

**Overarching Planning and Funding Parameters and
Requirements
for
Education and Training Boards
Further Education and Training Provision
2021**

Dec 7, 2020

SOLAS
learning works



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Table of Contents

Page

Introduction

Section 1 FET System Targets

Section 2 FET Funding Parameters and Requirements

Section 3 Planning Parameters and Requirements for FET Provision

Section 4 Programme Specific Parameters and Requirements

Section 5 Reporting

Section 6 Grant Assurance

Appendices

Appendix 1 2020/2021 Key Timelines and Dates

Appendix 2 Funding Terms and Conditions 2021

Appendix 3 List of ETB PLC Approved Places

Appendix 4 Course Duration

Appendix 5 PLC Programme Conditions of Approval

Introduction

SOLAS is a statutory agency that operates under the aegis of the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) and is funded through the Irish Exchequer and the European Social Fund.¹

SOLAS uses this funding in the main to oversee planning, funding, co-ordination, and monitoring of Further Education and Training (FET) provision provided through the Education and Training Boards (ETBs) on behalf of the DFHERIS.²

The annual Overarching Planning and Funding Parameters and Requirements document provides an up to date guide to assist ETBs in meeting SOLAS planning and reporting requirements and takes cognisance of:

- Relevant Government Policy change
- Feedback received from relevant agencies, learner groups, employers, LEOs, Local Authorities etc.
- Emerging and changing needs of the National Economy, such as:
 - Enterprise need – supporting the supply of a skilled workforce, now and in the future
 - Skills Clusters – identification of skill gaps locally and nationally
- Emerging and changing needs of the Micro Economy, such as:
 - Supporting need at individual and specific enterprise at local level

Two major developments have supported the move to a more strategic, integrated, quality and outcomes-focused approach in FET in recent years.

1. The legislative requirement for SOLAS to propose a strategy for FET every 5 years. This strategy must reflect Government policy in relevant areas, the evolving environment and the future world of education, training and work.
2. The establishment of strategic performance agreements in 2018 between SOLAS and the ETBs. These, 3 year, agreements provide a key link between national strategy and FET provision over a multi-annual planning period. In addition, these agreements:
 - Reflect on the unique characteristics and needs of the area served by the ETB
 - Detail the resources and infrastructure available to the ETB to meet these needs
 - Summarise the baseline provision in terms of FET provision
 - Set out the ETB's strategic priorities for FET over a three-year period
 - Identify the challenges and risks in the context of providing FET
 - Highlight the contribution to be made by the ETB to delivering on national policies and strategies and individual FET strategy objectives
 - Identify the opportunities for ETBs to be innovative and creative in FET delivery
 - Propose an ETB contribution to meeting each of the national FET system targets.³

It is acknowledged that there is a constantly evolving social, economic and policy context that must be reflected in the way in which ETBs coordinate activity on an annual and ongoing basis. There is,

¹ SOLAS Annual Report 2019

² Future FET: Transforming Learning, The National Further Education and Training (FET) Strategy 2020 to 2024

³ Future FET: Transforming Learning, The National Further Education and Training (FET) Strategy 2020 to 2024

therefore, recognition of the need to be able to react and address issues arising on an annual basis and this need has become very apparent in 2020 as a result of the impact of COVID 19.

The annual update to the ETB Overarching Planning and Funding Parameters and Requirements facilitates reflection on the strategic context, direction and progress of the SPA agreements and also facilitates addressing the needs of evolving priority areas and cohorts on an annual basis.

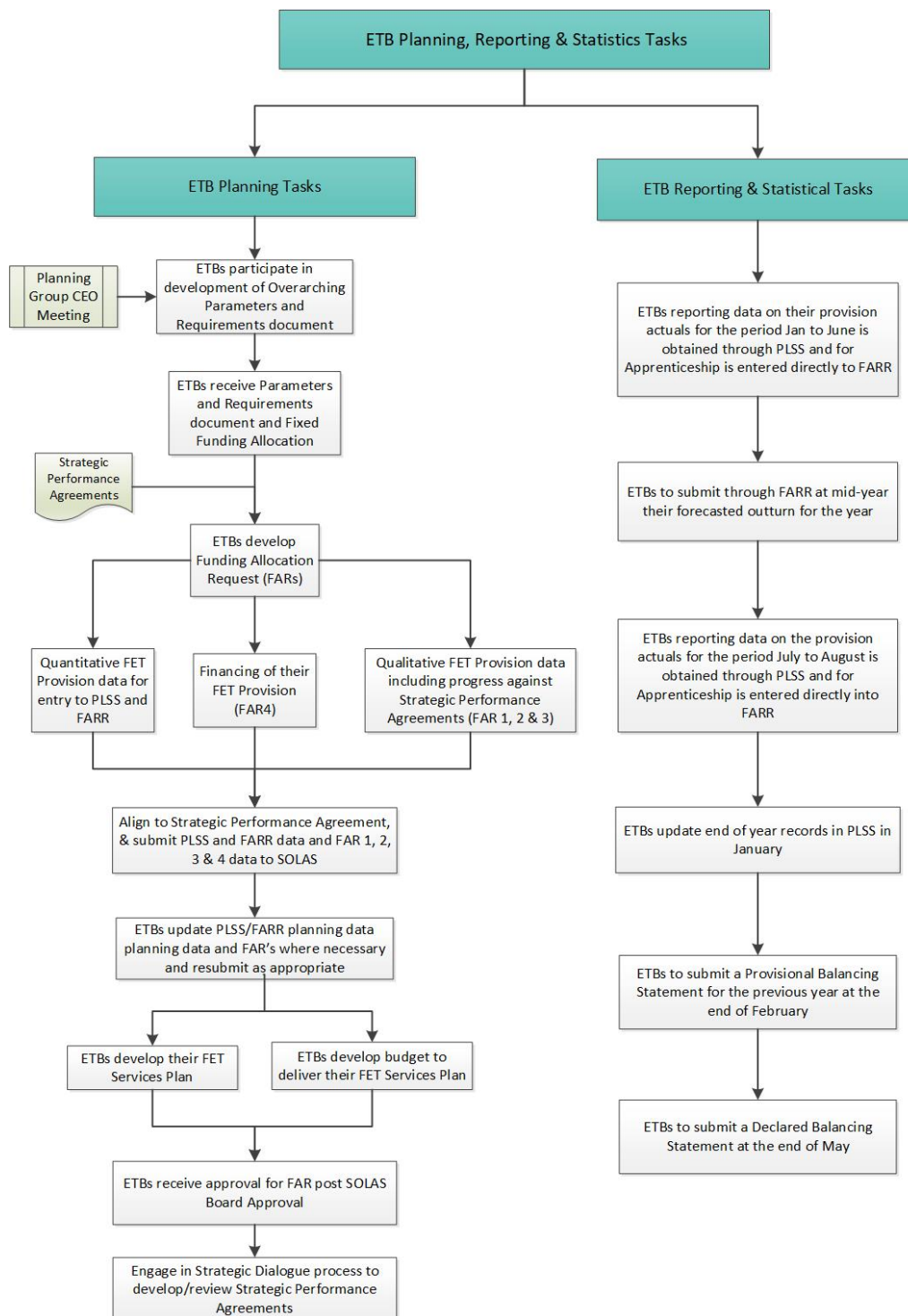
To this latter point, we have seen several significant developments during 2020 that have the capacity to impact on the 2021 planning process such as:-

- The Programme for Government
- The implications of COVID 19 for FET
- The implications of BREXIT and the BREXIT planning guidelines from DFHERIS, DSP, DEBI, DJE, D-per and the Department of the Taoiseach
- The implementation of the FET Strategy 2020 to 2024
- The conclusion of the 2018 to 2020 Strategic Performance Agreements
- Commencement of development of the 2021 to 2024, ETB/SOLAS Strategic Performance Agreements
- Implementation of the transfer of funding related PLC provision in full to SOLAS.
- Implementation of the transfer of HEA funding related to learners with disability in full to SOLAS
- Review of Apprenticeship provision

Information presented in the **2021 Overarching Planning and Funding Parameters and Requirements** document pertains to the following:

- Delivery against overall system targets (Section 1)
- The way in which FET is funded and accountable (Section 2)
- FET specific requirements including governance, legislative, operational, ESF, legacy issues, stakeholder collaboration, inputting into PLSS and FARR and emphasis on 2021 FET course provision (Section 3)
- Delivery and development of specific FET programmes (Section 4)
- Volume and breadth of reporting and associated timelines (Section 5)
- Grant Assurance (Section 6)

The process map below sets out an overview of the main tasks involved in the planning funding and reporting process.



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While the broad structure of the tasks above remain the same as previous years, the strategic foundation provided by the Strategic Performance Agreement and ongoing FARR and PLSS development allows a process of streamlining and evolution to continue. The ongoing need for quantitative data with regard to provision and financing of FET is required, as gathering of essential

programme level data is central to assessment of efficiency, effectiveness and value-for-money. The level of data inputs has contracted significantly in recent years, with a major base of data pre-populated from existing FARR data and the PLSS. Further work is required to ensure that ETBs are confident that PLSS data can be relied upon and reflects delivery at ETB level to track employment and progression outcomes secured by learners.

Funding Allocations Request (FAR) Documentation – FAR 1, 2, 3, 4

- **FAR 1** confirms that each ETB has fully considered the planning and funding parameters and requirements.
- **FAR 2** allows ETBs to set out, at high level, summary business cases for additional funding for specific purposes and it facilitates the provision of detailed plans to deliver on specific parameters and requirements. The information provided in the FAR 2 is also utilised to provide answers to Parliamentary Questions (PQs) and to address queries from various government departments. Having this bank of knowledge is advantageous to both the ETBs and SOLAS, as it limits the number of instances for requests for information on the ground. For significant individual capital projects, SOLAS will introduce supplemental documentation to assist with the evaluation and due diligence process.
- **FAR 3** will continue to focus on progress against the targets set out and agreed within the Strategic Performance Agreements and will assist in the identification of any action required to address variances in this regard and any proposed revision of targets.
- **FAR 4** facilitates the ETB in providing detail of how their grant allocation will be utilised in the context of provision, operating costs etc.

1. FET System Targets 2021 to 2024

Set out below are the overarching parameters and requirements which reflect the agreed ETB FET system targets.

- 1.1 The FET Strategy commits ETBs and SOLAS to agree and incorporate targets with regard to all FET provision including; certification, placement into employment, progression, adult literacy and numeracy and participation of people with disabilities on courses. Such targets should therefore be considered and reflected in “Funding Allocations Requests” submissions, local ETB FET Services Plans and in the SOLAS / ETB Strategic Performance Agreements.
- 1.2 The Strategic Performance Agreements 2021 to 2024 will specify ETB individual contributions to each of the national FET sector targets and will be provided when agreed with each ETB. Precedence will be given to the *National Further Education (FET) Strategy 2020 to 2024* priorities of: Building Skills, Fostering Inclusion and Creating Pathways. In addition, any specific targets which emerge to meet government policy objectives and from the strategic dialogue process will be embedded within FET service plans to reflect these targets.
- 1.3 Wider targets for FET System Improvement, set for the period 2021 to 2024 should be reflected as appropriate by ETBs such as targets related to:-
 - FET programmes evaluation and recommendations to be implemented (Youthreach, VTOS, BTEI, SST, Traineeship and STP).
 - New funding model, including an appropriate contested element, aligned to all national and regional objectives.
 - Enhanced knowledge based, integrated planning model connecting policy, strategy and actions.
 - Rewarding innovative solutions to skills gaps identified on a regional basis
 - Increase in Stakeholder satisfaction with FET provision.
- 1.4 Within the context of the FET sector there are further specific targets detailed in the Programme for Government which contains specific details for 2020 and onwards:
 - Continuing the development of a cohesive cross-tertiary approach, with a focused set of actions set out across FET and HE, including commitments to support FET-HE transitions
 - Putting reskilling and retraining of those unable to return to their previous employment after COVID19 restrictions as central to the recovery plan, with the new proposed FET Skills to Compete ready to lead this response.
 - A major expansion of apprenticeship provision to meet current needs and to continue the growth in recent years under #Generation Apprenticeship
 - Developing links between FET and second-level schools to improve vocational options and pathways, which is reflected in the FET strategy and in a submission to the NCCA senior cycle review
 - A long-term adult literacy & numeracy strategy with digital capability at the heart of it

- Developing and implementing a standardised system for the accreditation of prior learning
- A national retro-fitting plan, with the NZEB training centres being put in place around the ETB network well placed to support upskilling needs in this area.
- A FET initiative to equip learners with the environmental awareness and green skills to drive future change, an idea proposed directly by SOLAS
- A commitment to continued support and expansion of community education

2. FET Funding Parameters and Requirements

In 2021 overall funding for FET Grants will be circa €932.5m (including Capital funding of circa €32.5m). This figure is subject to change in the revised estimates process where FET Learner income support allowance increases in line with the 2021 budget and other areas of FET provision such as PLC and Co-Operation Hours funding will be considered.

Consideration will also be given to the impact of COVID 19 on FET provision, in the context of the sectors ability to meet demand for FET provision due to increased unemployment, strides made in online learning etc. In addition, the potential impact of Brexit and the development of contingencies in this regard will continue. In planning for these unprecedented developments each ETB must develop their own plan to respond to their ETB need. In the context of Brexit, implications both positive and negative should be considered locally. It is recognised that the Northwest, Northeast and Southeast regions are likely to be impacted early in the Brexit process and to greater extent than other ETBs overall. It is critical that the FET sector responds rapidly and with agility to the challenges that both COVID 19 and Brexit may pose. In the context of Brexit, ETBs are asked to provide support to the ETBs identified as areas most likely to be affected and to temporarily release staff to assist, if required.

- 2.1 FET provision is funded through the Exchequer and through the National Training Fund (NTF).

Exchequer funded programmes, include Adult Literacy, Innovative Projects, Blended Learning, Bridging and Foundation Training, Community Education, Community Training Centres, Youthreach, ESOL, Evening Training, FET Co-operation Hours, ITABE + Family Literacy, Justice Workshops, Local Training Initiatives, On-line Learning, Recognition of Prior Learning, Refugee Resettlement, BTEI and PLC programmes.

In general, all training programmes: Apprenticeship, Traineeship, Instructor salaries, Skills for Work Programmes (Workplace Education Fund, Skills to Advance fund, Skills to Compete are 100% funded via the NTF. Part of the VTOS programme is also funded via NTF.

- 2.2 Should there be a reduction in overall funding to SOLAS for 2021, then the ETB grant allocation set by SOLAS will be reduced accordingly for each ETB.
- 2.3 Funding Allocations Requests are approved on the basis of compilation and submission of the required templates, ongoing engagement in the strategic dialogue and review process, ongoing implementation of a strategic performance agreement between SOLAS and the ETBs and in accordance with the SOLAS Terms and Conditions of Funding assuming appropriate governance and oversight is in place in each ETB.
- 2.4 All of the provisions of DPER circular 13/2014 must be complied with.

2.5 Budgetary Position

SOLAS will carry out a balancing exercise on an annual basis with individual ETBs (in the first quarter of the new year) to confirm the ETB budgetary position and resolve any under and over spend issues arising in relation to agreed funding allocations for the previous year.

- A Balancing statement for the previous year must be submitted to SOLAS by the ETB by the end of **March**. The balancing statement must:
 - be consistent with the ETB's V-15
 - fully declare all actual underspends and overspends, and
 - provide a narrative outlining the reason for the underspends or overspends.
- Certified final accounts for the previous year, must be submitted to SOLAS by the end of **May** and the figures reported, in so far as they relate to SOLAS funding, must support the figures submitted in the March Balancing Statement.
- The information provided in the required declarations will be considered in the mid-term review (end September results and forecast to year end) and could result in adjustment to the funding allocation originally approved.
- Should an ETB, in exceptional circumstances, need to classify SOLAS as a debtor in their accounts then they will require SOLAS express permission in advance to accept the debit.

2.5.1 Return of unspent monies

Where an under spend of the grant allocation occurs grantees are required to provide an annual declaration (Balancing Statement) to SOLAS indicating the amount of the underspend⁴. Any underspend must have been notified to SOLAS in advance and a rationale for the underspend provided. Any underspend may result in a reduction of budget allocation in the following financial year.

2.5.2 Overspends

Where an overspend of the grant allocation occurs grantees is identified ETBs are required to provide an annual declaration (Balancing Statement) to SOLAS indicating the amount of the overspend.⁵ Any overspend must have been notified to SOLAS in advance and a rationale for the overspend provided.

2.5.3 Onward payment of grants⁶- ... if it is the intention of the grantee (in this case the ETB) to make onward grants from the funding received from their grantor, details of these onward grants and their **recipients /proposed recipients** must be provided to the **grantor**, along with details of the terms and conditions applying to these onward grant payment

2.5.4 Multiple Funding: ... Where funding is being provided as part of a co-funding arrangement, grantees are required to provide annually a **declaration** indicating the source, amount and purpose of all other funding received, together with confirmation that there will be no **duplication** of funding for the same activity/project. This declaration should also state if the exchequer funding from all sources is greater than **50%** of total income. ⁷

⁴ Appendix 1a and 1b in DPER Circular 13/2014 provides an illustrative checklist re Grantors and Grantees respectively

⁵ Appendix 1a and 1b in DPER Circular 13/2014 provides an illustrative checklist re Grantors and Grantees respectively

⁶ DPER circular 13/2014

⁷ DPE 022/05/2013 26 September 2014

2.6 Records of funding provided to ETBs from other agencies or sources must be maintained and be available for inspection.

2.7 In accordance with section 21 (a) and (b) of the Further Education and Training Act 2013 and with Section 35 of the SOLAS terms and conditions for funding, if the ETB fails to adequately observe any of the material terms or fails to provide some, or all of the services required in return for the approved funding allocation, SOLAS reserves the right to implement Section 35 at any time by taking action including but not limited to:

- 35.1 Delay in the dispersal of the Funding provided under these Terms and Conditions.
- 35.2 The withholding of all or part of the Funding provided under these Terms and Conditions.
- 35.3 The claw back of all or part of the Funding provided under these Terms and Conditions.
- 35.4 The offset of any element of Funding against any future funding allocation.

In addition, to specifically focus on non-adherence to stipulated deadlines for essential ETB planning and funding submissions and reports, SOLAS has a process of escalation (in development) which is consistent with and in observance of, clause 35 of the SOLAS terms and conditions (see Appendix 2), whereby a specific proportion of funding would be withheld from an ETB as a consequence of late reporting.

This process of escalation is clearly defined within clause 35.2 of SOLAS terms and conditions and will include a system of early warning and provision for remedial action by the ETB prior to the withholding of funding in these circumstances. SOLAS, as Grantor, will consult with ETBs as individual Grantees in the development of the process of escalation during Q1 2021 for its full implementation

2.8 The funding available for 2021 will be increased by circa 16% compared to 2020, however, redistribution of funding will be necessary. ETB Funding Allocations Requests for 2021 must therefore reflect increases and reductions in planned provision, staff salaries and overheads. This redistribution of funding is required to allow for increases in beneficiary numbers across the programmes / initiatives listed below to support achievement of FET national targets and initiatives, for which ETBs will have the opportunity to bid for additional funding:

- Apprenticeship
- Skills to Advance
- Skills to Compete
- NZEB Rollout
- Individualised rent increases already notified and approved by SOLAS
- FET learner income support allowance increases in line with the 2021 budget increase as appropriate.

ETBs will also be able to request funding relating to PLC and Co-operation hours provision as follows;

PLC Provision

Since January 2020 SOLAS has been responsible for the allocation of FET funding for the PLC programme and Co-operation Hours, teacher's pay and PLC standard and capitation grants (ONP and SSSF) etc. SOLAS will issue a guidance note on the calculation of costs relating to the pay elements, ONP and SSSF.

- The request for the period January to December 2021 must be based on the 2019 October Returns or the PLC cap whichever is the lowest.
- PLC Student Charge of €200 (towards the Student Capitation Grant), enhanced capitation of €165 is already comprehended in the current FET Grant for students claiming an exemption from the Student charge.
- For Standalone PLC colleges please also include as appropriate:-
 - Teacher pay for whole time equivalence approved number (only)
 - Principals salaries plus allowances
 - Deputy Principals salaries plus allowance
 - Assistant Principal AP1 allowance
 - Assistant Principal AP2 allowance
 - Substitution costs are calculated based on the 2019 October Returns or PLC CAP whichever is the lowest
 - Guidance Calculation as per current formula (the difference between total teacher salaries calculated at 19:1 and 18.5:1)
 - Caretaking and Administrative staff
- For Dual PLC colleges please also include as appropriate:-
 - Teacher pay for whole time equivalence approved number (only)
 - Guidance Calculation as per current formula (the difference between total teacher salaries calculated at 19:1 and 18.5:1), based on whole time equivalence.
 - Student capitation grant (ONP)
 - School Services Support Fund capitation grant

ETBs must take the necessary action to address PLC programmes that no longer have learners registered for the PLC programme and re-assign as appropriate.

Co-Operation Hours

- The request should be based on the estimated utilised hours over the fiscal year 2020 but cannot be higher than the ETB approved 2018/19 hours (this is now the annualised hours figure).

While the above represents the overall reductions required, cognisance must be taken by each individual ETB as to where reductions within their specific 2021 allocation must be made.

Taking all the above into account, ETB discretion should be used to continue to maintain the top down, bottom up planning policy approach in order to address the needs of learners, employers and communities and contribute to the overall FET National Targets.

2.9 The funding allocations will be categorised under the following headings:

- Further Education and Training Programme Costs
- Further Education and Training Programme Support Costs
- Staff Costs
- Other Operational Costs
- Capital Costs

2.10 The programme cost headings will be summarised for fulltime, part-time and non-accredited (Community Education) provision.

2.11 In support of facilitating flexibility, particularly in the face of uncertainty as a result of the impact of COVID 19 and the imminence of Brexit, funding within a minimum band of 3% and maximum band of 7% of the ETB Further Education and Training Programme Costs allocation will be categorised as “yet to be allocated”. This percentage of the grant allocation can be held by the ETB for allocation to a specific programme (with the exception of PLC), or to address emerging need as it becomes apparent. Utilisation of this funding will be reported to SOLAS through the agreed reporting mechanisms. All funding, including yet to be allocated funding, must be allocated to a programme by Mid-Year or returned to SOLAS and reported upon in the Mid-Year Review. This allocation of funding can and should also be used to respond to specific needs that arise at ETB level and should be reported on accordingly.

2.12 Effective planning should minimise variances in planned versus actual expenditure, although it is acknowledged that movements between programmes can be required during the year to reflect evolving needs. The approach by SOLAS is to allow ETBs to plan FET expenditure and adjust at mid-year to ensure that any variances at year-end are not substantial.

2.13 **Capital Funding** The *SOLAS/ DFHERIS Oversight Agreement - Arrangements for Governance of DFHERIS -funded Capital Projects in the FET sector* defines the roles and responsibilities of the DFHERIS, SOLAS and the ETBs in meeting the requirement of the Public Spending Code and Capital Works Management Framework. Under this agreement the Department of Further and Higher Education, Research and Science acts as overall Approving Authority and is responsible for approving all capital funding allocations. SOLAS supports Department of Further and Higher Education, Research and Science in discharging its role as Approving Authority, and Education and Training Boards (ETBs) fulfil the role of Sponsoring Agency in relation to capital projects. ETBs must ensure that the management of all capital projects complies with the requirements of the Public Spending Code and the Capital Works Management Framework (CWMF)

2.14 Capital Funding Categories

From 2021 onwards there will be five separate capital funding categories each with its own governance requirements:

- Devolved Capital Grant Allocations
- Apprenticeship equipment grant
- Emergency Health and Safety works Grant
- Strategic Infrastructure Upgrade Programme
- Large Scale Projects

The process for each of the above categories will be clarified by Q1 2021 and ETBs will be consulted on the various requirements for each category of capital funding.

- 2.15 Planned activity and funding allocations will be reviewed at mid-year review (after the June reporting period).
- 2.16 Grantees should submit their audited accounts, signed and dated appropriately, to the grantor (SOLAS) without delay after the end of the financial year.
- 2.17 As per the Department of Further and Higher Education, Research and Science guidelines, no funding will be provided for planned unaccredited Programme Provision in 2021 on any full-time-PLC or part-time BTEI provision⁸.
- 2.18 Innovation funding stream in FAR 4 must only be used for the recording of specific innovation activity in the **current funding year**.
- 2.19 At the end of the innovation period the ETB will **mainstream** the activity in the appropriate funding programme or **discontinue** the activity (innovation funding periods cannot be presented for longer than two years per project /initiative in the FAR 4).

⁸This parameter relates to programmes not modules.

3. Planning Parameters and Requirements for FET Provision

Planning is critical to ensure that good governance structures are in place. It provides opportunities to look into the future and identify a way forward and also facilitates assessment and evaluation of achievements and results. This section sets out the parameters and requirements that must be taken into account by ETBs in their planning process:

- Governance
- Strategic Approach to Planning and Funding
- Operational Planning
- ESF rules and reporting requirements
- Legacy Issues
- Stakeholder Collaboration
- Inputting into PLSS and FARR
- Emphasis on 2021 FET course provision

Governance - ETBs will:-

- 3.1 Be responsible for their own corporate governance, oversight and monitoring of their provision in accordance with the funding terms and conditions set by SOLAS.
- 3.2 Ensure that, post receipt of their funding letter if additional requirements are identified by either the ETB or SOLAS resulting in the need for additional funding in excess of the approved funding allocation an application seeking additional funding must be made directly to the Director System Funding and Performance in SOLAS to ensure that ETB funding allocations are not overcommitted at year end.
- 3.3 In common with all Public Bodies, comply with all legislative requirements such as:- Section 42 of the Irish Human Rights and Equality Commission Act, Freedom of information legislative requirements, the *General Data Protection Regulation* (GDPR)
 - 3.3.1 In the context of GDPR, ETBs will ensure that data sharing agreements are in place with other organisations as required.
- 3.4 Be responsible for ensuring the implementation of the Department of Education and Skills (DES) Circular No 0002/2019, Code of Practice for the Governance of Education and Training Boards and DES Circular 0003/2019, Good Practice Guidelines.
- 3.5 Be responsible for the quality assurance of their FET provision and must ensure adherence to quality assurance agreements between the ETBs and relevant awarding bodies e.g. QQI, City and Guilds, other industry certification, etc. Each ETB must make provision for fees of circa €55,000 in their FET budget for the QQI Statutory Quality Assurance Review Process following the interim review and policy from 2019 and further to progress made in this area in 2020 in line with the published schedule for QA reviews by QQI.
- 3.6 Ensure that all FET provision is subject to a robust quality assured results approval process.

- 3.7 In accordance with the Department of Further and Higher Education, Research, Innovation and Science ETB governance requirements, seek approval from DFHERIS in relation to all leased premises in line with revised capital requirements.
- 3.8 Ensure that the requirements of the Department of Further Higher Education Research Science and Innovation and the ECF requirements in relation to staffing and reporting are adhered to. SOLAS approval of provision is subject to ETB adherence to this parameter. ETBs will be required to ensure that all PLSS recording enables SOLAS to produce PLSS reports to adhere to ECF requirements.
- 3.9 Take cognisance that SOLAS funding is subject to terms and conditions of funding and that these terms and conditions are subject to change and will be updated if/as appropriate to accommodate the requirements of the Overarching Planning and Funding Parameters and Requirements and additional requirements if/as appropriate.
- 3.10 Ensure that all required documents are signed and dated by the Chief Executive or their designated signatory.
- 3.11 Ensure that designated signatory details, including changes to designated signatories, are submitted to SOLAS in advance of submission of the ETB Funding Allocations Requests
- 3.12 Ensure that records to facilitate and support the development of the ETB FET Services plans the SOLAS/ETB Strategic Performance Agreements and to inform the overall **2021** FET Services Plan are maintained
- 3.13** **Ensure that all entries to PLSS, FARR are checked for accuracy** and submission of FARs 1, 2 and 3 templates meet the required submission timelines (late submissions will inevitably delay disbursement of tranche payments).
- 3.14 Be responsible for ensuring that all **programme specific guidelines** are considered e.g. BTEI, CTC, LTI, STPs, Youthreach, VTOS, Adult Literacy Programme guidelines etc. In the context of Planning and funding, **if an instance arises where programme specific guidelines are in conflict with the Overarching Parameters and Requirements then the Overarching Parameters and Requirements will take precedence. This is in line with section 21.3 a & b of the Further Education and Training Act 2013 where SOLAS may... “attach such other conditions (if any) as it considers appropriate to any such advance”.**

Over the course of the implementation of the FET strategy, and the implementation of the recommendations of the evaluation of specific FET programmes, programme specific guidelines will be reviewed and be aligned with the overarching parameters and requirements documents.

- 3.15 Only make statutory, programmatic or authorised voluntary (by the Learners/Trainees) deductions from Learners/Trainees Training allowances paid from their SOLAS FET grant. Attendance related deductions is as per the Time & Attendance Clocking System (TACS) rules or programme guidelines. In relation to attendance related deductions, ETBs have discretion to make payments in these cases on a hardship basis by putting an authorising note onto the payment file.

- 3.16 Participate in meetings with SOLAS in relation to their “Funding Allocations Requests” input, output, outcome and financial estimates as appropriate. Information provided through the ETB “Funding Allocations Requests” will inform the FET Services Plan

Strategic Approach to Planning and Funding, ETBs will:-

- 3.17 Ensure that the information provided in the Strategic Approach to Planning and Funding document/s is considered as part of the annual planning process
- 3.18 Ensure that the Strategic Performance Agreements 2018 to 2020 agreed between SOLAS and the ETBs are considered in the 2021 planning process.
- 3.19 Engage in Strategic dialogue with SOLAS as part of the strategic planning and review of the Strategic Performance agreement process on an ongoing basis.
- 3.20 Take cognisance of their 2021 estimates versus actual numbers achieved in 2020 and use this knowledge to enhance the accuracy of projections and targets they set for 2021.
- 3.21** Ensure that the impact and implications of COVID 19 on FET provision are considered, planned actions are documented, and records are maintained as appropriate.
- 3.21.1 Ensure that consideration is given to potential learner, employer, community and sector need as a result of the impact of COVID 19 such as: a rise in unemployment, the need for upskilling /reskilling and Industry identified skills gaps.
- 3.21.2 Where FET provision is delivered by non-commercial providers, in line with their business continuity arrangements, ETBs, should seek information and assurances from non-commercial providers that:-
- there is ongoing engagement with learners
 - there is a continuity of learning
 - alternative assessment arrangements are being considered
 - providers are providing assistance and supports to learners, particularly to those who may be more disadvantaged by Covid-19
- 3.22** Ensure that the possible implications both positive and negative of Brexit for integrated services and provision are considered and documented as appropriate.
- 3.22.1** Ensure that consideration is given to potential learner, employer, community and sector need post Brexit such as; a rise in unemployment, the need for upskilling /reskilling etc.
- 3.22.2** Document as appropriate contingency plans to address potential emerging need post Brexit and to demonstrate your ETBs capacity to meet such need detailing plans for new initiatives, interventions etc. in this regard.
- 3.23 Focus on progressing the continuous improvement of the quality and range of FET provision, particularly on the investment and development/implementation of;
- Provision of CPD 0.75%* of their overall grant to improve delivery of FET provision and services including technical and pedagogical elements of FET course provision.

- Provision of improved supports to learners within FET provision of 0.75%* of their overall grant. (This is in addition to SOLAS fund for students with Disabilities)
- Provision of access for learners to internal/external psychological supports of 0.5%* of their overall grant.
- Provision of improved support to implement their TEL strategies of 0.75%* of their overall grant.
- Provision of improved supports for QA Systems and course curriculums within FET provision of 1.0%* of their overall grant.
- Provision of management and administration supports between a range of 0.2%* and 0.5%* of their overall grant, depending on the size of the overall grant, for FET planning, reporting (both Provision and Financial), PLSS inputting and for ESF Claim development and submission.
- Provision of 0.3%* of their overall grant to provide information to FET learners about FET provision and services.

In addition to the above, ETBs should include provision for:-

- Covid-19 related expenditure as detailed in FAR4
- FET related outdoor education expenditure (please note this does not include staffing costs funded directly from the Department of Education)

*where staffing is required these should first be solved through redeployment or succession planning before applying for new posts which need departmental approval.

N.B. ETBs must provide for the funding as set out above as a third priority in their planning for 2021 after a full provision for staff pay. Funding in these areas is ring fenced and cannot be reallocated during the year without the specific approval of SOLAS.

- 3.24 Utilise the summary, 2018 to 2020 target achievement outcomes to inform the SOLAS/ETB 2021 to 2024 Strategic Performance Agreements.
- 3.25** Identify strategies to reduce course duplication and overlap within ETB provision as part of both the strategic planning review process and annual operational planning. This should include liaison with local VSCCS schools and colleges.
- 3.26 Seek to protect the “Contracted Training” strategic capacity and delivery mechanism which continues to offer flexibility and which has the capacity to:
- Respond quickly to demand
 - Extend the geographic reach of FET provision
 - Introduce new courses into FET provision
- 3.27 Consider the feedback obtained through the Further Education and Training Learner Forum and the findings of the learner survey to be conducted over 2021

Operational Planning

- 3.28 As part of the planning process, ETBs will consider information sources providing insight on **identification of current and future skills needs** including, for example, publications and

analysis by the Skills and Labour Market Research Unit (SLMRU) in SOLAS⁹. The ETB should also utilise the Regional Skills Fora which will facilitate on-going employer-educator dialogue to match identified needs with sustainable provision in each region, thereby, optimising the return on Irish investment in education and training.

3.29 ETB planning for 2021 Further Education and Training will consider provision in the context of:

- Full-time and part-time programmes in relation to employment and progression and NFQ levels 1-6, or the equivalent levels on the European Qualification Framework (EQF), or other Industry certification, as appropriate
- ETB provision categorised under occupational skills clusters
- Alignment of provision to employment opportunities
- Identification and agreement of targets to be met at local and regional level in support of achievement of national targets set for the FET sector

3.30 ETBs should consider the principles of Universal Design for Learning (UDL), as laid out in the CAST UDL Guidelines (udlguidelines.cast.org), A Conceptual Framework of Universal Design for Learning (UDL) for the Irish Further Education and Training Sector and UDL for FET Practitioners: Guidance for Implementing Universal Design for Learning in Irish Further Education and Training (SOLAS/AHEAD, forthcoming 2021). ETBs should be cognisant of good practices for accessibility in relation to their communication with the public as is outlined in the [Customer Communications Toolkit for the Public Service – A Universal Design Approach](#) (NDA) and the Plain English Style Guide for the Public Service (DPER/NALA).

3.31 ETBs will provide information on how the **needs of identified priority cohorts**, such as the long term unemployed, young people, apprentices, people with disabilities, members of the Traveller and Roma communities, Migrants and Refugees, etc. and the target participation rates across FET provision, agreed with DFHERIS and DSP, are being addressed. This reporting will also need to address the requirements of any ESF / EU funding parameters as necessary. In the context of the National Skills Strategy 2025 and the Strategic Performance Agreements, SOLAS and the ETBs must give consideration to the development of appropriate solutions tailored to the:-

- Needs of women **in** and/or **returning** to the labour market and ensure that recommendations stemming from the *National Strategy for Women and Girls 2017 – 2020*¹⁰, the *Action Plan for Jobs 2017/2018*,¹¹ *Future Jobs Ireland 2019* and the Women Returning to Workforce Initiative are acted upon. Specific consideration should be given to:-
 - Assisting the return to the labour market and encouraging entrepreneurship
 - Facilitating female participation in employment, by addressing relevant issues for cohorts with low participation rates, including facilitating the return to and/or continuation of employment for working mothers

⁹ Examples of relevant reports include Vacancy reports, Occupational Employment

¹⁰ Department of Justice and Equality, April 2017.

¹¹ <https://dbej.gov.ie/en/Publications/Publication-files/Action-Plan-for-Jobs-2018.pdf>

- Targeting women detached from the labour market who could enter/re-join employment
- Reducing the gap in poverty rates between female headed households and male headed households
- **Needs of older workers**, in order to support them in staying attached to the workforce.

ETBs when planning and advertising their course provision must consider the guidance and access needs of those seeking a return to the labour force following a period of prolonged absence including, but not limited to:

- Those returning to the labour market following a break to raise a family, including lone parents¹²
- Those returning to the labour market following the cessation of caring duties
- Those returning to the labour market following long term health issues
- Refugees who have established entitlement to work
- Ex-offenders/prisoners
- Those returning to the labour market following rehabilitation such as, drugs misuse

ETBs will:-

- 3.32 As part of their planning and ongoing provision process, take account of the goals/recommendations of the National Action Plan for Social Inclusion 2007-2016 (NAPInc)¹³ and its 2015-2017 update¹⁴ and the “Roadmap for Social Inclusion 2020-2025”
- 3.33** Ensure that the *Barriers to Participation in FET Programmes* report¹⁵ is considered in their planning process and the recommendation of this report are acted upon and reported upon where necessary.
- 3.33.1 Ensure that the *Sharing the Vision: A Mental Health Policy for Everyone and Connecting for Life: Irelands National Strategy to Reduce Suicide 2015 - 2020*” is considered in the planning process.
- 3.34 In line with the FET Strategy 2020-2024 identify mechanisms to achieve consistency in the provision and integration of learner/student supports as appropriate
- 3.34.1 Network with peers across the FET sector to explore synergies and facilitate shared learning and good practice.
- 3.35 Ensure that resources and supports are actively promoted to ensure that learners are aware of their availability
- 3.35.1** Provide detail of any existing and new learner/student supports and any commenced or planned initiatives in this regard

¹² National Strategy for Women and Girls 2017 – 2020 are acted upon¹²

¹³ National Action Plan for Social Inclusion 2007-2016. Govt. of Ireland.

¹⁴ Updated National Action Plan for Social Inclusion 2015-2017. Dept. of Employment Affairs and Social Protection.

¹⁵ (SOLAS, 2017)

- 3.36 Implement recommendations as appropriate relating to FET provision arising out of the Review of Career Guidance.¹⁶
- 3.37 Ensure that the **skills needs of people in employment** are considered in the planning process.
- 3.38 Provide an update on what supports have been provided to communities and individuals residing within areas identified as unemployment blackspots through the CSO 2016 census¹⁷ in your ETB catchment area
- 3.39 Identify opportunities to skill, re-skill or up-skill employed, unemployed persons and other job seekers for the purpose of **enhancing progression opportunities** related to employment, higher/further education and training that will equip them to compete in the labour market. ETBs will determine measures to provide re-skilling opportunities for targeted groups¹⁸ as set out in their Strategic performance Agreement.
- 3.40 Note that changes to **course type, award type, utilisation of awarding bodies and services** offered will be decided at local level through the strategic planning process. Such changes will be informed by the analysis of current and future skills needs referenced above, consultation with specific priority cohorts as appropriate and by consideration to funding allocations and other relevant constraints.
- 3.41 Provide progress update on **new and innovative courses provided in 2020**, along with details of progression routes to Higher Education and Training opportunities, certification and employment, in the ETB Funding Allocation Request to SOLAS.
- 3.42 Provide details of plans for **new and innovative courses for delivery in 2021**, along with details of progression routes to Higher Education and Training opportunities, certification and employment, in the ETB Funding Allocation Request to SOLAS continuing to build on the now published access routes and pathways from FET to HE.
- 3.43 Consider, as appropriate, the Action Plan for **Rural Development** 2018 in the context of how the FET sector can support the five pillars presented in the plan:-
- Supporting Sustainable Communities
 - Supporting Enterprise and Employment
 - Maximising our Rural Tourism and Recreation Potential
 - Fostering Culture and Creativity in rural communities
 - Improving Rural Infrastructure and Connectivity
- 3.44 Consider how the training needs of **carers** and the recommendations stemming from the *‘National Carers’ Strategy Recognised, Supported, Empowered’* can/will be addressed at local level.

¹⁶ Indecon Review of Career Guidance, Final Report.2019.

¹⁷ Census 2016 Summary Results – Part 2, CSO 2017. Blackspots listed in Appendix 10, P117.

¹⁸ Action Plan for Jobs 2016 to 2020

- 3.45 Ensure the availability of data as relevant to support the monitoring of targets set under the policy framework “Supporting Working Lives and Enterprise Growth in Ireland” – (Skills to Advance).
- 3.46 Ensure that all SOLAS templates circulated to ETBs are completed and submitted within agreed timelines
- 3.47 Ensure that proposals for Professional Development initiatives planned for 2021 are included in the planning process. Proposed initiatives must be considered in light of the priority areas identified in the Professional Development Strategy for the FET sector.
- 3.48 Ensure that effective processes to support a planned approach to professional development are developed, coordinated and implemented for staff in line with the Professional Development Strategy Statement 2020 – 2025.
- 3.49 Ensure that professional development activity is reviewed in line with agreed national approach in line with the Professional Development Strategy Statement 2020 – 2025.

European Social Fund, (ESF) ETBs will:-

- 3.50 Note that the Certifying Authority DES Circular 1/16 & DPER Circular 13/15 concerning ESF (PEIL & YEI) eligibility requirements must be considered by SOLAS and the ETBs when planning FET provision.
- 3.51 Ensure that the ESF Logo and YEI tagline is applied to relevant documentation, as appropriate¹⁹, and that ESF Information and Publicity guidelines are adhered to.²⁰
- 3.52 Note that future ESF Claims for Training provision will be based on simplified costs. It is therefore imperative that, all relevant assessment results are captured on the RCCRS and it is critical to ensure that cohorts recorded in RCCRS that are not supported by ESF funding are removed from the ESF claims.
- 3.53 Note that declarations of both financial and non-financial data must be made by the ETBs via the e-Cohesion system as directed by the ESF Managing Authority (MA).
- 3.54 Complete the relevant templates for submission to the Management Authority and the PEIL Monitoring Committee as required for, *Annual Implementation Reports (AIRs)* and *Horizontal Principal* (gender equality, equal opportunities and non-discrimination) reports for each activity co-financed by the ESF and YEI.
- 3.54.1** ETBs must provide information on how they ensure that ESF/PEIL requirements related to the Horizontal Principles of *Gender Equality and Equal Opportunities and Non-Discrimination* are adhered to, both at an ESF programme level and at a wider organisational level.

¹⁹ YEI tagline is relevant for CTC’s and Youthreach activities

²⁰ <https://www.esf.ie/en/ImageLibrary/Repository/Info-and-Pub/Information-and-Communication-Guidelines-2014-2020.pdf>

Legacy issues - ETBs will:-

- 3.55** Provide a progress update on legacy issues reported on through the **2020** FAR 2 submission.
- 3.56 In 2021 prioritise:
- Allocation of funding to address outstanding/unresolved legacy issues
 - Allocation of funding to ensure that the pay budget reflects the ETB FET pay needs
 - Allocation of funding to meet apprenticeship requirements as identified by SOLAS
- 3.57 When planning for FET provision, plan on the basis that teacher alleviation will not be provided in 2021.

Stakeholder Collaboration - ETBs will:-

- 3.58 Ensure consideration is given to Local Economic and Community Plans (each ETB would have contributed to the framing of these plans).
- 3.59 Ensure implementation of the protocols as agreed with their Local Enterprise office and other Regional Fora.
- 3.60 Consider feedback received from DSP indicating the need for courses for the Long Term Unemployed (LTU) and DSP emerging policy on activation of the dependents of people in receipt of a DSP payments, specifically targeting people with less than Leaving Certificate as an entry level.
- 3.61 Consider feedback received from DSP indicating the need for courses for People with disabilities specifically targeting people with less than Leaving Certificate as an entry level.

Inputting into PLSS and FARR - ETBs will:-

- 3.62 Recognise the importance of building ETB capacity using data as a driver of knowledge and as a mechanism to secure future funding.
- 3.63 Identify strategies to ensure due diligence in the context of the accuracy and completeness of data entered/generated in FARR and PLSS. Particular care must be taken when assigning the programme funding category.
- 3.64 Ensure there are no official two year courses in FET provision (with the exception of Specialist Training Programmes STPs). Officially, courses are for one year, the finish dates for courses can/may be extended in the interest of the learner on an individual basis for Youthreach and CTC provision. However, there should not be a new intake of learners on any course after the first year, i.e. the date should not be extended to take in new learners. (See Appendix 4)
- 3.65 In the case of PLC, each year is a separate course, one year at level 5 and one year at level 6, which may be advertised as being provided over 2 years. This must be fully aligned for the 2021 intake.
- 3.66 Where PLSS /FETCH references provision of a programme over two years, each year should be scheduled as a separate course. The finish dates for these course instances in the National

Course Calendar (NCC) should be final, i.e. the finish date should never be extended. (See Appendix 4)

Emphasis on 2021 FET course provision - ETBs will:-

- 3.67 For all PLC course instances in PLSS, venue details to be completed in the NCC. This information will be provided to SUSI to facilitate the processing of student grant applications.
- 3.68 Note that it is estimated that the number of places that will be made available through SOLAS funded FET programmes and services in 2021 will be similar to that of 2020 and that approximately 95% of these places will be provided through the ETBs.
- 3.69 Ensure that target learner profiles are adhered to in the context of learner recruitment to FET programmes funded by SOLAS.
- 3.70 Ensure analysis of ETB provision against identified Skills Clusters at Local and National level is conducted on an on-going basis to ensure provision meets the needs of the learner, enterprise and the community.
- 3.71 Note that all new programmes to be offered by ETBs of over 24 weeks duration and for which allowances will be paid must be notified to the SOLAS FET Operational Planning Unit in advance of programme commencement, through the [mailto: FETplanning@solas.ie](mailto:FETplanning@solas.ie).
- 3.72 Note the need to continue to incorporate a 2 week **learner** leave period in relation to full-time FET courses which are 30 weeks or more in duration
- 3.73 Consider the Department of Justice and Equality policy related to Labour Market Access for International Protection Applicants. It should be noted that access to the labour market may allow for access to Further Education or Training (FET) courses that have an employment, vocational or workplace-training component. While access to the majority of FET programmes is free of charge to eligible applicants, participation in Post Leaving Certificate (PLC) and higher education programmes will continue to be subject to the payment of fees.
- 3.74 Consider the 'Education for Sustainability', '*The National Strategy on Education for Sustainable Development in Ireland, 2014-2020*' action plan and ensure that research and scoping is a prerequisite to future programme / course development. In the context of new courses, development might include:
- Green procurement
 - Energy management
 - Sustainability marketing
 - Economics and sustainability
 - Planning and architecture skills
 - Deep retrofitting for domestic dwellings
 - Heating controls
 - Research should focus on outcomes to measure progress
 - The use and maintenance of electric and hybrid vehicles
- 3.75 Consider the National Social Enterprise Policy for Ireland 2019- 2022 and its recommendations on exploring the scope for further inclusion of social enterprise and social entrepreneurship modules in the education and training system at all levels.
- 3.76 Consider the following in their planning and ongoing provision processes:-

- “Better Outcomes, Brighter Futures”: The National Policy Framework for Children and Young People, 2014-2020 in particular with regard to engagement opportunities for early school leavers to engage with Further Education and Training
- The LGBTI+ National Youth Strategy 2018 - 2020²¹ and its recommendations

3.76.1 Provide information on how they have supported young people’s participation in decision making as indicated in the National Strategy on Children and Young People’s Participation in Decision Making 2015–2020.

²¹ LGBTI+ National Youth Strategy, 2018-2020. Dept. Children and Youth Affairs.

4. Programme Specific Parameters and Requirements

Set out below are the Overarching Parameters and Requirements in relation to ETB planning in the context of specific programmes.

ETBs are responsible for ensuring that all **programme specific guidelines** are considered in the provision of programmes in relation to:

- Provision of courses at NFQ levels appropriate to the programme
- Course duration and contact hours
- Minimum learner numbers by course
- Programme entry requirements
- Teacher/Trainer ratio²²

In the context of planning and funding, if an instance arises where programme specific guidelines are in conflict with the Overarching Planning and Funding Parameters and Requirements then the Overarching Parameters and Requirements will take precedence.

4.1 Apprenticeship: ETBs will actively support the planning and delivery of apprenticeship programmes and related apprenticeship services to support the expanding apprenticeship ambition in Ireland. For 2016+ apprenticeship delivery, where an ETB is a co-ordinating provider, an additional FAR template for Consortia/Coordinating Provider for their operational funding will require completion. This process will be communicated through the relevant Consortia for the 2016+ apprenticeship programme.

4.2 Community Education: In accordance with the FET Strategy, the 2021 funding for Community Education will be ring-fenced at the 2020 levels.

4.3 Contracted Training Provision: Contracted Training capacity and provision for 2021 must be maintained at levels to ensure that this strategic form of provision delivery remains stable. Award levels 5 and 6 on the NFQ, or the equivalent levels on the European Qualification Framework (EQF), should in the main be given priority when planning for Training for Employment as per the policy for the Skills to Advance.

4.4 Cross Border Co-operation: Information related to FET ETB provision and supports for any projects or official connections, structures or integrated service provisions between cross border educational organisations should be included in the ETB Funding Allocation Request.

4.5 Entrepreneurship: Information related to existing and planned interventions to promote entrepreneurship should be included in the ETB Funding Allocation Request to SOLAS and in the local ETB strategic plan for 2021. Funding Allocation Requests in this regard should consider the findings and recommendations of the SOLAS best practices publication in the provision of entrepreneurship education and training (EET)²³ and the relevant recommendations presented in the National Strategy for Women and Girls.

²² List should not be considered definitive

²³ Best practice in Entrepreneurship Education and Training in the Further Education and Training sector 2016

- 4.6 **Learners with Disabilities:** ETBs are asked to support improved access to FET for people with disabilities through provision of adequate guidance and learning supports and through consideration of the following:
- The National Disability Inclusion Strategy 2017-2021²⁴ and ensure that the commitments presented in the Comprehensive Employment Strategy for People with Disabilities²⁵ are progressed.
 - Recommendations from the *Inclusion of Learners with Intellectual Disabilities in ETB Adult Literacy Services – research report and case studies* (SOLAS, NALA, ETBI 2020)

4.7 ETBs will also provide detail of:

- Improvements to the supports available to assist learners with disabilities attending FET mainstream provision and to indicate the level of provision for learners with disabilities in their “Funding Allocations Requests” (FAR 2 & FAR 4) to SOLAS.
- The use of Technology Enhanced Learning strategies and appropriate use of assistive technologies (AT) to promote more inclusive learning environments

Adult Literacy, Numeracy and Digital Skills Provision:

- 4.8 ETBs will prioritise adult literacy, numeracy, digital capability and Family Literacy tuition within their planning process and provide intensive tuition as appropriate.
- 4.9 ETBs must be cognisant of section 6.4 (Literacy and Numeracy Support) in FET Strategy 2020 - 2024 and address the relevant elements outlined in this section, based on local needs and requirements.
- 4.10 ETBs will adopt and utilise consistent approaches to initial screening and assessment of literacy and numeracy needs across all of FET as appropriate.
- 4.11 ETBs must consider the following EU and national policies, strategies and sectoral guidelines in their planning process:
- Review of ALCES funded Adult Literacy Provision (2013)
 - National Traveller and Roma Inclusion Strategy (NTRIS) (2017-2021)
 - Delivering Equality of Opportunity in Schools (DEIS) Plan (2017)²⁶
 - European Commission Council Recommendation on Key Competences for Lifelong Learning (2018)
 - Integrating Literacy & Numeracy Report (ICF 2018) ²⁷
 - Assessing Literacy and Numeracy at NFQ Levels 4-6: Guidelines, Toolkit and Research Report. (SOLAS, ETBI: 2021)
 - Guidelines on the Inclusion of People with Intellectual Disabilities in Adult Literacy Services (NALA/SOLAS/ETBI, 2018)²⁸

24 National Disability Inclusion Strategy 2017-2021, Dept. Justice and Equality.

25 Comprehensive Employment Strategy for People with Disabilities 2015-2024

26 DEIS Plan 2017; Delivering Equality of Opportunity in Schools. Dept. Education and Skills. .

27 Integrating Literacy & Numeracy Report (ICF 2018)

28 Guidelines on the Inclusion of People with Intellectual Disabilities in Adult Literacy Services (NALA/SOLAS/ETBI, 2018)

- Inclusion of Learners with Intellectual Disabilities in ETB Adult Literacy Services – research report and case studies (SOLAS, NALA, ETBI 2021)²⁹
- Good Practice Guidelines for Integrated and Standalone Numeracy Provision for Adults at Levels 1-3 (SOLAS, NALA, ETBI 2021)³⁰
- European Digital Competence Framework 2.0 (DigComp)³¹

4.12 ETBs will provide information on progress made towards implementing good practices and recommendations emerging from the following sectoral publications in relation to adult literacy, numeracy and digital skills:

- Family Literacy Practice in ETBs Guidelines, Case Studies and Recommendations (SOLAS, NALA, ETBI: 2020)³²
- Initial and Ongoing Assessment of Adult Literacy and Numeracy at NFQ levels 1-3: Guidelines, Toolkit and Research Report (SOLAS, ETBI: 2018)³³

²⁹ Inclusion of Learners with Intellectual Disabilities in ETB Adult Literacy Services – research report and case studies (SOLAS, NALA, ETBI 2020) Report forthcoming

³⁰ Good Practice Guidelines for Integrated and Standalone Numeracy Provision for Adults at Levels 1-3 (SOLAS, NALA, ETBI 2020) Report forthcoming

³¹ <https://ec.europa.eu/jrc/en/digcomp/digital-competence-framework>

³² Family Literacy Practice in ETBs Guidelines, Case Studies and Recommendations (SOLAS, NALA, ETBI: 2020)

³³ Initial and Ongoing Assessment of Adult Literacy and Numeracy at NFQ levels 1-3: Guidelines, Toolkit and Research Report (SOLAS, ETBI: 2018)

ETBs will :-

- 4.13.1 Promote and share good practice in adult literacy and numeracy provision, particularly between Youthreach and CTCs, to increase collaboration.
- 4.14 Conduct local awareness raising campaigns, consistent with the national campaign run annually in partnership with SOLAS, NALA and ETBI

ETBs will ensure:-

- 4.15 That all learners have the option to avail of accredited programmes through Adult Literacy and/or Co-operation Hours. Accredited Adult Literacy and/or Co-operation Hours' provision should be in excess of 50% of total provision provided in this regard*.
- 4.16.1 That the integration of adult literacy and numeracy is considered in the planning process across FET programmes

* A balanced approach to accreditation should ensure that non-accredited provision should serve as a progression route to accredited options. Reasonable time limits should be placed on the length of time learners can avail of non-accredited provision before progressing to accredited options. In cases where in excess of 50% of unaccredited provision is perceived to be required then the ETB must submit a business case through their FAR 2 submission in this regard to SOLAS.

ETBs will:-

- 4.17 Indicate as part of their Funding Allocations Requests the proportion of the literacy budget they intend to allocate to increase the provision of intensive adult literacy tuition options (in support of the Adult Literacy and Numeracy Strategy).

ESOL - ETBs will:-

- 4.18 Ensure that ESOL provision is prioritised within their planning process and made available to ESOL learners on a continuous basis with no waiting periods. If, however due to unforeseen circumstances **waiting periods** occur they must be no longer than 6 weeks in duration. Where potential for waiting periods are identified, or a waiting period occurs, SOLAS must be notified.
- 4.19 Prioritise actions related to ESOL development identified in The Migrant Integration Strategy 2017-2020 (and any subsequent strategies), and the National Traveller and Roma Inclusion Strategy 2017 – 2021³⁴. Ensure that these strategies are considered and progressed in 2021 planning.
- 4.20 Ensure that the needs of learners from minority ethnic groups and migrants are considered.
- 4.20.1 Consider the recommendations in English language provision and language assessment for low-skilled and unemployed migrants. Recommendations for good practice at NFQ levels 1-3 in ETBs (SOLAS, ETBI:2018) and in Further Education and Training (SOLAS / ETBI / CMETB, forthcoming 2021)

³⁴ National Traveller and Roma Inclusion Strategy (NTRIS) (2017-2021)

- Utilise the Common European Framework of Reference for Languages for recognition of English language proficiency
- 4.20.2 Ensure that all ESOL provision and related funding is recorded under ESOL in both PLSS and the FAR 4 funding programme headings. ESOL courses can be delivered within multiple provision settings, e.g. BTEI, etc. However, critically, delivery of ESOL, irrespective of setting (actual programme used to deliver the provision), must be recorded under the ESOL programme, to ensure that the funding and statistics for ESOL fully reflect the FET sectors contribution to society in this important area.
- 4.20.3 Prioritise ESOL delivery at Level 1, 2 and 3 and provide intensive ESOL tuition, as appropriate
- 4.21 **Traineeship:** ETBs are invited to include in their 2021 plans, proposals for the provision of Traineeships with clear employment or progression outcomes and in line with FET strategy
- 4.22 Note that all new **Traineeship programmes** to be offered by ETBs must be notified to the SOLAS Traineeship Unit in advance of programme commencement
- 4.23 **Provision related to Gaeltacht Areas:** Information related to FET ETB provision and supports to Gaeltacht areas and/or provision through the medium of the Irish language should be included in the ETB Funding Allocation Request.
- 4.24 **Refugee Resettlement Programme:** ETBs engaged in supporting the Department of Justice Refugee Resettlement Programme should provide an update on activity in 2020 and details of planned activity in this regard for 2021 in their FAR 2 submission. Information provided should include details of supports related to use of mainstream provision of ESOL and Adult Literacy provision to provide orientation and language training in the context of Refugee Reception Centres and provision to the refugee learner after they are resettled in their new home.
- 4.25 **Skills for Work Programme:** The Skills for Work project in support of the Action Plan for Jobs 2017/2018 and Future Jobs Ireland 2019 will continue to be prioritised. ETBs participating in the Skills for Work programme will develop and budget for their planned response to the Skills for Work projects. Budget and planned response details should be included in the individual ETB “Funding Allocations Requests”. SOLAS will provide the agreed funding related to Skills for Work projects in line with the “Funding Allocations Requests” process. Prioritisation should be given to the need for follow-on ESOL programmes to enable employed migrants to acquire more intensive language skills to assist in their integration into the workplace.
- 4.26 **Skills to Advance:-** Ensure provision of data as relevant to support the monitoring of targets set under the policy framework “Supporting Working Lives and Enterprise Growth in Ireland”. (Templates to be provided separately to each ETB).
- 4.27 Ensure that Skills to Advance learners (Route 2, employer specific & Route 3, sector specific) are recorded on the “Skills to Advance core” section on PLSS and check and confirm the accuracy of the relevant planning data following transfer to FARR.
- 4.28 Ensure that the dispersed Skills to Advance provision and mode of delivery is populated in FARR and the data uploaded is checked for accuracy.

4.29 Ensure information to support and engage employees to upskill and reskill are in place to assist them in identifying pathways for further development of their skills over time.

4.30 Ensure participants on Skills to Advance fit the following criteria:

- Employed in a lower skilled job and/or
- Those employed in a sector or occupation at risk of displacement and/or
- Those employees who are over 50 years of age

Note that the skill level of employees is indicated by the course for which application is made for.

4.31 Ensure course content under Skills to Advance incorporates digital, transversal and technical Skills.

4.32 Ensure courses are designed to facilitate flexible delivery mechanisms and to enable access by employees to Skills to Advance.

4.33 Ensure that relevant Skills to Advance applicants are referred to eCollege via the PLSS system.

4.34 **Skills to Compete:** The 'Skills to Compete initiative' is an FET activation response to COVID-19 labour market challenges. Courses identified as 'Skills to Compete' should very clearly meet the criteria for this initiative. In addition, only learners that meet the 'Skills to Compete' profile should be identified in PLSS (system tag) as a 'Skills to compete learner'. These learners will be reported on separately. A guidance note will be issued to the sector in this regard.

4.35 **Specialist Training Providers:** Places for Specialist Training Providers in 2020 will be sustained to a maximum within the agreed levels, or reduced levels where demand has fallen. ETBs and STPs must adhere to the programme guidelines requirement for Specialist Training Providers (STPs) in the provision of learner- focused training and related services, to assist individuals to enter or re-enter the labour market. Evidence provided as part of the registration process where STPs are addressing the identified training needs of people with disabilities who are experiencing exclusion and labour market disadvantage must be maintained.

4.36 **Digital Transformation** ETBs must undertake a planning/road mapping exercise for 2020 – 2025 in line with the priority areas to be identified in the forthcoming TEL Strategy Statement. Templates and supports will be provided by the TEL unit.

4.36.1 The FET Strategy 2020-2024; '*Future FET Transforming Learning*' includes the enabling theme of Digital transformation, building on the SOLAS ETBI Technology Enhanced Learning (TEL) Strategy 2016-2019. Within the digital transformation theme, there are four pillars of Access, Delivery, Data, and Systems. The *delivery* pillar will focus on the potential for technology to support and enhance the pedagogy underpinning teaching and learning, and on using technology to transform the way in which learning is offered, fully embracing blended and online delivery and creating more flexible and effective provision. Actions in this area, with periodic reporting requirements, will progress in alignment with the FET strategy implementation plan.

4.37 European Globalisation Adjustment Fund [EGF]: ETBs where and when required and in collaboration with the EGF Managing Authority within the Department of Further and Higher Education, Research, Innovation and Science must support the work of the SOLAS EGF Unit which is tasked with planning and implementing EGF related programmes on a national basis. The EGF Units core responsibilities include, but are not limited to:-

- Supporting the EGF MA in preparing new EGF applications
- Establishing delivery platforms in support of EGF programme implementation
- Engage, advise, support EGF clients seeking to up skill and obtain employment
- Fund and administer the suite of SOLAS training and course expense contribution initiative
- Manage EGF programme KPI's and produce monthly activity and financial reports
- Support participating agencies with EGF client engagement [DSP, HEA, LEO's and ETB's]
- Participate in relevant State and EU audits of EGF programmes

4.38 PLC: Ensure that the recommendations related to the PLC evaluation are progressed.

4.39 **Ensure that the PLC Programme Conditions of Approval are fully adhered to** (See Appendix 5).

4.40 **Ensure that the DES Circular Letter M29/95 (PLC courses must be full time) is fully adhered to in the provision of PLC programmes.**

4.41 **Note that PLC places for 2020/2021 will be as per changes in allocations that will be notified after the post October** return submission. In this process circa 500 of the existing 30,000 PLC places have been ring-fenced to support a call for Pre-Apprenticeship courses through PLC provision commencing in 2020. In 2021, if additional places are required, these will be allocated following a competitive call.

4.42 In 2021 continue to readjust their PLC capacity to re-balance PLC provision towards that directly related to employment or a career path in a specific occupation or industry, with a view to ensuring that 55% of all PLC provision across the sector is of this nature. ETBs will be required to categorise PLC course provision within the PLSS and FAR as one of the following:

- Courses which are **primarily** focused on direct entry to employment or a career path for a specific occupation or industry
- Courses which are **primarily** focused on progression to opportunities in higher education.
- Courses which are **primarily** focused on equipping the learner with requisite skills and experience to successfully progress to an apprenticeship programme
- Courses where it is judged that there is an equal and dual employment and progression focus from the PLC course which prevents its categorisation as one or another at this stage (please note that categorisation in this way should be minimised as far as possible and only viewed as a temporary measure as analysis of outcomes support identification of its primary purpose)

ETBs should also note that categorisation of a course input in this way does not undermine the role of particular PLC courses in generating **both** employment and progression outcomes, which will continue to be taken into account in monitoring performance.

- 4.43 ETBs will in 2021 continue the review process regarding the labour market rationale for all PLC courses over a three year cycle. The review approach will be developed as part of the work of the PLC Programme Improvement Advisory Committee. ETBs will be required to submit reports on the courses reviewed during the year to SOLAS and it is expected that this will include at least one third of the total ETB provision offered by the ETB. Reports will be submitted to SOLAS by email to FETplanning@solas.ie
- 4.44 **Construction:** Note that all new Construction Skills courses to be offered by the ETBs must be notified to the SOLAS Operational Planning Unit in advance of course commencement, through the FETplanning@solas.ie email.

5. Reporting

This section of the document sets out key parameters and requirements on reporting to facilitate and guide the planning process.

- 5.1 Data must be collected and submitted to required timelines to support the SUSI grant application process, the planning and funding process and the Department Further and Higher Education, Innovation and Science 'October returns' process'.
- 5.2 ETBs must ensure the availability of data /statistics in relation to:-
- Financial data
 - PEIL data requirements. (Non-financial data should include programme and learner/participant data and related information).
 - Reports related to programme levels and programme summaries are required for 2020. These are set out in appendix 4 of the *Approach to Planning and Funding for Further Education and Training* document.
 - A full year of data for 2021 must be available through PLSS Learner database, as this data will be required for programmes supported through PEIL and YEI.
- 5.3 Data related to the number of approved PLC places will be forwarded to the DFHERIS Teacher Allocation section.
- 5.4 ETBs will, on an individual basis, report to SOLAS on their Integrated FET provision in line with the time-lines set out in the SOLAS terms and conditions (late submissions may incur financial forfeits).

The following reports must be prepared or submitted to SOLAS by the ETBs during 2021:

5.4.1 Reports

2021 reporting periods are as follows:

Financial Reports

- **Financial Reports – Year End** – submission first week January for previous year
- **Final Balancing Statements** (in line with ETB V15 and submission of accounts to DES) – submitted by the end of March for previous year.
- **Certified Accounts** submitted by the end of May – for previous year.
- **Mid-Term Review (Forecasted Funding outturn)** to the end of September (for submission in October). Required to facilitate review and adjustment of provision and funding allocations as appropriate.
- **FAR 4 Bid** submitted by the end of January
- End of Year & Balancing Statements, 2022.

See Appendix 1 for specific timelines

FET Provision Reports

PLSS learner database to be updated, (enabling the download of reports and supporting the use of Tableau) for:

- The previous full year (2020) by end of January
- First 6 months of the current year to the end of June
- For PLC in line with 'October returns' dates
- **Forecasted provision outturn @ mid-year** - submission in July 2021
- 12 months full year (2021) - submission by end of January 2022.

FARR database to be updated for Apprenticeship reporting to enable the download of reports for:

- The previous full year (2020) by end of January 2021
- First 6 months of the current year to the end of June (submission in July 2021)
- **Forecasted provision outturn @ mid-year** - submission in July 2021
- 12 months full year (2021) - submission by end of January 2022.

5.5 The reporting process may include provision of presentations by the ETBs on the statistical information provided to SOLAS as appropriate.

5.6 FAR, PLSS and FARR submissions must be finalised to the specified timelines.

6 Grant Assurance

Further Education and Training (FET) is funded through the **European Social Fund (ESF)** and the **National Training Fund (NTF)** in the amount of circa of €932.5m annually. This funding is made available to SOLAS through the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) for distribution across the sector

The DFHERIS, **Further Education and Training Section** has responsibility for overall policy development and oversight of the FET Sector. This section of the Department engages with and monitors SOLAS in relation to policy and funding of the sector in order to ensure that monies received by SOLAS are utilised in accordance with the purposes for which they were allocated and that value for money is achieved.³⁵

On a wider scale, the FET Sector is subject to an integrated approach to Grant Assurance. This approach encompasses areas of specific focus:-

- The Controller and Auditor General monitors; SOLAS, the ETBs and the Voluntary Secondary Community and Comprehensive schools (VSCCS) in the context of compliance. In addition, the VSCCS report to the Department of Education and Skills
- Internal Audits are conducted by the ETBs
- The SOLAS System, Funding and Performance Unit, with support from the SOLAS Finance Unit, requires verification from the ETBs that monies have been utilised in accordance with their agreements and SOLAS Terms and Conditions of Funding
- The SOLAS System, Funding and Performance Unit provides support in the context of planning and funding and seeks written assurance that :-
 - The FET sectors' planning and funding and performance reporting processes are robust
 - Plans are in place to support achievement of national targets
 - Proposed provision is relevant to the needs of the learner, enterprise and the community, locally and nationally
 - The requirements of the Funding Terms and Conditions and the Overarching Planning and Funding Parameters and Requirements for Grants have been adhered to
 - All of the provisions of DPER circular 13/2014 are complied with in relation to onward grants, return of unspent monies /approval to carry forward funding etc.
 - DES circular 1/16 & DPER Circular 13/15 concerning ESF (PEIL &YEI) eligibility requirements are considered by SOLAS the ETBs and other grantees as appropriate when planning FET provision
- The SOLAS Grant Assurance will focus on analysis of the sectors ability to perform in an effective and efficient manner. Grant Assurance is a non-transactional business process utilised in the context of oversight and supervision of planning, funding and continuous improvement of FET provision.
- The Quality and Qualifications Ireland (QQI) focuses on the FET sectors ability to meet QQI quality assurance requirements

³⁵ Department of Education and Skills – Organisation and Current Issues – A Brief for the Minister of Education and Skills 2016 p114

Strategic Requirement for Grant Assurance

The rationale for the development and implementation of grant assurance for the FET sector is to support good governance and meet the requirements of the Further Education and Training Act 2013, the Education and Training Boards Act 2013, the Department of Public Expenditure and Reform (D-PER) circular 13/2014, and the FET Strategy 2020-2024. Legislation states the need for SOLAS to;

- a. *... Assess whether or not education and training boards, and other bodies engaged in the provision of further education and training programmes, to whom moneys have been advanced under section 21 perform their functions in an economic, efficient and effective manner³⁶*
- b. *Develop, and facilitate the development of, new and existing further education and training programmes including the establishment of systems designed to monitor the quality of the education and training concerned for the purpose of ensuring that those programmes serve their purpose³⁷*
- c. Meet the requirements of the D-Per Circular in the context of its overall principle of ensuring that there should be transparency and accountability in the management of public money, in line with economy, efficiency and effectiveness and that **Grantors should put arrangements in place for an appropriate type and frequency of financial and performance reporting.**

Grant Assurance

To support due diligence of the investments in FET as part of the overall corporate governance relating to FET Grants and to promote excellence and improvement in FET.

Scope

All SOLAS Grantees are subject to the Grant Assurance process and will be required to support and engage in the process. Briefings and workshops on this process will be conducted in 2021.

³⁶ The Further Education and Training Act 2013 section f page 7

³⁷ The Further Education and Training Act 2013 section j page 7

Appendix 1 2020/2021 Key Timelines and Dates

Month	Action	Due Date
2020		
October	<i>2021 Planning commences</i>	
	Meeting with FET Directors	9 th November 2020
December	Meeting with FET Finance Officers / OSD Directors / FT Directors	7 th December 2020 proposed
	Courses planned in PLSS and FARR (Apprenticeship). (Course scheduling in PLSS can commence prior to this date).	9 th December 2020
	P&Rs and FAR (FAR 1, 2 & 4) templates issued	11 th December 2020
2021		
January	2020 Financial Reports – Year End Signoff	8 th January 2021
	2021 FAR 4 Bids	29 th January 2021
	2021 FAR 1 and 2 (dated and signed off by designated signatory)	29 th January 2021
	2020 End-of-Year - PLSS / FARR updated	29 th January 2021
	2021 Close of planning data in FARR	29 th January 2021
March	2020 Final Balancing Statement (in line with ETB V15 and submission of accounts to DES)	31 st March 2021
	2020 Balancing Statement specific to MAED Funding	31 st March 2021
May	2020 Final certified Audited Accounts	End of May 2021
July	2021 Forecasted Provision Outturn @ mid-year (January – June 2021) FARR (apprenticeship reporting).	30 th July 2021
October	Midterm Review (Overall estimate to end of year) Spend to end of September and Forecasted Funding Spend to the end of year.	12 th October 2021
October	<i>Phase 1 2022 Planning commences</i>	October 2021
2022		
	<i>Phase 2 2022 Planning</i>	
	2022 FAR 4 Bids	
	2021 End-of-Year - PLSS / FARR updated / Financial Reports	

Appendix 2 Funding Terms and Conditions 2021

Terms and Conditions of Funding

These Terms and Conditions set out the formal relationship between SOLAS and the ETB. The foundation of the relationship is the provision of funding by SOLAS to the ETB, for the provision by the ETB of further education and training services ('The Services'), as set out in statute.

Services

1. In consideration for receipt of the Funding, the ETB shall:
 - 1.1 Provide the Services as set out in the annual funding allocation Grant Approval Letter and its associated Funding Allocation Request and associated documents, schedules and guidelines in response to the annual SOLAS Overarching Planning and Funding Parameters Document and the ETBs Strategic Performance Agreement.
 - 1.2 Agree to abide by the Terms and Conditions contained herein.
2. Unless otherwise agreed with SOLAS in writing and in advance, the ETB shall only apply the Funding in accordance with the provisions of these Terms and Conditions for the Services set in the annual Funding Allocation Grant Approval Letter to the ETB and its associated Funding Allocation Request and their ETBs Strategic Performance Agreement, associated documents, schedules and guidelines in response to the annual SOLAS Overarching Planning and Funding Parameters Document.
3. At all times, the ETB shall co-operate with SOLAS in connection with the provision of the Services and shall address and resolve any issue(s) which may impact on the provision of the Services in accordance with the Service Levels in the ETB Grant Approval Letter and its associated Funding Allocation Request and their ETBs Strategic Performance Agreement, associated documents, schedules and guidelines in response to the annual SOLAS Overarching Planning and Funding Parameters Document.
4. SOLAS may alter, add to, modify or amend the Services, the Service Levels, the approved Funding allocation and/or any other obligations arising pursuant to these Terms and Conditions, including as a result of changes in legislation, government or ministerial priorities or policies, prevailing operational circumstances and/or broader political, financial, economic or other related priorities. Where amendments become necessary, SOLAS will, where possible, engage in timely consultation with the ETB. Such consultation will include consideration of any increase or reduction in effort required to achieve amended targets and any related impact on output requirements.
5. Where all or part of the Funding is provided to SOLAS by a third party (including, but not limited to, the European Social Fund and/or the European Globalisation Fund), the ETB shall comply in all respects with any conditions of funding of the relevant third party, the Certifying Authority DES circular 1/16 & DPER Circular 13/15 concerning ESF (PEIL & YEI) eligibility requirements must be followed by the ETBs.
6. The ETB shall comply in all respects with the DPER 13/2014 circular in relation to its funding grant from SOLAS e.g. return of unspent monies, approval to carry forward funding etc. and in relation to onward grants from the funding received from SOLAS, details of these onward grants and their recipients/proposed recipients must be provided to SOLAS, along with details of the Terms and Conditions applying to these onward payments as relevant (or if applicable).
7. The ETB shall provide SOLAS with a provisional balancing statement for the previous year funding spend no later than the end of February the following year and a full set of audited accounts upon their finalisation in accordance with the Education and Training Boards Act 2013. Should an ETB in exceptional circumstances need to classify SOLAS as a debtor in their accounts then they will request SOLAS express permission to accept the debit.

8. Where funding is being provided as part of a co-funding arrangement, the ETB is required to provide annually a declaration of the source, amount and purpose of all other funding received, together with confirmation of no duplication of funding. This declaration should also state if the exchequer funding from all sources is greater than 50% of total income.
9. The ETB shall ensure that the **Personnel** (including all subcontractors) are qualified and experienced, as necessary and/or appropriate, to provide the Services.
10. If, and as, required by SOLAS, the ETB agrees that it will co-operate with other ETBs, the local office of Department of Social Protection, other learning or training providers and/or any other person as required by SOLAS.

Representative and Review

11. The ETB shall nominate a representative of the ETB, the FET Director or other appropriate person who shall be responsible for liaising with SOLAS with regard to the Planning, Funding and provision of the Services and the fulfilment of the ETB's obligations under these Terms and Conditions.
12. The ETB representative will be available to meet with SOLAS on a regular basis to discuss all relevant matters relating to the provision of the Services. In addition, the ETB representative and a senior representative of the ETB shall meet with the SOLAS representative and a senior representative of SOLAS at least once every 12 months to carry out a review of the Service Levels for the agreed Funding Allocation and all ancillary matters arising in respect of these Terms and Conditions.

On-going Reporting and Other Obligations

13. The ETB shall provide SOLAS with regular updates (timely, in detail, and in such form as may be specified by SOLAS from time to time) in respect of the provision of the Services, the fulfilment of the Service Levels or any matter specified by SOLAS from time to time.
14. The ETB shall ensure compliance with all statutory, European Union and other obligations that apply, including the Code of Practice for the Governance of State Bodies, the Code of Conduct for ETBs other obligations that apply.
15. The ETB shall report to SOLAS promptly, where issues of loss or potential loss or in situations where actions related to provision of poor quality of services become apparent and which are funded through the SOLAS grant.

Records

16. The ETB shall establish and maintain a records management system which complies with best practice and securely keep and securely maintain (in such form as SOLAS may reasonably require from time to time) all documents and records including a detailed financial record of all receipts, expenditure and all expenses arising in respect of the Services, proper books of account, quality assurance records and other detailed records required by SOLAS and/or by law (collectively, the "**Records**"). If requested by SOLAS, the ETB shall promptly provide SOLAS with copies of the Records.
17. If requested by SOLAS, the ETB shall promptly provide SOLAS with any record (as such term is defined in the Freedom of Information Act 2014) relating to any matter provided for, arising in respect of, or in connection with, these Terms and Conditions.
18. Validation records for education in relation to any training programmes delivered under these Terms and Conditions from Quality and Qualifications Ireland and all other relevant certification bodies shall be both obtained and retained by the ETB.
19. SOLAS, together with officials from the Department of Further and Higher Education, Research, Innovation and Science and/or from any other government department, the Comptroller and Auditor

General's office, the European Commission and the European Court of Auditors, and/or any other body which SOLAS may notify to the ETB, shall be granted access to any location(s) where records are maintained under these Terms and Conditions to examine all records, financial and otherwise maintained by the ETB in connection with the Services.

20. The ETB shall comply with and reply to all requests, notices, orders or otherwise submitted pursuant to these Terms and Conditions relating to the activities funded pursuant to these Terms and Conditions, provided that such action(s) will not constitute a breach of the ETB's statutory obligations. If third party consent is required to permit the ETB to comply with this condition, the ETB shall use its best endeavours to obtain the necessary consent from the relevant third party.

Insurance and Liability

21. Appropriate insurance policies shall be kept and maintained by the ETB. SOLAS's interest shall be noted on any such policy and such policy shall fully indemnify SOLAS. The ETB shall bear all excesses and deductibles in any of the required insurances.
22. SOLAS will not be liable for any injury, loss and/or damage whatsoever or to whomsoever caused by any act, default and/or omission of the ETB, its servants, agents or the Personnel. The ETB shall fully indemnify SOLAS and hold SOLAS harmless from and against all and any claims, demands, proceedings, judgments, costs and/or liabilities of whatsoever nature (including legal costs) arising in relation to the Services and/or in respect of any breach of these Terms and Conditions.

Data Protection

23. Each party shall comply with its obligations under Applicable Data Protection Legislation.
24. To the extent that a party acts as a Controller ("Disclosing Controller") and provides Personal Data to the other party acting as a Controller ("Recipient Controller"), the parties agree, in accordance with Applicable Data Protection Legislation, that:
 - 24.1 the Disclosing Controller shall be responsible for ensuring that it has provided all necessary fair processing information to Data Subjects from whom it obtained such Personal Data; and
 - 24.2 the Recipient Controller shall be responsible for ensuring that it provides the necessary fair processing information to such Data Subjects within month of obtaining such Personal Data from the Disclosing Controller; and
 - 24.3 each party has taken appropriate steps to legitimise its processing of the Personal Data to enable it to process such Personal Data for the relevant purposes.
25. If and to the extent that one party acts as a Processor of Personal Data for the other party, it is agreed that the parties shall, in accordance with the requirements of Applicable Data Protection Legislation and, in particular Articles 28 and 29 of the GDPR, enter into a data processing agreement in a form prescribed by SOLAS.

Confidentiality

26. All information and knowledge acquired by the ETB, its servants or agents and/or the Personnel during the Funding Term and/or the Extension Term as applicable, (save that which is in or comes into the public domain through no fault of either party) shall be treated by the ETB, its servants or agents and/or the Personnel, as confidential and must not be divulged whether during the Funding Term and/or the Extension Term, as applicable or at any time thereafter, to unauthorised persons or used for gain, profit or any other purpose, save in accordance with any statutory provision or Government directive.

Dispute Resolution

27. If there is a disagreement in relation to the Services, the Service Levels, for which the Funding Allocation Request was approved or any other matter governed by these Terms and Conditions (a “Dispute”), SOLAS and the ETB covenant to each other that they shall in good faith seek to resolve such Dispute. Where appropriate the ETB/SOLAS Liaison Group could assist with the resolution of disputes.
28. If a Dispute arises, a SOLAS representative and the ETB representative referred to in condition 11 of these Terms and Conditions shall enter into discussions with each other with a view to resolving such Dispute in a manner consistent with the provisions of these Terms and Conditions.
29. If the SOLAS representative and the ETB representative fail to agree a resolution to the Dispute within 2 weeks of commencing discussions referred to in condition 26 of these Terms and Conditions, the Dispute may be escalated by either party to the SOLAS senior representative and the ETB senior representative referred to in condition 12 these Terms and Conditions.
30. If the SOLAS senior representative and the ETB senior representative fail to agree a resolution to the Dispute within a reasonable period of time (and in any event, within 2 weeks of commencing their discussions to resolve the Dispute), the Dispute may be escalated by either party to the SOLAS Chief Executive Officer and the ETB Chief Executive. If following this, the matter remains unresolved then SOLAS will have sole discretion in determining the outcome.
31. These Terms and Conditions shall in all respects be governed by and construed in accordance with the laws of Ireland and each of the parties submit to the non-exclusive jurisdiction of the Irish Courts for all purposes in connection herewith.

General

32. The application of these Terms and Conditions shall commence on the 1st of January 2021 and shall continue until SOLAS decides, at its sole discretion, to replace, amend or terminate them.
33. The ETB and SOLAS shall execute and do all such documents, acts and things as may reasonably be required to implement the provisions of these Terms and Conditions.
34. The ETB and SOLAS shall secure that any other necessary party shall execute and do all such documents, acts and things as would be reasonably required to implement the provisions of these Terms and Conditions.
35. If the ETB fails to adequately observe any of the material terms of these Terms and Conditions or fails to provide some or all of the Services in accordance with the Service Levels in the approved Funding Allocation SOLAS may take action including but not limited to:
 - 35.1 Delay in the dispersal of the Funding provided under these Terms and Conditions.
 - 35.2 The withholding of all or part of the Funding provided under these Terms and Conditions.
 - 35.3 The claw back of all or part of the Funding provided under these Terms and Conditions.
 - 35.4 The offset of any element of Funding against any future funding allocation.
36. These Terms and Conditions shall not be deemed to create any partnership or joint venture between the parties in relation to the provision of the Services or otherwise or constitute any party as an agent of another.
37. Each of the provisions these Terms and Conditions are separate and enforceable accordingly and if at any time any provision is adjudged by any court or regulatory authority or agency of competent jurisdiction to be void or unenforceable in whole or in part the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby. The parties shall use their best efforts to achieve the purpose of the void or unenforceable provision (or part thereof) by a new legally valid stipulation.

38. A waiver of any right arising pursuant to these Terms and Conditions shall not be enforceable unless given in writing and signed by the party enjoying that right. A waiver by a party of any breach of a provision of these Terms and Conditions (or the acquiescence of a party in any act (whether of commission or omission) which but for such acquiescence would be a breach of a provision of these Terms and Conditions) shall not constitute a general waiver of any other provision of these Terms and Conditions, or a waiver of any subsequent act contrary thereto.
39. These Terms and Conditions supersede all previous agreements (if any) between the ETB and SOLAS in respect of the provision of funding for Further Education and Training as set out in the ETB annual Funding Allocation Request and approved allocation.

Definitions

40. Save where otherwise defined, the following definitions shall apply to these Terms and Conditions:
- 40.1 "Terms and Conditions", these Terms and Conditions;
- 40.2 "**Business Day**", a day (other than a Saturday, Sunday or public holiday) when banks in Ireland are open for business;
- 40.3 Commencement Date 1st January 2021;
- 40.4 "Funding", such funding as may be agreed between SOLAS and the ETB from time to time in respect of the provision of the Services;
- 40.5 "SOLAS Overarching Planning and Funding Parameters Document", the top down SOLAS policy document to guide the ETB in its annual planning for FET services provision response and request for funding through the Funding Allocation Request' annual process;
- 40.6 "Funding Allocation" the agreed funding for the services set out in the ETB Annual Funding Allocation Request;
- 40.7 'Annual Funding Allocation Request' the request by the ETB for funding for the provision of services in response to the annual SOLAS Overarching Planning and Funding Parameters Document;
- 40.8 'Grant Approval Letter' letter confirming Board of SOLAS approval of the ETB funding;
- 40.9 "Personnel", the employees of the ETB or any sub-Contractor that shall perform the Services;
- 40.10 "Services", the services provided by the ETB the details of which are set out in the funding allocation request and the grant approval letter;
- 40.11 "Service Levels", all directions, guidelines and standards which SOLAS may from time to time require the ETB to observe in providing the Services;
- 40.12 "Applicable Data Protection Legislation" all laws relating to the processing of Personal Data, privacy and security including, without limitation, the EU Data Protection Directive 95/46/EC, the Data Protection Acts 1988 and 2003, the Privacy and Electronic Communications Directive 2009/136/EC and the General Data Protection Regulation (EU) 2016/679 ("GDPR") and, where the context so requires equivalent or replacement legislation of any applicable jurisdiction, delegated legislation of other national data protection legislation, and all other applicable law, regulations and approved codes of conduct, certifications, seals or marks in any relevant jurisdiction relating to the Processing of Personal Data including the opinions, guidance, advice, directions, orders and codes of practice issued or approved by a Supervisory Authority or the Article 29 Working Party or the European Data Protection Board;
- 40.13 "Controller", has the meaning given in Article 4(7) of the GDPR;

40.14 "Personal Data", has the meaning given in Article 4(1) of the GDPR;

40.15 "Processor", has the meaning given in Article 4(8) of the GDPR;

Appendix 3**List of ETB PLC Approved Places**

PLC approved places for January to December 2021 (based on 2019 October Returns)

<u>FET Providers</u>	<u>Approved PLC Places</u>
Cavan Monaghan ETB	1,367
City of Dublin ETB	7,216
Cork ETB	3,809
Donegal ETB	191
Dublin Dun Laoghaire ETB	2,749
Galway Roscommon ETB	1,512
Kerry ETB	726
Kildare Wicklow ETB	1,292
Kilkenny Carlow ETB	1,104
Laois Offaly ETB	475
Limerick Clare ETB	1,318
Longford Westmeath ETB	319
Louth Meath ETB	2,634
Mayo Sligo Leitrim ETB	1,144
Tipperary ETB	757
Waterford Wexford ETB	1,413
ETB Totals	28,026

Please note figures include the Open call for Pathways to Apprenticeship that were approved late 2019.

Officially courses are for one year, the finish dates for courses can/may be extended in the interest of the learner on an individual basis for Youthreach and CTC provision. However, there should not be a new intake of learners on these courses after the first year, i.e. the finish date should not be extended to take in new learners. For the year being planned, an additional course instance is required where a new intake of learners is planned or where, for existing learners, the course provision accreditation offered will be different.

Where the course accreditation options will be different, in addition to creating a new course instance, this new course instance should reflect the difference in accreditation. This is to ensure both the planning and reporting data accurately reflect the course and accreditation offered. See footnote in regard *Accreditation Options*¹.

1. Course instance for existing learners

This course instance is the course provision for existing learners that started in an earlier year. This course instance will already exist as it will have been created in a period prior to the beginning of the year being planned. The provision data includes the accreditation options³⁸ offered to existing learners on that course.

2. Course instance for new intake of learners

This course instance captures course provision for the new intake of learners scheduled to start in the year being planned. This course will need to be created for the year being planned. The course provision data includes the accreditation options along with the projected starters (learners joining that course).

³⁸ **Accreditation options** to ensure both the planning and reporting data accurately reflects the course description and accreditation offered:

- a) If year one of the course is not accredited and the year two course leads to accreditation then an additional course instance for each year is warranted.
- b) If year one of the course is accredited and leads only to QQI Component Awards and the year two course leads to a QQI Major/Special Purpose/Supplemental Award then an additional course instance for each year is warranted.
- c) If year one of the course is accredited and leads to a particular award and/or level that is different to the Award and/or level offered on the year two course then an additional course instance for each year is warranted.
- d) If the year one and the year two course are not accredited, additional course instances are warranted to capture starters in the year being planned.
- e) If the year one and the year two of the course offer the same accreditation options, additional course instances are warranted to capture starters in the year being planned.



POST LEAVING CERTIFICATE PROGRAMME

Conditions of Approval

Background

The Post Leaving Certificate (PLC) Programme is self-contained whole-time learning experience designed to provide successful participants with specific vocational skills to enhance their prospects of securing lasting, full-time employment or progression to other studies.

The Programme caters for those who:

- have completed senior cycle education and require further vocational education and training to enhance their prospects of employment or progression to other studies.
- are adults returning to education who may not have completed the senior cycle but are deemed by the provider to have the necessary competencies and capacity to undertake the Programme.
- are unemployed and are seeking to upskill in order to enhance their prospects of gaining employment

The aim of the Programme is to provide participants with specific vocational skills. It is intended, therefore, that this Programme will provide for a more intensive development of technical skills, including new technologies, combining opportunities for work experience, vocational studies and general studies.

Conditions of Approval

1. Course approval does not carry forward from year to year. Providers must submit all courses they intend to run for approval regardless of whether they have previously been approved.
2. Appeals must be made by the provider in question within four weeks of the issue of the notification of approvals. Appeals received outside this timeframe will not be considered by SOLAS.

Participants

3. Participants must be at least 16 years of age on commencing the course.
4. Participants may not repeat a programme.
5. Academic entry requirements should be appropriate to the award being offered and may include the Established Leaving Certificate, Leaving Certificate Vocational Programme (LCVP), Leaving Certificate Applied (LCA), FETAC Level 4 or equivalent.
6. The terms of Department of Education & Skills Circular 0013/2011 in relation to the PLC participant contribution must be complied with.

Approval process

7. In approving courses, SOLAS has regard to ensuring appropriate provision on a geographic basis and the necessary critical mass for delivery of a quality education service. Where provider(s) are seeking to run a course where the same or similar courses are already available in the area, each provider must demonstrate that sufficient demand exists for both courses. Providers are encouraged to co-ordinate provision locally to avoid duplication.
8. Labour Market justification for skills and job-related PLC courses to be completed on a cyclical basis commencing in 2019 and reported on to SOLAS as part of the annual planning process.

Course Structure

9. PLC courses must be full-time courses and the Department of Education & Skills requirements on the length of the school year must be met. The school year is at least 167 days as outlined in the Department of Education & Skills Circular Letter M29/95
10. No courses of more than one academic year's duration will be approved. Where a two-year programme is planned it should be proposed in the format of two one-year programmes leading to a QQI Major award at NFQ-Level 5 or equivalent at the end of year 1 and a QQI Major award at NFQ-Level 6 or equivalent at the end of year 2.
11. Courses must be provided within existing accommodation and within the existing teacher allocation. It is the responsibility of the provider to ensure that specialist accommodation and equipment is provided for learners where necessary.

Course content

12. Course components and recommended % time is as follows:

Area of Study	Annual	% of Time
Vocational Studies	400-480	50-60%

General Studies	160-240	20-30%
Preparation for Work/Work Experience	160-240	20-30%

13. Work experience placements should be relevant to course content. The placement should be supervised and arrangements for structured feedback from the learner and the employer should be made.

Certification

14. All courses must lead to QQI Major awards at NFQ-Level 5 or NFQ-Level 6 or equivalent. Any new courses at NFQ- Level 6 will only be approved if there is a demonstrated demand and a clear lack of an alternative opportunity for learners in the area.

15. Courses that lead to awards by other awarding bodies aligned to the National Framework of Qualifications (NFQ) can be offered once there is an identified need for such courses.

16. Providers delivering courses leading to QQI awards or with other awarding bodies must be registered with the appropriate awarding body and comply with their Quality Assurance and course registration requirements.

17. SOLAS expects providers to comply fully with the requirements under the Qualifications and Quality Assurance (Education and Training) Act 2012.

Staffing

18. The Pupil Teacher Ratio (PTR) for the PLC Programme is 19:1.

Reporting

19. Providers must ensure that the “October returns” and the PLC Programme Participant contribution returns are completed accurately and within specified deadlines. As reporting data is generated from PLSS, PLSS must be updated on a regular basis.

20. Accurate details of participants’ employment status, especially the long term unemployed, must be included in the October returns. For the purpose of clarity, the definition for long term unemployed is: on the Live Register and in receipt of Unemployment Assistance, Unemployment Benefit or signing for credits for a continuous 312 days claim open.

21. From time to time, the SOLAS may seek other information from PLC providers and providers should comply with any such requests in a timely fashion.

22. The payment of the enhanced PLC capitation grant is dependent on accurate and timely “October Returns” and an accurate return on the number of learners who are exempt from the PLC participant contribution. Any delays in returning information in either of these returns may result in delayed payment of the PLC capitation grant. In particular, where returns in relation to the PLC participant contribution are not received it will be assumed that all participants are eligible to pay the contribution and the capitation allocation will be reduced accordingly.

23. Providers should ensure that participants provide their PPSN at the time of enrolment for inclusion in the “October Returns”.

Records and Publicity

24. Providers operating the Programme must maintain adequate and separate records for or programmes and participants, including:

- (i) student enrolment records
- (ii) socio-economic background
- (iii) academic background
- (iv) completion rates
- (v) certification rates
- (vi) date and reason for leaving for those who do not complete a course
- (vii) employment and progression statistics

25. Written consent of the learner for the transmission of personal data to SOLAS for statistical purposes should be secured through the learners' signature on the Learner Detail Form

26. The following text must be included prominently in all relevant publicity material, advertisements, information leaflets and application forms:

“Co-Funded by the Irish Government and supported by the European Union”

The appropriate Irish Government and European Social Fund logos must be displayed on all programme information etc.

Partnerships

27. The Programme is geared to improving the employment prospects of participants and/or enabling progression to other studies. Providers should maintain the highest level of co-operation and contact with State agencies in the labour market area, local employers, Higher Education providers and training agencies.

Guidance Service

28. Guidance services should be provided to participants on the programmes.

Equality

29. The provisions of relevant equality legislation must be complied with.