Apprenticeship, FE, etc.): _____</p> <p>Name and level of main qualification: _____</p> <p>Name of new provider: _____</p>
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<p><b>A2: Evidence from 'new' provider</b></p> <p><b>Declaration:</b></p> <p>I confirm that the learner identified in Section 1 has commenced a learning programme/course on _____ (date) which is accredited within the Credit Qualifications Framework and is of 16 hours or more per week.</p> <p>Provider Signature: _____ Date: ___/___/___</p> <p>Name: _____ Position: _____</p>
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The new provider must sign and date the declaration. If the learner is entering a new programme of learning with the same provider the existing provider should sign the declaration.

**A3: The following is also acceptable as evidence:**

- e-mails / letter / admissions slip from new provider which includes name of learner, start date and that the programme/course is accredited within the Credit Qualifications Framework and is of 16 hours or more per week.

**B: Employment / Voluntary Work [LP79 codes 13 or 21]**

**B1 Employer/Voluntary Organisation Details**

Company/Voluntary Organisation Name:	Tel. No:
Company/Voluntary Organisation Address:	Company Stamp (if available)
Email address:	

**B2 Evidence from Employer/Voluntary Organisation**

**Declaration:**

I certify that the individual named in section 1 has been offered employment/voluntary work which started on \_\_\_/\_\_\_/\_\_\_\_\_ (please insert date), which is of 16 hours or more per week (N.B for learners with learning difficulties and/or disabilities who are progressing into supported employment the 16 hours does not apply).

Signature of Employer/Voluntary Organisation representative:	Name:
Date:	Position held:

**B3 One of the following will also be accepted as evidence:**

- correspondence from employer/voluntary organisation confirming the following details: learner name; name of company; job title; start date; and that the minimum hours requirements is met
- employment contract
- latest payslip

**C1: Self-employment – LP79 code 18**

Date started self-employment:
Name of Business:
Nature of Business:

**C2: Please obtain evidence of self-employment (one of the following):**

- A submitted HMRC 'SA302' self assessment tax declaration, with acknowledgement of receipt (SA302s can be requested from HMRC).
- Where first SA302 not yet submitted, other documentation to show that the trade/ business activity is registered with HMRC for tax and national insurance purposes.
- Records to show actual payment of Class 2 National Insurance Contributions.
- Business records in the name of the business that evidence that a business has been established and is active/ operating – lease on premises; purchase/ lease of equipment; publicity materials; business invoices; correspondence with Local Authority; legal correspondence.

- If registered as a limited company: Companies House records / listed as Company Director.
- Confirmation letter from accountant.
- VAT registration confirmation from HMRC.

## F. Frequently Asked Questions Traineeship Programmes Destinations

Employment questions	
<b>QE1</b>	<b>Employers are not always willing to complete the learner destination form, are there other forms of evidence which are accepted?</b>
<b>AE1</b>	<b><i>Other forms of evidence are acceptable, these are:</i></b> <ul style="list-style-type: none"> <li>▪ <i>correspondence from employer / voluntary organisation confirming the following details: learner name; name of company; job title; start date; and that the minimum hours requirement is met</i></li> <li>▪ <i>employment contract</i></li> <li>▪ <i>latest wage slip.</i></li> </ul>
<b>QE2</b>	<b>If a learner progresses into employment but the job does not meet the requirements for a positive progression (i.e. a minimum of 16 hours per week) what code should be entered in LP79?</b>
<b>AE2</b>	<b><i>Code '22 – Employed (Part-time)' should be entered in LP79. This outcome will not count as a positive progression. There is no requirement for supporting evidence.</i></b>
<b>QE3</b>	<b>A learner obtains employment which is for more than 16 hours per week, but has a temporary contract is this a positive progression?</b>
<b>AE3</b>	<b><i>Yes, it is a positive progression as there's no stipulated duration requirement.</i></b>
<b>QE4</b>	<b>We have learners with learning difficulties and/or disabilities who progress into supported employment but the employment does not meet the minimum 16 hours requirement.</b>
<b>AE4</b>	<b><i>There is no minimum hours' requirement for learners with learning difficulties and/or disabilities who progress into supported employment.</i></b>
<b>QE5</b>	<b>A learner has an offer of a job but this is due to start after four weeks of his/her leaving the programme, is this a positive progression?</b>
<b>AE5</b>	<b><i>No, the learner has to start employment within four weeks of leaving the Traineeships programme for this to count as a positive progression.</i></b>
<b>QE6</b>	<b>A learner progresses into employment but the contracted number of hours does not meet the minimum requirements for a progression however, the actual hours worked exceed 16 per week.</b>
<b>AE6</b>	<b><i>The employment can be regarded as a positive progression as long as the actual number of hours worked per week are 16 or above and the provider has evidence to support this.</i></b>
<b>QE7</b>	<b>A learner has employment with two different employers and the total number of hours for both jobs is over 16 hours per week (each individual job is less than 16 hours). Would this count as a positive outcome?</b>
<b>AE7</b>	<b><i>If a learner has employment of 16hrs or more per week whether this is due to one job or a combination of part-time jobs then it will constitute</i></b>

***a positive progression (please note you will need the appropriate supporting evidence).***



Further learning questions	
<b>QF1</b>	<b>If a learner has an offer letter of a place on a FE course can this be used as supporting evidence for a positive progression, or will we require evidence that the learner started on the course as well?</b>
<b>AF1</b>	<b><i>An offer letter is not acceptable as evidence must confirm the learner has actually started the course.</i></b>
<b>QF2</b>	<b>A learner has started a FE course but it's for 12 hours per week. How would I code this in LP79?</b>
<b>AF2</b>	<b><i>This would need to be coded as '09 seeking work/unemployed' as it does not meet the minimum requirements of 16 hours per week.</i></b>
<b>QF3</b>	<b>If a learner has an offer of a place on a FE course but is due to start after four weeks of the learner leaving the Traineeships programme, is this a positive progression?</b>
<b>AF3</b>	<b><i>No, the learner must actually start the course within four weeks of leaving the Traineeships programme.</i></b>
<b>QF4</b>	<b>Why am I required to retain supporting evidence for learners who go onto further learning at the same level when this is not deemed a positive progression?</b>
<b>AF4</b>	<b><i>This is a WEFO requirement and an indicator on which Welsh Government has to report.</i></b>
<b>QF5</b>	<b>If a learner completes the Traineeships Level 1 strand and then moves to the Traineeships Bridge-to-Employment strand, is this deemed as a positive progression?</b>
<b>AF5</b>	<b><i>No, it is not a positive progression. Transfers between these programmes should be coded 12 or 13 in LP41 and code 16 in LP79; these learners will then be excluded from the calculation for positive progressions for the Traineeships Level 1 strand.</i></b>
<b>QF6</b>	<b>A learner undertakes the Traineeships Level 1 strand and then starts a FE course undertaking a Level 1 qualification. Is this deemed as a positive progression?</b>
<b>AF6</b>	<b><i>No, a positive progression into further learning must be at a higher level. However, further learning at the same or lower level does count towards WEFO indicators so you do need to ensure that you have evidence of the progression.</i></b>

## Voluntary Work Questions

**QV1** A learner has undertaken a placement with an employer but then finishes the programme. The employer cannot offer him/her a job at this time but agrees that the learner can carry on working in the company on an unpaid basis until the company can afford to employ him/her. Can this be deemed as a positive progression under voluntary work?

**AV1** *No, this is not deemed as voluntary work and therefore is not deemed as a positive progression.*

**QV2** A learner has left the programme and has become a full time carer. Would this count as a positive progression under voluntary work?

**AV2** *No, this is not deemed as a positive progression.*

**QV3** A learner has undertaken a teaching assistant qualification and on leaving the programme has decided to undertake voluntary work in a school, would this be deemed as a positive progression?

**AV3** *Yes this would be deemed as voluntary work as the learner has made an active decision to 'volunteer'.  
The voluntary work code should not, however, be used for instances when a learner is undertaking unpaid employment because the employer could not afford to pay the wage.*

## Code 20 'Other' Questions

**QO1** A learner who has left the programme has been contacted as part of a follow-up process and she has informed us that she is pregnant. Can this be coded as 20 = 'Other' in LP79?

**AO1** *Code 20 'Other' should be used in the case of pregnancy when this has prevented the learner from being able to progress to further learning, employment etc. (pregnancy is not a reason in itself for the learner to leave a programme and for this code to be used). Evidence will need to be available that discussion took place with the learner and that it was agreed that it was not appropriate for the learner to progress due to the late stage of her pregnancy. Therefore in the above example code 20 should not be used as it does not meet these conditions.*

**QO2** A learner has left the programme and has become a full time carer. Would I code this as '20 – Other'?

**AO2** *No, code 20 can only be entered for those who leave due to long term sickness, pregnancy, death, custodial sentence or moved out of Wales.*

## General Questions

**QG1** Do I need to complete field LP42 for learners leaving the Traineeship programmes?

**AG1** *You are required to complete LP42 for learners who left on or before 31 December 2014. For learners who left after from 1 January it is an optional field for Traineeships, for providers to complete if they wish to follow-up with learners after the four week window.*

## 6. SUPPORT COSTS GUIDANCE

### A. Summary

- A1. Outlines the conditions governing both the payment and use of support cost funding for eligible learners on WBL programmes in 2020/21; and details the monitoring information required by the Welsh Government. The document will be reviewed and republished each year.

SECTION	PURPOSE/ AIM	RETURN
<b>Appendix 1a</b>	Provider declaration for Support Costs Funding (Traineeship):  Months 1 to 3 Months 1 to 8	Completed form to be submitted to the askWBL@gov.wales mailbox no later than:  21 November 2020 6 May 2021
<b>Appendix 1b</b>	Provider declaration for Support Costs Funding (Apprenticeship):  Months 1 to 3 Months 1 to 6 Months 1 to 9 Months 1 to 12	Completed form to be submitted to the askWBL@gov.wales mailbox no later than:  21 November 2020 18 February 2021 20 May 2021 21 October 2021
<b>Appendix 2</b>	Application form for exceptional training allowance funding.	Prior to start of learning or at earliest possible stage.
<b>Appendix 3</b>	Provider declaration for exceptional training allowance funding monthly activity: authenticated declaration	No later than 7 working days after the end of the month.
<b>Appendix 4</b>	Application form for childcare funding.	Unless specifically requested, there is no requirement for Providers to send copies of childcare application forms to the Welsh Government.

## B. Introduction

- B1. This document specifies the conditions governing the payment of support costs for learners on WBL programmes in 2020/21 and details the monitoring information required by the Welsh Government (Welsh Government) to account for the use of Support Cost Funding in 2020/21.

## C. Background

- C1. Providers must ensure that non-employed learners are provided with financial support and personal assistance to enable them to access and/or remain in learning. Support costs in this context relate to training allowances, travel costs, essential accommodation expenses and relevant assistance for learners with learning difficulties and/or disabilities. Providers must also ensure that additional learning support (ALS) needs of employed learners are met.
- C2. This document builds on the information provided in the Programme Specification for Welsh Government WBL Programmes 2015-2021. The conditions specified in this document are in addition to, and not in substitution for, the conditions set out in the Programme Specification.
- C3. The requirements in this document only relates to the contract year 1 August 2020 to 31 July 2021. Arrangements agreed prior to this contract year are no longer extant. However, Providers must ensure that learners who started their learning programmes before 1 August 2020 are not adversely affected by any change. The documents will be revised annually.
- C4. Providers who have been successful in securing a Programme Commission to deliver the Traineeship programme have been awarded an allocation for the support of non-employed learners.
- C5. The Provider is responsible for ensuring it meets the needs of all learners. It must not prevent access to learning on the basis of the cost of support described in this document. It is for the Provider to manage its Support Cost Allocation - to meet all identified learning support needs for non-employed learners. Welsh Government funding is a contribution to any learner support costs incurred by the Provider to provide learning. No further funding should be assumed.
- C6. Welsh Government funding must not be used to support employed learners other than additional learner support needs described within this document.

## D. Training Allowances

### Traineeship learners

- D1. Non-employed learners must be paid an allowance as specified in the Programme Specification L24-L30.
- D2. Providers are required to make training allowance payments direct to the learner.

### Apprentices

- D3. All Apprentices must be employed status.

### Exceptional Training Allowances (ETA)

- D4. Should an apprentice learner become unemployed, an ETA of £50 per week may be paid, in accordance with the Programme Specification F2-F4. A provider may be able to claim financial support from Welsh Government to meet the cost of the ETA for an unemployed learner for up to 6 weeks.
- D5. Financial Support in respect of ETAs will be made in excess of a Provider's programme commission.
- D6. Providers will be required to apply for support using the Exceptional Training Allowance application form provided at **Appendix 2** to this guidance. If approved, funding will normally be made available for a maximum of 6 weeks to enable the learner to seek new employment.
- D7. Providers must retain a record of all payments to the learner: this includes a receipt authenticated by the learner confirming the payment. Where learners are paid by BACS, an attendance record, authenticated by the learner to confirm attendance must be completed. This attendance record may then be used as the basis to create a BACS payment. There will be no requirement for a receipt if the attendance record and the BACS printouts are held on file.
- D8. Completed application forms, together with a letter from the learner's previous employer or a copy of the learner's P45 document (to confirm the reason for requesting support) should be sent to the [askWBL@gov.wales](mailto:askWBL@gov.wales) mailbox.
- D9. Where an application for an ETA is approved, payment will be made following the submission of monthly expenditure returns to Welsh Government's Learner Provision Team. A pro-forma for this purpose is attached at **Appendix 3**.
- D10. Allocations for ETA funding will be earmarked for the purpose intended. Providers should submit one expenditure return only each month to the Learner Provision Team, covering all ETA costs. Where a provider has more than one learner accessing ETA funding, the total expenditure for that month should be recorded. The Learner Provision Team will monitor a provider's expenditure against the agreed allocation and, provided the monthly expenditure return does not exceed the agreed allocation, payment will be forwarded directly to providers via BACS.
- D11. To receive payments promptly, authenticated expenditure returns should be submitted to the [askWBL@gov.wales](mailto:askWBL@gov.wales) mailbox no later than 7 working days after the end of each calendar month. Provided the returns are received promptly, the Learner Provision Team will make every endeavour to make payments to providers alongside the mainstream monthly payments.
- D12. Providers are reminded that any training allowance funding must be supported by original documentation. In addition, providers should ensure that they retain copies of any correspondence from Welsh Government confirming approval for ETA funding, and the period of approval.

## E. Travel and Accommodation Funding

- E1. This section provides information on processing and managing applications for support. In order to ensure a consistent approach to processing applications from learners for travel and accommodation funding and making payments to learners, it is recommended that Providers consider using standard application and assessment forms.
- E2. Travel and accommodation funding is available to non-employed learners only.
- E3. A claim should not be considered if:
- the learner lives within reasonable walking distance of the place of learning and there is no reason why the learner requires transport (e.g. as a result of a disability); and/or
  - the claim does not exceed the weekly threshold for the learner stated below. Any claim which is at or below the reimbursable threshold must be met by the learner.
- E4. The reimbursable threshold varies according to the learning programme type:
- E5. Traineeship learners - the minimum reimbursable threshold is set at 10 percent of the learner's weekly allowance payment (Programme Specification L24-L30 refers).
- A Traineeship Engagement learner receiving the maximum training allowance of £30 per week is required to meet the first £3 of their weekly travel costs.
  - A Traineeship Level 1 learner receiving a maximum training allowance of £50 per week will be required to meet the first £5 of their weekly travel costs.
- E6. All claims must be considered on the basis of travel by the most economical route, e.g. by the use of a Student Railcard (the costs of which should be reimbursed where its use offers a net saving for the Provider). Wherever possible, weekly or monthly season tickets should be used.
- E7. If a learner uses his/her own transport, s/he may claim for the costs of fuel and car or motor cycle parking provided this does not exceed the cost of travel by public transport (where available) and there is no alternative facility to park the car or motorcycle.
- E8. The Welsh Government will support the cost of travel by car, or motor cycle, up to a maximum of 25p per mile. Providers must ensure that any payments made to learners do not exceed the maximum rate of 25p per mile.

### Arrangements for Providers wishing to use their own transport

- E9. Providers will be able to use their own transport to provide home-to-study transport for eligible learners (above) where it can be clearly demonstrated that this represents the best value for money and that, without support, learners would face additional costs or would have difficulty in accessing the learning centre. However, funding travel costs must not be used as a replacement for, or to subsidise, existing funding paid for by a Provider/employer from its own funds.



- E10. Providers using their own transport to provide home-to-study transport for learners will need to maintain a clear audit trail, which identifies the learners under these arrangements, and the amount of funding allocated.

### General Information

- E11. It is expected that Providers will reimburse learners at the end of a set period. However, it is recognised that, in some instances, it may be necessary to make payments to learners in advance as the costs involved may be prohibitive to the learner, e.g. purchasing of a seasonal travel ticket. Providers must not make payments for a seasonal travel ticket of more than one calendar month.
- E12. Where a Provider arranges transport on behalf of a learner, e.g. a taxi, payments must be made directly to the transport provider, rather than the learner.
- E13. Learners can only be reimbursed for actual costs they incur. As such, payments must not be made for any periods of absence (authorised or otherwise); notwithstanding that, with seasonal travel tickets, this may not always be possible.

### Learners with accommodation costs

- E14. Non-employed learners will be eligible to receive a contribution towards accommodation costs, where the accommodation is essential for him/her to access learning. Providers supporting learners with accommodation costs must maintain a clear audit trail which demonstrates that this represents the best value for money and that, without accommodation support, learners would be unable to access appropriate learning.

### F. Childcare Funding

- F1. Childcare support is available for non-employed learners who are lone parents. Learners may be eligible to receive a contribution towards the costs of registered or accredited childcare, up to a maximum of £161.50 per week for the first child or £274.55 per week for two or more children. Where a Childcare provider charges a registration fee, this cost is fundable where no alternative childcare is available/accessible for the learner.
- F2. Childcare funding must only be available where a childcare provider is registered by the Care and Social Services Inspectorate Wales (CSSIW) or has been approved by an accredited organisation's Quality Assurance Scheme.
- F3. Registered childcare providers in Wales are inspected and registered by the CSSIW. The CSSIW will be able to confirm if a provider is registered. Registered childcare includes registered child-minders, nurseries, playgroups, early excellence centres and holiday play schemes.
- F4. These childcare arrangements are usually for children under eight, but children aged eight or over who attend schemes that also cater for children under eight are also eligible for support as they are attending registered childcare. Registered childcare may also include day care provided by a local authority (or by some schools on school premises (registered by Estyn) when the children are looked after in their parents' absence outside school hours. Registered childcare providers in England are regulated by Ofsted. Approved childcare is childcare that is approved by a specially accredited organisation's Quality Assurance (QA) scheme. A childcare provider who gains approval from an accredited organisation's QA scheme is given written

confirmation of the approval. Approval is granted for a fixed period (not more than two years) and the childcare provider will be given a reference number.

- F5. Learners must only include in their application the childcare for which they have to pay a registered or approved childcare provider. The Welsh Government provides free early years education to all three year-olds. Therefore, providers must not approve childcare funding for a period covered by free early years education.

### Applying for support

- F6. Learners who wish to apply for childcare support should complete an application form, see example at **Appendix 4**. The form is split into three separate sections: Section A to be completed by the learner, Section B to be completed by the childcare provider and Section C to be completed by the training provider.

#### Section A

- F7. The learner's details must be entered in full.
- F8. The learner must enter the child's full name and date of birth, bring the child(ren)'s birth certificate(s) and either a letter confirming child benefit entitlement or Tax Credits Award Notice (TC602(SN)) to confirm that the child is dependent on him/her.
- F9. The learner must state the number of hours childcare needed each week and the weekly cost of childcare. If the learner's childcare costs vary or he/she only needs childcare for part of their course they should provide the dates and different weekly costs on the form or on a separate sheet if necessary.
- F10. The learner must authenticate the declaration.

#### Section B

- F11. The childcare provider must confirm the number of hours childcare needed each week and the weekly cost of the childcare. The childcare provider must also provide details of any mandatory retainer charged for holidays (i.e. when the learner is not using the childcare).
- F12. If the learner uses more than one childcare provider, a separate Section B must be completed by each childcare provider.
- F13. Childcare providers must complete Parts A and/or B of Section B and authenticate the declaration as appropriate.

#### Section C

- F14. WBL providers should record details of the learner's programme of study, including the number of hours the learner must attend each week and the length of the course.
- F15. Providers are asked to record when the learner will be starting and finishing his/her course and, where applicable, enter the holiday dates or state the number of holiday weeks per year.
- F16. Providers are asked to take a copy of the child(ren)'s birth certificate(s) and either a letter confirming child benefit entitlement or the Tax Credits Award Notice

(TC602(SN)) form as evidence that the learner has (a) dependent child(ren) as set out at Section A of the form.

- F17. WBL providers are required to authenticate the declaration in order to confirm that the learner is eligible for childcare support. This involves confirming that:
1. The learner is a lone parent;
  2. the learner has (a) dependent child(ren) as set out at Section A of the form;
  3. the relevant childcare provider(s) are registered by the CSSIW or have been approved by an accredited organisation's Quality Assurance Scheme.
- F18. Providers can check that a childcare provider is registered via the following link to the CSSIW website:
- Cymraeg:  
<https://arolygiaethgofal.cymru/>
- English:  
<https://careinspectorate.wales>
- F19. Providers can check that a childcare provider is approved via the following link to the Family Information Services in Wales website:
- Cymraeg:  
<https://llyw.cymru/dod-o-hyd-ich-gwasanaeth-gwybodaeth-i-deuluoedd-lleol>
- English:  
<https://gov.wales/find-your-local-family-information-service>
- F20. Unless specifically requested, there is no requirement for Providers to send copies of childcare application forms to the Welsh Government. Providers are responsible for ensuring that all sections of the form are completed correctly, that the learner is eligible for childcare support and that the childcare provider is registered.

## G. Additional Learning Support (ALS)

### Introduction

- G1. ALS is support for learning which:
- i. arises from a learning difficulty and/or disability;
  - ii. is necessary to empower the individual learner to achieve; and
  - iii. complies with the programme specification and the requirements of this section.
- G2. The definition of learning difficulty and/or disability does not include learners with support needs arising from a functional literacy or numeracy difficulty (i.e. with basic skills needs) or learners for whom English (or Welsh) is a second language.
- G3. As its statutory responsibility, the Provider must offer equality of opportunity to all potential learners. It must ensure all additional learning needs are adequately met and resourced.
- G4. Providers must use ALS funding to respond to individual learner needs. In doing so, Providers must make reasonable economies, such as sharing support and negotiating competitive rates for both equipment and services in order to make the best use of

Welsh Government' resources, and to achieve a fair and equitable distribution of the funds available.

- G5. Where a Provider is seeking to support a learner in respect of provision related to dyslexia, this must be based on an assessment using a recognised professional diagnostic tool. This might be through an educational psychologist's report or an assessment undertaken by a tutor professionally trained in the diagnosis of dyslexia. Qualifications held by such a tutor might include the RSA Diploma for Teachers of Learners with Specific Learning Difficulties, among others. BSA and other tests for basic skills are not considered appropriate tests for dyslexia, although they are helpful in identifying if a learner might require more specific testing.

### Human Support

- G6. Human support is categorised into six cost levels for on-going and one-off support, towards which Welsh Government funding will make a contribution.
- G7. The fund may not be used to defray the costs of full-time or part-time salaried staff already employed by the Provider (unless staff are employed solely for purpose of providing additional learner support). However, the fund may be used to release such staff by employing replacement staff. In such circumstances the Provider must be able to show a direct audit trail. In other words, using the fund to meet notional replacement costs is not acceptable.
- G8. Where a learner requires additional human support, providers will be required to review need at least six monthly.
- G9. The table below lists the generic support types and describes the nature of support covered by each label.

Support Type	Nature of Support
<b>Ancillary</b>	This support type covers learning support assistants, general support workers, readers and exam support.
<b>Communicator1</b> <b>Communicator2</b> <b>Communicator3</b>	Communicators for deaf learners who use sign language. Funding for sign language interpreters will reflect the stage to which they are trained (BSL Stages 1, 2 or 3 (CACDP). You should confirm the stage to which the interpreter is trained (i.e. Stage 1, 2 or 3). Advice from the RNID suggests that Stage 3 should be a minimum standard.
<b>Note taker</b>	Support of this nature includes typists, shorthand or longhand note takers.
<b>Tutorial</b>	Support of this nature covers services of a general tutor and IT support for specialist software/hardware (includes technician). It is not intended to cover the services of a learning support assistant, which would be covered under the ancillary category.  Tutorial support would normally be in addition to a learner's ordinary classroom or workplace time.
<b>Specialist</b>	This level of support covers specialist advisers such as IT consultancy, hearing, dyslexia or sensory impairment advisers, speech and language therapists and counsellors.

<b>Assessment</b>	An external post-enrolment assessment such as a dyslexia test; assessment by an educational psychologist; or assessment by RNIB, Wales Council for the Blind, RNID or Wales Council for the Deaf. Individual assessments by educational psychologists may cost as much as several hundred pounds per learner. Providers may reduce the cost of assessments by arranging several appointments during a single visit.
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### **Technical Support / Specialist Technical Support**

- G10. ALS funding must not be regarded as the primary source of funding for equipment for learners with learning difficulties and/or disabilities.
- G11. Welsh Government funding may be used to purchase specialised equipment such as Braille machines, overlays, Reading Edge equipment, IT adaptations, specialist software and related licences and IT hardware, hearing loops and conference folders.
- G12. Technical support does not include photocopying, books, printers, general software or capital expenditure on buildings such as lifts or items that will become the personal property of learners.
- G13. Providers may use Welsh Government funding to lease specialist equipment if it is required for a short period of time.
- G14. Where equipment is bought solely from Welsh Government funds, Welsh Government will retain ownership and the item will be regarded as a national resource when the learner for whom it was purchased has left the Provider. In these circumstances the item may be transferred to an alternative Provider for use by another learner. The Provider must maintain a record of the type of equipment: e.g. Braille, Hearing Loop; including the make and model.
- G15. All purchases between £500 and £5,000 will require a minimum of three written quotations. Any purchases below £500 can be made without the need to obtain 3 quotations. However, you will still be required to retain proof of purchase. All purchases over £5,000 should use the provider's procurement procedures. Written quotations must be obtained from suppliers who are capable of supplying the goods/services required. The Provider must include any items of equipment purchased with ALS funding in their insurance cover.
- G16. When equipment purchased with ALS funding becomes obsolete, the Provider may dispose of that equipment in line with its usual procedures for disposal of obsolete equipment provided a clear audit trail is maintained. Any proceeds from sale of these items should be used towards the purchase of new equipment that promotes access to mainstream provision. Providers should include these proceeds in their returns to Welsh Government.

### **Eligibility for ALS Support**

- G17. The following criteria apply:
- The learner's ALS needs must be underpinned by a diagnostic assessment and this must be recorded in each learner's ILP, together with identification of individual support needs, and the learning programme. In respect of dyslexic learners, the ILP must also record the date and outcome of the professional dyslexia test.

- A learners' assessment of need must be as up-to-date as possible because individual needs change and the type and amount of need might be different in a post-16 setting. All stated school leavers will have an Individual Learning Pathway Plan written by Career Choices Dewis Gyrfa during their final year at school. A learner's support needs should be determined with regard to this document.
  - The learner has a learning difficulty/disability: i.e. a primary disability or learning difficulty, e.g. Dyslexia, Moderate Learning Difficulty (Mod LD), Visual Impairment. Recording an accurate and clear description is essential. Learners with functional literacy and numeracy needs are NOT eligible for ALS funding, as funding for such support is built into the payments for the relevant programme.
- G18. Providers have an authenticated letter of endorsement or Section 140 assessment of needs from Career Choices Dewis Gyrfa, where this is available.
- G19. Where there is specific support, be it human or technical, or to create an appropriate learning environment, this will be related to an individual learner and must be recorded on the ILP.
- G20. Should the learner change learning programme, the support must follow the learner unless the change of learning programme leads to a reduction/increase in support required.

## H. Evidence Requirements

### All Support Costs

- H1. Providers must retain a record of all payments to the learner, and/or in respect of a learner, as per the requirements set out in the 2015-21 WBL Programme Specification and this guidance.
- H2. Providers must ensure that they retain a list of the learners supported and the total amount allocated to each individual learner. This information will be requested by Welsh Government Provider Assurance and Governance Service (PAGS) as part of audit arrangements for support cost funding.
- H3. Providers may also be requested, on an ad hoc basis, to submit relevant background information relating to ALS funding to Welsh Government in order to ensure that funding is being utilised in accordance with the requirements set out in the Programme Specification and this document.
- H4. Providers will be required to submit expenditure reports for learner support funding. Forms for this purpose are attached and can be found at **Appendix 1a & 1b**. Providers will be required to certify that any funding received for the purpose of learner support funding has been expended in accordance with the requirements set out in the Programme Specification and this document.

### Specific evidence requirements for Travel and Accommodation payments

- H5. Providers are reminded that any funding paid for journeys made by public transport must be supported by receipts. Providers must retain all receipts in support of a learner's claim.

### Specific evidence requirements for Childcare payments

- H6. Providers must retain copies of all invoices submitted by the childcare provider and a record of all payments made to the childcare provider. Providers are advised that payment should be made directly to the childcare provider and that at no time should payment be made directly to the learner. In addition, Providers should ensure that they retain each learner's childcare application form. These will be subject to audit by PAGS.

### Specific evidence requirements for Additional Learning Support payments

- H7. Providers must record the dates when ALS is required on the learner's ILP. In addition:
- The number of hours per week the learner is supported in provision must be recorded. If the number of hours support per week is likely to vary during a programme please enter the average number of support hours per week. Record the duration of programme in weeks.
  - Record the number of learners sharing the support. Providers are encouraged to arrange for learners to share support where possible in order to achieve best value. Some learners, however, will require 1:1 support.
  - Record the hourly cost of support. Funding for human support relates only to direct contact time with the learner and does not include 'on-costs' (e.g. holiday pay, sick pay etc.).

- H8. Please note that the maximum hourly rates payable are as follows:

<b>Type of support</b>	<b>Hourly rate £</b>
<i>Ancillary</i>	<i>9.50</i>
<i>Assessment</i>	<i>Full Cost *</i>
<i>Communicator1</i>	<i>15.00</i>
<i>Communicator2</i>	<i>18.00</i>
<i>Communicator3</i>	<i>20.00</i>
<i>Note taker</i>	<i>12.00</i>
<i>Specialist</i>	<i>35.00</i>
<i>Tutorial</i>	<i>24.00</i>

\* Welsh Government will reimburse the actual cost of the assessment. The Contractor must provide evidence and sense check prior to WG processing claim.



## I. Allocation of Funding

### Traineeships

- I1. Welsh Government will allocate funding to reflect all learner support costs using a formulaic approach linked to the type and volume of provision in a Providers' contract. Providers will receive a monthly allocation based on their performance recorded via the Lifelong Learning Wales Record (LLWR).
- I2. Providers will be expected to manage their Support Cost allocation within their contract specification. It will be for each Provider to decide its criteria and procedures for considering applications and making payments to eligible learners, subject to the conditions set out in the Programme Specification, this guidance and any other guidance from Welsh Government.
- I3. Any unspent Support Cost Allocation will be reclaimed in full by Welsh Government at the end of the contract year.
- I4. The Provider will be required to submit returns on expenditure.

### Apprenticeships

- I5. Providers have not been awarded a ring fenced support cost allocation in respect of apprentices. Payments in relation to support cost requirements for this cohort of learners will be additional to a provider's programme commission value and will be made following receipt of quarterly expenditure reports.

## J. Audit Arrangements

- J1. Providers are reminded that they must maintain records of the support provided to the learner and that funding expenditure must be supported by original documentation. The Provider must retain an audit trail of evidence of costs incurred until notified by the Welsh Government (For further information, please refer to paragraphs D37 to D42 in Section D Information Assurance).
- J2. Providers are required to submit details of actual expenditure on support costs, which will be subject to review by Welsh Government. Any underspend or non-compliant expenditure will be reclaimed in full.
- J3. The evidence requirements for funding and payment are detailed in the 2015-21 WBL Programme Specification and in the PAGES document 'on the evidence requirements to support funding and payment'.
- J4. The audit arrangements for WBL are set out in the Programme Specification.



## Appendix 1a - Provider declaration for in-year activity support costs (Apprenticeships)

Please see Support Costs declaration forms at:

Cymraeg:

<https://llyw.cymru/rhedeg-dysgu-seiliedig-ar-waith>

English:

<https://gov.wales/running-work-based-learning>

## **Appendix 1b - Provider declaration for in-year activity support costs (Traineeships)**

Please see Support Costs declaration forms at:

Cymraeg:

<https://llyw.cymru/rhedeg-dysgu-seiliedig-ar-waith>

English:

<https://gov.wales/running-work-based-learning>

## Appendix 2 - Provider application for an Exceptional Training Allowance (Apprentices only)

Please see Exceptional Training Allowance form at:

Cymraeg:

<https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni>

English:

<https://gov.wales/work-based-learning-wbl-forms>

### Appendix 3 - Exceptional Training Allowance Funding



Llywodraeth Cymru  
Welsh Government



#### WORK BASED LEARNING: PROVIDER DECLARATION FOR MONTHLY ACTIVITY

#### EXCEPTIONAL TRAINING ALLOWANCE FUNDING – 2020/21 CONTRACT YEAR

Name of Provider: \_\_\_\_\_

Month: \_\_\_\_\_

Please provide a breakdown of monthly expenditure for each individual in receipt of exceptional training allowance funding

Learner Identifier LLWR field (LN01 or LN02)	Dates when ETA funding was provided		Month expenditure relates to	Monthly expenditure £
	Date from DD/MM/YYYY	Date to DD/MM/YYYY		

6. Support Costs Guidance

Please return the signed and dated declaration to the [askWBL@gov.wales](mailto:askWBL@gov.wales) mailbox.

I certify that the amount expended has been deployed in accordance with the guidance outlined in the Programme Specification.

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

#### **Appendix 4 - Application for Help with Childcare Costs**

Please see Application for Help with Childcare Costs form at:

Cymraeg:

<https://llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni>

English:

<https://gov.wales/work-based-learning-wbl-forms>

## 7. PROVIDER PERFORMANCE MANAGEMENT - A PROGRAMME FOR JOINT WORKING

### A. Purpose

- A1. The purpose of the Skills, Higher Education and Lifelong Learning (WG) Provider Performance Management Programme is to ensure contractual compliance by WBL providers and, in line with the Quality and Effectiveness framework, ensure continuous improvement in the quality of delivery. This Programme sets out how WG and the WBL network will continue to work together to drive compliance and improvement in addition to identifying the current key focus areas.

### B. Background

- B1. The Learning and Skills Act 2000 places a responsibility on the WG to ensure the appropriateness and effectiveness of education and training in Wales. The Provider Performance Team was established to help meet this responsibility within the WBL sector.
- B2. WBL provider performance management is undertaken via a risk based approach that reflects the increased maturity of the network and its capacity for self evaluation and assessment (see 'Self Assessment'). Information on the assessment of provider risk is provided at Annex A.
- B3. Since The WG introduced its Quality and Effectiveness Framework there have been significant improvements in both the delivery and quality of post-16 learning. However, room for improvement remains. For example, there is still provision within the network which is deemed below 'good' and this is not acceptable. All providers should be striving for excellence and the role of the Provider Performance Team, working without other teams within The WG, is to provide relevant challenge to enable all providers to reach this goal.

### C. Provider Performance Managers

- C1. Each provider has been allocated a Provider Performance Manager to act as a dedicated point of contact. The role of the Provider Performance Manager is to review a provider's performance and provide appropriate challenge and support to enable delivery of quality provision in line with the WBL Programme Specification. Reviews will take the form of face-to-face meetings in addition to telephone and email correspondence.
- C2. The frequency of face-to-face reviews will be based on the current assessed risk for each provider. Providers with a **high** risk rating will be visited on a quarterly basis (at least), those with a **medium** rating bi-annually and **low** risk providers, annually. The timing of face-to-face visits will be flexible but will reflect the schedule for Self Assessment Report (SAR) / Quality Development Plan (QDP) returns and Estyn inspections (where applicable).

### D. Key Elements

- D1. The key elements of the provider performance programme are to:
- Ensure that providers deliver in line with their WBL Agreement; and

- to monitor the quality of funded provision (with the exception of the Jobs Growth Wales programme) against Estyn recommendations, QEF indicators and relevant information from stakeholders.

## **Ensuring delivery in line with WBL Agreement**

### **Delivery against targets**

- D2. The Provider Performance Team will monitor each provider's performance on a monthly basis, against a series of objectives/targets, including (but not limited to):
- Actual and anticipated spend against contract
  - Delivery against contractual targets
  - Welsh/ Bilingual Delivery
- D3. Additionally, the team will intervene where there is actual evidence that a provider is failing to meet demand within their commissioned local authority areas/occupational sectors.

### **Equality and Diversity**

- D4. Providers are expected to review and evaluate the effectiveness of their formal policies and procedures on current performance.
- D5. To assist with this, the Provider Performance Team has developed a set of individual reports to enable providers to assess their recruitment performance against a network average. These reports can be accessed through LLWR inform.
- D6. Providers will be challenged where their performance is below the network average and:
- there is no robust plan (with time bound actions) to improve performance; or
  - there is a plan in place (within the provider's QDP) but it is failing to have a sufficient impact.
- D7. Conversely, providers who are deemed to be successful in reducing/removing the barriers to opportunity are encouraged to share good practice with other providers.

### **Community Benefits**

- D8. The WG is committed to contributing to the social, economic, and environmental well-being of the wider community. The Work Based Learning programmes underscore this commitment.
- D9. In addition to the delivery of the WBL programmes, providers are required to support the WG's commitment to delivering maximum value by achieving community benefits through the programme.
- D10. As a minimum, providers are required to:

- i. support the recruitment of the long term unemployed, including young people eligible for the Traineeship programme as well as unemployed adults, when recruiting its own staff, providing details of the number of employees retained that otherwise might have been lost and the number of new employees appointed as a result of the WBL contract;
  - ii. undertake school and community centre visits and events such as ‘Have a Go’ to raise awareness of particular types of Apprenticeships, as well as other WBL and work experience opportunities;
  - iii. offer work placements for school students within their own workplaces and provide the number of placements offered;
  - iv. continue to implement and update existing equality and diversity strategy addressing bullying or harassment on the grounds of disability, gender, race, age, religion, sexual orientation or any other protected characteristics or form of difference;
  - v. implement policies and training for Education for Sustainable Development and Global Citizenship, including minimising the effect of its day to day operations on the environment;
  - vi. open up opportunities for Small and Medium Enterprises to bid for subcontracting opportunities; and
  - vii. provide the number of people employed through sub-contractors as a result of being awarded WBL contracts and the associated value.
- D11. Providers are encouraged to secure other positive outcomes that would benefit the community in which they work, (such as contributing to community regeneration schemes or offer volunteering opportunities ) and are further encouraged to share best practice with other providers.
- D12. All directly contracted providers are required to provide detailed information on community benefits. This information will be commissioned by Welsh Government annually.

### **Well-being of Future Generations Act 2015**

- D13. Education for Sustainable Development and Global Citizenship (ESDGC) has been superseded by the Welsh Government’s commitment to the Well-being of Future Generations Act.
- D14. The Contractor must have a documented strategy for encompassing the key areas of:
- i. commitment and leadership;
  - ii. organisational management;
  - iii. teaching and learning;
  - iv. communities and partnerships

noting the well-being goals of:

- A prosperous Wales
- A resilient Wales



- A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities
  - A Wales of vibrant culture and thriving Welsh language
  - A globally responsible Wales.
- D15. The strategy should be reviewed on at least an annual basis as part of the Contractor’s self-assessment cycle.
- D16. The Contractor must nominate a member of staff who is responsible for co-ordinating and monitoring its Well-being strategy, and whose job description reflects this role.
- D17. See also Section 3 European Funding Compliance Guidance G. Cross Cutting Themes.
- D18. Further information on the Well-being of Future Generations Act can be found at the following link: <https://futuregenerations.wales/about-us/future-generations-act/>

### **Welsh Language Policy**

- D19. The Welsh Language Strategy - Cymraeg 2050, was published on the 10 July 2017 and outlines the vision of the Welsh Government of a million Welsh speakers by 2050.
- D20. The Contractor is required to support the development of the Welsh language as a skill in the workplace and the take up of Welsh language and bilingual training. The Contractor must also create demand for the Welsh language provision by creating an environment where participants can engage services in their language of choice. To support this, the provider is required to have an up to date Welsh language policy in place. (For more details see Generic Sections: V5 - Welsh Language Policy).

### **Monitoring the Quality of Provision**

#### **Learner Outcome Reports**

- D21. The team will closely monitor the performance data recorded within the Lifelong Learning Wales Record (LLWR) to identify any performance which is below WG thresholds.
- D22. Providers will be required to put appropriate actions in place to remedy poor performance and will be expected to demonstrate that necessary improvements are being made in a timely manner.
- D23. The team will review the actions recorded within a provider’s QDP and will challenge, where appropriate, if the actions are deemed to be insufficient.
- D24. In addition, the team will monitor performance data on a monthly basis and will provide challenge where there is no evidence of improvement.

#### **Estyn Inspections**

- D25. The Contractor must attain, as a minimum, a judgement of at least ‘adequate and needs improvement’ in all key questions following inspection by Estyn. Where

shortcomings are identified, the provider must put in place a detailed action plan with specific objectives, targets and milestones to address these shortcomings.

- D26. A draft action plan must be submitted to The WG for approval by the relevant Provider Performance Manager, within one month following the draft publication of the Estyn report. The effective implementation of the approved action plan will be monitored over the period up to re-inspection/monitoring visit and providers will be challenged where it is deemed that insufficient progress is being made.
- D27. The WG will operate an escalation procedure which will be instigated when the provider demonstrates serious and persistent failings in quality. A termination event includes the failure to achieve an overall judgement of 'adequate and needs improvement' or above for current performance on re-inspection by Estyn (or an equivalent body) (paragraph U10 of the WBL Programme Specification refers).
- D28. As part of the Estyn inspection arrangements, The WG will continue to be informed of the outcomes of inspections and the relevant Provider Performance Manager will attend feedback meetings.

### **Estyn Thematic and Annual Reports**

- D29. All providers are expected to take account of the issues and findings identified within Estyn's Annual Report and thematic reviews and consider their relevance to their own working practices. The team will be looking for evidence (within a provider's SAR and QDP) to show that this is occurring, and will be challenging providers where there is no evidence of Estyn's findings being taken into account.
- D30. This information is available at: <http://www.estyn.gov.wales/language>

## E. Self Assessment

- E1. Each WBL provider must have in place its own systems to manage the quality of learning and to ensure the achievement and maintenance of high standards, in line with the requirements set out in the Quality and Effectiveness Framework. The provider must undertake an annual self-assessment, based on guidance published by the WG and Her Majesty's Inspectorate of Education and Training in Wales (Estyn). The resulting self-assessment report (SAR) and quality development plan (QDP) must be submitted to the WG at a date to be agreed between the provider and the WG, reflecting the individual provider's annual quality cycle. Progress against actions identified in the QDP must be reviewed at least three times a year, and the outcomes of the review documented by the provider. This documentation, together with supporting evidence of actions taken, must be made available to The WG and Estyn on request.

### Sharing of Best Practice

- E2. The WBL network is expected to work collaboratively to ensure that best practice is identified, shared and learnt from, and this should become common practice. The Provider Performance Team will be looking for evidence (within each provider's SAR and QDP) that this practice is occurring. Where The WG becomes aware of good practice, it will take steps to ensure that this is disseminated across the network.

### Summary

- E3. As outlined within the background to this document, there has been much improvement in the quality of Work Based Learning provision within Wales. This can be evidenced from the significant increase in Apprenticeship completion rates over the past few years; increasing from 54% in 2006/07 to 81% in 2015/16. However, these rates are not experienced by all providers or in all occupational areas and across the sector there are still improvements to be made (as identified within the latest Estyn Annual Report). The WG seeks to build on its good relationship with the WBL sector; creating and maintaining a culture of challenge and support. It is anticipated that this approach will enable all providers to meet the high standards expected of them in support of the learners of Wales.

## Annex A

### Annex A: Assessing risk

The risk assessment includes:-

- Current Estyn judgements for providers that have been inspected.
- Judgements of 'adequate / adequate and needs improvement' will be considered extant (irrespective of time elapsed) unless officials are satisfied that sufficient improvements have been made against all of Estyn's recommendations;
- learner outcome performance data information;
- provider Assurance and Governance Service (PAGS) review findings;
- delivery against contract value and specific programme targets;
- substantiated information from other internal and external stakeholders;
- published monitoring information and
- significant changes to contract i.e. in relation to value or dispersal

A provider's risk assessment will be reviewed at regular intervals, based of the latest available information.

## 8. WORK-BASED LEARNING OUTCOMES – PERFORMANCE THRESHOLDS

### A. Background

- A1. This sets out performance thresholds for work-based learning (WBL) programmes.
- A2. The purpose of the thresholds is to give WBL providers a steer on how their learner outcomes will be measured, and on Welsh Government's expectations for performance.
- A3. Providers should note that the thresholds set out below may be reviewed in light of the sector's performance, and may be revised for future years.
- A4. Learner outcomes will be evaluated and reported on. Where performance falls below the quality threshold, providers will be expected to demonstrate that remedial action is in place to bring about improvement.
- A5. Any comments or questions should be sent to [askWBL@gov.wales](mailto:askWBL@gov.wales)

### B. Performance year

- B1. Performance will be measured on an academic year basis i.e. 1 August to 31 July, irrespective of the start and end months of the contract year.
- B2. Measuring performance on an academic year basis ensures alignment with the annual timescales for performance measures with other post-16 sectors (i.e. Further Education and Adult Community Education). It also ensures trend data for WBL learner outcomes is comparable year-on-year.

### C. General notes

- C1. The tables below show performance thresholds for each programme, against a 'traffic light' system. **The WBL Programme Specification makes reference to minimum performance targets.**
- C2. It should be noted that there is a lag time for data availability, allowing time for providers to receive and record evidence of learner achievements; this means that statistics will be published in the spring following the academic year end.

## D. Apprenticeship framework success

### Current performance thresholds

<b>90% or above</b>
<b>80 – 89%</b>
<b>75 – 79%</b>
<b>Below 75%</b>

### Notes

- D1. The thresholds will be reviewed on an annual basis and may be subject to change. They will apply to Foundation Apprenticeships, Apprenticeships and Higher Apprenticeships.

## E. Traineeships

### Performance thresholds

Traineeship		
Engagement	Level 1	Bridge to Employment
80% or above	75% or above	n/a
70-79%	65-74%	n/a
60-69%	55-64%	85% or above
Below 60%	Below 55%	n/a

### Notes

- E1. In 2015 we introduced a new approach to measuring the destinations of Traineeship leavers, moving from measuring the destination of the learner within three months of leaving the programme, to measuring the immediate destination of the learner i.e. within four weeks of leaving.

## 9. GLOSSARY OF TERMS

### A. Words and Expressions relating to WBL

The following words and expressions have the meanings set out below.

In the event of any inconsistency or conflict between any of the words and expressions set out below and those appearing in the Agreement then the Agreement shall prevail.

#### 14-19 Learning Pathways

For more information on learning Pathways 14-19 please visit:  
<http://gov.wales/topics/educationandskills/pathways/?lang=en>

**14-19 Networks** – the local authority led strategic partnerships which support the development and implementation of 14-19 Learning Pathways locally and regionally, including support for collaborative working. The Networks include representatives from a broad range of stakeholders involved in the delivery of Learning Pathways, including the local authority, schools, further education institutions and WBL Providers. The Networks' role is to ensure that learners have access to all six elements of their learning pathway.

**14-19 Regions** – Their role is to implement the requirements of the Learning and Skills (Wales) Measure and the Learning Pathways Policy through:

- working with secondary schools and colleges of further education to provide learner provision, including through the medium of Welsh, which meets the requirements of the Learning and Skills Wales Measure 2009; and
- supporting the six key elements of the Learning Pathways Policy.

All 14-19 activities are co-ordinated and planned by a lead local authority in each region with the co-operation of the non lead local authorities in the region.

**Absence** – The non-attendance of a learner for any day or part day of required attendance for learning as set out in his/her Individual Learning Plan (ILP).

**Accreditation** – The process through which regulators confirm that a qualification conforms to regulatory requirements.

**Activity** – A learning experience that is eligible for funding in accordance with the requirements of the programme specification.

**Activity Costs Model** - The Activity Costs Model approach is based on developing an understanding of programme delivery models, describing these and then quantifying delivery costs and activity levels. Delivery costs assumptions and activity costs are then modelled to derive activity costs for a programme of learning. For further information please see the WBL Pricing Document.

**Actual Leaving Date** – is the last day of learning for which there is documentary evidence as required by the Programme Specification and Guidance to Support the Funding of WBL.

It may be the first to occur of the following:

- i. the date a learner completes their ILP;
- ii. the day a learner is terminated from a programme for misconduct;
- iii. the date the learner has chosen to leave;
- iv. where a learner does not return to learning following a period of suspension:
  - a. the final date of attendance for which there is evidence that the learner was in learning prior to suspension following unauthorised absence; or
  - b. the final date of authorised absence prior to suspension.

**Additional Learning Support (ALS)** – Direct support for learning which:

- i. arises from a learning difficulty and/or disability;
- ii. is over and above that which is generally provided for in a learning programme; and



iii. is necessary to empower individual learners to achieve.

The definition of learning difficulty and/or disability does not include learners with support needs arising from a functional literacy or numeracy difficulty (i.e. Basic / Essential skills) or learners for whom English (or Welsh) is a second language.

**Additional Learning Support (ALS) Fund** – A Welsh Government fund that provides additional funding to facilitate the ALS that some learners require to effectively overcome their barriers to accessing learning and training. Providers should use ALS funding to respond to individual learner needs. ALS funding can be utilised to cover either human or technical support.

Please see Section 8 ‘**Support Costs Guidance**’ for further information.

**Agreement** – The agreement between the Contractor and the Welsh Ministers including the conditions and the Programme Specification. See also **Apprenticeship Agreement or Framework Agreement or Apprenticeship Learning Agreement**. NB: These terms refer to different types of documents.

**Apprenticeship** – an employment based learning programme for employed learners following a recognised apprenticeship framework at level 3 approved for delivery in Wales. Apprenticeships can also be used as a collective term to refer to Foundation Apprenticeship, Apprenticeships and Higher Apprenticeships.

**Apprenticeship Learning Agreement** – An agreement between the employer and the apprentice prescribed by the Welsh Ministers. Please see the link below for more information

<https://beta.gov.wales/work-based-learning-wbl-forms>

<https://beta.llyw.cymru/dysgu-seiliedig-ar-waith-ffurflenni>

All apprentices must have an apprenticeship learning agreement in place on or before the first day of training.

**Apprenticeship Certificate** – A certificate that is issued to a learner on completion of learning to attest that all the requirements specified in the recognised apprenticeship framework have been met.

**Apprenticeship Frameworks for Wales** – Those frameworks which comply with the Specification of Apprenticeship Standards for Wales (SASW) and that have been issued by Issuing Authorities designated for the sector by the Welsh Ministers. All frameworks issued in Wales can be found at: <http://www.afo.sscalliance.org/>

**Apprenticeship Vacancy Service (AVS)** – an on-line matching service to assist employers in finding suitable Apprentices, and aspiring Apprentices, to find employers. In addition, this website advertises vacancies for the Jobs Growth Wales programme. This site is hosted and maintained by Careers Wales who also advertise other employer vacancies on this site – <http://www.careerswales.com/en/>

**Approved Qualification** – A qualification approved by the Welsh Government under Section 99 of the Learning and Skills Act 2000 for the purposes of Section 96.

**Assembly Learning Grant** – A grant which aims to encourage people aged 19 or over and living in Wales to continue with their education. It is a means tested grant that provides support to help people from low-income families to access and remain in further and higher education. The grant helps to cover the cost of books, equipment, travel and childcare. Please visit [www.studentfinancewales.co.uk](http://www.studentfinancewales.co.uk) for further information

**Assessment** – is the process of determining generic and vocational skills including aptitude and commitment to learning; it is the process of gathering and judging evidence in order to decide whether a person has achieved a standard or objective.

Assessment includes input from the learner, employer, trainer, mentor, assessor and is to set standards: (Standards in Competencies, Technical Knowledge, Essential Skills Wales, and the Wider Key Skills are set by Awarding Organisations). Standards for apprenticeship frameworks generally, including entry conditions and relevant job roles, are set by framework Issuing Authorities. Assessment includes:

- Initial assessment which determines an individual's ability and the appropriate entry point to learning;
- Extended initial assessment allows for more detailed assessment including diagnostic tests which determines a learner's suitability to follow the programme of study and determines commitment; and the learning process and determines the next phase of ongoing assessment;

- Ongoing assessment determines competence against set performance indicators and determines the next phase of learning inputs.

**Asylum Seeker** – A person who has applied for political asylum and is awaiting a decision on his/her application. The majority of asylum applicants are not permitted to work while the Home Office considers their application. However, if they have waited longer than 12 months for the Home Office to make an initial decision on their asylum application, they may request permission to work.

**Attainment** – Achievement of the qualification or award associated with an assessable learning activity.

**Authorised Absence** – The standard definition of authorised absence includes:

- up to seven calendar days' absence through sickness provided that the learner supplies self-certification or a fit note. If the period of sickness continues beyond seven calendar days, any further absence, up to two calendar weeks, must be evidenced by a fit note;
- time off to attend medical appointments;
- time off to attend vocationally-related examinations, Careers Wales, Jobcentre Plus or job interviews;
- time off for previously agreed holidays and public and bank holidays;
- absence due to an industrial dispute in which the learner is not involved or enforced repair of premises or unforeseen company closure, which prohibits effective or safe learning;
- time off for necessary attendance at a court of law;
- time off for attendance on required military duties;
- compassionate leave for urgent domestic affairs to enable learners to cope with a short-term crisis and where necessary to allow sufficient time for satisfactory longer-term arrangements to be made;
- suspension of a learner as a result of disciplinary action provided that such suspension complies with Terms and Conditions notified at the commencement of their learning.

**Awarding Organisation** – An organisation recognised by the qualifications regulators against the General Conditions of Recognition and Criteria for Recognition, to develop and award qualifications. In Wales, the qualifications regulator is currently the Welsh Government and moving forward, Qualifications Wales.

**Award** – Refers to qualification award

**Bacs** – A system for the electronic processing of bank transactions. It has commonly been used by providers to manage the payment of Learning Allowances, Training Allowances, and travel support.

**Barriers** – A barrier is a condition that makes it difficult to make progress or to achieve an objective. A barrier to learning is anything that inhibits an individual's ability to engage with the learning process, to achieve their objectives and to progress with their chosen pathway.

**Career Choices Dewis Gyrfa (CCDG) operating as Careers Wales.** A wholly owned subsidiary company of the Welsh Government which has been authorised to provide careers guidance within Wales. It provides free, bilingual, impartial careers information, advice and guidance for all ages and acts as a link between education and business. It acts as the referral agency for youth unemployed learners in accordance with the terms and conditions specified with the Programme Specification and accompanying guidance documentation.

Please visit <http://www.careerswales.com/en/> for further information.

**Careers Wales Assessment and Referral Process** – This is a process carried out by Careers Wales to effectively identify the needs, barriers, aspirations and vocational aims of customers, and thereafter to refer the customer to further assessment, training provision or further education.

The process of assessment may include:

- a diagnostic assessment exploring barriers and underlying causes
- Vocational Guidance Interview
- Careers Wales enhanced provision

**Careers Wales Enhanced provision** – A programme of support, delivered 1:1 and/or via group delivery addressing identified barriers to engagement. Support may include: career management skills; decision making; learning styles; employability skills; work based behaviour; employment support; further assessments around basic skills; personal development support around confidence and self esteem; digital services support; mentoring and advocacy support; entrepreneurship; and supported referral to education, employment or training

**Centre-based Learning Opportunities** – Vocational learning undertaken in a location other than with an employer, normally a training workshop or similar.

**Certificate** – a record of attainment of a qualification, unit and/or credit, issued by an awarding organisation.

**Certifying Authority** – An organisation designated by Welsh Ministers to issue Apprenticeship Certificates.

**Children and Young People's Partnerships / Children and Young People's Plans (CYPPs)** – Local partnerships consisting of stakeholders who provide and have an interest in services to children and young people. These Partnerships aim to work together to improve the well-being of children and young people aged up to 25.

Their CYPP should describe what improvements will be achieved for children and young people in the local area and how and when these improvements will be delivered. The scope of the Plan includes all services that affect children and young people's well-being, including services for adults and families that have an impact on children.

It is recommended that Training Providers contribute to, and are familiar with, the Children and Young People's Partnership Plans for areas in which they offer provision.

Copies of the relevant guidance can be accessed on:

<http://gov.wales/topics/people-and-communities/people/children-and-young-people/?lang=en>

**Community-based Projects** – Community-based projects are activities that aim to improve the local area and the lives of local people.

Individuals usually volunteer to be part of a community-based project but may also receive some financial incentive or reward for participating.

The Volunteering Matters website <http://volunteeringmatters.org.uk/> provides information on what is available and examples of structured local projects. You can also contact the local authority for information about projects supported in an area.

**Competencies** – the ability to carry out activities to the standards required.

**Completion Certificate (framework led programmes)** – A certificate which is issued to a learner on completion of learning to attest that the minimum requirements of the appropriate framework have been achieved.

**Compulsory school age** – Compulsory school age is the period of time during which a child must receive full time education at school or otherwise, starting with the Statutory School Age and ending on the Statutory School Leaving Date.

A person ceases to be of compulsory school age at the end of the day which is the school leaving date for the calendar year. This is the last Friday in June, of the school year in which s/he reaches the age of 16. For those whose birthdays fall after the last Friday of June but before the 1 September, they will reach the Statutory School Leaving Date aged 15.

**Contextualise** – A placement to provide a learner with the chance to demonstrate to a potential employer that the skills and knowledge previously attained in a non-vocational setting can be applied to the employment opportunity. The placement can be no more than 4 weeks in duration.

**Contractor** – A legal entity which successfully tenders for the provision of WBL and enters into an Agreement with the Welsh Government. This is also referred to as a Provider. See also Provider.

**Consortium** – A group of organisations coming together to deliver WBL. It is for each consortium to agree its own constitution.

**Courses in Wales Database** – This is a web enabled search facility that provides information on post-16 learning opportunities. For further information please visit:

<http://gov.wales/topics/educationandskills/learningproviders/workbasedlearning/wbl-contracts/courses-in-wales/?lang=en>

**Credit** – an award made to a learner in recognition of the achievement of designated learning outcomes at a specified credit level. Credit is only awarded following quality assured assessment of achievement. No additional

credit can be awarded for achievement over the threshold level (established by the learning outcomes and assessment criteria) although such achievement can be recognised through the award of marks or grades. No credit should be awarded for units where the learning outcomes have not been achieved.

**Credit and Qualifications Framework for Wales (CQFW)** – the National Qualification Framework for all learning in Wales, including Regulated Learning in Schools, Colleges and WBL, Quality Assured Lifelong Learning and Higher Education providers.

For further information please see:

<http://gov.wales/topics/educationandskills/qualificationsinwales/creditqualificationsframework/?lang=en>

**Data Collection Form** – A document used to support the funding of a WBL learner. A template for this form can be found in the Data Collection Forms, Guidelines for use, <http://gov.wales/topics/educationandskills/learningproviders/datacollection/?lang=en>. This template contains the data items required for the LLWR.

The Learner Activity Form contains the fields required to monitor learning activities during the programme of learning.

**Data Sharing** – The sharing of data between stakeholders and partners. The sharing of any personal data must be compliant with the General Data Protection Regulations. More information can be found by searching on the Information Commissioner's website.

For further information on the GDPR please visit the ICO website:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

**Department for Work and Pensions (DWP)** – The UK Government department responsible for Welfare and Pension policy.

For more information on the DWP and their services please visit: <https://www.gov.uk/government/organisations/department-for-work-pensions>

**Diagnostic Assessment** – Involves making judgements as to how a learner is performing against a pre-determined set of criteria.

Diagnostic assessments may include basic measures of reading comprehension, writing, and mathematics using nationally endorsed tests. It may also be extended to an assessment of an individual's soft skills or employability skills.

A diagnostic assessment provides important insights into a learner's current skill levels and should be used in the formation and on-going development of Individual Learning Plans. Diagnostic assessment must be linked to further work to tackle any barriers identified.

**Disability/Disabled** – The Equality Act 2010 describes a person as having a disability if he or she 'has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal, day to day activities'.

Guidance on the legal duties that apply to public bodies to promote equality in relation to disability, and the other protected characteristics as defined in the Equality Act 2010, can be found at <http://www.equalityhumanrights.com/advice-and-guidance/>

The Welsh Government has adopted the social model of disability. Using the social model helps identify solutions to the barriers disabled people experience. It encourages the removal of these barriers within society, or the reduction of their effects, rather than trying to fix an individual's impairment or health condition. It empowers disabled people and encourages society to be more inclusive so that disabled people have access to the same opportunities as everyone else. All public service providers are encouraged to use the social model when considering disability.

**E-Documentation** – The use of digital as opposed to paper documentation.

**E-Portfolio** – information management systems that allow increased flexibility on evidence collection methods including text, electronic files, digital pictures, images, sounds, videos, multimedia, blog entries, and hyperlinks.

Providers are encouraged to reduce their use of paper wherever possible in accordance with the Welsh Government's Sustainable Development agenda.

**Education on Sustainable Development and Global Citizenship (ESDGC)** now superseded by the Welsh Government's **Well-being of Future Generations Act 2015 – A cross-cutting theme and strategic policy of the Welsh Government.**

Well-being goals set out in the of **Well-being of Future Generations Act 2015** are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales.

**Eligible** – An individual who satisfies the eligibility requirements of a programme as detailed in the programme specification and supporting guidance.

**Employed Learners** – the term 'employed learners' includes both employees and self-employed learners.

**Employed/Employment** – Applies to a learner who is in employment, either full- or part-time, under a contract of employment and is in receipt of a wage/salary. See also 'Self-employment'.

**Employee Rights and Responsibilities (ERR)** – an Apprentice must demonstrate a knowledge and understanding of these as part of a recognised apprenticeship framework for Wales.

**English for Speakers of Other Languages (ESOL)** – An English language course for people who need to improve their use and understanding of English.

ESOL courses cover different skills including:

- Speaking and listening;
- Reading and writing;
- Vocabulary, punctuation and grammar.

For further information please visit:

<http://gov.wales/topics/educationandskills/learningproviders/esolcourse/?lang=en>

**Entry Level** – is the lowest level in the National Qualifications Framework (NQF) and the Qualifications and Credit Framework in England, Wales and Northern Ireland.

Qualifications at this level recognise basic knowledge and skills and the ability to apply learning in everyday situations under direct guidance or supervision. Learning at this level involves building basic knowledge and skills and is not usually geared towards specific occupations.

Entry Level qualifications can be taken at three levels (Entry 1, Entry 2 and Entry 3) and are available across a broad range of vocational routes.

For more information on the NQF / QCF please visit:

<https://www.gov.uk/what-different-qualification-levels-mean>

**Essential Skills** - Essential Skills qualifications enable learners to develop their knowledge of application of number, communication, and digital literacy skills. The Essential Skills qualifications help learners demonstrate that they can apply these skills to a range of situations whilst at work and throughout life in general.

**Essential Skills Wales** – Essential Skills qualifications are designed to assess the skills that learners need for successful learning, employment and life. Essential Skills provides a single ladder of progression from Entry Level 1 to Level 3 in Essential Communication Skills, Essential Application of Number Skills, Essential Digital Literacy Skills and from Entry 3 to Level 3 in Essential Employability Skills.

<http://qualificationswales.org/qualifications/essential-skills-qualifications/?lang=en>

**Essential Skills Wales Assessment** – Also see **Diagnostic Assessment**

At entry level, the assessment method for Essential Skills Wales is to be determined by the relevant awarding body. For levels 1 to 4 the qualifications will be assessed via a portfolio of evidence.

For further information regarding the assessment process for Essential Skills Wales please contact the relevant Awarding Body.

**Employability** - Skills, behaviours and personal attributes that would make an individual more likely to gain and sustain employment.

**Estyn** – Her Majesty’s Inspectorate of Education and Training in Wales.

**European Social Fund (ESF)** – European Union (EU) grant funding used to promote jobs, employment, skills and equality in the labour market.

**Exceptional Training Allowance** – A training allowance of £50 per week which may be paid to an apprentice learner who is made redundant during the course of their learning programme. Payments must be made in accordance with the Apprenticeship Programme Specification.

**Expected Leaving Date (ELD)** – This should represent the anticipated end date for a learner’s individual learning plan for Traineeship learners. If the referral does not represent the anticipated duration, it is important that the provider hold evidence to support the ELD specified.

**‘Fit note’ – Statement of fitness for work** – Doctors issue fit notes to individuals to provide evidence of the advice the doctor has given about the individual’s fitness for work. The fit note allows doctors to advise that individuals “may be fit for work” taking into account the doctor’s advice, or that they are “not fit for work”.

Doctors use fit notes to record details of the functional effects of their patient’s condition so that individuals and employers can consider ways to help the individual return to work.

**Finance Schedules** – An Appendix to the Programme Commission reflecting a Contractor’s agreed profile of delivery by value and breakdown of new learners.

**Foundation Apprenticeships** – an employment based learning programme for employed learners following a recognised apprenticeship framework at level 2 approved for delivery in Wales.

**Framework agreement** – a general term for agreements with Contractors that set out terms and conditions under which specific purchases (call-offs) can be made throughout the term of the agreement. The framework agreement sets out the terms and conditions for subsequent call-offs but places no obligations on the Welsh Government to commission delivery of the programmes from the successful tenderers under the framework. With this approach, Programme Commissions are awarded only when the services are called-off under the agreement and specific Programme Commissions are awarded with an agreed allocation by the Welsh Government.

NB: Not to be confused with Apprenticeship Learning Agreement, Apprenticeship frameworks or framework led programmes.

**Framework led programme** – Programmes of learning incorporating Foundation Apprenticeship, Apprenticeship, and Higher Apprenticeship where the learner follows a specific apprenticeship framework issued by the designated issuing authority.

NB: not to be confused with framework agreements.

**Full-Time Learning** – The definition of full time education is more than 12 hours a week of study on a course up to and including A level standard. This includes NVQs at levels 1, 2 & 3 or equivalents.

**Further Learning at a Higher Level** – Progression into a programme of learning at a higher National Qualifications Framework (NQF) or Qualifications and Credit Framework (QCF) level than previously attained qualifications. Learning is recognised at entry level, Level 1 through to Level 8 or equivalents as detailed in the NQF / QCF.

For more information on the NQF / QCF please visit:



<https://www.gov.uk/what-different-qualification-levels-mean>

**Gained** – The date that an attainment is determined or an approved qualification is achieved. This is usually the date when a certificate or any other acceptable evidence is first issued.

Please see the PAGES document 'Guidance on the Evidence Requirements to Support funding and Payment' for further information.

<http://gov.wales/topics/educationandskills/learningproviders/workbasedlearning/wbl-contracts/programme-specification-and-guidance/?lang=en>

**Group Training Association** - See Shared Apprenticeships.

**Guided Contact Hours (GCH)** – Guided contact hours (GCH) are the number of teaching, instructional or assessment contact hours for a particular learning activity and this information is used by The Welsh Government to inform the funding methodology.

**Higher Apprenticeships** – an employment based learning programme for employed learners following a recognised higher apprenticeship framework at level 4 and above approved for delivery in Wales.

**Home study projects** – Activities that are undertaken in a setting away from a formal learning environment. A learner will usually undertake such activities without the support and guidance of a tutor although they may be undertaken as a part of a group.

Examples of home study projects include research and preparation, evidence gathering, portfolio building and learner-guided activities and projects.

**Individual Learning Plan (ILP)** – A bespoke learning and development plan unique to each individual learner.

It should, as a minimum, detail:

- The outcome of any diagnostic assessments;
- The individual's personal and vocational ambitions;
- Their skills' attributes and shortcomings;
- Any identified barriers to learning;
- Any support requirements;
- Specific, Measurable, Achievable, Realistic and Time-bound goals;
- Identified points of review.

ILPs should take consideration of detail contained within the Individual Learning Pathways Plan (ILPP) when available.

**Individual Learning Pathway** – Each learner should develop an individual learning pathway suitable to their needs, interests and aspirations.

The content of learning, the way learning is accessed, and where it takes place may vary depending on the learner and their learning requirements. An Individual Learning Pathway may include formal, non-formal and informal learning strands.

**Individual Learning Pathways Plan (ILPP)** – A document in which learners are able to record their individual learning pathway and should record their aspirations, goals, experiences and achievements in formal, non-formal and informal learning. As a minimum it must provide a record of their course choices and their learner support services. It should be a live document allowing the learner to add to it as their experiences and achievements grow. Learners should be encouraged to feel ownership of their plan and to be active contributors in its construction and development as their learning and achievements develop. The plan can be in an electronic format, via Careers Wales Online template, or paper format.

**Induction Payment** – The payment made as a result of data submitted to the LLWR through the on-line data collection system regarding an eligible learner who has begun a learning programme (i.e. a start). For further information please refer to 'Guidance on the Evidence Requirements'.

<http://gov.wales/topics/educationandskills/learningproviders/workbasedlearning/wbl-contracts/programme-specification-and-guidance/?lang=en>

**Ineligible Overseas National** – Please see Section C of this glossary.

**Issuing Authority** – An organisation designated by the Welsh Ministers to issue Apprenticeship Frameworks.

**Jobcentre Plus (JCP)** – this is part of the Department for Work and Pensions. It provides services that support people of working age from welfare into work, and helps employers to fill their vacancies.

For further information on Jobcentre Plus please visit:

<https://www.gov.uk/contact-jobcentre-plus>

**Learner** – An eligible person who has commenced Learning and whose learning has not been completed or terminated. An ex-learner whose learning has been terminated is also referred to as a learner with respect to his/her terminated course.

**Learner and Learning Programme Registration Form** - A document used to support the funding of a learner within the funding model. A template for this form can be found in the Data Collection Forms, Guidelines for use,

<http://gov.wales/topics/educationandskills/learningproviders/datacollection/?lang=en>

This template contains the data items required for the LLWR.

The Learner and Learning Programme Registration Form contains the fields required at the start of the programme of learning.

**Learner Outcome Reports** – Reports used to derive overall performance categories for each contractor. These are currently based on agreed performance measures of Apprenticeship framework success, learning activity success, and positive progressions to employment or further learning from the Traineeships programme. The Welsh Government reserves the right to change these measures and / or add other performance measures, perhaps including measurements of value added through learning, 'distance travelled' by learners during learning, and literacy/numeracy achievements. Where a programme is categorised as less than 'good' by a Learner Outcomes Report, the Welsh Government will require the contractor to demonstrate that action is in place to bring about the necessary improvements, and may instigate termination of the Agreement and any Programme Commissions if performance does not improve.

<http://gov.wales/topics/educationandskills/learningproviders/raisingqualityandstandards/learneroutcomes2/outcomesreport/?lang=en>

**Learner Support Funding** – Welsh Government funding for learners to enable them to access training.

These can include:

- Learning allowances (excluding Department for Work and Pensions allowances) and Training Allowances;
- Travel;
- Childcare.

Funding is allocated using a formulaic approach linked to the type and volume of provision. Please see the Programme Specification, and 'Support costs for Work Based Learning' for further information.

<http://gov.wales/topics/educationandskills/learningproviders/workbasedlearning/wbl-contracts/programme-specification-and-guidance/?lang=en>

**Learner Support Services** – in the context of 14-19 Learning Pathways, this refers to the unique blend of support services provided to learners as part of their 14-19 Learning Pathway. It relates to services which encourage, enable and assist young people (directly or indirectly) to participate effectively in education or training, take advantage of opportunities for employment, or participate effectively and responsibly in the life of their communities. This includes information, advice and guidance services which support learners to make informed choices, overcome barriers to learning and realise their potential. The level of support provided will be proportionate to need, with the greatest intensity of support available to those learners with greatest need.

Learner Support Services comprise:



- Learning Coaching – support to maximise the learners' ability to learn and maintain their motivation to remain in learning;
- Personal Support – to help overcome personal barriers to learning;
- Careers Advice and Guidance – to ensure impartial expert advice on career choices.

When dealing with 14-19 year olds, Providers must be aware of their role in facilitating effective learner support. They should build strong relationships with learner support service agencies based on robust policy and procedure.

For further guidance please see Learning and Skills (Wales) Measure 2009: Learner Support Services and Learning Pathway Document Guidance

**Learner Voice** – Learner Voice Wales is an annual survey of learners' views, carried out by Ipsos MORI on behalf of the Welsh Government (Welsh Government). It covers learners in Further Education (FE), work-based learning (WBL), Adult Community Learning (ACL) and Welsh for Adults (WfA) Centres. The results are used to benchmark learner satisfaction and help learning providers, Estyn and Welsh Government create a better learning experience.

**Learners with Learning Difficulties and /or Disabilities** – Section 41(5) of the Learning Skills Act defines a learner with learning difficulties and/or disabilities as having:

- Significantly greater difficulty in learning than the majority of persons of his/her age; or
- A disability which either prevents or hinders him/her from making use of facilities of a kind generally provided by institutions providing post-16 education and learning.

Learners with Learning Difficulties and /or Disabilities does not include learners with support needs arising from functional literacy or numeracy difficulties (i.e. basic skills) or learners for whom English is a second language.

**Learning** – A process of planned activities engaged in by a learner, which is specifically designed for the acquisition of knowledge, skills and competence necessary to progressing towards attaining their Individual Learning Plan.

Within Traineeship, learning will usually be relevant to particular occupations in the labour market or generally relevant to enable effective participation in the labour market at a range of levels. For Apprenticeships, learning will be the requirements of the specific apprenticeship framework.

Learning may include activities that do not lend themselves to a specific vocational route but rather develop the generic employability, personal and social skills necessary for employment.

Learning may include (extended) initial assessment activities conducted by a Provider.

**Learning Coach** – refers to the learning coaching function which supports young people with learning related aspects of their individual learning pathway. Learning coaching aims to maximise the learners' ability to learn and maintain their motivation to remain in learning. Learning coaching helps to identify goals and support the development of a learning pathway to meet these by:

- Helping develop learning skills;
- Make the best use of and developing learning styles;
- Maximise their development in a variety of areas of intelligence, including emotional intelligence.

Learning coaching is a function that can be provided by an individual or team of people.

For more information and resources please visit:

<http://gov.wales/topics/educationandskills/pathways/learningcoach/?lang=en>

**Learning Needs** – The needs of a learner as identified through the processes of referral, and /or initial assessment, and / or diagnostic assessment and progress review.

**Learning Placement** – A placement opportunity to allow learners to gain experience and to acquire, develop and demonstrate skills. Learning Placements can include those with an Employer, Voluntary Organisation, Training Provider or Community Project.

A Learning Placement will contribute towards the attainment of formal qualifications or the acquiring of experience that will help the learner gain employment or access to learning at a higher level.

**Learning Placement Representative** – A representative from the Learning Placement or taster who is responsible for the learner’s activities, performance and engagement whilst the learner is on-placement with the organisation.

**Learning Units (LUs)** – A notional measurement of the volume of learning as used within the funding model.

**Leaver** – A learner who has completed his/her learning with a Provider or has left learning early or has been absent from learning for longer than the periods permitted in the Programme Specification.

**Lifelong Learning Wales Record (LLWR)** – The means of recording data on learners, their programmes, activities and awards submitted by the Provider to the Welsh Government. The LLWR data populates the Welsh Government’s post-16 database, which is used on a monthly basis to inform funding, performance analysis, statistical publications and extracts provided for bodies such as Estyn.

For further information please see:

<http://gov.wales/topics/educationandskills/learningproviders/datacollection/?lang=en>

**Lot** – The division of a contract into a number of separate parts or ‘Lots’ based on differing requirements. Tenderers may bid for any number of lots.

**Not-Employed** – A learner who is not employed under a contract of employment and who is not in receipt of a wage/salary; and, if an adult, has made a claim to a DWP benefit/allowance (including NI credits).

**Non Vocational** - A qualification or skill that is not directly career focused. These will include academic awards and will often provide the transferrable skills that could be used in a range of occupational settings.

**Occupational focus** – See Vocational Focus.

**Occupational Routeway assessment** – An assessment carried out by a referral agent as part of the learner assessment and referral process in order to identify an individual’s occupational routeway.

**Offer of a suitable learning place** – An offer of a suitable learning place made by Careers Wales for a young person to start a learning programme with a Training Provider, School or Further Education Institution to progress with their Individual Learning Pathway Plan.

**Off-the-job training** – Time away from normal work duties. It can include any activity where an apprentice or learner receives any form of instruction, tuition, assessment, or progress reviews. For illustration (but not exclusively) private study, coaching, mentoring, e-learning, distance learning, or classroom training may count as off-the-job training.

**On-the-job training** – Workplace activity where skills are being learnt, practiced and applied in the course of an apprentice or learner’s normal work duties.

**Ordinarily Resident** – Refer to Section C of Glossary of Terms.

**Outcome** – The awarding of an approved qualification by an awarding body in accordance with the programme specification and guidance of the relevant programme.

**Overseas National** – Refer to Section C of Glossary of Terms.

**Participants** – Those individuals on the Jobs Growth Wales programme.

**Pathways to Apprenticeships** – A programme of full-time study in a further education institution to Sector Skills Council requirements in preparation for an apprenticeship.

**Placement** – see learning placement. It may also refer to placing an individual onto a Traineeship or Apprenticeships programme.

**Portfolio** – A portfolio is a file, folder or other means of storing and presenting the evidence that the candidate is submitting for final / summative assessment. It may include a variety of types of evidence (for example written, video, audio, artefact) and may be in hard copy, electronic (often referred to as an e-portfolio), or a combination of these.

**Positive Progression** (Traineeship Learners) – Progression from a learning programme to either:

- employment with an apprenticeship;
- employment with no further training;
- self-employment;
- further training at a higher level;
- further education at a higher level;
- voluntary work; or
- higher education.

A positive progression is deemed as a progression into employment, voluntary work or self employment which is of 16 hours or more per week and with an intended duration of a minimum of 13 weeks. A positive progression is also deemed as a progression into further learning at a higher level which is of 12 guided contact hours or more per week and with an intended duration of a minimum of 13 weeks. Voluntary work has been included as a positive measurable progression; however, this inclusion will be reviewed annually in advance of the issuing of contracts.

**Principal Learning** – See Welsh Baccalaureate: Principal Learning and Project Qualifications

**Programme Commission** – A commission for the delivery of work based learning from the Welsh Government under the framework agreement. (See also Contract).

**Programme of Study** – A series of activities undertaken by a learner to achieve objectives as contained within the Individual Learning Pathways Plan. A learner's programme of study should be recorded in the ILP and progress against goals should be reviewed at regular frequencies.

**Progress Review** – The entitlement of a learner to have their progress in learning reviewed through a formal interview. The progress reviews shall be conducted to the quality standards and frequency laid down in the Programme Specification and associated guidance, and shall record progress and future action against the ILP.

**Provider** – An organisation that delivers training to learners through a Welsh Government funded programme. Providers can deliver these programmes as a contractor, consortium member or sub-contractor. In all instances they must satisfy all terms and conditions included in the relevant Programme Specification and associated guidance.

**Provider Assurance and Governance Service (PAGS)** – Welsh Government assurance service in relation to WBL Providers.

**Quality and Effectiveness Framework (QEF)** – The Welsh Government's framework for assuring and improving the quality of post-16 education and training in Wales. The QEF includes regular reviews of providers' performance against core indicators; work with the provider network to share good practice and support improvement; and intervention where performance falls below an acceptable level.

**Quality Development Plan (QDP)** – An action plan developed by the provider to address shortcomings and build on strengths identified in its annual self-assessment.

**Recognition of Prior Learning** – The process of assessing and accrediting the prior learning and experience of a learner in relation to the learning aims and qualifications to be followed in the ILP.

**Recognition of Prior Achievement** – The process of assessing and accrediting the prior achievement of a learner in relation to the learning aims and qualifications to be followed in the ILP.

**Re-Entrant** – A person who has previously participated in Work Based Learning and who is eligible for, and who re-enters, learning.

**Referral** – A referral represents the process of transferring an individual from a referral agent such as Careers Wales or Jobcentre Plus to provision or extended assessment with a provider or another organisation as specified in the Programme Specification and associated guidance.

A referral should, as a minimum, include:

- identification of learning needs;
- identification of potential barriers;
- details of any support requirements;
- expected programme duration;

- expected learning / employment outcomes.

**Referral Agent** – An organisation commissioned by the Welsh Government to provide referrals to eligible individuals onto WBL training programmes.

**Refugee** – An asylum seeker who has been granted indefinite leave, limited leave or exceptional leave to stay in the United Kingdom. A refugee seeking entry onto Government/Welsh Government funded learning must have the appropriate Home Office documentation giving permission to train and work in the United Kingdom. Once asylum has been granted a refugee will have the same rights as permanent residents of the UK, including being allowed to work without any restrictions.

**Regional Learning Partnership** – acts as a facilitation body to ensure that publicly-funded learning providers and associated organisations work collaboratively, effectively and efficiently across the areas of education and regeneration to meet the needs of the learners and the regional economy. It is funded by the European Social Fund.

Further information can be found at:

<http://www.rlpsww.org.uk/>

**Registration** – The process of registering a learner with an awarding body as having started to work towards the completion of a qualification.

**School** – A school operated under the Schools Regulations, but not for this purpose a tertiary college, community college or further education college.

**School Leaving Date** – The last Friday in June in the school year in which a young person reaches age 16. Under section 8 (4) of the Education Act 1996, all young people must participate in education until this date. Providers may not provide full time Welsh Government sponsored learning for young people during school year 11, nor may these young people enter full time employment until after this date. (See also Compulsory School age above).

For further guidance see Welsh Office circular 49/97

**School Year** – September – August

**Sector Skills Council (SSCs)** – SSCs are independent, employer-led, UK-wide organisations that utilise employer demand to help develop the skills system. They enable employers to influence how the skills of their workforce are developed. SSCs are licensed by the Government through the UK Commission for Employment and Skills (UKCES) and are part government funded.

SSCs undertake innovative programmes and projects in order to raise employer ambition and investment in skills and they act as the voice of employers on skills issues.

For further guidance please visit:

<http://fiss.org/sector-skills-council-body/directory-of-sscs/>

<https://www.gov.uk/government/organisations/uk-commission-for-employment-and-skills>

**Self Assessment Report (SAR)** – An annual evaluation carried out by each learning provider of its learning delivery, learner outcomes, leadership and management. The SAR is based on guidance updated annually by the Welsh Government and is aligned with Estyn's Common Inspection Framework.

**Self-employment** – Providers must verify the individual's self-employment status and that he/she is trading by gathering suitable evidence such as, evidence of registration for self employment tax returns and payment of NI contributions to HMRC, and maintenance of adequate records of accounts, trading premises, equipment held etc.

It is not possible for a learner to class themselves as self-employed and be in receipt of an unemployment benefit or full-time education benefit such as an Education Maintenance Allowance.

**Shared Apprenticeships** – A Shared Apprenticeship is where learners 'rotate' between two or more employers in order to complete the Apprenticeship framework. Apprentices may have a contract of employment with one of

the employers, or may be employed by the training provider in a 'host employer' or 'group training association' model.

**Skills Health Check** – The Skills Health Check (SHC) process is based on joint working between Jobcentre Plus and Careers Wales. Jobcentre Plus refers learners, whom they think may have skills gaps or lack employment focus, to Careers Wales who carry out an initial interview. This may be followed by a meeting to use a skills assessment diagnostic tool funded by the Welsh Government. Early evaluation of the process indicates that this meeting may be followed by further guidance interviews.

The process, which 'wraps' around a diagnostic tool, provides guidance on skills development, planning, Labour Market Information, identifying barriers and motivation to progress. This process allows Jobcentre Plus and Careers Wales to provide a seamless service to those in need of support.

**Small and Medium Enterprises (SMEs)** – There are several definitions of Small and Medium Enterprises found in UK Company Law and European Commission guidance. A summary of the current and appropriate definitions in respect of these programmes are below:

Criterion	Micro	Small	Medium
Max no of employees	9	49	249
Max annual turnover	-	€7m/ £2.8m	€40m/ £11.2m
Max annual balance sheet total	-	€5m/ £1.4m	€27m/ £5.6m
Max % owned by one or several enterprise(s) not satisfying the same criteria	-	25%	

Source: s248 Companies Act 1985; DTI definition;

<http://webarchive.nationalarchives.gov.uk/+http://www.dti.gov.uk/sme4/define.htm>

**Specification of Apprenticeship Standards for Wales (SASW)** – sets out the minimum requirements to be met by recognised Welsh apprenticeship frameworks.

**Start** – The entry of a learner into learning as specified in the Programme Specification and associated guidance.

**Start Date** – The first day of learning as specified in the Programme Specification and associated guidance.

**Sub-Contractor** – An organisation or a business that signs a contract to perform part or all of the obligations of another's contract. Responsibility for the subcontractor rests with the Contractor alone.

**Suitable Learning Place** – The offer of a learning place suitable to the needs and aspirations of a learner as detailed in their Individual Learning Pathways Plan. A Suitable Learning Place can include a place with a Training Provider, school or further education institution.

**Suspended/Suspension** – Where a learner is retained on a learning programme although learning has ceased or is unable to be evidenced. Please refer to the Programme Specification and accompanying guidance documentation for specific suspension criteria.

**Technical Knowledge** – Is a mandatory element of an apprenticeship framework. It is the knowledge required to perform the skill, trade or occupation to which the framework relates, together with knowledge and understanding of the industry and its market.

**Terms and Conditions of Learning** – Encompass all aspects of a learner's relationship with a Training Provider as detailed in the programme specification.

Training Providers must ensure that learners are informed of their Terms and Conditions of Learning at the start of any provision or at any time the conditions of provision change.

Essential Terms and Conditions include:

- details of the place(s) of learning;
- required hours of attendance;
- details of travel allowances (if applicable);
- details of wage / salary / Training Allowance;
- sickness and absence policy;
- code of conduct, including, but not limited to, responsibility for health, safety and welfare;

- learner rights, roles and responsibilities;
- learning Pathways 14-19 Entitlement (if applicable);
- equality & diversity policy;
- notice periods in the event of dismissal;
- holiday entitlement.

**Third Party** – This may include a sub-contractor or external partner that does not contract directly with the Welsh Government.

**Third Sector** – The sphere of social activity undertaken by organisations that are for non-profit and non-governmental. See also Voluntary Sector.

**Third Sector Agency** – An organisation or agency that carries out voluntary work within the third or voluntary Sector.

**Training** – See **Learning**.

**Training Provider** – See **Provider**.

**Traineeship: Engagement** – A strand of the Welsh Government funded Traineeship programme for young people. Please see the programme specification for further detail.

**Traineeship: Level 1** – A strand of the Welsh Government funded Traineeship programme for young people. Please see the programme specification for further detail.

**Traineeship: Bridge-to-Employment** – A strand of the Welsh Government funded Traineeship programme for young people. Please see the programme specification for further detail.

**Training Allowance (Youth)** – The rate of weekly allowance that a youth learner who is not employed shall receive whilst participating in the Welsh Government Traineeship programmes as detailed in the programme specification and supporting guidance.

**Transfer** – The planned movement of a learner within the same programme to another Provider, prior to the completion of the Individual Learning Plan.

Providers should seek to ensure a transition that causes minimum disruption to learning and support services. To facilitate an effective transition, Providers should have procedures and processes for handling transfers, that as a minimum, seek to share or obtain:

- referral (if relevant) and Initial Assessment records;
- progress review information;
- information relating to support requirements.

The sharing of any data must be compliant with the GDPR. See **Data Sharing** for further information.

**UKCES** – UK Commission for Employment and Skills. See:

<https://www.gov.uk/government/organisations/uk-commission-for-employment-and-skills>

**Unauthorised Absence** – Absence from learning which is not authorised by the training provider as specified in the Programme Specification and associated guidance.

See Authorised Absence for further guidance.

**Verification Form** – A form that must be completed regularly by each Contractor and forwarded to the Welsh Government to verify payments.

**Vocational** – Learning undertaken to develop work related skills e.g. Engineering, Construction, Health & Social Care etc. This may include NVQs, diplomas or technical knowledge.

**Vocational Competencies** – see **Competencies**.

**Vocational Focus** – A vocational sector in which a learner aspires to gain employment as identified on their Individual Learning Plan.

A learner will undertake training relevant to their chosen vocational focus and all Individual Learning Plans should reflect this.

Learners without a vocational focus may be referred by Referral Agents to Welsh Government employability programmes to gain such a focus by undertaking vocational work tasters.

**Vocational Learning** – Learning undertaken to develop work related skills e.g. Engineering or Construction. This may include NVQs, diplomas and Technical Knowledge.

**Vocational Work Tasters** – A taster placement to allow learners the opportunity to gain a vocational focus by gaining experience of different vocational routes. Taster placements can be with an employer, voluntary organisation, training provider or community project.

Vocational Work Tasters will ordinarily be no longer than 3 weeks in duration. Learners will usually have no more than 3 vocational work taster opportunities to identify a Vocational Focus.

**Voluntary sector** – The sphere of social activity undertaken by organisations that are for non-profit and non-governmental purposes.

For further information please visit: [www.wcva.org.uk](http://www.wcva.org.uk)

**Volunteer Work / Volunteering** – The practice of people working on behalf of others or a particular cause without payment for their time and services.

Volunteering is an altruistic activity, intended to promote good works and improve human quality of life. It provides the opportunity for individuals to develop their skills, to meet others, to make contacts for possible employment and to have fun.

**Welsh Baccalaureate Qualification** – A qualification for 14-19 year olds. It provides broader experiences than traditional learning programmes and places emphasis on the development of the skills that underpin learning and employability. The Welsh Baccalaureate Qualification is available at Advanced, Intermediate and Foundation levels and is designed to develop skills, attitudes and knowledge that are needed in further learning and in employment.

<http://qualificationswales.org/qualifications/welsh-baccalaureate/?lang=en>

**Week** – A 7-day period starting on a Monday during some or all of which a learner is required to attend learning (sometimes also referred to as a Calendar Week).

**Welsh European Funding Office (WEFO)** – The Managing Authority for the administration of European Union funding in Wales. Work Based Learning programmes are part-financed by the European Union European Social Fund. For more information about WEFO or WEFO programmes please see:

<http://gov.wales/funding/eu-funds/?lang=en>

**Welsh Government risk rating** – risk ratings of contractors that will be prepared by the Welsh Government. These will take into account Learner Outcome Reports, audit, health and safety and financial health evaluations of contractors. As outlined in the Tender Specification, the Welsh Government risk ratings will be used in contract reviews, annual allocations, contingency plans for displaced learners, and selection of contractors to deliver pilot or bespoke provision.

**Wider Key Skills – the skills of:**

- Improving Own Learning and Performance;
- Working with Others;
- Problem Solving.

**Work placement** – See Learning Placement

**Young Person** – For the purpose of Welsh Government Work Based Learning, an individual who enters Traineeships as an eligible learner in accordance with the terms and conditions of the Programme Specification.



**Young Recruits Programme** – The Young Recruits Programme (YRP) is an all Wales programme that provides financial support to employers offering to recruit and train additional young apprentices (16-24 year olds). The programme offers a £50 per week wage subsidy paid to the employer; subject to the eligibility criteria and evidential requirements being met (this is not applicable to the Public Sector).

**Youth Guarantee** – A Welsh Government commitment. The commitment is that young people leaving school aged 15 or 16 should receive an offer of a training place. The Youth Guarantee will be introduced from September 2015.

**Youth Support Services** – Youth support services are services which directly or indirectly encourage, enable or assist young people aged 11-25 to participate effectively in education or training; take advantage of opportunities for employment and participate effectively and responsibly in the life of their communities. Also see Learner Support Services for further guidance.



## **B. Frequently used Acronyms**

**ALG** – Assembly Learning Grant  
**ALS** – Additional Learning Support  
**AVS** – Apprenticeship Vacancy Service  
**APL** – Accreditation of Prior Learning  
**CEU** – Credit Equivalent Unit  
**CSSIW** – Care and Social Services Inspectorate Wales  
**DWP** – Department for Work and Pensions  
**EC** – European Commission  
**ESDGC** – Education for Sustainable Development & Global Citizenship  
**ESF** – European Social Fund  
**ESOL** – English for Speakers of Other Languages  
**Estyn** – Her Majesty’s Inspectorate of Education and Training in Wales  
**ESW** – Essential Skills Wales  
**EU** – European Union  
**FTE** – Full-time Equivalent  
**GCH** – Guided Contact Hours  
**IA** – Initial Assessment  
**IU** – Induction Unit  
**ICT** – Information Communication Technology  
**ILP** – Individual Learning Plan  
**ILPP** – Individual Learning Pathway Plan  
**JCP / JC+** – Jobcentre Plus  
**JGW** – Jobs Growth Wales  
**LOR** – Learner Outcome Report  
**LLDD** – Learners with Learning Difficulties and /or Disabilities  
**LLWR** – Lifelong Learning Wales Record  
**LUs**– Learning Units  
**NAS** – National Apprenticeship Service (England only)  
**NQF** – National Qualifications Framework  
**NVQ** – National Vocational Qualification  
**PAGS** – Provider Assurance and Governance Service  
**PTA** – Pathways to Apprenticeships  
**RPL** – Recognition of Prior Learning  
**QCF** – Qualifications and Credit Framework  
**QEF** – Quality and Effectiveness Framework  
**QDP** – Quality Development Plan  
**SSC** – Sector Skills Council  
**SME** – Small-Medium Sized Enterprise  
**TA** – Training Allowance  
**VQ** – Vocational Qualification  
**WAO** – Welsh Audit Office  
**WG** – Welsh Government  
**WBL** – Work Based Learning  
**WEFO** – Welsh European Funding Office

## C. Overseas Nationals

An "ineligible overseas national" is someone who is not an eligible person.

An "eligible person" is a person who is:

- a. a UK national; or
- b. a national of an EEA member state who has been ordinarily resident in the EEA or Switzerland for the three years preceding the relevant date; or
- c. a Swiss national who has been ordinarily resident in the EEA or Switzerland for the three years preceding the relevant date; or
- d. a family member of a national of an EEA member state or of a Swiss national who in either case has been resident in the EEA or Switzerland for the three years preceding the relevant date; or
- e. a person whose passport has been endorsed to show that he or she has a right of abode in the UK and who has been ordinarily resident in the UK for three years prior to the relevant date;
- f. a person recognised as a refugee by the UK Government who has remained ordinarily resident in the UK since so recognised; or
- g. a person refused refugee status but who has been granted discretionary leave or exceptional leave to enter or remain by the UK Government without conditions; or
- h. an asylum seeker in receipt of income-based benefits; assistance under the terms of the Immigration and Asylum Act 1999 or the Children Act 1989; or financial assistance (subsistence payments) from the National Asylum Support Service; or assistance under the National Assistance Act 1948.

A person is granted leave to enter or remain if he or she:

- a. has been informed by a person acting under the authority of the Secretary of the State for the Home Office that, although he or she is considered not to qualify for recognition as a refugee, it is thought right to allow him or her to enter or remain in the UK; and
- b. has been granted leave to enter or to remain accordingly; and
- c. has been ordinarily resident in the UK throughout the period since he or she was granted leave to enter or remain; and "without conditions" means that:
  - no condition has been imposed by an immigration officer pursuant to Sections 3 and 4 of the Immigration Act 1971; or
  - there is no time limit on his or her leave to remain.

"UK" means the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man.

"Ordinarily resident" means habitually, normally and lawfully resident from choice without being subject under the immigration laws to any restriction on the period for which he or she may remain. Temporary absences from the relevant area should be ignored. Frontier workers, that is to say, workers who work in Wales but who reside in the territory of an EEA state or Switzerland other than the UK and return to their residence there at least once a week, may be considered eligible if they have been working in Wales or any other part of the UK for at least three years prior to the relevant date.

"EU" means the European Union.

"EEA" means the area comprised by the EU, the Republic of Iceland, the Kingdom of Norway and the Principality of Liechtenstein. An area which was previously not part of the EU or the EEA but at any time before the relevant date became or becomes part of one or other or both of these areas is to be considered for the purpose of eligibility to have always been a part of the EEA.

"Relevant date" means the first day of an all-age WBL programme of learning.

"Family member" in relation to a national of an EEA member state or a Swiss national means his or her spouse or civil partner or his or her direct descendants under the age of 21 or direct descendants of his or her spouse or civil partner under the age of 21.

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